

Congress of the United States
Washington, DC 20515

March 13, 2018

The Honorable Donald J. Trump
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

Dear Mr. President:

As members of the State of California's congressional delegation, we write to express our alarm about your administration's numerous immigration-related actions and threats during the past two months directed at California, which appear to be politically motivated. Your administration's targeting of our state jeopardizes the public health and safety of our communities, as well as the economic vitality of California and the nation as a whole.

We are deeply troubled by the misguided legal actions and threats your administration has made against California state and local officials in response to their enactment of the *California Values Act* (SB54) and similar policies that reflect local discretion in accordance with federal law. The U.S. Department of Justice's (DOJ) March 6 lawsuit against our state claims that California's laws undermine and prohibit federal immigration officials from enforcing immigration laws; they do nothing of the sort. The purpose of these laws is to protect public safety and ensure that limited state and local law enforcement resources are not being diverted to carry out the administration's mass deportation agenda.

We are further disturbed by DOJ's January 24 letter to nine California jurisdictions and law enforcement agencies threatening to subpoena extensive documentation regarding their compliance with 8 U.S.C. § 1373 with the aim of withholding Byrne JAG grants that are critical to the law enforcement community and the public safety of all Californians.¹ Even more troubling, Secretary Nielsen confirmed, in sworn testimony, that the U.S. Department of Homeland Security (DHS) has asked DOJ "to look into" criminal charges against California elected officials under the Immigration and Nationality Act (8 U.S.C. § 1324) for complying with state law.² This unprecedented effort to coerce and criminalize state elected officials is an outright intrusion on the sovereignty of California by this administration, wholly inconsistent with our constitutional system of shared authority between federal and state governments.

¹ U.S. Department of Justice, *Justice Department Demands Documents and Threatens to Subpoena 23 Jurisdictions As Part of a 8 U.S.C. 1373 Compliance Review*, Jan. 24, 2018, available at <https://www.justice.gov/opa/pr/justice-department-demands-documents-and-threatens-subpoena-23-jurisdictions-part-8-usc-1373>

² Committee on the Judiciary, U.S. Senate, *Oversight of the United States Department of Homeland Security*, Jan. 16, 2018, available at <https://www.judiciary.senate.gov/meetings/oversight-of-the-united-states-department-of-homeland-security>

We are further concerned by your administration's ongoing threats to increase indiscriminate civil immigration enforcement actions in California. In a January 2, 2018 Fox News interview, Immigration and Customs Enforcement (ICE) Acting Director Thomas Homan made a direct threat to our state, proclaiming, "California better hold on tight."³ On January 10, ICE raided five 7-Eleven stores in the Los Angeles area and seven in Northern California.⁴ On February 2, ICE sent I-9 audits to 77 employers across Northern California, a precursor for workplace raids.⁵ Additionally, ICE recently executed two at-large civil immigration raids of workplaces and neighborhoods in the Los Angeles area and Northern California. The Los Angeles raids ended with the arrest of 212 individuals and 122 notices of inspections to businesses.⁶ The Northern California raids ended with the arrest of 232 individuals, a shocking 23% of whom had no criminal conviction or final order of removal and over half of which had not been convicted of a serious or violent felony.⁷

ICE civil immigration raids of workplaces and neighborhoods that include indiscriminate arrests of non-targeted individuals risk compromising the civil rights and liberties of all Californians – regardless of citizenship or immigration status. These actions have caused great anxiety, resulting in parents who fear sending their children to school or seeking out essential health care services. They are eroding public trust in law enforcement, affecting immigrants' willingness to come forward when they are witnesses to or victims of a crime, and thus risking the public safety of all residents. These aggressive immigration enforcement activities risk enormous damage to California's economy, which is essential to national economic growth. There are over 10.4 million foreign-born California residents – comprising 37% of labor force participants and 38% of entrepreneurs – who are the backbone of California's thriving and diverse economy.⁸

We fear that the ICE raids are simply an effort to advance your administration's troubling prioritization of interior immigration enforcement – which abandons ICE's previous policy of focusing enforcement resources on apprehending immigrants who pose the most serious public

³ 'California better hold on tight': ICE Dir Promises Doubling of Officers After 'Sanctuary' Law Signed, FOX NEWS, Jan. 2, 2018, available at <http://insider.foxnews.com/2018/01/02/ice-director-rips-california-governor-jerry-brown-sanctuary-state-law>

⁴ Brenda Gazzar, *ICE agents target five 7-Eleven stores in LA area amid nationwide immigration action*, LOS ANGELES DAILY NEWS, Jan. 10, 2018, available at <https://www.dailynews.com/2018/01/10/u-s-immigration-agents-descend-on-dozens-of-7-eleven-stores-for-employment-audits-and-interview-workers/>

⁵ Jason Green, *ICE targets 77 Northern California businesses in illegal worker crackdown*, SAN JOSE MERCURY NEWS, Feb. 2, 2018, available at <https://www.mercurynews.com/2018/02/01/ice-targets-77-northern-california-businesses-in-crackdown-on-illegal-workers/>

⁶ U.S. Immigration and Customs Enforcement, *ICE operation in LA results in 212 arrests, 122 notices of inspection*, Feb. 16, 2018, available at <https://www.ice.gov/news/releases/ice-operation-la-results-212-arrests-122-notices-inspection>

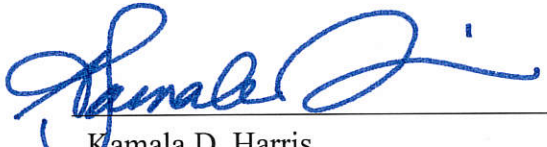
⁷ U.S. Immigration and Customs Enforcement, *232 illegal aliens arrested during ICE operation in Northern California*, March 1, 2018, available at <https://www.ice.gov/news/releases/232-illegal-aliens-arrested-during-ice-operation-northern-california>

⁸ Matthew A. Weiner, *California Leads U.S. Economy, Away from Trump*, BLOOMBERG, May 10, 2017, available at <https://www.bloomberg.com/view/articles/2017-05-10/california-leads-u-s-economy-away-from-trump>; New American Economy, *The Contributions of New Americans in California*, August 2016, available at <http://research.newamericaneconomy.org/wp-content/uploads/2017/02/nae-ca-report.pdf>; Public Policy Institute of California, *Immigrants and the Labor Market*, March 2011, available at <http://www.ppic.org/publication/immigrants-and-the-labor-market/>

safety and national security threats – and instead, fuels deportations of hardworking, law-abiding Californians with families and deep community ties. Alarming, ICE Enforcement and Removal Operations arrests of non-criminals nearly doubled in FY2017 from the previous year.⁹ During the last three months of 2017, ICE arrests of individuals who had no criminal background reportedly tripled compared to the same period the prior year.¹⁰

We urge you to stop your administration's wholesale targeting of our state's residents and public officials. We further ask that the White House, in conjunction with DHS and DOJ, provide a briefing to California's congressional delegation at the soonest possible time to answer important questions about the above actions directed towards our state, as well as the motivations for immigration enforcement activities planned and previously conducted in California. We appreciate your prompt response.


Sincerely,



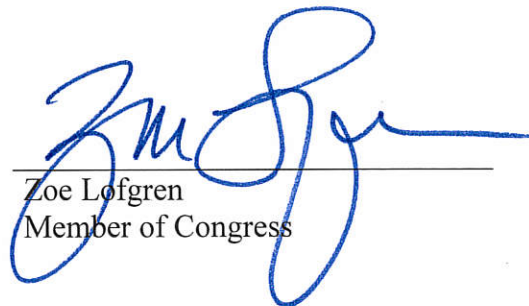
Kamala D. Harris
United States Senator



Dianne Feinstein
United States Senator



J. Luis Correa
Member of Congress



Zoe Lofgren
Member of Congress

⁹ U.S. Immigration and Customs Enforcement, *Fiscal Year 2017 ICE Enforcement and Removal Operations Report*, available at <https://www.ice.gov/sites/default/files/documents/Report/2017/iceEndOfYearFY2017.pdf> ; *Fiscal Year 2016 ICE Enforcement and Removal Operations Report*, available at <https://www.ice.gov/sites/default/files/documents/Report/2016/removal-stats-2016.pdf>

¹⁰ Elliot Spagat, *U.S. Deportations targeting more people with no crime records*, ASSOCIATED PRESS, Feb. 23, 2018, available at <http://abcnews.go.com/US/wireStory/us-deportations-targeting-people-crime-records-53320158>

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Doris Matsui
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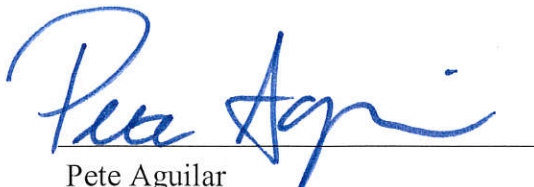
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Norma Torres

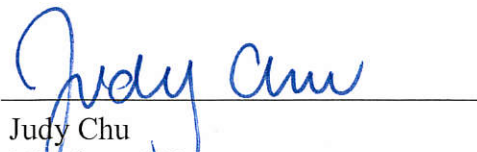
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Member of Congress


Juan Vargas

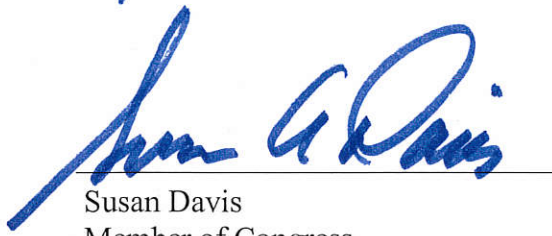
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Member of Congress


Pete Aguilar
Member of Congress

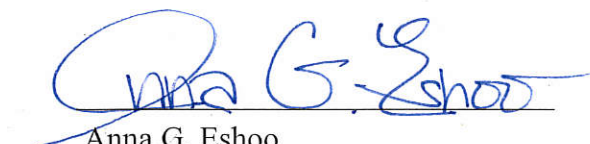

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Member of Congress

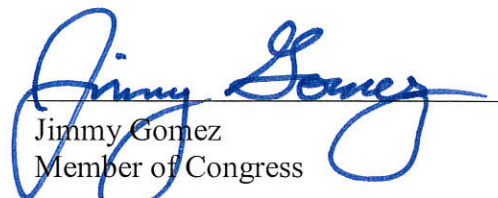

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Member of Congress


Jim Costa
Member of Congress



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Member of Congress



Mark DeSaulnier
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Anna G. Eshoo
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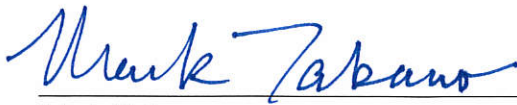

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Member of Congress


Ted W. Lieu
Member of Congress



Mark Takano
Member of Congress



Mike Thompson
Member of Congress



Alan Lowenthal
Member of Congress

cc: Attorney General Jeff Sessions, U.S. Department of Justice
Secretary Kirstjen Nielsen, U.S. Department of Homeland Security