

Congress of the United States

Washington, DC 20515

December 1, 2010

The Honorable Janet Napolitano
Department of Homeland Security
Washington, DC 20528

The Honorable John T. Morton
U.S. Immigration and Customs Enforcement
500 12th Street SW
Washington, DC 20536

Dear Secretary Napolitano and Director Morton:

At the close of the 2010 fiscal year, the Department of Homeland Security (DHS) and U.S. Immigration and Customs Enforcement (ICE) Agency stated it had deported more illegal aliens than any other time in our nation's history. Of the estimated 11 to 20 million illegal aliens in the United States, approximately 393,000 were deported in 2010. Although we commend DHS and ICE for a seemingly successful record, we are deeply concerned that the administration is not fully enforcing federal immigration law.

Over the years, ICE has developed a system in which it prioritizes the deportation of illegal immigrants who are dangerous or have committed serious crimes. While there is good reason to prioritize the removal of illegal aliens who pose a danger to our communities, it would be unconscionable to simply abandon enforcement against all but violent criminals, who account for nearly ten percent of all crimes recorded by the Federal Bureau of Investigation. However, the implementation of this policy under the current administration has excessively limited enforcement against virtually all other immigration lawbreakers. As a result, when local law enforcement agencies report illegal immigrants to ICE, more often than not ICE refuses to take them into custody because they are not classified as dangerous or serious criminals. Consequently, non-criminal illegal alien deportations plummeted by 30 percent in FY 2010.

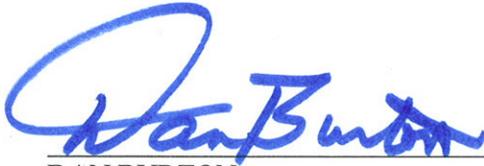
Just last month, local law enforcement authorities in Teaneck, New Jersey pulled over a woman who was driving erratically. After failing several field sobriety tests, the woman was taken into custody. While in custody, the woman admitted to police that she had entered the country illegally. Although the local police contacted ICE to report the illegal alien, ICE refused to respond because she is not considered a 'serious threat' by the agency. As a result, this illegal alien was charged with DUI and was simply released to the streets. Unfortunately, this story is not an outlier; there are countless reports of similar situations and all too often these criminal aliens go on to commit more – and sometimes more serious – crimes. Consequently, the lack of immigration enforcement by the current administration makes our communities less safe and perpetuates the ongoing illegal immigration crisis plaguing our nation.

As DHS and ICE contemplate future immigration enforcement, we urge the administration to fully enforce all federal immigration laws. While serious criminals should be prioritized for removal, the administration needs to do more than just enforce a few immigration laws. We request DHS and ICE to reevaluate its current strategy and if more resources are needed to fully enforce federal immigration law, please let us know.

Sincerely,


GARY G. MILLER
Member of Congress


SUE MYRICK
Member of Congress



DAN BURTON
Member of Congress



JASON CHAFFETZ
Member of Congress



WALTER B. JONES
Member of Congress



DANA ROHRABACHER
Member of Congress



EDWARD ROYCE
Member of Congress