



**National League of Cities
U.S. Conference of Mayors
The City of Miami, Florida
Montgomery County, Maryland
The City of New York, New York
The City of Philadelphia, Pennsylvania
Prince Georges County, Maryland
The City and County of San Francisco, California**

September 19, 2006

The Honorable [name]
[U.S. House of Representatives]
[address]
[fax number]

Dear [name of member of Congress]

As local government officials, we are writing to strongly urge the amendment offered by Congressman King of Iowa, adopted in the House-passed version of the FY-2007 Homeland Security Appropriations bill, not be included in the final conference agreement for four reasons: 1) to aid local law enforcement in the investigation of crimes; 2) to aid in the response to public health issues; 3) to keep critical homeland security and justice program funds from being completely cut; 4) to provide ample opportunity for determining what truly is a “sanctuary policy.”

The King Amendment would deny necessary homeland security funds to states, counties and cities that have confidentiality policies relating to the enforcement of immigration laws. It is a well established policy for cities to promote the utilization of services by *all* residents who need them. Individuals should know they may seek and obtain the assistance of City agencies regardless of personal or private attributes. This amendment penalizes state and local governments that have confidentiality policies.

The King Amendment hinders local law enforcement

Confidentiality policies have been critical in helping local jurisdictions enhance their community policing efforts to deter crime. These policies find support among local law enforcement because they encourage immigrant communities to come forward and report crimes without fearing their immigration status will come under scrutiny. It is imperative that immigrants who may be witnesses to or victims of crime not suffer repercussions as they attempt to give and receive assistance from law enforcement. State and local law enforcement officers should not be

forced to step into the role of Federal immigration agents, thereby depleting our already over-taxed law enforcement resources.

A growing threat to our security is the possibility of “homegrown” terrorists, as we saw happened in the United Kingdom. The individuals will not be discovered through border enforcement – they are already here. The only way they can be discovered is through the cooperation of the immigrant communities, this cooperation will be jeopardized and/or lost if individuals in those communities believe that they are at risk of deportation if they contact law enforcement.

Furthermore, under current law, state and local officials do not have the authority to enforce federal civil immigration laws. Therefore, it is unlikely that state and local police would be in possession of information on the immigration status, as this amendment asserts. Nevertheless, state and local enforcement agencies have a long and distinguished history of cooperating with federal immigration authorities when necessary and appropriate.

The King Amendment hinders response to public health issues

Of added concern is that this amendment could severely impact public health efforts. Many diseases are communicable and it is therefore imperative to the implementation of sound public health policy that the entire population believe that they can seek medical care without fear of deportation. In the event of a flu pandemic or bioterrorist attack, cities would need to provide prophylaxis to all of its infected residents, regardless of immigration status. The immigrant population, due to fear, may refrain from identifying themselves if infected, potentially resulting in the spread of disease, leading to a public health crisis.

The King Amendment could cut all homeland security and Justice Assistance funds

The King Amendment to the Homeland Security Appropriations Bill and a similar provision passed by the House in the CJS Appropriations Bill could deny all homeland security funds as well as cut the valuable justice assistance programs on which cities, states and counties depend. Such a result would completely “pull the rug out” from under already cash-strapped law enforcement and justice assistance agencies. At a time when security could not be more important comes this awful proposal that could deny the necessary funds that make security possible. And this result would occur even though these cities, counties, and states are implementing the best policy to protect their citizens.

Comprehensive studies defining “sanctuary” policies do not exist

One of the most troubling is that no one can point to a credible comprehensive examination of what defines a “sanctuary” policy. Before, we go forward in this debate; an examination of *sanctuary* is clearly called for, as well as its real world implementation and practices.

For these reasons, we urge you not to include the King Amendment in the final Homeland Security Appropriations Conference Report.

Thank you for your attention to this urgent matter.

Sincerely,

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