

## 005 DACA

Jonathan Aguirre, Valerie Alegre, Vanessa Alonzo, Eric Cheluca, Angela Garcia, Alexander Garcia, Grant Geipel, Kamran Ghandhy, Douglas Ideno, Daniel Jacobs, Ignacio Moreno, Dudley Myer, Ryan Ortiz, Jocelyn Pulido, Kevin Ramirez-Ontiveros, Benjamin Ramos, Getsemani Rodriguez, Jazmin Rojas Ovando, Esteban Salcedo, Bethany Vallastere, Kendall Voettiner,  
Francisco Zapata

Teachers Assistant: Tracie C. Chazares

Lecturer: Michael Todoran

## DACA

A quick look at our last episode. In the last episode we discussed some issues surrounding protecting and preserving our landscapes. We examined the critical harmony between development and preservation, with an excursion into how landscape and development affect climate and the resiliency of our entire planet. We also looked into aspects of habitat fragmentation, biodiversity and social inclusive environments. We looked at how our social and daily choices are killing endangered species and splintering cultures that have existed for thousands of years; long before this patch of soil became known as the United States. We have already made the mistake of erasing and endangering Native American cultures. Have we not learned that lesson?

## DACA

We'll dive into a topic that is rarely talked about, the sensitive subject of DACA. Today we are exploring the circumstances around the DACA program which is an acronym for

Deferred Action for Childhood Arrivals. We will be taking a journey that most of us will never experience personally. We have the privilege to hear a personal “DACAmented” journey.

Some may have only heard the acronym DACA and may not be very clear on what it really is. I will describe a few details. According to the American Immigration Council, “DACA is an exercise of prosecutorial discretion, providing temporary relief from deportation (deferred action) and work authorization to certain young undocumented immigrants who were brought to the United States as children.” Now in normal English, I take that to mean that they help children who were brought to the US, before they were of legal age. DACA is an acronym for Deferred Action for Childhood Arrivals. It is a program created by the Obama administration for the purpose of taking pressure off young immigrants. DACA has allowed eligible young adults to lawfully work, attend school, and live life without the threat of deportation.

There have been various similar immigration policies before DACA. An article we came across called “A Reagan Legacy: Amnesty for Illegal Immigrants,” recounted some of these. For instance, in 1986 Ronald Reagan signed a comprehensive immigration reform bill. It was presented as a crackdown. The security on the Mexican border would be made stronger, and employers would face severe penalties for employing undocumented employees. The bill also made any immigrant, who’d arrived in the US before 1982 eligible for amnesty. Peter Robinson, a former speechwriter for Reagan, says “It was in Ronald Reagan's bones -- it was part of his understanding of America -- that the country was fundamentally open to those who wanted to join us here.” He said, “I believe in the idea of amnesty for those who have put down roots and lived here, even though some time back they may have entered illegally ([Reagan 1984](#)).”

President Obama may have felt the same because he called for Republican support for a bill to

resolve the increase of undocumented immigrants. In 1996, the Illegal Immigration Reform and Immigrant Responsibility Act was passed; strengthening U.S immigration laws, adding penalties for undocumented immigrants who commit crimes while in the United States or who stay in the U.S for statutorily defined periods of time” ([Illegal Immigration Reform and Responsibility Act](#)). This was to improve border control and create a wide set of restrictions around immigration. Jeanne Batalova and Margie McHugh tell us about 2001, when the Dream Act was introduced by Senators Dick Durbin and Orrin Hatch. It was a bipartisan bill that would provide legal permanent residence for undocumented youths that were brought to the U.S before the age of sixteen. There are conditions to be met, recipients are to either “pursue a college education or join the military” ([Batavola and McHugh 2](#)). Since then the initiative has been introduced regularly, both as a stand-alone bill and as part of major comprehensive immigration reform bills. Despite bipartisan support the bill never became law. Reintroduced in 2009, it still failed to pass. In June of 2012, the Obama administration gave these Dreamers hope by launching the official DACA program and the payment for this program was \$495. But this gave the Dreamers the opportunity to legally live their lives in the U.S. November of 2014, President Obama announced that undocumented parents of U.S. citizens and parents of lawful permanent residents may not be deported. Nearly 4.4 million people were to benefit from these initiatives.

According to the American Immigration Council, Acting Secretary of Homeland Security Elaine Duke rescinded the DACA memorandum and announced a “wind down” of the DACA program. No new applications for DACA were to be accepted. DACA beneficiaries whose status was due to expire before March 5, 2018, were permitted to renew for an additional two years if they applied by October 5, 2017. Any person for whom DACA would have expired as of March

6, 2018, would no longer be eligible, essentially removing their deferred action or employment authorization. But this attempted rescission was challenged by U.S. district courts in California, New York, Maryland, and the District of Columbia. During the 2019-2020 term the U.S. Supreme Court agreed to review the legal challenges of the lower courts. On June 18, 2020, the court ruled in a 5-4 decision that the Trump administration's attempt to terminate the program was unlawful. The Courts reasoning was that the administration had failed to properly explain its decision or consider alternatives to a full rescission of the initiative. This was said to be in violation of the Administrative Procedure Act (APA). The Court also recognized that the federal government ultimately retains the legal authority to end the DACA initiative: if it were to do so in compliance with the APA. Following the Supreme Court's decision, on July 17, 2020, the DACA program was technically restored to its prior state. This brought hope to the many people who had just aged into the initiative—particularly those who reached the minimum age requirement of 15 in the past couple of years.” ( [American Immigration Council](#) ). About six weeks after the Supreme Court’s decision, the U.S. Citizenship and Immigration Services was accepting applications for those who currently have or had DACA, but no new applications were being accepted ( [NILC](#) ). Well that was a quick journey through the history of DACA and its preceding programs. And now we’ll follow one DACA recipient, along their personal DACAdmented Journey.

### DACA: A Personal Journey

Hello. It is an honor to share my experience as a Dreamer, through this podcast. Please allow a little grace, English is my second language. I’m still perfecting my grammar skills.

DACA recipients are known as Dreamers and honestly feel its best way to describe myself and those under this helpful program.

### My History

I was born in Bolivia and was brought to the United States at the age of 5. I asked my parents why we are moving so far and leaving my grandpa. My father's response was "to create a brighter future for you and your siblings, a chance for a higher education, and other opportunities that we wouldn't be able to find here." At first, I didn't understand what he meant. I was confused and upset that we were leaving my grandpa. Coming here was a hard transition. Hearing a new language for the first time was very strange for me and because of my skin tone, people assumed I was an American and tried to talk to me in English. All I would do is look back at them with an angry face, like an angry dog ready to bite.

My family and I went through both good and bad experiences. I remember always feeling so angry and not knowing why. My siblings and I were taught right from wrong. But we still live in constant fear, of saying or doing the wrong thing that would not only get ourselves in trouble but also our whole family. This society showed me how cruel people are to those that are less fortunate or just different. When my parents came home from work, I would listen to them talk of the harshness they'd endured that day at work. When I got my first job, with my mom at her job, I felt first-hand the harsh treatment that my parents had endured for so long on my behalf. That day I understood why I had been so angry for so long. I realized it was because I couldn't protect my dear parents from the evil actions of people. Since then, I won't allow anyone to talk down to or be cruel to anyone in my family. I feel like the Hulk, I'm always angry. I learned to listen, to be quiet and pay attention to those around me. People often say that I have "resting

angry face” and they avoided talking to me. Only the bravest did, and they were surprised at how kind I am. Growing up with an angry mentality, I feel greatly affected who I'm today. But I feel like that angry mentality was the fear of losing the ones I love for my or other people's mistakes.

In 2012 when the Obama administration created DACA, it was like god opened a door for me. Completing the application steps was a long progress. I was required to be under 31 years old, have proof that my family had lived in the U.S. continuously since June 15, 2007. And I had to prove we had arrived in the U.S. before I was 16 years old and show that we all had clean criminal records. DACA applicants also must be enrolled in high school, college or serve in the military. Application pricing was so high that my parents at times, held 3 to five jobs each; and still were only able to pay for one application, which went to my older sibling. We all felt that it was a blessing to have one out 3 children be safe, or so we thought. The opportunities my father spoke of had finally arrived. A proud moment for my family, I feel it was also a breath of air to my hard-working immigrant parents. We could breathe a little easier. We paid the attorney \$600 plus \$200 for his assistance in filling out the application and a \$495 submittal fee to be sent to the U.S. Department of Homeland Security. This was to cover the biometric (fingerprint) and processing fees. After total payments of \$1,295 my application was completed and submitted to the government. My parents have paid approximately \$2,590 for two of us and have a third still to pay for. For me renewal is about the same as applying.

### The Process

And then it was my turn, I was finally able to be a part of DACA. Applying wasn't easy. There was a lot of paperwork and a long wait in line at the attorney's office. We had left the house at 4am to make the drive to downtown LA. It was only 6 am and already about 200 people

were waiting in line outside the building, the office was not even open until 10am. After hours and hours of waiting in line, I felt like a prisoner waiting to go into jail. My feet hurt, and I was very thirsty, and hungry. And we still had to wait hours until it was finally my turn. It felt like ages waiting outside the building. I just stood there thinking today only 200 today, tomorrow there will likely be even more. It's crazy to think many of my people are affected by this program. And we are all willing to stand there for hours upon hours, because our future depends on it. We waited outside from 6am until 8pm. It was finally my turn, I felt butterflies in my stomach when my name was called. The first thing they did was take my picture. And then sat my father and I down and explained to us the progress and the price. They wanted us to come another day if we didn't have the money and the evidence that we needed for the application. And my smart father told him "Sir I didn't wait outside all day in the hot sun for you to tell me to come back another day. I have everything requested, including the money. Can we please get this progress going?" The man still made excuses and wanted us to leave and come back another day. Thankfully the attorney that helped my older sibling recognized us, processed my application immediately. He was like an Angel from God, sent to help us out once more. The entire time he was filling out my application the room was silent, except for the many keyboards typing. I looked around and I saw all the other "dreamers," with their families anxiously listening to the sound of keyboards. I wondered how they were feeling at that moment. If they felt the same way as I did, I was relieved and at the same time worried. Finally, the attorney finished typing and said that now I must wait to receive the letter of approval.

Weeks passed, I kept getting more and more anxious, stressed, and frustrated, worried the letter wouldn't come. Every day I would check the mailbox and hoped that it would be there.

Waiting for the approval letter was the most stressful part of my 21 years. When I wouldn't see the letter, I would think of all the time that my parents gave, and all the work, just to get money for a damn piece of paper. Just to get the chance that it could possibly be signed. The thought of not being accepted made me feel worthless. As a teenager, I let the government set the value of my life. I allowed them to define my worth in this country. I put all my hopes and prayers into that one application, a very expensive piece of paper. I lost hope after 4 weeks of waiting; I stopped thinking about it. Feeling worthless and grey, I didn't understand why I wasn't accepted. My sibling got an acceptance letter two weeks after applying. I was so disappointed. I always remember something my father says "If it's meant to be, it will be yours. If it's not, then that's okay. It's all up to the universe, just keep having faith and hope. But make sure to not get too disappointed in the end. Always expect the unexpected."

And so, I did; I expected the unexpected. It turned out that letter had gotten returned to the office because the mail company couldn't find my address. They gave me some excuse about not putting my apartment number. I knew this was BS because I didn't live in an apartment. I lived in a residential home. They said they would mail it back. I felt a little hope, but also knowing whatever it said in the letter would define my future. After three more weeks, I finally got the letter. I was scared to open it at first and at the same time I was excited too. My heart was racing. I could feel my whole-body getting butterflies. When I opened it, I immediately looked for that word; accepted. My heart skipped, accepted, there was also an appointment with the date, time and address of a Social Security office. I was one step closer to feeling my worth in this country. Long story short, all the appointments that I went and still go through always take a long time; and I happily wait for because I must. If I don't, I will feel unsafe again. I felt so



proud to receive a work permit and a driver's license. My bright future was here at last, I thought. Most people don't understand just how much DACA affects young immigrant students. It's like a safety blanket that makes us feel secure in a country that is full of hate towards immigrants. We're not here to commit any crime or take anyone's job. We're here for a better opportunity, and to fight for our right to be free. After all this is land free, isn't it? All we do is work hard, to support each other. We work even harder to be accepted. This is just my view on my immigrant people. Yes, I said "my people" because I am proud of the immigrant community. For me, DACA opened a door full of light and hope; hope that everything will get better for young immigrants, for Latino parents to feel proud, not just of themselves but of their children. DACA gave me the opportunity to go to university. I am proud of the things I've achieved. I'm thankful to my family for working so hard and making this happen for me, and I'm thankful for the program. I know I'm not the only one who feels proud as a Latino child. Our goal in life is to grow up, make our parents proud, and take care of our parents and give them everything they deserve. Thanks to all the hard-working parents out there, for being brave enough to come to an unknown land and give your children the opportunity for a bright future. You all are so brave; I respect each one of you. And I can't thank my parents enough for the love and protection they are giving me and my siblings. All I want to do now is keep working hard, graduate, get that diploma, and take a picture in my graduation gown with my parents. I look forward to uplifting Latino communities through my service and landscape designs.

Then the Trump administration announced it was going to eliminate the DACA program. My anger came boiling back up, all my dreams were in danger, I felt that fear again. I thought ok, I'm on the go again, so much for government support. Several lawsuits were filed to halt the

shutdown. They were successful in avoiding the shutdown, which I'm thankful for, but I feel the changes that were settled on are unnecessary. Current DACA participants must now renew every year, instead of every two years like before. This may not seem like a big deal, but it is to those of us who work hard for every penny. I think these changes are the reason why most immigrant children are stressed and anxious. The president is trying to take away our opportunities for our future. I remember that day, I felt so angry that I was no longer sad or anxious. I was just very angry. I still don't understand why he wants to take away our futures. Does he not see all the good that it's done? It's allowed children to have opportunities. Yes, I mean children not just immigrant children, I believe your background doesn't matter, where you came from doesn't matter. Every child should be given a chance to achieve their dreams. Children are the next generation, the future. I was already preparing myself for the worst. My family and I were already thinking of Plan B, which meant moving away starting over. The news was bittersweet, current DACA participants could renew but no new applications were going to be accepted. The changing of renewal to every year is going to be hard for many. The Trump administration also increased the fee for DACA renewal. The fee increases by 55% to \$765. Those under the program may not be able to renew their status and will become vulnerable to deportation. At least when it was every two years, we had more time to save up the renewal fees. I think that Covid19 is the reason they didn't eliminate it completely but still made it more stressful. I heard in the news an estimated 29,000 health care workers are DACA recipients. Changes like this make me think how ignorant the government can be. Why can we not be equal? Why can they not see that we all are human? And can they see that underneath the melanin that all our blood is red? In my mind, the United States is not the land of the free, not yet, not until we are all free.

## My Hopes

I just hope someday the Government will understand that we are just young immigrants trying to achieve what any US citizen has the right to strive for. This is not a race; this is not a competition. If you work hard enough you will achieve what you put your mind into, regardless of your background, your gender, or disabilities. You can achieve your goals and dreams, just never give up. Even if it gets harder or even if it seems to be impossible, don't give up. Keep fighting, in the end it will be worth it. I believe that DACA isn't talked about enough by the general public. It's a topic that's just being swept under the carpet. I don't hear it being talked about in "American news." I usually hear it from Latino news. And it's not given enough airtime it's usually 1 min and then moved on to gossip for 10 mins straight. When I asked if I'd be willing to share my story, I felt honored. And I thought this is my chance to get the Dreamers conversation out into the mainstream. Through this podcast I feel I have a voice, one that can be heard by many and hopefully, echoes the voices of dreamers everywhere. I decided to no longer be scared and to have my voice heard. I know I'm not alone and I want other DACA "Dreamers" to know they're not alone either. I want to let them know I share their pain. My heart is also heavy with worry. I share the fear of not knowing what the future holds. We will not go down without a fight, stay strong and keep fighting one day we will all be free. I respect all the hard-working parents, DACA students and everyone who's been under DACA. I am thankful for this opportunity to share my experiences and hope that it will initiate conversation, help others who may be in similar circumstances. Thank you for listening.

Now that we've heard a student's personal experience, we will explore some possibilities. Researching DACA and exploring its benefits, we feel bringing more awareness to this program

and how we the public can support DACA is imperative. There are still no permanent solutions for the people who are eligible for or enrolled in DACA. This forces many people into a vulnerable position. Without DACA their livelihoods could easily be taken away. While states cannot legalize those with undocumented status, some states, counties, and cities are recognizing how vital these community members are and have created immigrant-inclusive policies. These policies have drastically uplifted the Dreamers, allowing them to overcome barriers to employment and higher education. According to an article by Ann Morse and Lisa Sims, all 50 states and the District of Columbia allow DACA recipients to obtain driver's licenses and thirteen states have extended certain professional licenses to undocumented immigrants. Also, nineteen states have offered the lower "in-state" tuition rates to Dreamers and eleven states have offered Dreamers state-funded financial aid. ([Morse and Sims](#)). There are people trying to help not only the Dreamers but also other immigrants that are struggling in the U.S. We have an opportunity for change in our society that will benefit many. Are we willing to use our voice? Are we willing to fight for those who cannot fight or vote for themselves? Our political activities not only benefit ourselves but others also. Doing nothing will endanger the safety and livelihoods of many in our neighborhoods.

### Conclusion

As you have heard there are many important issues in our current societal landscape. We hope that our podcast has brought light to some of the issues that deserve attention. We hope we have sparked conversations that will reveal strategies and solutions for our families, friends and neighbors.

Our next episode will be the final episode of this six part Bravely Curious series. Inspired by our research for these episodes, we will discuss our proposed designs for our project site in Downtown Los Angeles. And we'll explore potential design strategies that we feel are most effective for our flexible landscape, Protest Park.

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