

Testimony on the Future of  
Undocumented Immigrant Students

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My name is Martine Mwanj Kalaw. I am a proud New Yorker employed as a financial analyst with the New York Public Library and prior to that I was a budget analyst at the New York City Mayor's Office of Management and Budget.

Although I have lived in the United States for 22 years, I have an immigration nightmare I'd like to share with you. In August 2004, I was ordered deported.

My mother brought me to the United States on a tourist visa from the Democratic Republic of the Congo when I was 4 years old. She fell in love with and married my stepfather when I was 7 years old. When I was 12 my stepfather died and three years later when I was 15, my mother died.

My mother had been granted a green card, and was in the process of applying for permanent U.S. citizenship at the time of her death. However, neither she nor my stepfather ever filed papers for me. Thus, when my mother and stepfather died eleven years ago, I was left not only without parents, but also without a path to citizenship.

Although I had no home, I was able to excel through my academic performance and through self-parenting. I attended prep school in Charlottesville, Virginia, with the assistance of a Judge, who acted as my benefactor. After graduating from St. Anne's Belfield School, I attended Hamilton College, in upstate New York, on a scholarship and graduated in 2003 with a concentration in political science.

All of this time, I knew that I had immigration problems, but it wasn't until I was in college that I came to fully understand the extent of those problems. I needed a new social security card in order to secure a part-time job on campus. But when I naively went to the Social Security Administration for the card, they referred me to INS. The next thing I knew, I was in deportation proceedings.

I persevered while my case was pending, despite the looming prospect of removal to a country in Africa where I would not be fully accepted and do not know the language. Soon after college graduation, I was a recipient of the Margaret Jane White full scholarship, which allowed me to graduate with a Masters in Public Administration from the Maxwell School at Syracuse University in 2004. Academia became my security blanket that allowed me to be something other than that scarlet letter "I" for "illegal immigrant."

Despite my academic record, I cannot escape the stifling nature of my immigration status, and have therefore been unable to fully explore my full potential. My experience foreshadows what happens to immigrant students if legislation is not adopted to squarely address our status---we will be left in limbo, with a lot to give back to America but without provisions that will allow us to effectively do so. While I have been uplifted by the U.S. education system, I have also been marginalized by the U.S. immigration system.

In 2006, I met other potential DREAM Act beneficiaries who, like me, were facing deportation. They included: Dan-el Padilla, who graduated 2nd in his class from Princeton University last year, and another young man who finished law school last year at Fordham. A third boy, a sweet and bookish teen-ager and honors student, talked about how it felt when the Immigration and Customs Enforcement agents came to his home in a case of mistaken identity, but ended up arresting him anyway. He said, "they made me feel like a criminal... and I am not a criminal."

I sensed the desire that many of these students share--to absorb all that there is to offer from the U.S. academic system and then to give it back to their communities tenfold. Unfortunately, instead

of support they face a constant struggle to fight for legal representation, for a work permit, and for a future.

My particular story has a happy ending, I think. In Summer 2005 I began to work closely with Susan Douglas Taylor, my current counsel, beacon of hope and constant support. In the spring of 2006, the board of immigration accepted my application for adjustment of status and remanded my case back to the immigration judge for a background check. Unfortunately, the immigration judge put me through a series of hearings and sent my case back to the Board of Immigration Appeals to reconsider their decision—this nearly broke my faith. Just last week my lawyer, Susan Taylor, informed me that the Board of Immigration granted me an adjustment of status and my case is won. However, I am apprehensive and I do not know how to process this information because I have been let down so many times with immigration law that my heart fears any more disappointment. Furthermore, the timing of the decision also means that I may not qualify for work authorization after May 24 and I may lose my job.

Although my immigration nightmare may almost be over, it is just beginning for countless others. I was very apprehensive about coming to speak with you today in this very public forum. I worry, perhaps irrationally, that it might, in some way, have a negative impact on my case. Lord knows that I have gone to the depths of human frailty in trying to deal with my immigration struggle. But it is my obligation to do what I can to prevent this anguish for other students. So, I am here today on behalf of many talented and hardworking students who, like me, have grown up in the United States, but who cannot tell their own stories because if they did so they would risk deportation. I hope that hearing my testimony will help them by making it more likely that the DREAM Act will become law this year.