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United States Senate
WASHINGTON, DC 20510-0103

July 9, 2015

The Honorable Loretta E. Lynch
Attorney General
U.S. Department of Justice
Robert F. Kennedy Building
950 Pennsylvania Avenue, N.W.
Washington, DC, 20530-2000

Dear Attorney General Lynch,

I read with great concern about the heartbreaking murder of Kathryn Steinle in San Francisco last week. Any violent crime is tragic, but the fact that this senseless death arises directly from municipal policies that obstruct cooperation with the Department of Homeland Security to remove illegal immigrants who have committed crimes is especially odious. This senseless crime comes on the heels of daily reports of illegal immigrants committing crimes from drug and alcohol offenses to violent murder and rape.

The discussion on immigration reform crisscrosses government. While I disagree with President Obama on his immigration policies and enforcement of existing laws, I have supported his efforts to remove criminal illegal immigrants. One recurring problem in our country is that local law enforcement in some cities consciously fails to inform federal authorities about illegal immigrants who they choose to let go free after these individuals have committed crimes. To be clear, this failure is not due to negligence, but instead is a result of municipal policies that are deliberately crafted to circumvent federal removal policies.

These obstructions of federal law enforcement agents occur in so-called “sanctuary cities,” such as San Francisco, which short-circuit prudent policies by U.S. Immigrations and Customs Enforcement officials to focus deportation and removal efforts first on illegal immigrants who commit crimes in the United States. While misguided, the municipalities and governments that support amnesty and relaxation of immigration policies are entitled to their opinions; however, I strongly believe that interfering in routine coordination of enforcement of federal law is intolerable and, as we saw last week, potentially deadly to law-abiding American families.

You and I both know that the definitions of what constitutes a “sanctuary city” are difficult to reconcile, and that the Department would be challenged to compile a definitive list for Congress. My goal for writing to you is to not to debate the larger bureaucracies and ideologies of these cities. Rather, as families like the Steinles suffer such fully avoidable tragedies, I believe that it is time to work together to address this issue in a straightforward way as it relates to federal funding.

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As Chairman of the Appropriations Subcommittee that provides vital funding to state and local law enforcement efforts, I have a simple and urgent request specific to the Department of Justice. Last year, our Subcommittee appropriated more than \$2 billion in grants for state and local law enforcement agencies through Justice Assistance Grants and the COPS programs. I ask that you use the Department's administrative authorities as the grant-making agency to limit the availability of these taxpayer funds only to states and local agencies that affirmatively certify that they will follow the law and identify and hold criminal illegal immigrants in their custody when requested by the appropriate federal agency.

Simply put: municipalities that refuse to cooperate with federal immigration laws should not receive the Department of Justice's federal law enforcement assistance funding. The Department is able to place conditions and certifications on the grants it makes for public safety. I ask that you implement such a certification for any and all Department of Justice grants from this point forward. Taxpayer dollars are precious, and the agencies that utilize these grants for law enforcement assistance should at the very least be able to certify that the enforcement of the law is their primary goal – not political accommodation of those who break the laws of this country.

I appreciate the hard and diligent work that the agents and attorneys of your Department undertake every day to protect the security and freedoms of every American. I know that we can agree that the freedoms we enjoy – like strolling on a San Francisco pier with our children – are possible only when we are willing to enforce the federal laws that keep our families and our freedoms safe. The simple truth is this: federal grants to assist local and state public safety efforts should only go to jurisdictions that are committed to enforcing the law and cooperating with federal law enforcement.

I look forward to hearing back from you on how you plan to expeditiously address the reckless policies of these "sanctuary cities" and working with you on this issue in fiscal year 2015, fiscal year 2016, and beyond.

Sincerely,

A handwritten signature in blue ink that reads "Richard Shelby". The signature is written in a cursive style with a prominent flourish at the end of the name.

Richard Shelby