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January 17, 2012

CLERK AND STAFF DIRECTOR
WILLIAM B. INGLEE

TELEPHONE:
(202) 225-2771

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

Dear Secretary Napolitano:

I am writing today to insist the Department of Homeland Security (DHS) fulfill its stated enforcement priority by immediately deploying the Secure Communities Program to Alabama. U.S. Immigration and Customs Enforcement (ICE) planned to complete Secure Communities in Alabama by December 30, 2011, consistent with DHS's stated intention of full, Nation-wide rollout by the end of 2012. At the Department's direction, deployment in Alabama was indefinitely delayed.

The Appropriations Subcommittee on Homeland Security has consistently and staunchly supported the Secure Communities Program in a bipartisan fashion and the program has had wide support from Members of both the House and Senate. In fact, the recently enacted Department of Homeland Security Appropriations Act for fiscal year 2012 states: "Secure Communities is an effective and significant law enforcement tool; its deployment and use should not be hampered by any jurisdiction or official."

In your own words, Secure Communities "has proven to be the single best tool at focusing our immigration enforcement resources on criminals and egregious immigration law violators. Termination of this program would do nothing to decrease the amount of enforcement. It would only weaken public safety..."

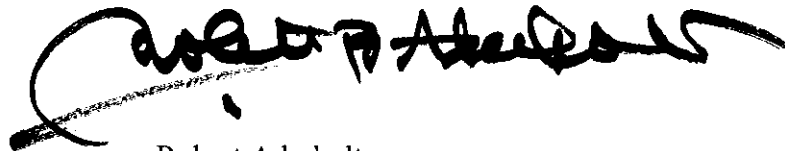
The decision to delay deployment in Alabama, a state that enacted its own immigration enforcement law due to concerns about the Federal government's failure to enforce the law, is incomprehensible and gives additional evidence to those very concerns. According to the explanation provided by DHS to my staff, the decision to delay deployment was not taken for legal, programmatic, or operational reasons. Rather, the decision appears motivated by political considerations related to the Administration's pursuit of a lawsuit to enjoin all aspects of H.B. 56 – despite a district court judge's clear ruling that only certain provisions of the law should be enjoined. The DHS explanation states:

“Although the federal courts have enjoined several parts of H.B. 56, certain provisions were not enjoined and are currently in effect... While these provisions of Alabama’s state immigration enforcement law, which conflict with ICE’s immigration enforcement policies and programs, remain the subject of litigation, ICE does not believe it is appropriate to expand deployment of Secure Communities...in Alabama.”

I support strong immigration enforcement and giving ICE the tools it needs to execute its vital mission, including deployment of Secure Communities, a program for which you have also strongly advocated. The decision to delay deployment in Alabama while the program remains fully active and deployed in other states with pending litigation demonstrates why it is unnecessary to suspend the fulfillment of enforcement priorities that are not subject to such litigation.

Madam Secretary, I urge DHS to uphold its stated commitments, fulfill its enforcement obligations, and fully complying with the Secure Communities deployment schedule in Alabama and all across the Nation. Given the importance of immigration enforcement to our homeland security and public safety, I see no valid reason for further delay.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert Aderholt", written in a cursive style.

Robert Aderholt
Chairman, Subcommittee on Homeland Security