

Undocumented Children: Yearning to Breathe Free in the Land of Opportunity

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The Statute of Liberty, symbol of acceptance and opportunity in the United States, reads “Give me your tired, your poor, your huddled masses yearning to breathe free.” However, undocumented children in the United States, who, along with their parents, make up a growing number of this country’s tired, poor, and motivated people who wish to start a new life, are not welcomed with open arms. In fact, strict immigration laws and discriminatory policies in many American sectors, such as education, child welfare, and social services effectively keep innocent youth, particularly undocumented children and the American-born children of undocumented families, from surviving and thriving in this country.

This paper will address American immigration laws and society’s reactions to undocumented Hispanic immigrant children, the psychological effects that children face due to their undocumented status, and the failure of the American legal, child welfare, and education systems to care for these alienated youth. In addition, social and legal changes that are in the youths’ best interests will be suggested in order to raise awareness about reforms so that undocumented immigrant children receive the social justice and acceptance that they deserve. Although America is emblematic of hope for many people, it falls short of creating opportunity, equality, and a sense of optimism for undocumented children and the American born children of undocumented parents. The anti-undocumented immigrant sentiment in this country effectively closes the door of opportunity for these children who suffer due to their, or their parents’ lack of documentation. Perhaps the only way to instill hope in this group is by introducing new policies, such as the DREAM act, that will change the lives of these children who “yearn to breathe free” and stop being stigmatized by their undocumented status.

Law and society working against undocumented immigrants

History is said to repeat itself; it is not surprising, then, that today Americans sometimes react negatively to immigrants, much like their predecessors have in the past. In the mid-twentieth century as immigrants from countries such as Eastern and Southern Europe entered the country, Americans looked unfavorably upon the new immigrants because they not only spoke different languages but, in many cases, also had different religious beliefs and political preferences than the European immigrants that once came before them (Eyewitness to History). American social and legal systems worked together to make immigrants feel unwelcome; the Immigration Nationality Act of 1952, which was biased and exhibited “qualitative restrictions” toward immigrants, was passed around the same time (Bennett, 1966). The present influx of undocumented immigration has prompted a similar dissatisfaction among American citizens for many of the same reasons – immigrants represent a different culture and way of life and there is a fear that they affect this country economically.

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Today, many legal policies attempt to specifically target undocumented immigrants, many of whom have families and children to care for. These include the Immigration Reform and Control Act of 1986, which put sanctions on employers who hired undocumented immigrants, ended welfare benefits previously available for undocumented immigrants and their children, and increased border patrol and enforcement (Donato, 1992). The Illegal Immigration Reform and Immigration Responsibility Act of 1996 worked to end undocumented immigration by severely punishing undocumented immigrants with prison time, large fines, or even worse – deportation (Davis, 2004). Although immigration remains a federal issue, many states in recent years are taking a more aggressive approach toward punishing undocumented immigrants. Arizona’s controversial law, entitled the Support Our Law Enforcement and Safe Neighborhoods Act, for example, required aliens to carry their documentation on them at all times and allowed police officers to subject anyone thought to be an undocumented immigrant to a review of his or her documentation during a routine traffic stop. Although the Supreme Court, in June 2012, struck down various provisions of the law, it allowed the provision in which police officers check for immigrant status to stand (Cole, 2012). Undocumented immigrants now live at great risk and in great fear of deportation, including undocumented immigrant youth.

In many instances, undocumented immigrant children and the American children of undocumented parents lie at the center of the contentious immigration debate. Some Americans, for example, have attempted to preclude the American children of undocumented citizens from being guaranteed citizenship upon birth. Proponents of this believe that these children, oftentimes called “anchor babies,” are born in this country and are automatically given citizenship, access to welfare services, and a guarantee that the child’s family will not be deported and split apart due to the child’s legal status (Suarez-Orozco, 2011). However, “American born children do not provide any real protection from deportation for these parents; in fact, many parents remain at high risk of deportation during the children’s childhood. The best case scenario for these parents is a long wait until the children reach adulthood and, at that point, they are placed at the back of decades long list to start the regularizing process” (Suarez-Orozco, 2011, p. 443).

The American Constitution, however, dictates that under the Citizenship Clause of the Fourteenth Amendment, “all persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States.” Although the citizenship of the American born children of undocumented immigrants is grounded in constitutional law, opponents of birthright citizenship still try to fight it. People who oppose giving the American born children of undocumented immigrants citizenship claim that citizenship, as established by the 14th Amendment, does not extend to these children because they and their parents are not “subject to the jurisdiction” of this country; they, instead, are under the control of the country from which they came (Milliman, n.d). Supporters of citizenship for these children cite, in addition to the Citizenship Clause of the Constitution, an 1898 Supreme Court case entitled *U.S. v. Wong Kim Ark*, in which a young Chinese man born in America to Chinese immigrant parents who were not citizens, but permanent residents, was, considered, in fact, an American citizen (Tebo, 2007). Until the issue of birthright citizenship for these children reaches the Supreme Court, it is unlikely that opponents will be able to succeed in their attempts to end birthright citizenship for this group of children.

Individuals who oppose undocumented immigration believe unauthorized immigrants are burdens to society who do not contribute to the country and, instead, just rob American citizens of available jobs and resources. Although it is true that the American born children of undocumented immigrants are eligible for programs such as food stamps and/or Medicaid, it is important to note that their family members who lack legal documentation are not eligible for these same programs. In fact, undocumented immigrants cannot receive public healthcare, welfare, or retirement benefits due to their lack of legal status. The Immigration Reform and Control Act of 1986 effectively ended welfare benefits for undocumented children and their families, among other things (West, 2011; Donato, 1992). Furthermore, undocumented immigrant parents rarely take advantage of resources that their American born children are entitled to, like food stamps and public preschools, because they fear that authorities will find them and deport them (Suarez-Orozco, 2011). Therefore, they do not drain the American welfare system of its necessary resources.

It is promising to note that not all Americans look down on immigrants: 68% of Americans who responded in a national survey “believe that cultural diversity and new ideas grow due to immigrants” (West, 2011). However, it is clear that this positive outlook may not extend to include undocumented immigrants. The fact that undocumented immigrants lack proper authorization to be in the country does not take away from the cultural enrichment they add to American society. The Supreme Court in *Plyler v. Doe* (1982), a case regarding education for undocumented students, stated that “there is no assurance that a child subject to deportation will ever be deported. An illegal entrant might be granted federal permission to continue to reside in this country or even to become a citizen.” This statement, however, extends to all undocumented children in a broader sense. Although today they lack proper documentation, the enrichment and cultural diversity they add to the United States should not be deemed worthless, because tomorrow they may very well be legal residents or citizens whose culture and traditions become important parts of American culture.

Psychological, emotional and other effects on undocumented youth

Although a majority of children with undocumented parents under age five in this country are actually citizens, young children coming from undocumented families still face countless difficulties. When children are young, they may not realize that they are different than many of the children that they go to school with; undocumented children are, thanks to Supreme Court case *Plyler v. Doe*, still allowed to attend school just like American born children up until 12th grade (Coronado, 2010). Although the law may allow undocumented children to have access to education, it does not deal with the various difficulties they may face when they enter the American school system, such as frustration due to a language barrier.

The Supreme Court sought to remove certain obstacles for undocumented children by guaranteeing them public school education, but other obstacles due to their and/or their family’s unauthorized status still remain. Many parents lack schooling themselves and do not know how to navigate the American educational system. As a result, their children are at an academic disadvantage (Suarez-Orozco, 2011). In addition, the development of children with undocumented parents is harmed by the economic difficulties and emotional distress that they, and their families, oftentimes suffer through (Suarez-Orozco, 2011). These economic difficulties are undoubtedly

fueled by harsh immigration laws that make employment difficult for undocumented immigrants, many of whom have families to care for. Although American born youth are eligible for government health care, unauthorized children are not eligible, and the resulting lack of health care may result in health problems in adulthood (Suarez-Orozco, 2011).

As undocumented children, and the American born children of undocumented parents, reach middle childhood, many of them are aware of their or their family's, undocumented status. This, as a result, creates fear and concern (Suarez-Orozco, 2011). Suddenly, many children realize that they and their families are different from other American families, which may create a sense of anxiety and lower self-esteem. Instead of sharing their feelings/problems with others, they are more likely to keep them to themselves (Suarez-Orozco, 2011). Also, due to the difficult economic situations many families suffer through, children may, at this point in their lives, have already switched schools various times, which translates to poor performance in school (Suarez-Orozco, 2011). Children should not be punished for their parents' undocumented status but, in many ways, they do suffer because of it. *Plyler v. Doe* makes the following valid point regarding undocumented children:

“...those who elect to enter our territory by stealth and in violation of our law should be prepared to bear the consequences, including, but not limited to, deportation. But the children of those illegal entrants are not comparably situated. Their "parents have the ability to conform their conduct to societal norms," and presumably the ability to remove themselves from the State's jurisdiction; but the children who are plaintiffs in these cases "can affect neither their parents' conduct nor their own status" (*Plyler, 1982*).

As these helpless children transition into adulthood, they have realized the impact that their lack of documentation has on their lives. Due to their lack of proper documentation, they can not obtain a driver's license, may face difficulty finding employment because they do not have social security numbers, and find out that their dreams of attending college may never be reached (Suarez-Orozco, 2011). As a result many youth feel intense anger towards their parents for putting them in such a situation. Although many parents have high hopes of success for their children, these young people realize that the American dream, without legal documentation, is unattainable. These youth oftentimes feel shocked at the situation they are in and unwanted by the country that many of them call home (Suarez-Orozco, 2011).

When these youth leave high school, their prospects for success in the United States are dim. Dating, for instance, proves difficult because these youth feel great shame when it comes to revealing their undocumented status. Though they may believe that marriage is a gateway to citizenship, the reality is that marriage will not quickly or automatically “correct” their status (Suarez-Orozco, 2011). Lack of federal and state financial aid for undocumented students makes obtaining a college degree difficult. As a result, undocumented students who have graduated from American high schools may be unable to attend college due to the cost of tuition (Suarez-Orozco, 2011), and feel despair over not being able to pay for college tuition (Coronado, 2010). If they are fortunate enough to have excelled in school and raise enough money to pay for college tuition, undocumented youth may attend college in various states. Many college

students become discouraged when they must enroll in remedial courses to cover material before they can start their core courses and those who must work a part time or full time job, in addition to attending classes, also feel disheartened.

If/when they graduate, they realize that job opportunities for them are still very limited. Their desperation may prompt them to seek out fake social security cards or driver's licenses; this illegal behavior is not only dangerous, but also not a real solution to their problems (Suarez-Orozco, 2011).

Failings of the American legal, welfare, and educational systems for undocumented children

American courts face the daunting task of deciding whether or not deported immigrant parents should be reunited with their American born children. Courts do not always make the best decision for the child at hand because they must focus on balancing the rights of the state against the rights of parents to maintain control over their children. As a result, the children, in most cases, suffer immensely regardless of whether the state allows them to be reunited with their parents, or compels them to stay in America.

Parents, in most cases, have the right to care for, raise, and educate their children. It is clear that, most of the time, the best decision for the child is to remain within the care of his/her biological parent who can provide him or her not only with care, but also with love (Zug, 2011). Early twentieth century Supreme Court cases, such as *Meyer v. Nebraska* (1923) and *Pierce v. Society of Sisters* (1925), established the rights of parents over their children. The Supreme Court of the United States ruled that parents have the right to decide who educates their children in *Meyer v. Nebraska* (Mnookin, 2009, p. 50). *Pierce v. Society of Sisters*, which stated that "the child is not a mere creature of the state", was another case that helped to establish parental rights (Mnookin, 2009). State control did not eliminate the rights of parents, as nurturers and caregivers, to select the appropriate people and places to educate their children. These cases clearly demonstrate that parents have the right and obligation to control, care for, and educate their children, even in ways that the state does not always agree with.

American courts fail immigrant children because, even in cases where they respect parental rights and reunify families, the child does not always benefit. When immigrant families are initially broken apart it can be due to a variety of reasons, including undocumented status or possibly abuse and neglect (Zug, 2011). If a parent who was abusive or neglectful is reunited with a child after deportation, that child, who runs the risk of suffering additional abuse, is no longer guaranteed the oversight that the American legal system offers and, unfortunately, many Latin American countries lack the proper governmental agencies, such as child protective services, to deal with such cases of abuse (Zug, 2011). In cases where parents are only guilty of lacking proper documentation, reunification also has some negative consequences. For instance, when American born children are sent to the parent's native country, they may become severely disadvantaged by going from a good school system in the United States to one that is not of the same caliber in the parent's native country; in addition, they will usually face extensive language barriers (Zug 2011, p.40). These children also risk losing access to health care. In their parents' homeland they may lack proper medical care or insurance, which puts their wellbeing in jeopardy (Zayas, 2010). Clearly the innocent

child caught in the middle of a legal battle is the one that is, unfortunately, most negatively affected.

The state has the obligation to act as *parens patriae* and work in favor of children who have citizenship in this country. *Prince v. Massachusetts* (1944) was a monumental case in which an adult female guardian made a child who she was entrusted with hand out religious pamphlets on the street. She was found, consequently, to be in violation of child labor laws and at fault for putting the child in danger (Zug, 2011). The Supreme Court's decision in this case was in contrast to cases such as *Meyer v. Nebraska* and *Pierce v. Society of Sisters*, in which the role of parents to care for, control, and raise their children was clearly stated. The state does have the right to infringe upon parental rights when parents are guilty of putting their children in danger. When it comes to citizen children, the state feels compelled not only to protect these kids, but, in most cases to keep them in the United States when parents face deportation (Zug, 2011). Although these children need and deserve protection, particularly in cases of abuse and neglect, American courts need to realize that keeping the American born children of undocumented parents in the United States without parents is not beneficial in most cases.

Regardless of the decision made by the legal system, American born children of undocumented parents who have been deported are not always content. In an ideal world, American courts would allow undocumented parents who face deportation to stay in the country because it is in the best interest of their citizen children. However, due to current immigration law and politics in this country, that is not a viable option (Zug, 2011). As a result, the American legal system, in many cases, fails these American children who are forced to live either with the love of their parents in a country that they do not know, or in America, the land of opportunity, without the support and warmth of their immediate family.

Intersection of the legal and child welfare systems

As of 2011, approximately 5,100 children, according to the Applied Research Center's estimates, have parents who have been subjected to detention or deportation and live in foster care within the United States (Wessler, 2011). When undocumented immigrant parents are detained, a difficult and sometimes lengthy process commences which proves troublesome for the whole family, including children.

American courts could take steps to aid immigrant children who are placed in these difficult situations. In 1997 the Adoption and Safe Families Act began governing child welfare in a way that stressed the protection of the child above all else – even if that meant not unifying a family. As a result of this monumental act, a child who has been in foster care for 15 months will be involved in proceedings to terminate the rights of his/her parents (Xu, 2005). This, without a doubt, poses a huge threat to parental rights, which, in turn, affects the children involved in child welfare proceedings.

Undocumented immigrant parents face a myriad of difficulties that American born parents whose children are in foster care do not face. Social service workers, along with the court system, should be sensitive to such difficulties in order to make the best determinations for the American born children of undocumented parents. These difficulties include lack of understanding of the social services and child welfare systems and severe language barriers that keep parents from comprehending the social services that may be offered to them (Xu, 2005). In addition, parents are oftentimes transferred

to detention centers that are not near their homes and are kept there for extended periods of time while their case is worked on (Wessler, 2011). Although Immigration Customs and Enforcement created a locator system for detainees approximately two years ago, “few child welfare caseworkers or dependency attorneys had ever heard of the locator system” (Wessler, 2011). Courts expect immigrant parents to meet certain criteria in order to consider reunification; however, immigrant parents have a difficult time meeting the criteria in a “timely and appropriate way” due to economic difficulties they face, trouble comprehending the English language, employment and housing problems, and more. In addition, undocumented parents, while attempting to regain their children, may face legal troubles that can worsen their stance in dependency proceedings (Xu, 2005, p. 761-762). Separation due to detention or deportation was taken into consideration by the courts when trying to find the best fit for the child. The unique problems that immigrant parents face make only 15 months of reunification services, as stated in the Adoption and Safe Families Act, far too little to properly meet their needs. Courts should, in order to best help the children of undocumented immigrant parents, continue services past the 15 month mark, while social workers “could communicate with the courts and argue for cases to be reopened to further advocate for the children to stay with their biological parents” (Xu, 2005, p. 766).

The educational system and its disadvantages

Plyler v. Doe (1982), a landmark Supreme Court case, allowed undocumented students to attend public school in the United States through the 12th grade. Statistics show that “approximately sixty five thousand undocumented students graduate from U.S. high schools every year...these students receive honors, make it to the dean’s list, and are class valedictorians” (Yocum-Gaffney, 2010, p. 67). Although these children have high hopes of success in the future, their lack of educational opportunities after high school severely limit their future triumphs.

Although America took an enormous step in the right direction in 1982 when the Supreme Court decided the *Plyler* case, it did not properly address postsecondary education in any way, which clearly puts undocumented children at a great disadvantage. The Illegal Immigration Reform and Immigration Responsibility Act of 1996, along with the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 are federal level statutes that deal with postsecondary education. “PRWORA proclaims that an unqualified “alien” is not eligible for any federal public benefit including postsecondary education or any other benefit in which payment or other assistance is provided” (Gildersleeve, 2010, p. 9). Although these statutes limit opportunities available to undocumented students, they do not forbid such students from being admitted to a post secondary educational institute (Gildersleeve, 2010). However, undocumented students who are able to continue with their education do not qualify for federal financial aid, federal student loans, Pell grants, and more, which can place a huge financial burden upon them. In addition, private scholarships, in some instances, are cut off for these students also, because some of them require students to meet the requirements set forth for federal financial aid (Gildersleeve, 2010). Furthermore, their undocumented status limits the types of employment they can find, so financing their education becomes very difficult. Even though some undocumented students may overcome the obstacles set in their path for university admission, they may never enroll due to financial burdens.

Necessary legal changes

Undocumented children are, in many ways, treated unjustly in the United States. Society thinks negatively of undocumented immigrants, which has a direct effect on undocumented children psychologically, emotionally, and in many other ways. This research demonstrates that America, via its legal, welfare, and educational systems fails this group of children. How can life for this group of undocumented children improve? Improvements can be made through legal and social changes, which will be discussed below, that will transform the lives of these young, innocent children and make their futures more promising.

Increasing work visas for parents

Many undocumented parents enter the United States in order to improve their finances for themselves and their families. Yet these individuals have very few legal avenues to seek employment in the United States. As a result, countless immigrants choose to enter the United States without documentation, many with their family in tow. However, if America increased the number of work visas it gives out, undocumented parents may instead choose to come to this country legally and send money back home for their families. As a result, the immigrant and his family benefits economically, while the United States gains laborers and reduces the influx of undocumented immigrants. For instance, laborers who work in agriculture are eligible to work in the United States legally through the use of an H-2A visa (Anderson, 2012). However, the visas are “considered burdensome and litigation-prone by growers” and, as result, are not used as much as they could be (Anderson, 2012).

H-2A visas for agricultural workers, and H-2B visas for nonagricultural workers, should be utilized to prevent undocumented immigration. Only a small number, approximately 66,000, are currently given out per year and that number must be augmented in order for the visas to be used successfully (Banks, 2006). Concerns may be raised by Americans who worry about immigrants taking away employment from citizens. However, America has already created a safeguard with the H-2 visas where employers must obtain a labor certification before hiring foreign workers. This certification would make sure that Americans within the country can not fill the position before an individual from another country is hired for the job (Banks, 2006). Although increasing the use of the H-2A visa will help to reduce future undocumented immigration, it will not solve the problems that undocumented children and their parents who are already in the United States face.

Child Citizen Protection Act

Innocent American born children are oftentimes victimized when their parents are deported due to lack of documentation. American courts faced with the predicament of figuring out what to do with the children do not always apply the correct standard. In some cases, children are needlessly separated from their parents and even put into foster care (Wessler, 2011). We must pass legislation that takes the child’s best interests into account. If the Child Citizen Protection Act were passed, it would allow judges to hear the voice of the child – something that is not currently done (Zayas, 2010). In addition, it would increase the discretion of immigration judges in cases where the deportation of a parent would act against the best interests of his/her child (Rep. Serrano, 2006). Under current law, immigration judges must order deportation in many

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cases involving parents without considering the harm that is being inflicted upon those parents' children (Rep. Serrano, 2006). If politicians were to pass this act, or a similar form of legislation, it would allow some form of justice to prevail for the children of undocumented parents, many of whom have been wronged by the American legal system. The 5,100 children that linger in foster care while their parents have been detained or deported are, for example, a group that would undoubtedly benefit from the passage of the Child Citizen Protection Act (Wessler, 2011).

Adoption and Safe Families Act

The Adoption and Safe Families Act, passed in the late 20th century, is considered a threat to parental rights. More specifically, this act threatens the rights of undocumented parents to care for their children. This act is in contrast to prior legislation, such as Adoption Assistance and Child Welfare Act, which was “firmly rooted in the traditional ideas of family preservation” (Yablon, 2012). The Adoption and Safe Families Act, however, effectively works to break many undocumented families apart by implementing swift deadlines when children enter foster care. If the Adoption and Safe Families Act is amended, however, the best interests of this group of children may be served. The Act already states that exceptions may be made if the deadlines for permanency hearings and termination of parental rights are not in the child's best interests; it also states that exceptions can be made if the child is in the care of a relative (Adoption and Safe Families Act, 1997). Kinship placement for undocumented children or the American born children of undocumented parents is, in many cases, impossible to arrange because American courts will not grant such placement to undocumented relatives – the only relatives that these children may have (Cardoso, 2009).

When parents are separated from their children in this way, it creates a great sense of social injustice. In order to address the best interests of children, undocumented parents must be given more time in order to meet requirements to regain custody of their children. In addition, courts should arrange that, at a minimum, translators are provided so that the parents understand what is expected of them. If the parents do not understand what is expected of them or how they may work to regain their children, the children will be made to suffer in the long run. How can social justice ideals be met if undocumented parents are placed in a legal system that they understand nothing about without any resources to aid them? Providing translators would create many short term benefits. For instance, the undocumented parent would understand, at the outset, the terms of the permanency plan and the reunification plan and would not lose time in completing the tasks that are expected of him/her. In addition, communication between social workers and the courts would be facilitated. The long term result of this would be reunification, which is undoubtedly best for the child. Although providing a translator may not guarantee in all cases that undocumented parents will complete the necessary steps to bring together their families, it will definitely make the process slightly easier and create a better sense of equality for non-English speaking parents.

The DREAM Act- a solution for undocumented students

The DREAM Act is a proposed piece of legislation that would greatly help undocumented students in the United States. This act, though never passed, was something that countless undocumented students supported. They helped to create a

social movement by participating in protests, hunger strikes, and more (Zimmerman, 2011). Although the country is far from passing the DREAM Act due to partisan issues, hope remains for undocumented students. On the federal level, the Deferred Action for Childhood Arrivals program launched in June 2012, allowing undocumented immigrants who came to the United States as children to defer removal for two years and attain a work visa. Like the DREAM Act, other guidelines must be met: the immigrant must be in school, have a high school diploma, or a GED. The deferral would be subject to renewal after the two year period (Consideration of Deferred Action).

Changes are also being made at the state level. Recently California passed legislation known as the California Dream Act, which allows undocumented students to access state financial aid. Other states, like Florida and Illinois, are following in California's footsteps by proposing similar bills. On November 19, 2012, Governor Deval Patrick of Massachusetts announced, despite opposition, that undocumented students in his state would be allowed to pay lower in state rates for college tuition (Kaiser, 2012). Perhaps small victories like these must be obtained before a piece of legislation as monumental as the DREAM Act can be passed.

The undocumented children's best interests

Immigration reform must occur in order to remedy the issue of undocumented immigration. Two options for immigration reform include mass deportation or legalization of undocumented immigrants (Ewing, 2010). In order to best serve the needs of undocumented children and the American born children of undocumented parents, legislators should work towards a system where undocumented immigrants presently residing in the country can apply for documentation and, later, citizenship.

Although deportation is an option that would garner support amongst some Americans, it would undoubtedly be detrimental to the lives of the American born children of undocumented immigrants. If deportation occurs as a form of immigration reform, it will undoubtedly affect countless undocumented children who were brought to this country at a young age and consider America their home. Deportation of undocumented immigrants is an unrealistic option for Americans because of the costs involved. Although supporters of strict immigration policies may not realize it, undocumented immigrants strongly contribute to the U.S. economy. If deportation of the country's undocumented immigrants occurred, it would cut "\$551.6 billion in annual spending, \$245 billion in annual economic output,...more than 2.8 million jobs" and revenue from taxes which unauthorized immigrants pay (Ewing, 2010). The country would be losing money and then would have to spend, as the Center for American Progress estimates, anywhere from \$206 to \$230 billion over approximately 5 years to deport these individuals (Ewing, 2010). Consequently, deportation would not be a feasible option.

Although legalization of undocumented immigrants is unlikely to occur due to anti-immigrant sentiment and political opposition, it remains the best option for American born children and for all who seek social justice for undocumented immigrant children. From an economic standpoint legalization, too, proves to be the best option. If, for instance, the Comprehensive Immigration Reform Act of 2006 had been passed, \$66 billion in additional revenue stemming from payroll and income taxes paid by immigrants would have been created. "This revenue would have more than offset the anticipated \$54 billion increase in spending for refundable tax credits, Medicaid,

Medicare, Social Security, and food stamps for newly eligible immigrants and their families during the same period” (Ewing, 2010). Under the above mentioned act, undocumented immigrants would have been subjected to fines, in addition to taxes, which also raise money (Comprehensive Immigration Reform Act of 2006). The United States would enjoy additional revenue while formerly undocumented parents and children would no longer be held back by their lack of documentation; instead, undocumented families could, by remaining in the United States with legal status, provide their children with important social services, healthcare, better opportunities for education, and more that they could have never attained before.

Advocating for social changes

The media in America is a powerful source of information and if it changed its portrayal of undocumented immigrants, it may, too, change the way many members of society react toward undocumented immigrants. According to the Center for Nonviolence and Social Justice, social justice is “a vision of a society that is equitable and in which all members are physically and psychologically safe. Social justice also demands that all people have a right to basic human dignity and to have their basic economic needs met.” This vision, however, will never be met if the media does not begin to treat undocumented immigrants with the dignity and respect that they, as human beings, deserve. Although they may be guilty of breaking the law by entering the United States without proper documentation or staying longer than their visas allowed, they should not be referred to as illegal. Their actions may be illegal, but they, as people, are not (Rubio, 2011).

Although the phrase “illegal immigrant” is a degrading term, undocumented immigrants are continually referred to as “illegals,” particularly in the media. The media also purports many myths and mistruths about undocumented immigrants that affect the lives of countless unauthorized individuals living in this country. Popular commentators on television, for instance, create misperceptions that Americans, as a result, believe to be true. Media commentators convince Americans that undocumented immigrants are at fault for spikes in crime rates, use up welfare programs without contributing to the country, and more (Fear and Loathing). This causes an environment of anger and hatred that undocumented children, and the American born children of undocumented parents, must constantly deal with.

The First Amendment of the United States’ Constitution guarantees free speech. This allows media personalities to portray undocumented immigrants in a negative light. However, that does not mean that their negative opinions cannot be opposed by positive opinions also stemming from the media. Activists and grassroots organizations must come together to create awareness about undocumented immigrants, their feelings, and their contributions to this country. For example, Fox News Latino reports that almost 50% of Latino voters who were part of a poll consider the term “illegal immigrant” offensive (O’Reilly, 2012). A powerful public education campaign entitled “Drop the I-word”, started by ColorLines and the Applied Research Center, is fighting to drop the use of the word “illegal” (Drop the I-word). It encourages individuals and student organizations to take a pledge online and reach out to media outlets in an attempt to have them cut off all use of the “I-word” because it is not only racist and dehumanizing, but also “inaccurate legally and confuses the (immigration) debate”

(Drop the I-word). With campaigns such as this one, undocumented immigrant children may begin to receive humane treatment in this country.

Undocumented students who are able, despite the obstacles, to continue with education are in need of assistance that could help ease their transition into higher education. At the high school level, guidance counselors can and should be trained on how to best advise undocumented students about attending college, possible scholarship opportunities, and more. In addition, counselors can encourage undocumented students who take academics seriously to enroll in dual enrollment programs that will help them gain college credit while still in high school (Coronado, 2010). Upon entering college many undocumented students encounter faculty and student affairs employees who do not know how to deal with undocumented students and appear rude and unhelpful (Coronado, 2010). Post secondary institutions can easily fix this issue by offering workshops and training sessions to college faculty and other employees in order to educate them about undocumented students and the difficulties they face (Coronado, 2010). In addition, “hiring a bilingual and ethnically diverse faculty and staff may promote immigrant student engagement and foster validation” at the university level (Coronado, 2010, p. 13).

Undocumented students who wish to transition into college after high school have already experienced various difficulties: not having a driver’s license, facing economic disadvantages, lacking a social security number, and more. These students oftentimes feel ostracized and misunderstood. Undocumented parents may not understand the difficulties that their children face in the realm of education, while professors and other students may not understand the difficulties that unauthorized peers face in life due to their lack of documentation. As a result, these students are in need of support and a community they can turn to that will help them cope with such difficulties. As a result, college campuses should encourage the formation of student support groups where undocumented students facing the same problems can join, and offer support and encouragement to one another. Such groups are, in fact, already working to provide support and encouragement in states such as California, where a support group called AB 540 students was formed. This group was named after the 2001 California law entitled AB 540 which allowed undocumented students meeting specific requirements to qualify for in state tuition (Coronado, 2010).

Organizations such as AB 540, involving undocumented students in similar situations, are not the only groups that offer support and encouragement. Other campus programs and clubs that offer networking opportunities, scholarships, and “cultural empowerment” are great ways for undocumented students to become involved and improve their future. Opportunities for civic engagement at the university level also aid undocumented students by helping them focus on making a difference in their own lives and in the lives of others. Post-secondary institutions can increase opportunities for civic engagement and community service as a way to help undocumented students (Coronado, 2010).

Conclusion

As the undocumented immigration debate continues in America, there is one group of people that stand directly in the crossfire. This group, discussed at length in this work, consists of undocumented children and the American-born children of undocumented parents. Numerous factors have worked against these children,

condemning them to a life of inequality and difficulties in this country. Harsh immigration laws, like the Immigration Reform and Control Act of 1986, have developed over the span of the 20th century with the goal of ending undocumented immigration. Other factors that aggravate the situation which undocumented children face include society's view on undocumented immigration. For example, the media consistently casts undocumented people in a negative light by referring to them as "illegals," blaming them for increases in crime, and more. Many Americans, who oftentimes believe media stereotypes, form the opinion that undocumented immigrants are burdens to American society who live off welfare, do not contribute to this country economically, and more (Fear and Loathing, 2008).

These harsh laws and stereotypes take an immense toll on the lives of undocumented children in a variety of ways. They effectively become disadvantaged when it comes to education, access to social services, and more. These children, who are ineligible for federal financial aid, are oftentimes unable to attend college (Gildersleeve, 2010). Issues in the child welfare system also greatly affect these children and their families. For instance, when undocumented parents are detained or deported, their children may end up in foster care. Although foster care is supposed to be temporary until the family can once again be reunited, children of undocumented parents may linger in foster care or be put up for adoption if their parents do not complete the reunification plan in 15 months (Xu, 2005).

Undocumented immigrant children, as they mature, realize that their opportunities to attain the American dream are limited. What hope is there, then, for this unique class of children to achieve success in the United States? Their only hope exists in the enactment of legal and social changes that will transform the way undocumented children are treated within this country. An important social change, for instance, includes changing the way the media perceives undocumented immigrants; perhaps the opinion of anti-immigrant media commentators cannot be changed, but their views can and should be challenged. Legal changes will allow undocumented children and the American born children of undocumented parents to receive necessary services and opportunities to survive and thrive in this country. For example, if the DREAM Act or some similar form of legislation is passed, undocumented children will have the opportunity not only to obtain college degrees, but also to obtain legal residency and citizenship (Dream Act). Other pieces of legislation that warrant attention include the Child Citizen Protection Act, which would allow the children of undocumented parents to speak to immigration judges and would, in turn, give those judges greater discretion to make the best decision for the children (Rep Serrano, 2006).

Although many federal legal changes have not been made to benefit undocumented children, there have been legal changes at the state level that will undoubtedly help this group of children. For instance, California now offers undocumented students access to state financial aid and many other states, like Florida and Illinois, are working to do the same. Other states, like Massachusetts, are allowing students to pay lower in state tuition rates (Kaiser, 2012). The best option for undocumented children as a whole would be if immigration reform took place, allowing them and their parents to pay fines, taxes, and, over time, become legal residents or citizens. This is unlikely to happen due to anti-immigrant sentiments and political views, but smaller legal changes, like those mentioned above, can be enacted that would greatly improve the lives of these children.

Undocumented children and the American born children of undocumented parents have, in many ways, become disillusioned with visions that their parents may have had for them in this country. They once believed that America held the key to education, good jobs, and a successful life but due to lack of documentation, they only face hardship in reality. Regardless of the difficulties they face due to their lack of documentation, many of them still consider the United States of America their home. It is now time for America to claim this group of undocumented immigrants who have for too long suffered economically, emotionally, and much more, and enact changes that will allow them to feel at ease. Until then, the future of these children, held back from bright futures due to lack of documentation, remains dim and unpromising.

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