

June 18, 2013

Dear Senators:

We, the undersigned labor organizations support commonsense immigration reform. We are committed to improve the lives of working men and women and our commitment extends beyond our borders to encompass families from around the globe. Allowing immigrants to work without worry of discrimination based on race, religion, ethnicity, or national origin is integral in helping shape the future of American economic stability and protecting and preserving American values.

We believe it essential to address the underlying language in the Border Security, Economic Opportunity, and Immigration Modernization Act (S.744) that will allow for blatant profiling against Americans and the need to enact real policing to effectively protect our nation. We urge your support for Senator Ben Cardin's (D-MD) Amendments 1266 and 1267.

The well-meaning provision on prohibition against profiling currently in S. 744 has perverse effects. The current version of section 3305 of S.744 essentially codifies the 2003 Department of Justice *Guidance Regarding the Use of Race by Federal Law Enforcement Agencies* (adopted by then AG John Ashcroft). Cardin Amendment 1266 would modify the Department of Homeland Security's (DHS) authority to conduct additional security screening of individuals from certain countries or regions. Cardin Amendment 1267 would broaden the protected categories covered from profiling and remove exemptions that make the current provision ineffective. Many communities have encountered profiling on the basis of race, ethnicity, religion or national origin in the context of immigration enforcement, border security, and transportation security due to defective Ashcroft 2003 guidance. The labor movement strongly supports correcting and strengthening this language because it fails to include a prohibition on profiling based on national origin or religion. If this language is not amended, there is huge potential for discrimination against millions of American workers and it would create exceptions that are much too broad for national and border security.

Section 3305 must be amended to:

- Add a prohibition on profiling based on religion and national origin; and
- Eliminate overly broad exceptions for border and national security.

As the legislative process unfolds with S. 744, we ask you to stand with the labor movement in protecting American workers from unjust discrimination and creating solutions that better increase the safety of our nation.

We urge you to support Cardin Amendments 1266 and 1267, so that communities can live free from unjust targeting and we can enhance the safety of our nation. We appreciate your

consideration of our views on this and look forward to working with you as you consider these important issues.

Sincerely,

International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW)

American Federation of Teachers (AFT)

American Federation of State, County and Municipal Employees (AFSCME)

American Federation of Labor-Congress of Industrial Organizations (AFL-CIO)

Asian Pacific American Labor Alliance (APALA), AFL-CIO

Communication Workers of America (CWA)

Laborers International Union of North America (LIUNA)

Jobs with Justice/ American Rights at Work

United Food and Commercial Workers International Union (UFCW)

United Farm Workers (UFW)

United Steelworkers (USW)