



Governor Terry E. Branstad  
Lt. Governor Kim Reynolds  
San Wong, Director

**MEETING AGENDA**  
**IOWA COMMISSION of Latino Affairs**  
**Wednesday, January 9<sup>th</sup> 2013 at 2:00PM – 2:30PM**  
Conference Call – Special meeting  
321 E. 12<sup>th</sup>, Des Moines Iowa

Meeting was called to order by Sal Alanz, chairperson, at 2:05pm. Commissioners present were:

Sal Alanz (Chair)  
Rebecca Jackson  
Joan Jaimes  
Alejandro Pino  
Ramon Rodriguez

Commissioners absent were:

Maria Lara  
Juan Rodriguez

DHR Staff present:

Heidi Smith, Deputy Director/Division Administrator of CAS  
San Wong, Director of DHR

Public present:

Venesa Marcano, Iowa Citizens for Community Improvement  
Guermo Baily, Job Corps  
Rita Bettis, ACLU of Iowa

Commissioner Joan Jaimes led the review and discussion of letter she prepared in reference to the Iowa Department of Transportation's decision not to issue drivers licenses to Deferred Action Childhood Arrival beneficiaries in Iowa. Jaimes explained that she had forwarded the draft letter to commissioners and DHR staff, along with links referenced in the letter in an email earlier that day. She explained that the letter states that the commission would like to talk to the governor about issues that affect their constituents. She also cited code Section 202 c (2) (b) regarding the federal mandate and students qualifying for a real I.D. Jaimes also cited Iowa Code 761 of the DOT capt. 601.5 regarding proof submitted with application qualifications within letter E of the code.

Division of Community Advocacy and Services

Jaimes also discussed something she had emailed to the commission and DHR staff that is not in the letter, but is from the National Conference of State Legislature. It gives guidance to the states on interpreting immigration requirements and that those with deferred status qualify for a temporary driver's license.

Sal Alanz, Chair of the Commission, suggested that this last section should be added to the letter.

DHR Director, San Wong suggested that all the sections that Jaimes articulated should be added to the letter in their entirety.

Jaimes suggested that she could quickly add those sections into the letter and resend to the commission prior to voting.

Alanz confirmed that each commissioner had access to the computer. Jaimes proceeded to make the amendments to the letter and sent to each commissioner for review via email.

While Jaimes made these edits to the letter, commissioner Pino stated that letter was well written and invited the conversation that will impact Latinos.

Director Wong stated that she hoped the letter will result in an opportunity for a couple of the commissioners to meet with the governor for a meaningful conversation regarding the issue. She also suggested that a letter could be written to Paul Trombino, DOT Director, about these same concerns. She stated that she had spoken to Paul Trombino and received the following clarification from him:

*The Iowa DOT has determined as an agency that a person granted deferred action as a childhood arrival does not demonstrate authorized presence as required by Iowa law. (Since this initial conversation, the federal government has provided additional guidance and the DOT has reverse its position in this matter.)*

Commissioner Rebecca Jackson suggested a grammatical change in paragraph four from "It prevents approximately five thousand Latinos in the state of Iowa to safely drive to and from their learning institution as they prepare to become our future workforce." to "It prevents approximately five thousand Latinos in the state of Iowa from safely driving to and from their learning institution as they prepare to become our future workforce." The other commissioners agreed with this change as well.

Alanz, the chair of the commission, made a motion to vote of the letter with the amendments and asked for a role call vote.

Jackson made the motion and Alejandro seconded the motion.

The roll call vote was as follows:

Rebecca Jackson-yes

Joan Jaimes-yes

Ramon Rodriguez-yes

Alejandro Pino-yes

Sal Alanz-yes

All commissioners present voted.

## **Public Comment**







Governor Terry E. Branstad  
Lt. Governor Kim Reynolds  
San Wong, Director

January 9, 2013

Honorable Governor Branstad,

The Commission of Latino Affairs and I learned via the Des Moines Register on December 27th, 2012, that the Iowa Department of Transportation had made the decision to not issue Driver Licenses to those beneficiaries of Deferred Action for Childhood Arrivals.

The article mentioned that this decision was made in consultation with the Governor's office. This decision, according to the article, was made based on the DOT's interpretation of their rules and the interpretation of the DACA Executive Order. However, this decision directly violates the Federal Real ID Act of 2005, H.R.1268 Section 202(c) (2) (B) (viii). Furthermore, the decision violates Iowa's Administrative Code - 12/26/2012 Transportation Department [761] Chapter 601.5(1) e.

"A State shall require, before issuing a driver's license or identification card to a person, valid documentary evidence that the person-- has approved deferred action status." Federal Real ID Act of 2005, H.R.1268 Section 202(c) (2) (B) (viii). "To establish identity and date of birth, an applicant must submit at least one of the following documents. The department may require additional documentation if the department believes that the documentation submitted is questionable or if the department has reason to believe that the person is not who the person claims to be. An unexpired employment authorization document issued by the U.S. Department of Homeland Security (Form I-766 or Form I-688B)." Iowa's Administrative Code - 12/26/2012 Transportation Department [761] Chapter 601.5(1) e.

This decision has a significant impact for Latinos in Iowa. It prevents approximately five thousand Latinos in the state of Iowa who work in our diverse industries from safely driving to and from work. It prevents approximately five thousand Latinos in the state of Iowa from safely driving to and from their learning institution as they prepare to become our future workforce.

The Commission of Latino Affairs consists of seven Iowans appointed by your office whose job, in part, is to make recommendations to the Governor's office on issues that impact the Latino population of Iowa. We were disappointed in the fact that we were excluded from the conversation that will significantly affect several thousand Latinos in the state of Iowa.

We would like the opportunity for two or three of our commissioners to meet with you and your staff to discuss how we can serve your office more proactively in the future - especially when government agencies are preparing to make decisions that profoundly affect our communities.

We thank you in advance for your consideration and are eager to hear your response.

Respectfully on behalf of the Commission of Latino Affairs,

Sal Alaniz  
Chair

A handwritten signature in black ink, appearing to read "Sal Alaniz", with a stylized flourish at the end.

Commission of Latino Affairs

