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Legislative Alert: FY2012 Homeland Security Appropriations Bill

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AFL-CIO

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Abstract
[Excerpt] On behalf of the AFL-CIO, I am writing to urge conferees to the FY 2012 Homeland Security appropriations bills to support the longstanding prohibitions against the use of OMB Circular A-76 privatization process in the Coast Guard’s National Vessel Documentation Center (NVDC) and on certain positions in the Citizenship and Immigration Services (CIS) related to the investigation and adjudication of immigration rights and benefits.

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October 17, 2011

The Honorable Mary Landrieu  
Chairwoman, Senate Appropriations Committee  
Subcommittee on Homeland Security  
431 Dirksen Senate Office Building  
Washington, DC 20510

The Honorable Robert Aderholt  
Chairman, House Appropriations Committee  
Subcommittee on Homeland Security  
H-307 Capitol Building  
Washington, DC 20510

Dear Chairwoman Landrieu and Chairman Aderholt:

On behalf of the AFL-CIO, I am writing to urge conferees to the FY 2012 Homeland Security appropriations bills to support the longstanding prohibitions against the use of OMB Circular A-76 privatization process in the Coast Guard’s National Vessel Documentation Center (NVDC) and on certain positions in the Citizenship and Immigration Services (CIS) related to the investigation and adjudication of immigration rights and benefits.

The NVDC A-76 prohibition, which has been included in the Homeland Security appropriations bill since FY 2008, is based on the inherently governmental nature of the functions performed by the NVDC’s staff, who use substantial discretion in determining the acceptability of legal instruments and documents presented to establish vessel entitlements based on the citizenship of vessel owners. Their work is generally prepared and finalized without review. Documenting vessels means granting citizenship to those vessels. This conferral of citizenship is a sovereign act that imposes significant obligations on the federal government.

The CIS safeguard was originally included in the FY 2005 Homeland Security appropriations bill in bipartisan fashion. The functions safeguarded are inherently governmental because of their intimate relation to the public interest. The CIS employees involved provide highly technical counsel to the public about immigration and nationality law and regulations for the general public, aliens, citizens, their representatives, attorneys, foreign and domestic government officials, corporations, welfare, employment agencies, and others.
They also participate in the administration of immigration and nationality laws through adjudication of selected basic applications for benefits and privileges and they determine eligibility and jurisdiction to accept applications for rights and privileges under the law. The language in the safeguard should be updated to reflect new job titles.

We urge you to support these important provisions in the bill.

Sincerely,

William Samuel, Director
GOVERNMENT AFFAIRS DEPARTMENT