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August 11, 2011

Mr. John Morton
Director, Immigration and Customs Enforcement
Department of Homeland Security
500 12th Street SW, 4th Floor
Washington, DC 20536

Dear Director Morton:

I have made no secret of the fact that I oppose the Secure Communities state and local immigration program and its rapid expansion because it undermines public safety and has not lived up to its stated goals of identifying and deporting serious criminals rather than non-criminal immigrants. However, the announcement you made last week that the program is now mandatory for all states and localities and that all existing agreements between the federal government and state and local governments are revoked, is simply unacceptable and amounts to little more than reneging on previous commitments for the sake of political expediency.

Governors and mayors, including Governor Pat Quinn of Illinois, have demanded removal from this deeply flawed program because of the public safety concerns and unachieved goals. It now seems that your agency is changing the rules in mid-stream to undermine leaders like Gov. Quinn who have acted in the best interest of their constituents.

As I go out around the country, the first thing I hear about is the massive increase in deportations followed closely by concerns about how state and local law enforcement are being ordered to participate in those deportations. Adding a whole new layer of suspicion and confusion by changing the rules and declaring it a non-negotiable federal mandate for every state and locality further erodes any semblance of legitimacy the program ever had.

Its rules and regulations are a moving target; its effectiveness in accomplishing stated goals has been called into question with credible evidence; and now there is a growing call for investigations and an ever increasing number lawsuits related to the program's implementation and to the transparency with which it has been carried out.

I renew my call on you and the President to suspend the expansion of this disastrous and counter-productive program and to work with Congress to eliminate the program and replace it with serious and systemic immigration reform.

Sincerely,



Luis V. Gutiérrez
Member of Congress