

Iowa DOT reverses course, will issue driver's licenses to young immigrants

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Almost 5,000 young immigrants in Iowa who are being allowed to stay and work in the United States will be eligible to apply for a state-issued driver's license under a policy reversal announced Wednesday by the Iowa Department of Transportation.

The DOT had angered immigration activists late last month by determining that under Iowa law it could not legally issue driver's licenses to persons granted "Deferred Action for Childhood Arrival Status" by President Barack Obama's administration. But DOT Director Paul Trombino said Wednesday that new guidance from federal officials has prompted him to change the policy.

Trombino cited a statement issued Friday by the U.S. Citizenship and Immigration Services which says young persons granted deferred action status are "authorized by the Department of Homeland Security to be present in the United States and considered to be lawfully present during their deferred action" period.

"Our role is to execute the law. We have consistently done that. We have not changed. The federal government has changed," Trombino said.

Obama unveiled the deferred action program in June, saying it would allow some of these young adults to seek a two-year permit allowing them to live, work and study here without fear of deportation. In many cases, the young people were brought illegally to Iowa as children by their parents.

About 1.7 million people under age 30 nationwide are expected to meet the policy's age, education and clean criminal history conditions, according to data from the American Immigration Council in Washington, D.C. There are an estimated 11 million immigrants illegally residing in the U.S.

Young immigrants and their allies said the state agency's reversal is particularly satisfying because they rallied in opposition to the DOT's initial determination. Immigrants said it will change their lives in countless ways, making it easier to commute to work and school, and to buy tickets to the movies.

"I believe that these changes took place because there was a big movement of support behind it," said Sandra Sanchez, director of an immigrant advocacy program for the American Friends Services Committee in Des Moines. "It was crucial to show the DOT and governor's office that it was an important issue to many, many Iowans."

Maria Alvarez, 23, who is one semester short of earning her degree from Marshalltown Community College, said immigrants like her no longer have to be afraid of police when they drive or ride in a car. She called the DOT's decision a step forward for young immigrants everywhere.

"It's just fantastic," Alvarez said. "It's another door open for us."

Hector Salamanca, 19, of Des Moines, said he learned of the decision while at the Des Moines Area Community College library in Ankeny. Salamanca, who has had his license for a month, said he and his parents can now stop worrying about his future.

“I know this sounds silly, but for myself it allows me to go to the movie theaters without being worried about being asked for identification,” Salamanca said..

DOT Director Trombino said his agency’s policy reversal was the result of a decision made in consultation with Gov. Terry Branstad’s office and Iowa Attorney General Tom Miller’s office. Under Iowa law, a driver’s license or state identification card can only be issued to a foreign national authorized to be present in the United States. Therefore, based on the changed guidance from federal officials,, the Iowa DOT now has the legal authority under current Iowa law to issue the licenses, he said.

About about 40 young immigrants in Iowa who are participating in the deferred action program had already received driver’s licenses or state identification cards prior to the DOT’s initial finding last month.

“They have a valid driver’s license. We never went through a cancellation process,” Trombino said.

He noted that the immigrants must still pass a written exam and a behind-the-wheel test before receiving a driver’s license, just like any other prospective Iowa motorist.

The American Civil Liberties Union in Iowa, which had condemned the DOT’s prior decision, praised state officials in the wake of the reversal.

“We commend the governor and the department for this decision It not only shows leadership in making the state welcoming and competitive with its neighbors, but also recognizes that these young talented “Dreamers” contribute to our society in a variety of ways to their communities, to school and to work,” said ACLU-Iowa lobbyist Rita Bettis.

Sen. Daryl Beall, D-Fort Dodge, vice chairman of the Iowa Senate Transportation Committee, said he was pleased with the DOT’s decision, but he suspects state legislators on a bipartisan basis would have rewritten state law if transportation officials hadn’t agreed to issue the licenses.

Gov. Terry Branstad had told reporters on Tuesday he was willing to consider approving a state law change to accommodate the young immigrant drivers covered by Obama’s program. But an aide said the governor didn’t favor a blanket granting of driver’s licenses to all illegal immigrants in Iowa.

<http://blogs.desmoinesregister.com/dmr/index.php/2013/01/23/iowa-dot-reverses-course-will-issue-drivers-licenses-to-young-immigrants/article>