

Troubling Reports of Misplaced Priorities in the Administration's Hurricane Evacuations Plans

Extension of Remarks by John Conyers, Jr.

Officials recently participating in a Texas hurricane evacuation drill were shocked to learn that the Border Patrol (CBP) planned to check the citizenship or immigration status of the people that they were helping to evacuate. Such a policy is fraught with problems. One car with a flat tire can back up an evacuation for hundreds of miles. Just think about how disruptive and dangerous immigration checkpoints would be, and how many people would remain in harm's way for fear of arrest.

The outrage in Texas, and across the country, was instantaneous. Other law enforcement agencies, State officials, and the press condemned the announcement, and DHS started backpedaling. But this was not an isolated incident or just a mistake. Rather, this comes on the heels of other evacuations in which DHS' priorities have been confused. Such as the California fires in which undocumented aliens were afraid to risk immigration checkpoints and died in the flames. And the Administration's refusal to suspend immigration enforcement in the wake of Hurricane Katrina, as had been done after September 11. The immigration enforcement mission must be carried out in the proper context; in the face of a natural disaster or mass casualty event, public safety and humanitarian exigencies must take priority.

We asked for an immediate briefing to get to the bottom of this. Just hours before they were supposed to come brief us, the Border Patrol suddenly said that they had reassessed the policy in light of last week's exercise. They told us that CBP's "primary role in such events will be the safeguarding of life. No enforcement role will be undertaken that will in any way impede the safe and orderly evacuation of any member of the south Texas population." Frankly, I would have been more reassured if the CBP's purported change in policy had not been couched in such equivocal terms.

Later yesterday, Secretary Chertoff stated that "Priority Number One" will be "the safe evacuation of people who are leaving the danger zone." He said that clear instructions have been given to the Border Patrol "to do nothing to impede a safe and speedy evacuation of a danger zone."

So the message seems to have been heard. Rest assured that we will be watching to make sure that the focus truly is on having all hands on deck for humanitarian and evacuation needs, as opposed to diverting DHS resources into ill-conceived – and dangerous – immigration enforcement.

I am very troubled by this episode. It comes on the heels of revelations in recent weeks about medical abuse of immigration detainees. And it comes in the wake of a massive raid in Iowa that disrupted a Department of Labor investigation and resulted in assembly line arrest and prosecution of workers, but not of those who may have abused them. This cascade of controversy leads me to pose one overarching question – what kind of agency is DHS that there need to be Congressional inquiries on so many of their actions before they take into account basic standards of life, safety, health care, due process, and Constitutional rights?

I am inserting into the record a letter about the ill-conceived evacuation from leading national Latino and Asian-American civil rights groups: the Asian American Justice Center, the League of United Latin American Citizens, the Mexican-American Legal Defense and Education Fund, the National Association of Latino Elected Officials, and the National Council of La Raza. I am also inserting a fact sheet from the United Food and Commercial Workers about the raids in Iowa, where there are disturbing allegations of union-busting and labor exploitation on the part of the factory owners.

I look forward to working with these groups to make sure that DHS remembers its duty to protect the civil rights of everyone on US soil, regardless of their race, natural origin, or immigration status.