

## HOW TRUMP IS ENDANGERING UNDOCUMENTED BANGLADESHI-AMERICAN YOUTH

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A group of undocumented Bangladeshi-Americans are in a fix but there is no talk of it in their country of origin.

One of them is Nayim Islam, a 25-year-old activist living in New York City. He is a recipient of protection provided by an immigration policy known as Deferred Action for Childhood Arrivals (DACA). DACA protects undocumented people, who were brought to the United States as minors, from being on the frontline for deportation. Passed in June 2012, the order enabled undocumented high-school educated minors to get two-years of clemency and a valid work permit. This was enacted by former President Barack Obama through an executive order.

"I came to the US from Bangladesh when I was nine years old," he says, "I came to the US on a visitor's visa and as soon as the visa expired, I became undocumented." His parents too are undocumented.

He received his DACA in 2013 and holds a job with a local rights organisation. "I currently work as a community organiser at Desis Rising Up and Moving (DRUM), focusing on immigrant rights in the South Asian community in New York City," he says. "Having DACA has allowed me to work legally with benefits and support myself and my family."

This protection that gives him the basic right to work and earn a livelihood may not be there for very long. On September 5, 2017 the Trump administration formally announced that it will end the Obama-era presidential executive order. The administration gave it a dying grace of six months.

Rolling back the protections given by DACA means asking Nayim Islam to go back to Bangladesh. In a video produced by a non-profit called

effectively take away that option turning the policy into what Vox has termed a "ticking time-bomb". According to USCIS data, this will affect 689,000 active DACA recipients of whom 490 are of Bangladeshi-origin.

This population could have contributed USD 280 billion to USD 430 billion over the next 10 years, as per research by think-tanks Center for American Progress and Cato Institute.

Bangladeshi-Americans are one of the fastest

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dollars for a college degree when in reality I could not fully use it because I don't have the papers," continues Islam in the television interview, "I'd have to work at a restaurant or a warehouse or a factory without documentation, and get paid an amount that is below the minimum wage."

As a result of DACA, Islam is one of the rare undocumented Bangladeshi Americans who are being able to hold a job worth their college degree. Migration Policy Institute, a think-tank in USA which analysed the U.S. Census Bureau statistics, found that in 2014, there were 1,757,000 "foreign-born" (not born in the United States) college-educated adults who were working in low-skilled jobs. In an earlier report, the institute linked underemployment to the lack of English-speaking skills. The 2013 American Community Survey found that 53 percent of the Bangladeshi-origin population in New York City have limited English proficiency—putting them at risk of lower paying jobs. Over 30 percent of this same population lived below the poverty line with a per capita income of USD 13,504 per year.

The DACA also did one other thing: it provided some space for undocumented youth to come out into the open and demand their rights. It increased the visibility of this vulnerable population, who are, as per their chosen social media hashtag, #heretostay.

"I used to be afraid to speak about being undocumented," Islam tells *Star Weekend*, "but since I've been at DRUM and since I started organising, I've realised that being silent and afraid will never lead to changes. If I want things to change then I have to be brave, I have to speak out, and I have to come together with my community to demand the justice we deserve."

In the MoveOn.org video, Islam explains exactly what it was like hiding in the shadows. "Coming to the U.S. after 9/11, one of the reasons that my parents were always honest with me about being undocumented and always strict about me never telling people that I was undocumented was because, at that time, we had the NSEERS programme, the original Muslim registry," he states. The NSEERS

draft of this bill was pushed forth by a bipartisan duo, Democratic Senator Dick Durbin and Republican Senator Lindsey Graham, but failed to get a green light from everyone.

Around the same time another Democrat, Luis Guterrez, introduced the American Hope Act, which is, in some ways, another version of Dream Act. The difference between the two is that while the Dream Act would extend protection to only those who have completed high school or are doing so, the American Hope Act has no requirements about the educational qualifications of their applicants, choosing instead, to treat everyone the same.

Late in September, the Republican party proposed the SUCCEED Act which is a more conservative version of its predecessor. The proposed law restricts recipients from being able to sponsor family members like their undocumented parents. The act requires the applicants to have entered the country before 2012, but pairs it with a minimum of 15 years of residence within the country for eligibility. This would penalise children in their teens who entered USA in or around 2012 by making them ineligible for permanent residence and valid work permits until they are in their late thirties.

At the end of the day, while the Congress flip-flops about the kind of protections to extend to this vulnerable population, the Trump administration has made its priorities clear—any type of Dream Act must come with added immigration controls. Earlier this month, the president unveiled a 70-point Immigration Plan, which includes recruiting 10,000 more border security agents, spending USD 25 billion for a border wall, requiring employers to register the legal status of the people they hire, and restricting people from sponsoring anyone but spouses and minor children.

In a nutshell, the administration is seeking to trade undocumented minors for their parents.

Nayim Islam's organisation DRUM is now advocating for what they call a "clean" Dream Act. "As we have seen, since the cancellation of DACA, a lot of the conversation has been on passing a

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Abraham Sarker believes God has given him a second chance to start his life over. His wife, Utpola Sarker, who went missing in 2010, was recently found in the most unlikely of places.

She was one of the 45 undocumented Bangladeshis found in Kerala last month. Abraham is now desperately waiting for the Embassy to begin the process of his wife's return.

Utpola and Abraham, both of whom hail from the Senhati Christian Colony in Khulna, got married in 1995. They had two children, in 2000 and 2002 respectively. Unfortunately, in 2010, Utpola was diagnosed with a mental disease. She became quieter and would often indulge in shockingly violent behaviour. In a bid to get her better

Bangladeshi he found in Kerala is the highest cluster that the Embassy has seen in recent times.

"As per our initial investigation we have found that they are all Bangladeshis. They are mostly from Kusthia. They went to Kerala because there is a demand for construction workers there and they can earn around Rs 7000 to 10,000 per month. It works out well for them," he explains.

"But now that they have been caught and sent to jail, they all want to go back home. It's not possible to send them home immediately because there are cases filed against them. It will take some

Bengal are actually from Bangladesh," says Anil.

According to Anil, who had met officials from the Bangladeshi embassy last month, there isn't an effective way to repatriate the Bangladeshis who are present in the jails of Kerala.

"I have had cases where 11 Iranian people were jailed and they were sent back in two weeks' time. I have also found Pakistani people in jail and they too were sent back quickly. We don't have an effective system to send back the Bangladeshis here and that is a problem. A system needs to be devised with the help of the Embassy," says Anil.

level over there, many of them are aware about minimum wages and rights. Bangladeshis can go to these places and work because they are indispensable and employers don't have to maintain the minimum work conditions for them.

"These workers are contributing to the national economy of India. The flats which the Bangladeshi workers are working on are obviously getting sold at cheaper rates. It just goes to show that there are niches in the economy, which demand low-paid workers. If you don't acknowledge it, then it's not fair. There is a strong case for liberalising the regime here," he adds.

# JAILED IN GOD'S OWN COUNTRY

NAIMUL KARIM

treatment in Dhaka, Abraham took her to Savar and kept her at his sister's place. Abraham's plan was to make her stay there for a month and then take her to Dhaka after he received his salary.

However, a few days later, he learnt that Utpola had disappeared and was nowhere to be seen. There's a high chance that Utpola was trafficked into India. She was eventually found in a mental hospital in Kerala.

Along with Utpola, there were several other illegal Bangladeshis the Embassy met in jails located in Thrissure and Calicut. Their stories though are significantly different. Most of the men went all the way down to the Southern state, looking for construction work.

Mosharrif Hossain, an official from the Bangladeshi Embassy in Delhi, has been constantly working on easing the system to send back Bangladeshis who have either been trafficked or have crossed the border illegally looking for work.

According to him, the group of 45



PHOTO: REUTERS



IMAGE: COURTESY



PHOTO COURTESY: DESI IS RISING UP AND MOVING

MoveOn.org, that is circulated online, Islam says, "The Department of Homeland Security, in their memo, basically said to us, 'Pack up your bags and leave.'"

"No. I'm here to stay and I'm here to fight," he states, resolutely.

On September 5, the United States Citizenship and Immigration Services (USCIS) website announced: "The Department of Homeland Security (DHS) initiated the orderly phase out of the program [known as Deferred Action for Childhood Arrivals (DACA)]." In addition to snuffing out the hope of renewal for existing applications, this also meant that no new applications were to be processed. The website further explained: "If you did not request initial DACA on or before September 5, 2017, then the DACA process is no longer available to you". Similarly, if "[y]our DACA expired on or before Sept 4, 2017, and you did not properly file your renewal request on or before Sept. 5, 2017" then there is no further protection from deportation. This effectively denies rights to a whole group of youth who are eligible for DACA but do not have it yet—numbers of which are unavailable.

Although the provision gave visibility to undocumented immigrants for only two years at a time, it was renewable. Trump's decision will

growing immigrant communities in the United States; the 2011 community census showed that this population almost doubled in number from 2008 to 2011. According to the census, a population of around 50,000 were living in New York City alone, constituting the fifth largest Asian group in the city. Of the population, half did not hold citizenship, and while this included people on different visas, it also comprised a large number of the undocumented.

DACA did more than just allow Nayim Islam to work—it let him have a meaningful career.

"Not having it [DACA] also means after you graduate with your degree you cannot get a job legally," states Islam to this correspondent.

Islam has a college degree from the United States but had to overcome more barriers than the average American to go to university. "Going to college (university) while undocumented entails having to pay full tuition on your own because undocumented students do not get loans or financial aid from the government," adds Islam.

In an interview given to a local Bengali-language community television, Islam states, "After DACA was introduced there were more scholarship opportunities for undocumented students—not a lot, but at least it's more than zero."

"I always wondered why I paid thousands of

programme or National Security Entry-Exit Registration System, which was suspended from operations in 2016, was a tool the Bush administration used to screen for "terrorists".

#### What next

This is one area of legislation that has been at risk since the beginning of the conservative Trump administration. In June 2015, when Trump officially announced the launch of his campaign, he said, "I will immediately terminate President Obama's illegal executive order on immigration. Immediately." He iterated the same in another campaign speech in 2016.

There is one Hail Mary—the Congress. If the Congress can agree to pass a law codifying the protections afforded by DACA in the next six months before the plug is finally pulled out, this population can still have a chance at regularisation. Just before the White House made the announcement to end DACA, Trump took to Twitter to send this message: "Congress, get ready to do your job—DACA!"

The Congress has been trying to pass such a bill for the last 16 years anyway—loosely called the DREAM (Development, Relief, and Education for Alien Minor) Act. The legislation however never garnered enough votes to become a reality. The latest

DREAM Act and the enforcement Republicans want in exchange for it," he says to this correspondent. "These enforcement policies will impact people beyond just DACA recipients, especially those back home in Bangladesh who might try to cross the US-Mexico border to come to the US."

The threat can also come from another direction—DACA had encouraged the undocumented to come out of the shadows and make public the fact that they and their parents are in the United States without papers. As DACA is rolled back, this population no longer has protection from deportation and the government knows exactly who they and their families are, making them easier to find.

Nayim Islam describes his reaction in the video shared online, "When I applied for DACA I also had to share information on my parents. So then the concern is whether or not my information, as a part of the DACA database, will be used to target my parents."

"[Because] we don't want any legislative solution, if it means sacrificing our parents," he states.