

# October-November 2010 U.S. Immigration Alert!

A Newsletter from National Immigrant Solidarity Network

October-November, 2010 Issue, Volume 35

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## Immigrant Rights Under Obama So Far .. Plus DREAM Act Debate

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### Obama declines using administrative action to push immigration reform

Michael O'Brien The Hill - 09/22/10

President Obama suggested that he would not pursue reforms to the immigration system through regulations or other administrative policies.

The president said it was important for immigration reform to go through Congress, lest opponents of comprehensive reform use regulations as a political opportunity.

You know, it is a very difficult thing to do administratively, and because we want comprehensive reform, and because we want the Dream Act, what we don't want to do is give an excuse to the opposition to say, 'Obama's trying to do an end-run around Congress,' Obama said during an interview on Telemundo when asked what options he has to pursue immigration reform.

Obama has faced criticism from the Hispanic community for failing to follow through on his pledge to reform the immigration system.

He told members of the Congressional Hispanic Caucus (CHC) last week, though, that he would not walk away from reform, and called on Republicans to join him in passing legislation.

But Republicans in the Senate have appeared unwilling to find middle ground with the president over immigration.

The Senate GOP has said it would oppose including the Dream Act, a piece of immigration legislation favored by many Democrats, in the Defense Authorization bill.

It appears we're not going to get this done before the election, Obama told Telemundo of the Dream Act.

Obama stressed the need for consensus, though, a week after calling out Republican senators who'd favored comprehensive immigration reform under President George W. Bush, but who have now shifted to oppose similar legislation.

We've got to build a consensus around this country, said the president. I think we can.

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### Deportations of immigrants hit record high, officials announce

October 6, 2010 - Los Angeles Times

More than 392,000 illegal immigrants were deported from the United States in fiscal year 2010, the highest number in the country's history, Department of Homeland Security Secretary Janet Napolitano announced Wednesday.

"We have deployed unprecedented infrastructure, unprecedented technology, unprecedented manpower," Napolitano said during a news conference in Washington, D.C. Napolitano and U.S. Immigration and Customs Enforcement Director John Morton attributed the numbers to increased border enforcement, workplace enforcement and an expansion of the department's Secure Communities program.

Secure Communities, which uses fingerprints to identify illegal immigrants in state prisons and local jails, has gone from 14 jurisdictions in 2008 to more than 660, officials said.

The department is on track to expand the program to every law-enforcement jurisdiction in the nation by 2013, Napolitano said.

Half of deported immigrants in the last fiscal year were convicted of crimes, Napolitano said.

Of those, 33% were convicted of what ICE considered the most serious crimes, which included murder, rape and major drug crimes.

The others were convicted of lesser crimes such as burglary, domestic violence, some property crimes and other offenses.

"The numbers reflect our continued focus on those who pose a public-safety threat to our communities," Napolitano said.

In addition, since January 2009, ICE has audited more than 3,200 employers suspected of hiring illegal labor, debarred 225 companies and individuals, and imposed about \$50 million in financial sanctions—more than the total amount of audits and debarments than during the entire previous administration, she said.

A coalition of immigrant-rights groups, including the Center for Constitutional Rights and the National Day Laborer Organization Network, called the numbers misleading and said that statistics obtained from ICE showed that nearly 80% of people detained through the Secure Communities program were not criminals or were arrested for lower-level offenses.

Sheriff Lee Baca, who attended the news conference alongside Adrian Garcia, sheriff of Harris County in Texas, and Stan Barry, the sheriff of Virginia's Fairfax County, called the announcement "very good news" and said his department had identified 21,000 people in its jails eligible for deportation.

"Secure Communities does work," Baca said. "It's an excellent policy."

### **Chicago-based NLG emergency response hotline: contacted by the FBI?**

In response to the FBI raids and grand jury subpoenas of September 24, and in its continuing effort to defend the right to dissent, the National Lawyers Guild of Chicago is offering several resources for activists.

First, we are announcing the establishment of a Chicago-based NLG emergency response hotline. The NLG Hotline will help match activists who have been contacted by the FBI with NLG defense attorneys in Chicago who have experience dealing with similar cases.

**\*\*\*\*NLG Chicago Hotline: 312-913-0039\*\*\*\***

Second, if you know people who were visited by the FBI, or if you know about FBI visits to neighbors, employers or others, related to this investigation, please contact the NLG Hotline immediately at 312-913-0039.

Lastly, as always, the NLG Chicago Chapter provides legal observers to monitor police activity and infringement of First Amendment rights at local rallies, demonstrations, and direct action. To request legal observers, please email [chicago.lo.program@gmail.com](mailto:chicago.lo.program@gmail.com) with information about your planned action.

We encourage organizers to contact us as soon as possible prior to the action, in order to increase our ability to provide observers, even before details are finalized. We consider your request for observers to be privileged legal communication and information provided will be kept confidential in accordance with applicable law.

In solidarity,

\*The National Lawyers Guild of Chicago\*

## Still More FBI Harassment of Anti-War Activists in Twin Cities

October 10, 2010 Fight Back News Service

Minneapolis, MN - FBI agents continued their campaign against anti-war activists in the Twin Cities on Oct. 8. Jennie Eisert, a member of the Anti-War Committee said, "FBI agents came to my work and wanted to talk to me about activists in the anti-war movement. I was called away from my desk and when I refused to talk to them, they tried to turn me against my friends and fellow activists."

Eisert continued, "They said that Jess Sundin, Meredith Aby and Mick Kelly had manipulated me and others in the anti-war movement. The only ones trying to manipulate me are these FBI agents."

Sundin, Aby and Kelly were among those who had their homes raided and were served with grand jury subpoenas when the FBI moved against anti-war and international solidarity activists on Sept. 24.

Eisert said, "It is insulting that federal agents would try to make me talk to them by attacking the personal and political relationships that I've had with Jess and the others for more than ten years. To do this while I'm at work is harassment, plain and simple. These attempts to divide us will not work personally and it will not work in the movement."

Jess Sundin said, "The FBI is clearly trying to carry out a smear campaign in order to divide the movement." She added, "If that's their aim, it's going to blow up in their faces. We are people's neighbors, co-workers and friends. A few lies by FBI agents cannot undo the years that we have invested in our community. Instead, it will make people all the more sure that this investigation is nothing more than a fishing expedition."

Two other individuals in Minneapolis were also targeted by the FBI for visits earlier in the week. Local activists have continued to remind the community that they are not required to speak to FBI agents. They added that the FBI has tried using smear campaigns to damage movements in the past. Exposing these tactics to the light of day is the best defense.

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## DREAM Act: The Debates

### **DREAM Movement: Challenges With the Social Justice Elite's Military Option Arguments and the Immigration Reform "Leaders"**

Tuesday 21 September 2010

by: Jonathan Perez, Jorge Guitierrez, Nancy Meza, and Neidi Dominguez Zamorano, t r u t h o u t | Op-Ed

You may well ask: "Why direct action? Why sit-ins, marches and so forth? Isn't negotiation a better path?" You are quite right in calling for negotiation. Indeed, this is the very purpose of direct action. Nonviolent direct action seeks to create such a crisis and foster such a tension that a community which has constantly refused to negotiate is forced to confront the issue. It seeks so to dramatize the issue that it can no longer be ignored.

. . . We know through painful experience that freedom is never voluntarily given by the oppressor; it must be demanded by the oppressed. Frankly, I have yet to engage in a direct-action campaign that was "well timed" in the view of those who have not suffered unduly from the disease of segregation. For years now I have heard the word "Wait!" It rings in the ear of every Negro with piercing familiarity. This "Wait" has almost always meant "Never." We must come to see, with one of our distinguished jurists, that "justice too long delayed is justice denied."

### **Response to DREAM Movement: Challenges With the Social Justice Elite's Military Option Arguments and the Immigration Reform "Leaders"**

Tuesday 21 September 2010

From: Rick Jahnkow (Project YANO)

While I agree with many of the feelings expressed in this article, and I support the effort to achieve justice for all who are suffering under the harsh conditions imposed on undocumented people in this country, I feel the criticisms aimed here at "allies" are off the mark.

For one thing, the groups that are alarmed about the militarized nature of the current DREAM Act are not really the "social justice elite" characterized by the writers.

They are mostly grassroots groups and individuals who have been waging struggles for immigrant rights and against U.S. militarism, and are generally outside the "Nonprofit Industrial Complex."

They include groups like Union del Barrio in So. Calif., Comité Anti-Militarización in Chicago, Committee Opposed to Militarism and the Draft in San Diego, and a Latino educators association that raises scholarships for undocumented students.

-- Martin Luther King, Letter From the Birmingham Jail, April 16, 1963

We are undocumented youth activists and we refuse to be silent any longer. The DREAM Act movement has inspired and re-energized undocumented and immigrant youth around the country. In a time when the entire immigrant community is under attack, and increasingly demoralized, stripped of our rights, the DREAM movement has injected life, resistance and creativity into the broader immigrant rights struggle.

Until we organized this movement, we had been caught in a paralyzing stranglehold of inactivity across the country. We were told that the Comprehensive Immigration Reform Act, or CIRA, was still possible. Yet we continued to endure ICE raids and we witnessed the toxic Arizona SB1070. Meanwhile, CIRA had lost bipartisan support and there was no longer meaningful Congressional or executive support for real reform.

Youth DREAM Act activists stopped waiting. We organized ourselves and created our own strategy, used new tactics and we rejected the passivity of the nonprofit industrial complex. At a moment when hope seemed scarce, we forged new networks of solidarity. We declared ourselves UNDOCUMENTED AND UNAFRAID!

Mirroring the experiences of Dr. King and the youth activists of Birmingham, our allies encouraged us to avoid implementing "controversial" tactics.[1] We were told to wait for a better time in the future where immigration reform would again become plausible.

Just as the Student Nonviolent Coordinating Committee followed the advice of Ella Baker to create their own organization independent of older organizations, we did the same. The nonprofit organizations and politicians pushing for Comprehensive Immigration Reform continued to try to dictate what our actions should be. We felt that a barrier in achieving legalization was the Nonprofit Industrial Complex.

The Nonprofit Industrial Complex is a network of politicians, the elite, foundations and social justice organizations. This system encourages movements to model themselves after capitalist structures instead of challenging them.[2] In this manner, foundations control social movements and dissent; philanthropy masks corporate greed and exploitation. We reject this by functioning as donation-only and volunteer-based organized groups controlled by the communities we are a part of.

We are building the DREAM Movement action-by-action, city-by-city, and campus-by-campus. In the spirit of the Freedom Rights and Chicano movements of the 1960s, we have decided to put our bodies and lives on the line. Repeatedly, undocumented youth have risked the threat of physical violence, incarceration, and deportation by engaging in acts of non-violent direct action in order to push the immigrant rights movement forward.

These are not groups that model themselves after capitalist structures and don't deserve the labels implied in this article.

Second, the authors are basically telling progressive critics of the DREAM Act's current language that their views are not credible because they aren't undocumented youths themselves.

While I respect the leadership of these courageous youths, this is not a logical argument because their ability to achieve their goals will ultimately rest on support from people who are not undocumented youths--the members of Congress, for example, and the voters who elect them.

And when it comes to the cited evil of succumbing to the agenda of nonprofit groups that mask corporate greed and exploitation, isn't it just as bad to succumb to the agenda of the Pentagon, which reengineered the DREAM Act into a military recruiter's "dream"?

Also not mentioned by the authors is the fact that there are undocumented youths who have added their voices to the call of pro-social justice groups for changes in the bill;

specifically, demanding restoration of the community service component, addition of a non-military vocational option, and eligibility for federal financial aid.

The last point I will make is that the article mostly ignores the main concern expressed by pro-social justice critics of the current DREAM Act.

All of the relevant statistics and factual information on youths who could be affected by the DREAM Act suggest that only a small minority would benefit via the college path, while the vast majority would see the military as their only viable option.

It would, in fact, be a form of conscription for immigrant youths who would be employed to inflict additional death and destruction on thousands of poor people in our imperial wars.

One ironic statistic is that the invasion of Iraq by the military that these youths would be part of generated four million refugees, half of whom fled to other countries.

Isn't it important to also consider the voices of these unwilling immigrants who were victims of U.S. militarism?

There is no question in my mind that significant change must be demanded and pursued to address immigration injustices, and I will continue to support that struggle.

This does not mean, however, that there should be no critical thought given to the approaches that are considered, including the DREAM Act in its present form.

On August 19, DREAM Team LA and OC DREAM Team, in collaboration with the Dream Is Coming, a national campaign, held the first DREAM Act town hall organized and led by undocumented students. The objective of the town hall was to address major questions and concerns about the legislation as well as to discuss the strategy and tactics that undocumented youth have embraced. One main goal was to create a safe space for undocumented youth and allies to talk about the shift in the DREAM Movement.

More than 250 people attended the town hall, and more than 50 people joined through live stream from all over the nation. More than half of the participants stayed all the way until the end of the evening at 10:30 pm, after we responded to the last question from the audience and finished all announcements from different members of the Los Angeles community.

For the first time undocumented youth publicly shared their work and experiences as UNDOCUMENTED, QUEER AND UNAFRAID activists in the nation. Also, the event allowed these same youth to address the critiques from friends and allies regarding the military service option of the DREAM Act.

The energy in the church was overwhelming and exciting. We knew that in this place we would need to conduct painful but necessary conversations. We invited everyone who is part of our larger community -- especially those who we know are not in full support of our work or the military service option of the DREAM Act, which is part of the current language of the bill.[3] We had decided that instead of waiting for the people in the audience to ask the difficult questions, we would pose those same questions there in public, just as we do in private and in our organizing spaces.

We accomplished this through a panel of all UNDOCUMENTED AND UNAFRAID activists. Our panelists were: Lizbeth Mateo, one of the arrestees in Senator John McCain's office in Arizona on May 17, 2010; Yahira Carrillo, another arrestee from the Arizona action on May 17, 2010 who also identifies herself as a queer woman; Carlos Amador, one of the many hunger strikers from California who organized a 15-day hunger strike for the Dream Act in front of the Senator Dianne Feinstein's office and Jorge Guterrez, a queer man who also participated in the 15-day hunger strike in California that started July 19, 2010.

Many of the straight men who took the mic had strong critiques of the DREAM Act and its military provisions. They questioned our support for an admittedly less-than perfect piece of legislation. Each time, the panelists responded candidly to questions as well as concerns about the DREAM Act and our movement.

This experience was uplifting as well as frustrating for us. We did not want to silence anyone in that space, nor did we dismiss anyone's critiques or comments, but we left that space feeling like it was necessary for us once again as UNDOCUMENTED AND UNAFRAID activists to put forward our responses and reactions to these critiques, with the purpose of creating dialogue in order to move forward. After

## **Letter to the DREAM Movement: My Painful Withdrawal of Support for the DREAM Act**

**by Raúl Al-qaraz Ochoa 17 September 2010**

I have supported the DREAM Act, despite my critiques and concerns over the military service component. In fact, I was one of the arrestees at the sit-in at John McCain's office in Tucson, AZ; an act of civil disobedience where four brave undocumented students risked deportation and put the DREAM Movement back in the national political stage. I made peace with my participation because I felt I was supporting the self-determination of a movement led by undocumented youth and I felt we could subvert the component that was to feed undocumented youth into the military pipeline if we developed a plan to support youth to the college pathway.

First, let me say that I applaud and admire the tireless work you have all done for the past 10 years. Your commitment and dedication parallels giant student movements of the Civil Rights era. Your persistence in organizing even when the world turned their back on you is inspiring; your creativity in tactics, visuals and media strategy is amazing. Your movement gives hope to hundreds of students I have come across here in Arizona and beyond. It is because of your grassroots efforts—not the politicians' nor the national Hispanic organizations—that the Dream is still alive and has come this far. As an organizer with permanent resident status privilege, let me assert that your cause for access to college and path to legalization is just. No one can tell you that what you are fighting for is wrong.

With that said, I want to share how I am deeply appalled and outraged at how Washington politics are manipulating and co-opting the dream. I understand that some folks may say, "we just want the DREAM Act to pass regardless", but it is critical to examine the political context surrounding DREAM in its current state. It is disturbing to see how Democrats are attaching our community's dreams for education/legalization to a defense appropriations bill. This is grotesque in a number of ways:

1) Democrats are using the DREAM Act as a political stunt to appeal to Latino voters for the November elections because it is seen as "less" threatening than a broad immigration reform. The Democrats have the political will to recently unite and pass a border militarization bill in a matter of hours (\$600 million!), yet they won't pass a broader immigration reform? And now they are up for the DREAM Act? I'm glad they feel the pressure of the Latino voting bloc, but they obviously do not care about our lives, they only seek to secure their seats in November—which by the way look very jeopardized if they don't move quickly to energize their "base". They are also seeking to secure the gay vote with the gradual repeal of the "Don't Ask, Don't Tell" policy as part of this same defense bill. All in all, insincere, token political gestures only serve to stall real justice.

2) Democrats are telling me that if I support access to education for all my people, I must also support the U.S. war

a number of conversations with fellow DREAMers, we felt that we needed to challenge the attitudes of privilege and self-righteousness that we believe fuel the opposition to our movement.

Our so-called allies need to realize that they are not undocumented and, as such, do not have the right to say what undocumented youth need or want. Our progressive allies insist in imposing their paternalistic stand to oppose the DREAM Act and tell us that this is not the "right" choice for us to acquire "legal" status in this country. We wonder: Who are they to decide for us? And by what criteria do they deem the DREAM Act not to be the "right" legislation for undocumented youth to become "legal" in this country?

The passage of California's AB 540 in 2001, a bill that allowed undocumented youth to pay in-state tuition for college, and the later creation of the DREAM act, gave our communities hope; they held out the promise that legalization was eventually possible. A decade later, we face a horrific anti-immigrant backlash, and tens of thousands of our sisters and brothers are languishing in prisons; untold numbers of human beings have been killed or have died of thirst during increasingly dangerous border crossings.

Many of us have been organizing in other movements such as the anti-war, LGBTIQ, and labor movements. We have also studied and learned through experience and academics from past freedom movements. We learned to see our struggle in a global perspective and historical context -- that attacks on undocumented immigrants and refugees of color are not unique to the United States. We see the same thing happening in Europe, Oceania, Asia and Africa. We understand that we are working within an imperialist nation. There is a long history of Nativism in the United States and it continues to manifest itself with laws that criminalize immigrant communities and communities of color.

The DREAM movement has come under criticism by liberal and conservative critics alike. We face racist, sexist, homophobic attacks from the right wing. From the left, many peace activists and immigration-rights advocates disapprove of the DREAM Act because of its so-called military option. Meanwhile, CIRA supporters across the country remain largely silent in this debate and fail to heed the voices of undocumented youth activists. Seemingly impervious to the growing anti-immigrant hatred sweeping this land, some of our former allies began advocating for a watered-down Comprehensive Immigration Reform bill that would lead to more enforcement and criminalization of our immigrant communities and communities of color.

Today, nearly two million so-called undocumented students languish in our society. Some of these students are high school honor students who are prevented from attending college; those who can attend college often cannot receive scholarships or in-state tuition simply because of where they were born. Countless thousands are prohibited from learning skills and acquiring the education they need to survive in this society.

machine with \$670 billion for the Pentagon? Does this mean I have to support the military occupation of Iraq and Afghanistan? By supporting the DREAM Act, does this mean I automatically give a green light for U.S. forces to continue invading, killing and raping innocent people all over the world? This is really unfair. Here in Arizona I struggle with a climate of fear and terror. Yet even though I am so far away, I hear the cries of Arab mothers who are losing their children in U.S. sponsored bombings and massacres. There's a knot in my throat because victims of U.S. aggression abroad look just like us... victims of U.S. aggression at home. This ugly and twisted political system is dividing us and coercing us into supporting the funding of more bloodshed and more destruction if we want the DREAM Act to pass. Does this mean that our dreams will rest upon the nightmares of people that suffer globally? Obviously, students that call their Senators are supporting their future NOT bloodshed abroad, but we have to be responsible to the larger political implications of this.

3) Democrats are vilifying and criminalizing our parents. A really insulting argument prominently used for passing the DREAM Act that I keep hearing over and over is that because undocumented students "didn't choose to come to the U.S. to break the laws of this country" you shouldn't have to pay for the "sins" or "illegal behavior" of your parents. Are they serious?!? It is not okay to allow legislation to pass that will stand on and disrespect the struggle, sacrifice and dignity of our parents. What about blaming U.S. led capitalist and imperialist policies as the reasons that create our "refugee" populations. Our parents' struggle is not for sale. We must not fall for or feed into the rhetoric that criminalizes us or our parents. We all want justice, but is it true justice if we have to sell out our own family members along the way?

Again, I support this fight—it's part of a larger community struggle. It's personal to all of us. Passage of the DREAM Act would definitely be a step forward in the struggle for Migrant Justice. Yet the politicians in Washington have hijacked this struggle from its original essence and turned dreams into ugly political nightmares. I refuse to be a part of anything that turns us into political pawns of dirty Washington politics. I want my people to be "legalized" but at what cost? We all want it bad. I hear it. I've lived it. but I think it's a matter of how much we're willing to compromise in order to win victories or crumbs.

This again proves how it is problematic to lobby the state and put all our efforts in legislation to pass. We should know that this political route is always filled with racism, opportunism, betrayals and nightmares. History repeats itself once again.

So if I support the DREAM Act, does this mean I am okay with our people being used as political pawns? Does this mean that my hands will be smeared with the same bloodshed the U.S. spills all over the world? Does this mean I am okay with blaming my mother and my father for migrating "illegally" to the U.S.? Am I willing to surrender to all that in exchange for a benefit? Maybe it's easier for me to say that "I can" because I have papers, right? I'd like to think that it's because my political principles will not allow me to do

The DREAM Act would provide a crucial opening for these immigrants, and yet many people of good faith oppose the DREAM Act because of the military option added to the bill by Senator Feinstein. They argue that the DREAM Act is a Pentagon-supported bill that is dressed up in a pro-education and pro-immigrant costume. We believe that progressive politics should be based on facts and not conspiracy theories.

It has been argued that the military option will funnel thousands of young people into the military. We disagree with this argument. Military recruitment in our communities will continue whether the DREAM Act passes or not. In 2007, the DREAM Act did not pass, but the military recruitment in communities of color continued unabated. Moreover, who, in this current anti-immigrant climate would step forward to sponsor a reconfigured DREAM Act without a military option? A military option could easily be introduced as a stand-alone bill. Let's be honest. We all know that the Democratic Party refuses to be painted as "unpatriotic," especially with mid-term congressional races looming. A DREAM Act shorn of its military option, sadly, is an impossible proposition.

Why should undocumented immigrants pay the price of US militarism while more privileged groups in society see their interests looked after? The undocumented youth movement - unlike some other causes -- is led and shaped by the people most directly impacted. The social justice elite have posed the argument that because of the current state of public education it is unwise for the DREAM Act to pass because it will force undocumented youth into the military. So should we wait until there are no more wars? Should we wait until our public school systems are perfect?

Should we wait until a perfect politician introduces the perfect bill? Or should we wait until there are another 1.8 million undocumented youth with little chance at a successful future. We say hell no! We are tired of our third-class status, and we are tired of the social justice elite dictating what we can and cannot do, all the while speaking on our behalf and pretending they represent our interests.

The nonprofits, think tanks, the privileged and self-righteous activists who comprise the social justice elite have had their hand in stopping the DREAM Act from being introduced, and at times, they have been more vicious than the right.

**WE DO NOT WANT IMMIGRATION RIGHTS  
"ADVOCATES" SPEAKING FOR US ANY LONGER. WE  
DEMAND THE RIGHT TO REPRESENT OURSELVES!**

From the anti-apartheid movement in South Africa to the freedom movements in the 1960s and to the Chinese student rebellions in Tiananmen Square, youth have always been at the forefront of successful movements and radical social changes. Unfortunately, it seems that we have not learned from this rich heritage of youth speaking truth to power. Because if we accept and embrace the current undocumented student movement, it means the social justice elite loses its power -- its power to influence politicians, media and the public debate. The power is taken back by its

so, regardless of my citizenship status or personal benefit at stake. Strong movements that achieve greater victories are those that stand in solidarity with all oppressed people of the world and never gain access to rights at the expense of other oppressed groups.

I have come to a deeply painful decision: I can no longer in good political conscience support the DREAM Act because the essence of a beautiful dream has been detained by a colonial nightmare seeking to fund and fuel the U.S. empire machine.

I am so sorry and so enraged that this larger political context has deferred those dreams of justice and equality that we all share.

In tears, rage, love and sorrow,

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## **Behind the Latest Version of the DREAM Act: Is This Legislation We Should Support?**

**By ALEJANDRA JUAREZ**

"When that [DREAM Act] passes, millions of children will be able to get the education they need to contribute to our economy," stated Sen. Harry Reid (D-NV) during his press conference announcing that he would include the DREAM Act in the Defense Authorization Bill on September 21. Almost immediately, Republican leaders came out against the move in spite of the commonly held belief that the DREAM Act is bipartisan legislation. "I intend to block it, unless they agree to remove the onerous provisions," said Sen. John McCain (R-AZ).

While Republicans are accusing Democrats of playing partisan politics in an effort to maintain their footing this coming November, mobilizations have been taking place across the nation for months now in an attempt to get Congress and the Obama administration to pass Comprehensive Immigration Reform (CIR). Immigrant youth, especially, have trekked across state lines, protested in congresspersons' offices, and flooded Congress with letters urging them to pass the DREAM Act. Called DREAMers, they have come out and risked being deported in the hope of gaining legal status.

What is the DREAM Act?

The Development, Relief and Education for Alien Minors (DREAM) Act has been floating in Congress for nearly a decade now, first introduced in 2001 as H.R. 1918 and S. 1291 in the House and Senate respectively. In 2007 Sen. Richard Durbin (D-IL) filed to place the DREAM Act as an amendment to the 2008 Department of Defense Authorization Bill (S. 2919), but it failed to pass. A last-ditch effort was made later that year by introducing the DREAM Act as a stand alone bill, nevertheless, the 60 votes required to avoid a filibuster were not there.

The version now being included as an amendment to the

rightful holders.

We have challenged the Nonprofit Industrial Complex, the Prison Industrial Complex and the Military Industrial Complex. Many of the DREAMers have organized in high schools and universities against military recruitment and done anti-military recruitment education with thousands of women and youth of color. Undocumented students have shown the country and the world that we are more than capable of leading a new freedom-rights movement in this decade.

DREAMers face unique challenges in this country: We must support our families while going to school; we must pay for college while we organize and at the end of the day, our allies attack us. Some of us have made the sacrifice and risked deportation willingly. The DREAM movement is a genuine large-scale movement; we have taken from what happened in the '60s, learned from it, fine-tuned it to our current context and relentlessly moved forward.

For all of these reasons and more, undocumented students and our allies have launched a struggle that will culminate in a victory for immigrant rights in the United States. In order to understand the current situation, we must look to the students who are shaping this movement. We must look to Yahaira, Mo, and Lizbeth, the students who staged a sit-in in McCain's office. We must look to the "Trail of Dreams": Felipe, Gaby, Carlos, and Juan. We must look to DREAM Team LA and Orange County DREAM Team, groups of young activists for the DREAM Act. We must look to the women and men in the DREAM movement, undocumented queer and transgender young activists with emerging ideologies that challenge the capitalist, heterosexual and misogynistic systems here in the United States.

We are not only the undocumented youth that live in the United States; we are the displaced youth from across the Americas, Asia, and Africa. We were displaced by American-funded violence, wars, and the expansion of capitalism through globalization.

We have lived with fear since arrival and our exploitation runs rampant because we are also women, queer and transgender people of color. For those of us undocumented youth who also identify as queer, coming out is a something we must do twice. We come out as queers to our families and friends and then come out again as undocumented in this country.

We can no longer be afraid of revealing our status or identities. We must fiercely challenge privilege and oppression, whether located among allies or the opposition. We hold the right to self-determination of those most affected by the US empire's oppression. We are in a struggle to regain what has been taken from us: our dignity, our freedom and our spirituality. Our fight is for the legalization of all people, and the DREAM Act is a vehicle towards that goal.

We, the undocumented youth have shaken the social justice struggle to the very core . . . and we have so much more to

Defense Authorization Bill by Sen. Reid was introduced in March of 2009 by senators Durbin (D-IL), Lugar (R-IN), Reid (D- NV), Martinez (R-FL), Leahy (D-VT), Lieberman (I-CT), Kennedy (D-MA), and Feingold (D-WI).

If passed, the DREAM Act of 2009 would give young undocumented immigrants from any country of origin who are under 35 years old and who arrived in the United States before age 16 the opportunity to gain legal status by either attending college or joining the military. However, only those who have obtained a high school diploma or GED and have not left the United States in the last five years are eligible to gain conditional Legal Permanent Residency (LPR).

Once eligibility has been ascertained, LPR status would be granted on a conditional basis and valid for six years, during which time the student would be allowed to work, go to school, or join the military. After six years, if the person has shown good moral character and either completed a minimum of two years of higher education toward a bachelor's degree or higher, or served in the military for two years, the conditional status would be removed and full LPR would be granted.

With any chance of passing CIR now declared dead by many Democratic leaders, including President Obama, we are being told the DREAM Act is Plan B , the only viable proposal for addressing the immigration issue. Just last week Univision's Jorge Ramos proclaimed that there will be no legalization for the 11 million undocumented this year. Nor, perhaps, next year -- nor the next. Senator Reid, himself, said, "I know we can't do comprehensive immigration reform -- I've tried to. I've tried so very, very hard."

#### A Rift Has Developed

But although the DREAM Act has unconditional supporters in the Congressional Hispanic Caucus (CHC) and other Latino organizations like the League of United Latin American Citizens (LULAC) and the National Council of La Raza (NCLR), in particular, a rift has begun to appear within the movement that has emerged around the DREAM Act.

Community groups like San Diego's Committee Opposed to Militarism and the Draft (COMD) has opposed the armed forces provision of the DREAM Act for years. More recently, even the young activists who have participated in acts of civil disobedience across the country have not only questioned the military component but the way in which the Democrats are contributing to the argument that the parents are criminals who broke the law by crossing the border illegally in an attempt to provide a better life for their children. "They are vilifying and criminalizing our parents and [arguing] that undocumented students shouldn't pay for the sins or illegal behavior of their parents," wrote Raul Al-qaraz Ochoa, one of the protesters arrested at Sen. McCain's office in Arizona this summer.

Still, the majority in the movement uncritically supports the DREAM Act because they believe its passage will benefit millions of young undocumented immigrants while also



offer. We know that our acts of liberation and hope will generate more acts of liberation and hope.

"Caminante, no hay puentes, se hace puentes al andar"

(Voyager, there are no bridges, one builds them as one walks)

-- Gloria Anzaldua

[1] Martin Luther King, Jr., Letter from the Birmingham Jail. Foreword by Rev. Bernice A. King (Harper Collins; 1st edition (August 1994).

[2] INCITE! Women of Color Against Violence, eds., The Revolution Will Not Be Funded: Beyond the Non-Profit Industrial Complex (Cambridge: South End Press, 2007).

[3] For more information on the DREAM act, see the DREAM Act portal at: <http://dreamact.info/>

... serving as a stepping stone for CIR down the road. If we examine the legislation closely, however, some issues arise with these arguments.

First, the simple fact that Democrats are attaching the DREAM Act to the defense bill speaks to its militaristic orientation; the DREAM Act forms part of the Department of Defense's FY2010-12 Strategic Plan to help the military shape and maintain a mission-ready All Volunteer Force.

According to UC San Diego professor Jorge Mariscal, the DREAM Act was largely developed by the Pentagon. One need only read Senator Durbin's testimony. It was not about education. It was strictly about making a pool of young, bilingual, U.S.-educated, high-achieving students available to the recruiters.

This is further evidenced in the 2009 policy report "Essential to the Fight: Immigrants in the Military Eight Years After 9/11," authored by Margaret D. Stock, retired Lieutenant Colonel in the U.S. Army Reserve. In it she writes, "Despite the important contributions of immigrants to the military in the ongoing conflicts, one proposal that would allow more immigrants to serve in the armed forces [DREAM Act] has made little headway in the past eight years. ... Because attending college is a very expensive proposition, ... joining the armed forces is a likely choice for many of the young people who would be affected by the bill (p. 8).

Stock concludes, "Without them, the military could not meet its recruiting goals and could not fill the need for foreign-language translators, interpreters, and cultural experts. Given the unique and valuable functions that immigrants often perform in the military, they are a critical asset to the national defense. Immigrants have been and continue to be essential to the fight" (p. 11).

At the same time, by attempting to pass the DREAM Act before the November mid-term elections, Democrats seek to rally support from Latinos who comprise the largest sector of the immigrant community and who are a key voting bloc for the Democratic Party...

\* For the rest of the report please visit our website: <http://www.ImmigrantSolidarity.org>

## **Fall Calendar of Action**

**Compiled by: United for Peace & Justice**

**URL: <http://www.UnitedForPeace.org>**

Oct. 24 – 30: United Nations Disarmament Week

Nov. 19-20: School of Americas Watch, Georgia

Nov. 30- Dec 10: UN Climate Negotiations in Cancun, Mexico

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**About National Immigrant Solidarity Network**

NISN is a coalition of community, immigrant, labor, human rights and student activist groups, founded in 2002 in response to the urgent needs for the national coalition to fight immigrant bashing, support immigrant rights, no to the sweatshops exploitation and end to the racism on the community. Please visit our website: <http://www.ImmigrantSolidarity.org>

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