



TOM HORNE
ATTORNEY GENERAL

OFFICE OF THE ATTORNEY GENERAL
STATE OF ARIZONA

May 20, 2013

The Honorable John McCain
United States Senator
Washington, D.C.

The Honorable Jeff Flake
United States Senator
Washington, D.C.

Dear Senators:

As Congress considers the immigration reform package, I am writing to you and Senator Flake to share my deep concern about the section of the proposal that seeks to give the secretary of Homeland Security (DHS) unilateral authority to determine if the border is secure. I believe this is a serious error because recent actions on the part of DHS have undermined its credibility to independently assess border security.

The Obama administration has made it clear by its efforts - including filing a legal action against the State of Arizona for its laws designed to protect citizens from border-related crimes - that it has no intention of measuring the actual security of the border. Therefore, it is a task better left to stakeholders who live and work in the states that suffer the greatest impact of the cross-border trafficking of people, illegal drugs and weapons, as well as the violent effects of those activities.

The Secretary of Homeland Security has made it her policy of insisting that the border is as "secure as ever". Yet the data show that at least in the Tucson Sector, that is simply not true.

More disturbingly, new reports from the DHS acknowledge that when approximately 2,200 immigration detainees were released from federal custody in February of 2013, 622 of those were convicted of criminal offense, and of those 32 had multiple felony convictions. This incident is outrageous, creates a danger to the general public and it reflects the lack of seriousness with which the DHS oversees its mission of protecting the border and ensuring the security of American citizens.

As part of a reform package, I urge Congress to consider a panel approach, involving state and local stakeholders who have a vested interest in a secure border. A determination by such a panel, rather than by a single person who may be influenced by political concerns, is a far superior method for measuring security.

Sincerely,

A handwritten signature in black ink that reads "Tom Horne". The signature is fluid and cursive, with the first letters of "Tom" and "Horne" being capitalized and prominent.

Tom Horne
Attorney General