



Thursday, April 10, 2008

The Honorable
The US SENATE/HoR
ADDRESS
Washington, D.C.

Dear :

We write to you today to express our deepest concerns and dissatisfaction following the Department of Homeland Security's latest controversial decision to seize private property and abandon more than 30 environmental, property and other landmark laws. Consequently, we urge you to endorse HR 2593, the Borderlands Conservation and Security Act.

The illegal seizure of private property is well stipulated in our nation's laws and institutions. The original framers of the United States Constitution provided safeguards to the illegal acquisition of private land. The Fifth Amendment of the Constitution explicitly states, "No person should be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation." We are concerned by the steamrolling of communities along the border in order to fast track this controversial wall.

Not only is DHS' waiver authority a deliberate abuse of power, but it is also a reckless disregard for our nation's laws that protect our natural parks, endangered species, and wildlife.

Congress should not allow our environment to be damaged in its haste to completing a wall that even Secretary Chertoff felt was ineffective. The federal government has not completed the mandatory environmental assessment of what effects the fence will have on wildlife and the border environment. This hasty decision to bypass comprehensive environmental studies will bring detrimental effects to the environment. The border region contains a large number of federally protected areas, including National Parks, National Monuments, National Wildlife Refuges, National Forests, and Wilderness Areas. These lands are part of America's Wild Legacy, and are of significant ecological, educational, historic, cultural, recreational and economic value to the United States and its people.

Under the REAL ID Act, DHS has already waived more than 30 separate federal laws, including environmental and cultural protections. The National Environmental Policy Act and the National Historic Preservation Act are part of our nation's law and principles, and no agency or public official should be allowed to set them aside. Our laws provide Americans a voice in the decision making process that affects their lives, their human rights, and the environment. Our government must not exempt itself from obeying such laws.

We urge you to work with the Department of Homeland Security to address the root causes of migration, namely the inequality of opportunity, of justice, and of freedom. We all have a stake in advancing human rights and environmentally sustainable development around the world.

HR 2593, the Borderlands Conservation and Security Act, is the ideal model to improve our border security as well as protect our wildlife and protected areas. HR 2593 provides flexibility rather than a one size fits all approach to border security. It allows experts at DHS to decide whether fences, virtual fences, or other options are the best mechanism to address border security. In addition, this legislation allows stakeholders such as land managers, local officials, and local communities to influence border security decisions requiring public notice and civic participation. It also would create a Borderlands Conservation Fund to support initiatives that diminish damages to the borderland habitat and wildlife. Lastly, HR 2593 repeals Sec. 102 of the REAL ID Act and ensures that laws intended to protect the environment, indigenous culture, water, health, air, and our wildlife are fully obeyed.

The Sierra Club and the League of United Latin American Citizens strongly urge you to respect the natural environment and property laws as part of any effort to secure the nation's borders and to disavow DHS' harmful waiver.

Sincerely,



Rosa Rosales
LULAC National President



Carl Pope
Sierra Club Executive Director