



August 10, 2009

The Honorable David Price, Chairman
Committee on Appropriations,
Subcommittee on Homeland Security
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Robert Byrd, Chairman
Committee on Appropriations,
Subcommittee on Homeland Security
U.S. Senate
Washington, D.C. 20510

Re: H.R. 2892 Homeland Security Appropriations for FY2010

Dear Conferees:

We urge you to strip out provisions from the FY2010 Homeland Security Appropriations Act that have no place in an appropriations bill and which demonstrate that until we affirmatively address the issue of reforming our broken immigration system, we will continue to face legislative skirmishes that do nothing to move us towards real and much needed solutions.

Specifically, we are opposed to the amendments made during the Senate floor debate by Senators Sessions (SA1371), Vitter (SA1375), Grassley (SA1415), and DeMint (SA1399). These amendments should all be stripped from the final bill.

The Sessions amendment making the E-verify program permanent and mandating the use of it for federal contractors sets a bad precedent by expanding a flawed program outside of a broad legalization program and comprehensive immigration reform. No technology on its own can reduce illegal immigration or unlawful hiring and attempting to expand this program without common-sense reform will only harm employers, workers and the economy. Amendment SA1371 on E-verify should be stripped from the bill because it propagates a flawed system that will harm U.S. citizen and non-citizen workers.

The Vitter amendment prohibiting funding from being used to make changes to the Bush Administration's "no-match rule" undercuts the executive authority of the current Administration and its recent decision to rescind that rule. The no-match program has been shown to be an ineffective tool to correct worker records and leads to discriminatory practices in the workplace. Amendment SA1375 should be stripped from the bill.

The Grassley amendment allowing re-verification of existing employees (currently prohibited) through the E-verify program would place a huge administrative burden on workers and businesses alike and could lead to U.S. citizen and authorized workers losing their jobs. Evidence and experience show that opportunities to re-verify workers in any context impact legal immigrant workers the most and can result in discriminatory practices. Furthermore, forcing employees to re-prove their work eligibility using a more limited set of identification documents will create a harmful and precarious dynamic whereby authorized employees won't be able to work and employers could be liable for wrongful termination. Amendment SA1415 should be stripped from the bill as it will be catastrophic in the current economy.

The DeMint amendment requiring additional pedestrian fencing along the southern border fails to truly secure our border and will only increase migrant deaths in the desert, negatively impact the environment and waste tax dollars that would be better used to improve ports of entry and the successful movement of goods and people across our borders. Construction of more fencing is not a solution to our broken immigration system; reinforced fencing will not negate the laws of supply and demand or prevent workers from seeking jobs in the U.S. Amendment SA1399 should be stripped from the bill because it mandates an enormous and wasteful construction project that brings us no closer to a functioning immigration system.

The longer this Congress waits to undertake the task of reforming our broken immigration system, the more we will be faced with harmful and ineffective measures which continue the cycle of rhetoric instead of moving us forward on true reform.

Sincerely,

National Organizations

American Civil Liberties Union (ACLU)
American Immigration Law Foundation
American Immigration Lawyer's Association (AILA)
America's Voice
American-Arab Anti-Discrimination Committee (ADC)
Asian American Justice Center (AAJC)
Bill of Rights Defense Committee
Campaign for Migrant Worker Justice (CMWJ)
Change to Win
Church World Service, Immigration and Refugee Program
Coalition on Human Needs
Farmworker Justice
Farm Labor Organizing Committee, AFL-CIO (FLOC)
Friends Committee on National Legislation
Hebrew Immigration Aid Society (HIAS)
Immigrant's List
Interfaith Worker Justice
Irish Apostolate USA
Lutheran Immigration and Refugee Service (LIRS)
National Council of La Raza (NCLR)
National Immigration Forum
National Immigration Law Center (NILC)
National Korean American Service & Education Consortium (NAKASEC)
Service Employees International Union (SEIU)
South Asian Americans Leading Together (SAALT)
The Episcopal Church
United Food and Commercial Workers International Union (UFCW)

Regional, State and Local Organizations

Alabama Appleseed Center for Law & Justice (AL)
Alabama Coalition for Immigrant Justice (AL)
American Dream Community Agency
Annunciation House, Inc. (TX)
Arab Community Center for Economic & Social Services (ACCESS) (MN)
Asian Law Alliance (CA)
Border Action Network (AZ)
Border Ambassadors (TX)
Border Network for Human Rights (TX)
Brandworkers International (NY)
Brazilian Total Assistance, Inc. (MA)
Buddhist Peace Fellowship
Burns-Scalo, Inc. (PA)
CASA de Maryland (MD)
CAUSA (OR)
Centro Campesino Inc. (MN)
Coalition for Humane Immigrant Rights of Los Angeles (CHIRLA) (CA)
Coalition of Irish Immigration Centers (MA)
Columban Center for Advocacy and Outreach (MD)
Community to Community Development (WA)
DRUM- Desis Rising Up & Moving (NY)
El CENTRO de Igualdad y Derechos (NM)
Empire Justice Center (NY)
English at Work (TX)
Florida Immigrant Advocacy Center (FL)
Global Family Legal Services (AZ)
Idaho Community Action Network (ICAN) (ID)
Illinois Coalition for Immigrant and Refugee Rights (ICIRR) (IL)
Inter-American Services, LLC dba Latinos Unidos (WI)
International Institute of the Bay Area (CA)
International League of Conservation Photographers
Justice and Witness Ministries, United Church of Christ (OH)
Korean American Resource & Cultural Center (IL)
Korean Resource Center, Los Angeles (CA)
KS/MO DREAM Alliance (KS)
La Raza Centro Legal (CA)
Muslim Consultative Network (MCN) (NY)
New Bridges Immigrant Resource Center (VA)
New Jersey Immigration Policy Network (NJ)
New York Immigration Coalition (NY)
No Border Wall Coalition
Northwest Federation of Community Organizations
Northwest Workers' Justice Project

OneAmerica (WA)
Oregon Action (OR)
Pipe Organs/Golden Ponds Farm (WI)
Proyecto Digna, Inc.
Rights for All People (CO)
Rio Grande International Study Center (TX)
Services, Immigrant Rights and Education Network (SIREN) (CA)
Sigma Lambda Alpha Sorority Inc. (TX)
Sisters of Charity of New York, Office of Peace and Justice (NY)
Southwest Creations Collaborative (NM)
South Texas Immigration Council Inc. (TX)
The Advocates for Human Rights (MN)
The Juan Neumann Center (NY)
The Regalos Elizabeth Fund (WV)
Texas Border Coalition (TX)
TWU Student Leadership Institute (TX)

cc: The Honorable Daniel Inouye, Chairman, Committee on Appropriations, U.S. Senate
The Honorable David Obey, Chairman, Committee on Appropriations, U.S. House of Representatives
The Honorable Harry Reid, Majority Leader, U.S. Senate
The Honorable Nancy Pelosi, Speaker, U.S. House of Representatives