

Deportation deferral program not a permanent fix

by Alan Gomez, USA TODAY

Illegal immigrant Carlos Martinez, 30, has been granted a deportation reprieve for two years.

Carlos Martinez looked at the text on his cellphone early Saturday morning, scrambled to his computer and logged on to the U.S. Citizenship and Immigration Services website. Shaking in his chair, Martinez clicked onto his case and saw the news.

"I am not illegal anymore," said Martinez, 30, who then ran to wake up his mother with the news.

Martinez was one of the first 29 people approved for a new program created by President Obama that grants illegal immigrants brought to the U.S. as children a two-year deferral on any deportation proceedings. The "Deferred Action for Childhood Arrivals" program does not grant legal residency or U.S. citizenship, but recipients can obtain work permits during that two-year period, after which they can reapply.

More than 82,000 applied for the program in the first month, and Citizenship and Immigration Services officials began notifying the first round of people who were approved last week.

But even as the first to win approval celebrate the long-awaited news, their reactions show just how tenuous their position remains.

Six approval recipients contacted by USA Today said they did not want to be identified in public because they fear for relatives that are still in the country illegally. And Alberto Ibarra, who was one of the first to win his approval, said his new status has merely upgraded his situation from always "looking over my shoulder" to "immigration purgatory."

Ibarra was brought to the U.S. by his family 24 years ago, when he was just 3 years old. He graduated high school and earned a mechanical engineering degree.

But he said it's been a difficult road, fearful of any encounter with government officials and always worried about getting pulled over by police. Recently, he said he was forced to quit his job at a Los Angeles development company when he was offered a promotion and knew his status as an illegal immigrant would be uncovered.

"I don't think words can explain the excitement I felt after ... my employment authorization card had been approved. I could see the light at the end of a tunnel," Ibarra said. "As historic as this may be ... all those young people applying for this benefit have risked so much and we still have not received any legal protection or change in our status. We are in immigration purgatory."

That temporary nature of the program is leading to a sense of false hope for many applicants, according to John Miano, a New Jersey attorney and fellow at the Center for Immigration Studies, which opposes the program. Miano said that an executive order, unlike an act of Congress, can be rescinded any time by any president. And in a worst-case scenario, a future president could rescind the program and use the reams of information provided by the applicants to sweep them all up.

"These people, in theory, are still hanging on a thread," Miano said.

How to handle the estimated 11 million illegal immigrants living in the country -- and the 1.7 million who could be eligible for the deportation deferral program -- shows one of the biggest differences between Obama and Republican nominee Mitt Romney.

Obama created the deferral program after he failed to get Congress to pass the DREAM Act, which would grant legal residency to young illegal immigrants who have either served in the military or completed some college. Romney said he only supported the military component of the act.

Obama said during his first presidential campaign that he would make a comprehensive immigration solution that deals with the full illegal immigrant population a priority in his first term. Romney has pointed out that Obama never offered up a comprehensive immigration bill and called that failure a reason for Hispanics voters to change their allegiances -- a LatinoDecisions poll released Monday found Obama holding on to a 68%-26% lead over Romney.

The two are pushing hard to sway as many Hispanic voters as possible. Romney is scheduled to do an interview with Univision Wednesday and Obama is meeting with the Spanish-language network on Thursday.

How that electorate votes could have a major impact in swing states such as Florida, Virginia, Colorado and Nevada. But the election is the last thing on the minds of the young illegal immigrants who are busy celebrating their temporary reprieve.

Martinez just wants to apply for a job.

He was brought to the U.S. by his family when he was 9 and didn't speak a word of English. He went on to graduate from the University of Arizona in 2003 and got a master's in software systems engineering two years later.

But he said no engineering firm would hire him because of his status. So he's been living with his parents and working in construction and landscaping.

"If I was not undocumented, I would have been in the software industry for seven years now," he said. "Now I will start applying for entry level software engineering jobs. Unfortunately, because of the broken immigration system, we are now allowed to contribute. That opportunity has arrived."

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