

**League of United Latin American Citizens  
Mexican American Legal Defense and Educational Fund  
National Association of Latino Elected and Appointed Officials Educational Fund  
National Council of La Raza**

February 3, 2005

The Honorable George W. Bush  
The White House  
1600 Pennsylvania Ave, NW  
Washington, DC 20500

Dear President Bush:

The Latino organizations signed below write to express our strong opposition to the “REAL ID Act” (H.R. 418), legislation introduced by Representative Sensenbrenner on January 26, 2005 dealing with driver’s licenses, asylum, and the border. If enacted, the Sensenbrenner legislation will have a profound, negative impact on Latinos and other immigrant communities. It will not make Americans safer and, in fact, may make us all less safe by driving a wedge between American communities and law enforcement.

As organizations committed to serving the Latino community, we were united in our opposition to the extraneous anti-immigrant provisions in the House version of the intelligence reform bill that passed late last year. These provisions were wisely excluded from the bill that you signed into law in December. However, now we see many of these same immigration provisions being considered by the House again this year. We hope that you will oppose these efforts to marginalize Latino communities and continue to work toward meaningful comprehensive immigration reforms that truly fix our broken immigration system. We are very heartened by your recent comments regarding the need for comprehensive immigration reform. We look forward to working with you to create important, meaningful, and lasting changes to our immigration system which will benefit American families, workers, and businesses.

Unfortunately, bills such as the “REAL ID Act” serve to undercut these reform efforts and divide Congress on the issue. We hope that you will demonstrate strong leadership and move forward on immigration reforms rather than allow negative anti-immigrant legislation to set the tone of this debate and embolden those whose proposals are divisive and harmful.

Specifically, we ask you to oppose imposing additional federal immigrant driver’s license requirements on the states. Congress already passed driver’s license legislation in the “Intelligence Reform and Terrorism Prevention Act of 2004.” The law requires the federal government to set federal standards for driver’s licenses including standards for documentation required as proof of identity of an applicant; standards for the processing of applications to prevent fraud; standards for information to be included on driver’s licenses; and security

standards to ensure that licenses are resistant to tampering, alteration, or counterfeiting. These standards are to be set by the Department of Transportation through a negotiated rulemaking process that includes relevant stakeholders such as state elected officials and state motor vehicle departments. This process allows the states to maintain their ability to set eligibility standards, while also recognizing the need to prevent against identity theft and fraud.

Most importantly, a lawful presence requirement will not make us safer; indeed, contrary to what its supporters argue, such a requirement would not have prevented the September 11, 2001 attacks, because the 9/11 hijackers all possessed other valid documents, including passports from their home countries. We strongly believe that, by focusing on driver's license policy as a tool in America's struggle against terror, the proponents of this bill are misleading the American public as to what will advance our security interests. We believe this to be a costly, harmful mistake.

Access to driver's licenses is a priority issue for the Latino community, and the ability to prove one's identity and lawfully operate a motor vehicle is crucial for all Americans. Public safety improves when all drivers are properly licensed and insured, and national security improves when individuals have valid identification documents.

The "REAL ID Act" also calls for devoting additional resources for building fences along the U.S-Mexico border. This proposal is inhumane and inefficient and will result in increased suffering, violence, and death along the border. The language is overly broad and would permit any Department of Homeland Security Secretary in the future, at his or her discretion, to build as many military fences as he or she sees fit across the southwestern border. This would not reduce undocumented immigration, but would increase the number of deaths at the border. The existing Triple Fence cost approximately \$3 million per mile to construct. Numerous reports illustrate that this expenditure did not result in a reduction of undocumented migration; it has simply shifted migrants out of the San Diego area to Arizona. Apprehensions in Arizona have skyrocketed over the last decade, as have border deaths. More than 2,000 migrants have died in transit since 1997 according to the government's own statistics. Since the implementation of Operation Gatekeeper and Hold the Line, migrants have been forced to cross the border in more remote and dangerous areas, and have increasingly relied on human smugglers, causing an increase in injury and death as well as criminal activity and violence. Additionally, at a time when we need to build cooperative relationships with our hemispheric partners in order to prevent future terrorist attacks, the symbolism of establishing a fence between ourselves and our neighbors is particularly troublesome.

Finally, the asylum-related provisions of the "REAL ID Act" will prohibit many individuals fleeing persecution from obtaining safe haven in the U.S. This section of the bill is not about preventing terrorists from getting asylum; terrorists are already barred from receiving asylum. This section would allow genuine refugees to be denied asylum if they cannot prove their persecutor's central motive for harming them, or show any inconsistencies between statements made to any U.S. government employees, whether written or oral and whether or not under oath, and their testimony before an immigration judge. These provisions do nothing to make us safer and do great damage to our nation's proud heritage as a place of refuge for those fleeing persecution. Furthermore, the Intelligence Reform Act of 2004 included provisions to further

study the asylum process. No more changes should be made until this study is completed and Congress has had time to evaluate current law.

The 9/11 Commissioners, the 9/11 families, security experts, religious organizations, and many others have joined Latino organizations in questioning the effectiveness of these provisions.

Ultimately, comprehensive immigration reform is needed to address the root causes of undocumented immigration, to save lives along the border, and to provide U.S. employers with a legal workforce. In addition, the nation will be safer if we enforce our immigration laws fairly and provide all of our residents with due process of law. We strongly oppose and urge you to oppose the “REAL ID Act.”

Sincerely,

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Cc: Members of Congress