

# Undocumented but Undaunted:

## Immigrant Youth at Work in the Nonprofit Sector

by Tam Tran and Prerna Lal

As undocumented immigrants, many young people can be derailed from pursuing their dreams.

**N**OE NEVER DOUBTED THAT HE WAS A U.S. citizen. Growing up in New Haven, Missouri, Noe was an exemplary student and athlete. He made the honor roll every semester, ran for the cross-country team, and was a member of the student council and the Future Business Leaders of America. The world was his oyster, and Noe seemed headed for success until he applied for the U.S. Marine Corps. When he went to enlist, U.S. Immigration and Customs Enforcement handcuffed and shackled his feet, informing Noe that he had used a Social Security number belonging to someone else. For the first time, it dawned on Noe that he might not be a U.S. citizen after all. He was indeed undocumented and had no memory of Mexico, a country he had left at the age of three.

Within the United States, 2.8 million undocumented youth can fall prey to this scenario. Every year, an estimated 65,000 students who graduate from high school lack legal citizenship. Many of

these graduates immigrated to the United States with their families at young ages. They grew up as Americans and, every morning in class, pledged allegiance to the U.S. flag. They learned about the country's ideas of freedom and liberty valued by the founding fathers. These young adults watched the same cartoons, listened to the same music, and fell for the same fashion trends as their American peers. And now they want to go college just like their friends. But as undocumented immigrants, many of these young people can be derailed from pursuing these dreams.

Status-quo U.S. immigration laws currently seek to deport award-winning young student artists like Meynardo Garcia,<sup>1</sup> keep aspiring artists such as "Moreno"<sup>2</sup> in the closet, render young adults with "legal" parents stateless, and close the doors of opportunity to countless others after high school simply because they do not have a nine-digit Social Security number and a green card. These immigrant youth were brought to the United States by their parents and have grown up American; they want to go to college and contribute to society but cannot because of their legal status. For most of them, the only way to adjust their status is through the DREAM Act.

First introduced in 2002, the bipartisan federal legislation known as the Development, Relief,

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1981 M. Alvarado Montoya

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and Education for Alien Minors (DREAM) Act would provide a path to legal residency for young people brought here as children who fulfill certain requirements, such as graduating from high school, attending college, or serving in the military and maintaining good moral character. The bill fell short by just eight votes of reaching cloture in 2007 but has since been revived—and with growing support.

Currently, many undocumented youth feel completely hopeless: assuming that going to college or joining the military are not even options because of the financial and legal obstacles involved. The DREAM Act would give undocumented youth the right to self-determination: to choose their futures. Giving DREAM Act students a path to citizenship would strengthen the immigrant-rights movement by legalizing a politicized, college-educated group of immigrants who have valuable skills to contribute to the fight for comprehensive immigration reform.

It has been three months since the reintroduction of the DREAM Act, and the legislation has accrued 22 cosponsors in the Senate,<sup>3</sup> more than 70 in the House<sup>4</sup> and a stream of endorsements from officials, including the president, the vice president, and the secretary of the Department of Homeland Security.<sup>5</sup> Nontraditional sources of support have also come from labor and faith-based groups as well as big business.

Even Microsoft can see the benefits of undocumented students. “The DREAM Act reinforces and protects America’s substantial investments in the education of its youth, and ensures that America will reap the benefits of those investments,” wrote Fred Humphries, the managing director of U.S. government affairs at Microsoft in a letter to Democratic Senator Richard Durbin of Illinois and Republican Senator Richard Lugar of Indiana. “The DREAM Act rewards those who place high value on education, on hard work, and on service to country. Opening the door to the best intellectual resources our country can muster is essential to our future strength.”

Microsoft is not alone in recognizing the talent and potential of undocumented students; 18 other businesses in New York, including the News Corporation (owner of Fox Broadcasting), have endorsed the DREAM Act.

Students at the University of Florida; Wayne State University; the University of Washington; the University of Texas at Austin; the University of Michigan, Ann Arbor; Temple University; and other colleges throughout the United States have passed resolutions in favor of the DREAM Act. Presidents at Harvard, Stanford, the University of California, Berkeley, and other top universities have declared support for the legislation. Even city councils are not far behind, having passed resolutions in Philadelphia, New York, Los Angeles, and Oakland.

### **The Role of Nonprofits in Immigrant Employment and Integration**

Given the grassroots energy and drive for the DREAM Act from nontraditional sources such as big business, where do nonprofit organizations fit into the equation of providing professional development and integrating immigrants?

In this article, we trace the lives of undocumented immigrant students who have worked in nonprofits to gain professional experience. Through advocacy work for the DREAM Act, these immigrant several undocumented students have become lifelong organizers and gained important skills that are beneficial to nonprofits by helping serve the needs of communities previously marginalized and underserved. Nonprofits have benefited from these relationships as well. With the economic downturn, escalating costs, diminishing resources, and increasing competition have created immense quandaries for the nonprofit sector. Nonprofit support for the DREAM Act and undocumented student advocacy ensure sustained civic and nonprofit sector participation from the immigrant community.

This year, before Tam began graduate school, she participated in a national program that provides internship opportunities to youth interested in working in the nonprofit sector. Tam spent a year at a labor-rights organization in downtown Los Angeles, where her responsibilities included working on issues that affect undocumented immigrant youth. Her activities included outreach to teachers, counselors, administrators, and students at the high-school and college level as well as educating community organizations about the growing population of undocumented immigrant youth and

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the obstacles posed by illegal status. During her internship, Tam heard many stories from undocumented students. Many young immigrants recalled having discovered their undocumented status when inquiring about their Social Security number to their parents so that they could fill out their college applications, only to find out that they never had one and could not obtain one. While a Social Security number is not necessary to apply to college, undocumented students are discouraged to discover that they do not qualify for financial aid or loans, which does require one. And when these students realize that their legal status bars them from working to pay for their education or from obtaining a driver's license to commute to school, attending college seems nearly impossible. And without a way to legalize their status even when they do complete their degrees, the inability to make use of an education renders the whole idea of obtaining one pointless.

As a recent graduate from the University of California at Los Angeles, Tam didn't find it difficult to understand the challenges that these undocumented youth had experienced. As with the stories of many undocumented youth in America, Tam's immigration story begins with her parents. Her father escaped as a "boat person," the term given to the thousands who fled from Vietnam during the late 1970s. As it waited out at sea, her father's boat was rescued by a German ship. He later sponsored his wife's journey to Germany, and the couple began a family there. Tam and her brother spent their early years in Germany until 1989, when the family moved to the United States. That same year, her father's older sister obtained her U.S. citizenship to sponsor the journey of the rest of her siblings to America from Vietnam. Tam's father decided that the family should move to the United States to join the rest of the family. Upon arriving in the United States, Tam's family applied for political asylum. After waiting for 12 years, the courts denied their request. Because they were able to prove fear of persecution, the family was not ordered to Vietnam; instead the family was given a deportation order to Germany and had to leave within 30 days. But when Tam's father went to the German consulate to request passports, he was told that his family was ineligible for travel documents because they were

not German. Without a country to return to and after exhausting the process of legalization, Tam's family had run out of options. The family's only option was to continue to call the United States its home, even though it was not wanted there.

While Tam's family story has its own unique characteristics, the general narrative of immigrants getting trapped in the bureaucracy of our nation's broken immigration system is not. Many undocumented youth have similar experiences of navigating the process of getting an education and a job to give back to the community in which they grew up.

When she was six years old, Brenda immigrated to the United States from Jalisco, Mexico. She grew up in South Central Los Angeles and now lives in the Bay Area after completing her degree in architecture from the University of California, Berkeley. She currently volunteers at a bilingual school in the Bay Area, where she acts as the bookkeeper and administrative assistant, and her ability to speak Spanish and English makes her a unique asset. Previously, Brenda interned at another Bay Area nonprofit whose focus is economic development. During her college years, she was involved with a nonprofit that focuses on minority student issues. Brenda discovered that nonprofits were one type of institution in which she could successfully gain work experience.

As an undergraduate, Brenda heard about a Chicano-Latino co-op purchased by a think tank in Berkeley. After the purchase was made, students began living there. Brenda explained her situation to the think tank, and it offered her room and board in exchange for community-service hours. During her junior year, the company offered her an internship, and for the next three years, she conducted public-policy research for the think tank. Because she was a student, the company was able to compensate Brenda through scholarships for her work in her second and third years.

Brenda continues to gain work experience at nonprofits and the preparation to legally work in her field. For now, working as an architect is not possible because firms are adamant about checking an employee's legal work eligibility. As she waits for immigration reform that will enable her to adjust her status, she seeks a job that can give her more direct experience in the architecture

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field. Now 26, Brenda feels like time is passing her by. “I don’t really want to be in this place for more than six months,” she says. “I have more talents that can be put to better use. I want to pursue something more professional, something that’s more than just typing and answering phones. I need people that are willing to hire me.”

Brenda’s long-term goal is to start her own urban-planning company. She is working on a business plan to create a company in the Bay Area with a colleague from the University of California, Berkeley, who is a Chinese immigrant born in Brazil and is also undocumented. If the volunteer hours at various nonprofits in the Bay Area don’t seem to have an end in sight, Brenda hopes to somehow finance an MBA as the next step in pursuing her dream.

Because of the experiences of many undocumented youth, it is not surprising that many have become interested in giving back to their community. These young immigrants have dealt with cultural identity issues and have faced injustices in attempting to integrate into institutions such as universities. And many nonprofits have discovered a need for employees that are college-educated, have had direct experiences with and as immigrants, and have been politicized through their college years because of their immigration experience. Yet because of restrictions in hiring workers without legal status, neither nonprofits nor undocumented youth can truly exploit what should be a mutually beneficial relationship.

During Tam’s final year at the University of California, Los Angeles, she took documentary film classes after becoming interested in expressing her ideas through a visual medium. After graduation, her skills as a filmmaker conveniently became a way for her to make a living. She began working side jobs, including filming events and making wedding videos. The organization with which she interned in downtown Los Angeles also hired her as an independent contractor to make a video about the organization. Through the filmmaking network in Los Angeles, she discovered that many filmmakers made a living as independent contractors independent of their citizenship status.

### **Immigrants in Limbo**

U.S. laws contain numerous contradictions in their

treatment of immigrants. Certain institutions are open to undocumented immigrants, and others are available as long as immigrants pay into a system but lack access to the rights, which is essentially taxation without representation. Undocumented immigrants, for example, can pay taxes through an Individual Tax Identification Number (ITIN).<sup>6</sup> Undocumented immigrants obtain this nine-digit number not through the Social Security Administration but through the Internal Revenue Service. While an ITIN allows immigrants to pay taxes, the card states that an ITIN is not to be used to gain employment legally. Yet how else—if not through a job—would someone pay taxes?

At the age of 16, Prerna was set to follow the Indian stereotype of becoming a computer engineer. She signed up for forensics through the Bay Area Urban Debate League. As a relative newcomer to the country, she learned speech and debate alongside other disadvantaged minorities, which gave her greater insight into U.S. history and the social injustices around her. Buoyed by the program, Prerna increasingly took an active role in civil-rights issues, landing her squarely in public-interest organizations.

In her final year of high school, her non-immigrant student visa extension was rejected by U.S. Citizenship and Immigration Services because her petition for permanent residency (I-130, or green card status) was pending, and she was rendered “illegal.” She could not drive, work legally, or establish credit, and she was not allowed to leave the United States. And because she was queer, marrying her partner would not guarantee legal residence. Immigration attorneys and counselors claimed she could obtain permanent residency through her parents, but because of massive administrative backlogs, she was denied permanent residency under the same petition that had been used as an excuse to reject her student visa extension. Spurred by these injustices, Prerna became the first member of her family to pursue a career in public interest.

Throughout college, Prerna could not work legally for pay, but that never prevented her from volunteering. She worked as a policy debate coach for the Bay Area Urban Debate League, served in student government, and organized marches and

rallies for various issues. Because of the stigma of being undocumented, she resisted public assistance—even when she broke her hand. At the time, she commuted two hours a day, including riding her bike 20 miles each day to volunteer for the National Lawyer's Guild Prison Law and American Civil Liberties Union's lesbian, gay, bisexual, and transgender Know Your Rights Project.

Graduate school was no different. She qualified for paid teaching-assistant positions but could not receive pay for her work. Again, this did not prevent her from volunteering her time and gaining experience. The pattern of not being compensated for her labor continued even after she earned her master's degree.

After the failure of the DREAM Act in 2007, Prerna was recruited by Brave New Films for its A Dream Deferred blogging endeavor and was even promised a stipend. The project failed to materialize. Undaunted, Prerna, along with several other undocumented students, went on to create DreamActivist, a resource and action network for undocumented students. The organizers funded the network out of their own pockets.

Since the introduction of the DREAM Act in 2001, undocumented youth have fought to pass the legislation. This year marks the 20th anniversary of Brenda's and Tam's arrivals in the United States. Until the act passes, Brenda, Tam, and Prerna will continue to defer their vocational dreams.

Because of the work of DreamActivist, the network has spread to more than 25 states in the past year. With more than 30,000 members participating in social networking sites such as Facebook, migrant youth have moved to the forefront of the debate. The students at DreamActivist are often invited to share their stories and expertise at panels across the country. Despite these successes and accolades, Prerna is still not compensated for her work as a systems administrator, programmer, and blogger for the United We DREAM coalition. And she continues to defer her dream of being an attorney because she has no way of paying for law school.

It is critical that undocumented labor is not exploited under the pretext that it is unlawful to compensate undocumented students for their work. Doing so serves only to perpetuate a cycle

of exploitation, a practice common throughout the history of immigration in this country. America wants and needs undocumented immigrants but is unwilling to pay them for the work they do.

These stories reveal the ingenuity, drive, and tenacity of undocumented immigrant youth. In some cases, these youth gain admission to college and even complete graduate school. But because they are prevented from gaining legal permanent residency or citizen status, these immigrants are thwarted in their personal achievements as well as their potential contributions to society. The lesson for the nonprofit sector isn't hard to discern. As a nation, we are squandering an important asset: the talent and energy of young immigrants, who through no fault of their own cannot realize their dreams because of the lack of a path for legal status. In the absence of comprehensive immigration reform, the DREAM Act appears to be a productive, popular, and pragmatic means of helping young immigrants realize their dreams.

#### ENDNOTES

1. "Deporting Our Picasso (Update on Meynardo Garcia)," A Dream Deferred blog (<http://adreamdeferred.org/blog/39659-deporting-our-picasso-update-on-meynardo-garcia>).
2. "Moreno—I Dream of Art" entry, DreamActivist Web site (<http://dreamactivist.org/our-stories/queer-undocumented-students-await-dream/moreno-i-dream-of-art/>).
3. DREAM Act of 2009 as introduced in the Senate, S. 729, the Library of Congress (<http://thomas.loc.gov/cgi-bin/query/z?c111:S.729>).
4. DREAM Act of 2009 as introduced in the House, H.R. 1751 (<http://thomas.loc.gov/cgi-bin/query/z?c111:H.R.1751.IH>).
5. Dave Bennion, "Obama: I Support the Dream Act 100 Percent," Change.org ([http://immigration.change.org/blog/view/obama\\_i\\_support\\_the\\_dream\\_act\\_100\\_percent](http://immigration.change.org/blog/view/obama_i_support_the_dream_act_100_percent)).
6. The Internal Revenue Service, Individual Taxpayer Identification Number Web site ([www.irs.gov/individuals/article/0,,id=96287,00.html](http://www.irs.gov/individuals/article/0,,id=96287,00.html)).

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