

**CANDICE S. MILLER**  
10TH DISTRICT, MICHIGAN

WASHINGTON OFFICE:  
1034 LONGWORTH HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
(202) 225-2106  
FAX: (202) 226-1169

DISTRICT OFFICE:  
48701 VAN DYKE AVENUE  
SHELBY TOWNSHIP, MI 48317  
(586) 997-5010  
FAX: (586) 997-5013



**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-2210**

July 12, 2012

COMMITTEE ON  
TRANSPORTATION  
AND INFRASTRUCTURE  
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COMMITTEE ON  
HOMELAND SECURITY  
CHAIRMAN  
BORDER AND MARITIME SECURITY

The Honorable Eric H. Holder, Jr.  
Attorney General  
Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

John Morton  
Director  
U.S. Immigration and Customs Enforcement  
500 12<sup>th</sup> Street SW  
Washington, DC 20536

Attorney General Holder and Director Morton:

I write today to express concern over the refusal of several jurisdictions to cooperate with Immigration and Customs Enforcement (ICE) while still receiving State Criminal Alien Assistance Program (SCAAP) grant funding, which provides federal payments to states and localities that incurred costs for incarcerating undocumented criminal aliens

As a strong supporter of the Secure Communities program whose goal is to remove dangerous criminal aliens from our streets, it is deeply troubling that some communities refuse to honor ICE detainers on criminal aliens.

I believe that such action is unwise, impedes legitimate federal immigration law enforcement, and puts the citizens of those communities and the nation at risk. The high recidivism rate of convicted criminals would suggest that many crimes committed by criminal aliens could be prevented if federal authorities were permitted to deport such aliens, consistent with current law.

Congress created Secure Communities in 2008 as a pilot program to establish the capability to identify all criminal aliens or potential criminal aliens at the time of arrest. In activated jurisdictions, all those arrested have their fingerprints run against databases to determine if they are in the country legally.

The program is operational in 97% of jurisdictions nation-wide with only a few communities yet to be activated. Despite the persistent, and often unfounded, criticism of the Secure Communities program, it has led to the prompt removal of more than 140,000 criminal aliens unlawfully present in this country from our streets and more than 94% of the aliens deported by this

valuable program are either convicted criminals, recent border crossers, or have overstayed their visa. This begs a simple question: How can you oppose a program with those results unless you are not really vested in securing our borders and enforcing the nation's immigration laws?

It is beyond comprehension why certain communities have chosen to willfully impede legitimate immigration enforcement, yet are rewarded by receiving SCAAP grants to reimburse these communities for those unlawfully present in their jails.

Perhaps the worst offender is Cook County, Illinois, which passed an ordinance that instructs the County Sheriff to decline ICE detainer requests, yet nonetheless received \$2,290,019 of federal funding through the SCAAP program last year.

During a hearing before my subcommittee earlier this week, Director Morton testified that he found, "that position to be completely inconsistent with them not allowing us access to and removing those very same individuals and we'll be taking a very hard look at their SCAAP request."

I agree with Director Morton's assessment and believe that is time to end any federal funding to any jurisdiction that does not fully cooperate with ICE, or any other federal immigration enforcement program.

The grant application deadline for fiscal year 2012 SCAAP funds ended last week, so I respectfully request that you deny any funding request for cities that do not fully cooperate with ICE, and if a determination to provide funding is made, I ask that you provide a rationale. I would appreciate a response no later than August 1, 2012.

Sincerely,



Candice S. Miller  
Chairwoman  
Border and Maritime Subcommittee  
House Homeland Security Committee