

Scope of driver's license ban debated

Some say plan targeting illegal immigrants could snarl system

By MICHELLE MITTELSTADT and DIANNE SOLIS
Staff Writers

As Washington policy-makers put the final touches on legislation that would bar illegal immigrants from getting driver's licenses, motor vehicle administrators in Texas and other states are pondering the effects.

With 70 million people getting licenses every year at the nation's 3,000 motor vehicle offices, many officials fear that a law requiring them to scrutinize ID documents more closely could snarl the system — for citizens and immigrants alike.

The policy deliberations are playing out 1,300 miles away in the nation's capital, but some Dallas-area immigrants are keeping an eye on the developments.

As he swings a bag of trash over his shoulder in the shadows of downtown Dallas' skyscrapers, hotel housekeeper Martin Gomez, an illegal immigrant from the Mexican state of Michoacan, frets about the looming changes sparked by national security concerns.

"We came here to have a good future," Mr. Gomez, 21, said, shaking his head. "And, now, they'll make it harder to work ... harder to get a license."

Across the street, construction worker Rogelio Garcia finishes a lunch of charro beans and roasted chicken at a worksite that sprouts cranes, concrete foundations and steel beams for a retail center.

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"It's racism," he said when told that illegal immigrants could be denied driver's licenses.

Mr. Garcia, who says he has *papeles*, papers that attest to his legal right to work here, predicts the inability to get a driver's license will aggravate the living

PROPOSAL

Driver's licenses: 70 million people in the United States get them each year.

State requirements: 41 states including Texas have lawful presence rules. Nine allow illegal immigrants to apply.

New law: Would require states to interlink motor vehicle databases to assure that applicants do not have multiple licenses. It also would require much closer verification of identification documents.

situation and work life of many of his Mexican compatriots here illegally.

Security concerns

But champions of the measure say it is essential, in the post-9-11 era, to assure the identity of the person named on a driver's license that serves as a de facto ID card to board a plane, get past a checkpoint or open a bank account.

The hijackers used driver's licenses and state-issued IDs to do their banking, rent cars, take flying lessons — and for some, board planes the morning of Sept. 11.

"It's common sense, you know," said Peter Gadiel, who began crusading for tighter immigration laws after his son, Jamie, was killed during the Sept. 11 attacks.

"In the real world, you tell people that illegal aliens get licenses in this country, and they say, 'What?'"

Congressional negotiators this week have been hashing out final details of the White House-backed immigration provisions tucked in an \$81 billion emergency spending bill funding military operations in Iraq and Afghanistan.

The bill, eagerly sought by the administration, is likely to reach President Bush's desk in the next two or three weeks.

The immigration package, which would also significantly tighten asylum laws and order completion of a border fence in California, has been touted as a means of enhancing national security at small cost to the states.

The Congressional Budget Office estimates it would cost the states \$100 million over five years.

A spokesman for House Judiciary Committee Chairman James Sensenbrenner, R-Wis., the lead author of the REAL ID Act, says the law would have only a moderate effect on the 41 states, including Texas, that already have a lawful-presence requirement.

"Forty-one states are going to be fine with that," said spokesman Jeff Lungren. "Where you will see the impact on the DMVs is on the states that are far from the standards."

Verifying documents

Critics disagree and predict service at motor vehicle offices will slow dramatically if clerks have to verify the authenticity of documents.

"Every American who goes to a DMV is going to be affected by this," said Cheye Calvo, a transportation policy specialist with the National Conference of State Legislatures.

"The next time you need to renew your license, you're going to have to come in with every supporting document, show them to the clerk, and they are all going to have to be verified before you get your license."

Unfunded mandate

The Texas Department of Public Safety, which administers driver's licensing, is studying the federal bill but has yet to determine its specific effect on the state, said spokeswoman Tela Mange.

"Clearly, it would have a significant impact on all states if it passes," she said.

The licensing provisions are

sharply opposed by pro-immigrant groups, the National Governors Association, the state legislatures conference and state motor vehicle administrators.

They contend that requiring states to interlink their motor vehicle databases and verify identity documents with originating agencies would impose a huge unfunded mandate on the states, estimated by the National Conference of State Legislatures at \$500 million to \$700 million over five years.

Opponents also argue that illegal immigrants cut off from legitimate IDs will drive without licenses or insurance, posing a greater threat on U.S. roadways.

Mr. Gadiel, for one, is unimpressed by that argument.

“Remember, an illegal alien is a person who broke the law coming into this country, breaks the law by living in this country, breaks the law by working here. And the claim is somehow because we give them a license, they’re going to become a law-abiding person?” he asked.

“To the contrary, it gives them literally license to break the law.”

Some suggest passage of the federal legislation might encourage states to follow Tennessee’s example and give illegal immigrants a driving certificate that permits them to drive but cannot be used as a form of identification.

Tennessee officials say their two-tier process strikes the right balance between national secu-

rity and ensuring that drivers are licensed and insured.

But some immigrants are leery of the concept.

“We need regular licenses,” said Mr. Garcia, the construction worker who emigrated from Jalisco. “They will be treating us differently.”

Mr. Gomez, the illegal immigrant without a driver’s license, is also suspicious.

He says he’ll keep driving “very carefully” without a license, rather than get a card that would identify him as undocumented.

E-mail mmittelstadt@dallasnews.com
or dsolis@dallasnews.com