

Hearing Transcript

House Judiciary Subcommittee on Immigration and Border Security Hearing on Enforcement of Immigration Laws

March 28, 2017

SENSENBRENNER:

Subcommittee will be in order. Without objection, the Chair is authorized to declare recesses of the committee at any time. And we welcome everyone to today's hearing on, quote, "Restoring Enforcement of Our Nation's Immigration Laws." The Chair recognizes himself for an opening statement.

It is fitting that today's hearing is called Restoring Enforcement of Our nation's Immigration Laws. The past eight years witnessed the Obama administration's deliberate undermining of our immigration laws, the growth of anti-immigration enforcement policies at every level of government, and the vilification of federal, state and local law enforcement officers who attempt to enforce our nation's duly enacted immigration laws.

Our immigration laws are an expression of our nation's sovereignty. They're not suggestions. Yet for the past eight years, they were largely ignored, and the example was set from the top.

The Obama administration abandoned the rule of law under the guise of prosecutorial discretion has -- had devastating consequences to the cold blooded murder of Kate Steinle, the death by DUI of Sarah Root, terrorist attacks ranging from the World Trade Center to the massacre at San Bernardino, the brutal sexual assault against a Rockville teenager.

The time is long overdue to ensure that our immigration laws are enforced and the rule of law is truly restored. The Obama administration's policies of catch and release and of rubberstamping credible fear claims at the border, and its outright prohibition on ICE officers and prosecutors from carrying out ICE's critical mission have left this nation increasingly at risk.

The sky-high credible fear and asylum grant rates encouraged aliens to make the dangerous, illicit journey to the United States. The aliens overran our border, and credible fear and asylum claims increased tenfold.

Simultaneously, ICE removals from the interior dropped from 238,000 in 2009 to only 65,000 in 2016. The Trump administration inherited a shell of immigration enforcement that it must now rebuild.

I am pleased that we will hear today from witnesses who can fully explain the benefits of federal, state and local cooperation, and the detrimental effects of obstruction. These sanctuary communities have decided to make a political statement out of lawlessness.

The Declined Detainer Outcome Report that ICE will now regularly issue will prove itself a useful tool in continually identifying these jurisdictions and the criminals that they let out on to our streets. The government must discourage, not encourage sanctuary policies and practices.

Under DHS' November 14, 2014 departmental guidance, ICE was given stringent parameters regarding these removable aliens that it was permitted to apprehend and seek to remove.

Prudential (ph) guidance ending the successful Secure Communities Programs further constricted these parameters. This was sold to the American people as prioritizing ICE's limited resources to go after the -- only the worst of the worst. Yet, the number of criminal aliens removed from the interior fell from almost 85 -- 87,000 in fiscal 2014 to approximately 63,500 the following two fiscal years.

Under President Obama, it was widely understood that asylum officers should get to yes on credible fear determinations and requests for asylum by any means necessary. Asylum laws were written to offer refuge to the truly persecuted, and policies like this did nothing to advance those goals.

Instead, those Obama administration policies worked to encourage many aliens to seek asylum with fraudulent boilerplate stories. And the new administration is taking steps to correct this, and already the flow of illegal aliens across the border has significantly slowed. This problem is endemic and I look forward to hearing today from our witnesses on the best practices to address asylum fraud.

It is now my pleasure to recognize the ranking member of the Subcommittee on Immigration and Border Security, Ms. Lofgren of California, for five minutes for her opening statement.

MS. LOFGREN:

Thank you, Mr. Chairman. The title of today's hearing Restoring Enforcement of our Nation's Immigration Laws implies that up until recently our immigration laws simply went enforced. Nothing could be further from the truth.

The past administration deported more immigrants than any other previous administration. And the president -- President Obama even earned the infamous nickname, Deporter in Chief.

But this massive increase in deportation never satisfied our many Republicans who repeatedly kept citing the supposed lack of enforcement as a reason not to pursue reform. These alternative facts were used time and again to avoid solving the real problem, our broken immigration system.

Today, Republicans control all levers of the federal government, but instead of finally attacking the pervasive problems effecting our immigration system, they're focusing on attacking local governments with community trust policies.

Among other things, President Trump's executive orders threaten to -- attempt to shame and attempt to withhold federal funds from jurisdictions that resist, in the administration's opinion, the federal government's request to cooperate with immigration enforcement.

The constitution, specifically the 10th Amendment, protects state's rights, and it prohibits federal actions that commandeer state and local officials. When it comes to immigration, these principles somehow seem to be overlooked.

Recently I was at a meeting where the mayor of San Jose said, you know, we don't send out the San Jose police department to enforce the security and exchange laws, the federal tax laws, the maritime laws, or the immigration laws. That's the job of the federal government.

There are well-known constitutional limits on the ability of the federal government to withhold funds to the states. State and local officials know their communities and know how to keep them safe better than the federal government.

The constitution's long-standing principle is apparently either ignored as seen -- or seen as an impediment by some people.

In the recent executive order on interior enforcement, President Trump abolished the prior administration's enforcement priorities to go after all 11 million undocumented immigrants in the United States just as candidate Trump promised he would do.

And while this enforcement agenda may satisfy the most extreme elements in our country, it isn't smart. It does not make our country safer, and it does not make our country stronger. And it has created a culture of fear.

There are videos of parents taken from their U.S. citizen children by armed ICE officers wearing the word police on their vests. There's stories of mothers who have lived in this country for decades being deported after dutifully checking into ICE appointments. And there are threats by the head of Department of Homeland Security, the secretary himself, to separate mothers from their children for deterrence purposes.

The fear caused by these acts is pervasive and it is paralyzing communities across our country. Now some may dismiss the heartbreak of many families across the country, but we shouldn't dismiss how it is making communities less safe.

We've already seen for example reports of domestic violence and sexual assault drop dramatically among Latinos in Los Angeles. We also shouldn't dismiss the devastating economic consequences these policies are sure to have.

It's time to stop the posturing and start thinking about ways to fix our broken immigration system. I stand ready to work with my colleagues across the aisle to reform our immigration laws from top to bottom.

And with that, Mr. Chairman, I would yield back the balance -- oh, if I could, Mr. Chairman, I would also ask unanimous consent to enter into the record statements from the following individuals and organizations expressing concerns about President Trump's immigration enforcement policies.

And that would be the National Immigration Justice Center; the chief of police of Marshalltown, Iowa; the retired chief of police of Garden City, Kansas; the Fair Immigration Reform Movement; the National Taskforce to End Sexual and Domestic Violence.

SENSENBRENNER:

(inaudible)

LOFGREN:

The Massachusetts...

SENSENBRENNER:

Yes.

LOFGREN:

... Immigrant and Refugee Advocacy Council -- Coalition.

SENSENBRENNER:

(inaudible)

LOFGREN:

As well as a letter from 292 law professors and scholars saying that the president's executive order is unconstitutional.

SENSENBRENNER:

The gentleman from Virginia and the chairman of the full committee, Mr. Goodlatte, is in the Senate. And I wish him well in whatever he's talking about there. We all wish House -- mere House members who ask the voters every two years to send us back dealing with the senators.

And I would now recognize the ranking member, Mr. Conyers of Michigan, for his opening statement for five minutes.

LOFGREN:

Mr. Chairman?

SENSENBRENNER:

What?

LOFGREN:

Was the unanimous consent request?

SENSENBRENNER:

Oh, without objection, Ms. Lofgren's unanimous consent request will be granted.

LOFGREN:

Thank you, Mr. Chairman.

SENSENBRENNER:

Very nicely ordered (ph).

CONYERS:

Thank you, Mr....

SENSENBRENNER:

The gentleman from Michigan.

CONYERS:

Thank you, Mr. Chairman. And congratulations again, on your ascension to the chairmanship of this important committee.

Members of the committee, I want you all to know that we -- I welcome all of our witnesses and look forward to their testimony. And I'd just like to remind you -- I -- I -- I don't frequently quote former President Reagan.

But he once said, "Our nation is a nation of immigrants. More than any other country, our strength comes from our own immigrant heritage and our capacity to welcome those from other lands." That quote was uncontroversial among my Republican friends and colleagues then, and it should remain so now.

Affirmation of the moral and social worth of immigrants is not a partisan position. It is simply American. As we begin today's hearing, I urge my colleagues to use this forum to examine sensible,

effective measures rooted in fact and practice for enforcing our laws and keeping our communities safe.

One fact we must consider is that studies have repeatedly shown that immigrants in the United States are less likely than native-born Americans to engage in crime. The vast majority of immigrants in the United States are peaceful, law-abiding individuals who support their families and communities.

Another fact is that the southern border is more secure than ever. Apprehension rates at the southern border have plummeted since the 1980s, and apprehensions of Mexicans specifically have reached their lowest point in nearly half a century.

This helps explain why most Americans don't want the Trump border wall, which would cost upwards of (ph) a staggering \$20 billion to build, and \$750 million annually to maintain as is estimated.

Notwithstanding these facts and others, the current administration continues to vilify immigrants and attack the communities that have decided not to conscript their law enforcement into a mass deportation force.

In fact, yesterday, Attorney General Sessions threatened to withhold federal funds from such jurisdictions. Let me be clear, Attorney General Sessions should not substitute his judgment for that of law enforcement in local jurisdictions who know what it -- is best to keep their communities safe.

The attorney general purports to place a high priority on fighting crime, but threatens to withhold much needed Justice Department funding from the very agencies that are on the front line in protecting all of us.

Over 600 counties and cities have made the decision to resist the administration's efforts to conscript their local officials into a mass deportation force because experience and data show that local enforcement of federal immigration law often makes communities less safe. It breeds profiling, discrimination and distress.

Immigrant victims and witnesses stop reporting crimes to authorities, and criminals grow emboldened. In fact, studies have shown that these sanctuary cities are actually safer and more prosperous than their non-sanctuary counterparts.

Finally, under the guise of enforcing the law, we've already witnessed Donald Trump and his administration follow through on divisive campaign rhetoric with actions that threaten our core American values and will do nothing to make us safer.

To cite a few examples, in less than 90 days, this administration has already threatened an unconstitutional use of federal spending authority to strong-arm local jurisdictions into enforcing federal immigration law.

Undermine -- two more points, undermine the 4th Amendment by pressuring cities into detaining immigrants without probable cause. And finally, has conducted indiscriminate raids on peaceful immigrant families in their homes, places of work, and even in their schools.

Such anti-immigrant measures not only raise serious constitutional concerns, but they're contrary to our proud history as a nation of immigrants.

I thank the Chairman, welcome again the witnesses for their testimony today, and I yield back.

SENSENBRENNER:

Thank you.

Without objection, other members' opening statements will be made part of the record. We have a very distinguished panel today. I will begin by swearing in our witnesses before introducing them.

If you would all please raise. Do you soundly swear the testimony that you give before this committee will be the truth, the whole truth and nothing but the truth so help you God? Let the record show that all of the witnesses answered in the affirmative.

I will begin by introducing the witnesses. Sheriff Thomas M. Hodgson was an elected official and the chief law enforcement officer of Bristol County, Massachusetts. Sheriff Hodgson, originally appointed in 1997 by Governor William Weld, has subsequently been re-elected to several six-year terms.

Under his watch, the Sheriff's Office has established a warrant apprehension unit, a drug task force, gang unit, and works regularly with federal partners including ICE. His department participates in the 287(g) program that he, along with other sheriffs, has called for the immigration reform with the emphasis on border security and interior enforcement.

He previously testified before the Massachusetts Great and General Court regarding sanctuary polices.

Ms. Jessica Vaughan serves as the director of Policy Studies with the Center for Immigration Studies. In that role she studies numerous facets of immigration policy including immigration law enforcement.

Prior to this role, she served as a Foreign Service officer with the State Department, and has testified before this committee on numerous immigration-related matters including at a similar hearing in 2015.

Ms. Vaughan has a master's degree from Georgetown University and earned her bachelor's degree in international studies at Washington College in Maryland.

Mr. Andrew Arthur is the former staff director for the Government Reform and Oversight Committee, National Security Subcommittee. Prior to serving as a staff director, he was an

immigration judge for the United States Department of Justice, Executive Office for Immigration Review of the York, Pennsylvania Immigration Court.

He is also a fellow colleague of the House Judiciary Committee, Subcommittee on Immigration where he served as a counsel for five years advising the chairman, me, on matters relating to the enforcement of immigration laws and immigration policy.

He has received his B.A. from the University of Virginia, and his law degree from the George Washington University School of Law.

Ms. Archi Pyati serves as the chief of policy and programs at the Tahirih Justice Center. She spearheads national and local policy programmatic initiatives overseeing direct services to immigrant women, and forging and mobilizing diverse bipartisan coalitions to press for laws, regulations and policies to better protect them from violence.

Before joining Tahirih, Ms. Pyati was the deputy director of the Immigration Intervention Project of the Sanctuary for Families in New York. She is a graduate of Brown University, and received her law degree from the University of Michigan Law School.

Without objection, each of the witness's written statements will be entered into the record in their entirety. I ask that each witness summarize his or her testimony in five minutes or less. And to help you stay with that time limit, there are lights in front of you, and you all know what they mean.

So Sheriff Hodgson, why don't you lead off?

HODGSON:

(OFF-MIKE)

SENSENBRENNER:

Press the button on your mic.

HODGSON:

Thank you, Mr. Chairman, and members of the committee. Security guards, metal detectors and scanners greeted me this morning as I walked into the Rayburn Office Building.

These measures are in place to protect the safety of everyone inside. Most people are cleared pretty quickly in about -- go about their business. It's the others who we -- who intend to do us harm, those who have no respect for our laws that we have to worry about. It's those whom the capital police must deny entry.

We owe the same level of protection and safety to our legal residents. We must use all the tools in our toolboxes, share resources and intelligence, and truly restore enforcement of our nation's immigration laws for the safety and security of our citizens.

Public safety is my number one priority. Public safety is your number one priority. Public safety is any government's and any government officials' number one priority.

Public safety is what brings me here today, and there's arguably no bigger threat to public safety than illegal immigration. Mr. Chairman and esteemed members of this committee, I want to thank you for inviting me to testify this morning on what is perhaps the most dangerous threat to national security and the safety of all Americans.

Good, thoughtful immigration law exists as enacted by legislators like you decades ago. However, if a law is not enforced, it's useless verbiage, protecting no one and accomplishing nothing.

As a sheriff for 20 years and a police officer for six more, I've spent my career enforcing laws. I have a sworn duty to uphold the Constitution of the United States and enforce all laws whether I agree or disagree with them.

Just as you took the oath of office to faithfully and discharge the duties of the office on which you entered, the law is what you and the courts say it is. But unfortunately due to years of liberal policies tailored to non-enforcement, Congress now has to hold hearings on how to enforce laws that have been on the books for decades.

Most of my law enforcement colleagues will agree that severe damage has been done to national security by lackadaisical enforcement. And the only thing we can do now is move forward and discuss how we can fix it.

The fact is our nation would be better off and our citizens would be safer if we never stopped enforcing immigration law, and if we never formed or turned a blind eye towards sanctuary cities.

Local, county, state and federal law enforcement all working together to keep the public safe. Sharing resources and intelligence as much as possible. Working together as one team with the simple -- simple goal of keeping the public safe.

Our law enforcement team has an opposing team that consists of local officials, elected or appointed, who have created and advocated sanctuary cities, states, communities, and even colleges. These officials pledge not to work with, cooperate or even communicate with federal immigration enforcement.

As a result, these safe zones have become magnets for illegal aliens, some of which have violent criminal records. At best, sanctuary cities are a direct violation of the -- of trust between the legal residents and the elected officials who took an oath to protect them at all costs. At the worst, it's careless, illegal, and extremely dangerous.

If these sanctuary cities are going to harbor and conceal criminal illegal aliens from ICE, which is in direct violation of Title 8 of the U.S. code, federal arrest warrants should be issued for their elected officials.

At a time when these officials are pledging to not work with federal law enforcement, I've doubled down on my commitment to partner with federal authorities and boost public safety by becoming the second organization in New England to enter into 287(g).

If there's one thing our country learned from 9/11, it's that all branches of law enforcement have to work together and share resources as much as possible. Under the 287(g) program, correctional officers in my department will become with (ph) the training de facto ICE agents and be able to perform all immigration-related actions.

We will -- our officers will be able to identify, process, detain and assist in deportation of criminal illegal aliens in Bristol County. They also get access to the ICE database to identify criminal illegal alien enterprises.

Instead of waiting for an ICE agent to drive hours to our facility for an immigration screening at which time the suspect may be bailed out, our officers can check the databases, interview the suspect, and electronically communicate with ICE to keep dangerous criminals, illegal aliens off the streets and out of our neighborhoods.

The Department of Homeland Security estimates more than 400,000 immigrants were identified for deportation through 287(g) programs between 2006 and 2015, about 13,000 foreign-born individuals were processed at our facilities in the past five years.

This program can just -- can result in just one dangerous criminal illegal alien not being able to commit another crime in the U.S. Deportation or detention, and it's a tremendous tool in our toolbox and a no-brainer in terms of public safety.

I want to just inform the committee of something that was just reported this morning that I think completely underscores my point about immigration laws being undermined in -- in the United States.

We have a state representative in the Plymouth -- the 10th Plymouth District in Massachusetts, which just reported this morning who learned that ICE may be coming to the city of Brockton in Plymouth County.

Put a -- sent a message -- all alert message out on Facebook telling everyone that ICE is going to be coming and make sure you don't answer your doors and make sure that you stay out of sight.

This is the most outrageous, outrageous thing that I think -- or example of what is going on across the United States that's undermining my job and every other law enforcement officer in the United States to keep our communities safe.

And that elected official is responsible for protecting the welfare of the people of their communities needs to understand that they could be protecting someone who -- that ICE is looking for that maybe possibly connected to terrorism, transnational gangs, or some other horrific criminal history that they've had.

Thank you for the time, Mr. Chairman. Thank you members of the committee.

SENSENBRENNER:

Thank you.

Ms. Vaughn?

VAUGHN:

Good morning, and thank you for the opportunity to testify on this very timely topic, Restoring Enforcement of Nation's Immigration Laws. President Obama's policies left immigration enforcement in a state of collapse. This has been bad news for the country, but the good news is that there is nowhere to go but up now.

The Obama administration claimed that they achieved record levels of deportations, but in fact the total number of deportations by all enforcement agencies, which is what the DHS Office of Statistics has always reported has plummeted. Actually, deportations were half the level of the Bush and Clinton administrations.

Interior deportations by ICE dropped by 70 percent since 2011 as illustrated by charts in my written statement. The Obama administration inflated ICE's numbers by counting cases of people arrested by the Border Patrol that had never been counted before as former Secretary of DHS Johnson admitted in testimony before Congress.

The Obama administration claimed that they were doing smarter and more effective immigration enforcement, but in fact they operated a massive catch and release program, both at the border and in the interior. About 40 percent of the people caught by the Border Patrol trying to cross into the country illegally in 2014 and '15 were allowed to enter and were still here in 2016.

Just this morning, I was on a conference call with an -- an ICE field office director and some local law enforcement agencies in her area, and this ICE official said that they have seen an increase of 20 to 25 percent of -- in their case load as a result of new illegal immigration at the southwest border.

Not only are the illegal border crossers still here, so are about 950,000 other illegal aliens who have completed their due process and received a final order of removal, but are still here in the country.

And the smarter, more effective enforcement in the interior included releasing more than 86,000 convicted criminal aliens in three years. More than 100 of these individuals were arrested for

homicide after their release, including one man who killed 21-year-old Grant Ronnebeck in Mesa, Arizona in 2015 after being released.

The previous administration claimed that they were focused on felons, not families, but in fact deportations of criminal aliens declined by 60 percent since 2011, even as they implemented the Secure Communities Program allowing ICE to identify more criminal aliens than ever before.

The previous administration claimed that they were simply exercising what they called prosecutorial discretion, but in fact they were giving out immigration benefits, literally millions of work permits to illegal aliens and others not otherwise eligible to stay.

The Obama administration claimed that their vetting of visa applicants was rigorous, but then released a report saying that more than 500,000 foreign visitors overstayed in 2015.

The vetting for work permits was no better. Hundreds have been issued to gang members and other criminals. Just last week, it was revealed that a man who had been arrested for killing his 15-year-old stepdaughter in Texas had been issued a work permit. He had arrests on his record for smuggling, assault and theft. And ICE was trying to deport him, but instead he was issued a work permit under the previous administration's policies.

This -- I don't -- I don't dismiss the disappointment of families who have been allowed to live here illegally for all these years, or gotten away with it. But this lack of enforcement has imposed enormous costs on American communities. These costs included lost job opportunities and stagnant wages for native workers, higher tax bills to cover increased outlays for social services and benefits, compromised national security, and increased public safety threats.

The Trump administration has already taken steps to reverse this state of affairs and already to good effect. They've ended the catch and release policies at the border. They've discarded the strict prioritization scheme that exempted so many illegal aliens from deportation. They're taking steps to rebuild partnerships with local law enforcement agencies including expanding the successful 287(g) program.

They're planning to use accelerated forms of due process so as not to drag out the deportation process and to prevent clogging up the immigration courts even further. They're reviving taskforces focused on smuggling, document fraud, gangs and other transnational crime, the -- the entire infrastructure that supports illegal immigration.

This is making a difference, but some things can be done only by Congress. No matter how many miles of barriers are built, how many ICE agents are hired, or how many -- how much more rigorous our vetting system becomes, as long as employers think that they can get away with hiring illegal workers, they will keep doing it. And as long as there is someone who will hire them, people in other countries will keep trying to come here illegally.

We need Congress to enact a phased-in, universal e-verify requirement to help turn off the job magnet that motivates so many. We need the Davis-Oliver Act to shore up the weak spots in the Immigration and Nationality Act, and we need to address the problem of sanctuaries which

interfere with ICE's efforts to remove criminals, meaning that they get to stay here and have the opportunity to reoffend and create new victims.

Finally, Congress must reduce opportunities for executive abuse of authority on work permits, parole, deferred action and other gimmicks that have been used by presidents in the past to make an end run around the laws crafted by Congress. Thank you.

SENSENBRENNER:

Thank you.

Mr. Arthur?

ARTHUR:

Mr. Chairman, Ranking Member Lofgren, and members of the subcommittee, I thank you, and I thank Chairman Goodlatte for the opportunity to testify on this important topic.

I've been involved in immigration for more than two decades. When I started, the Simpson-Mazzoli Act was in its fifth year of implementation. It will turn 31 on November the 6th, but the premises of this legislature remain sound today, that immigration is essential to the well-being of the country, that our immigration laws must be enforced to be effective, and that employment is a magnet that draws immigrants to the United States.

Unfortunately, the '86 Act has never been fully enforced, the employer sanctions provision have never been implemented effectively, and the document fraud provision are all but a dead letter. As a result, the jobs magnet has not been shut off and the population of aliens in the United States illegally today dwarfs that which confronted the 99th Congress.

I credit this committee with return of the issue of immigration enforcement at the beginning of the 115th Congress, and am hopeful that your efforts and oversight will result in an immigration system that both addresses the needs of our country and protects the wages and working conditions of all Americans, both citizens and lawful permanent residents.

Much has changed in immigration since November 1986, but the primary change has been an expansion of the focus of enforcement on national security. The main reason that I left the INS where I had been acting chief of the National Security Law Division in July of 2001 to come to this committee was because I did not believe that we were doing enough to address the terrorist threat from abroad.

I was in this room when the chairman and Ranking Member Conyers took steps needed to address that threat, and I'm grateful for their leadership. But I believe that more still needs to be done.

For eight years, I served as an immigration judge in York, Pennsylvania. As a judge in a detained court, my docket consisted of lawfully admitted aliens who had committed removable offenses,

and aliens on unlawfully present in the United States who had been apprehended in the interior or along the border. I will focus on this latter group today.

Much attention has been placed recently on the vetting of refugees, I can speak to that matter further. But I think it's important for the members to also focus on a separate, but similar group of aliens, those in expedited removal proceedings who have claimed a credible fear.

Unlike refugees, aliens claiming credible fear have not been screened before coming to the United States, and for reasons that I detail in my written statement, are generally not screened effectively after they enter either.

A few of these individuals have actually bypassed the refugee screening process altogether leaving refugee camps and making their way to the southern border of the United States where they are apprehended or turn themselves in to U.S. immigration authorities.

Unlike the orderly system that the United States government has in place abroad for refugee admission, the system for screening those entering illegally is overburdened and lacks the necessary resources to effectively separate those who may pose a danger to the United States from those in legitimate need of protection.

Rumors abroad, fueled in part by a failure within the United States to enforce her immigration laws, have also encouraged men, women and children to trust their lives to smugglers and traffickers.

The sobriquets coyote and snakehead do not accurately describe the savage and debased nature of those who prey on the desperate and whose stock and trade is human misery. Enforcing our immigration laws will quell those rumors and undercut the ability of smugglers to peddle their trade.

It has been argued that some of those seeking to enter the United States illegally have been told by smugglers, friends or fellow migrants that there is no real cost to entering illegally. If they avoid apprehension at the border, they will never be removed. But if they were apprehended at the border, they can still stay by making fraudulent asylum claims, so it's been said.

This is undoubtedly in some cases true. Many asylum claims do not hold up to scrutiny, are inconsistent with country conditions, or internally inconsistent, or contradicted by the record as a whole.

The ability of government officials, Border Patrol agents, asylum officers, ICE attorneys and immigration judges to identify fraud in the credible fear process is crucial to squelching those rumors, and to the prevention of that misery before it begins.

It is also essential if we are to protect the American people from the criminals and national security risks who would take advantage of our humanitarian system to do harm to our communities. More resources, better directed and a better system for verifying claims are needed to address this problem.

Legal immigration, including the refugee process, visa issuance and admissions at the port is the front door of America and it must be secure. It is equally important, however, that threats to our country and to our immigration system are not able to abuse our laws by sneaking in through the back door.

I thank each of you, and I look forward to your questions.

SENSENBRENNER:

Thank you very much.

Ms. Pyati?

PYATI:

Thank you, Chairman Sensenbrenner, and distinguished members of the subcommittee. The Tahirih Justice Center is a non-partisan, national non-profit that for over 20 years has provided legal services to immigrant survivors of human trafficking, sexual assault, and domestic violence.

As an advocate for victims, I am honored to be invited to comment today on the importance of protecting public safety while still enforcing our federal immigration laws. Over the years, I have heard hundreds of women and girls tell me stories of exploitation and abuse by men who viciously capitalized on disparities in economic and social status to establish their power and control over their victims.

Among the most vulnerable to this, immigrant women and girls face a number of challenges to accessing help including language barriers, limited resources, inability to work legally, lack of access to public benefits, and fear of deportation.

Many abusers use a woman's lack of immigration status as a potent tool by threatening that their victims could be deported away from their children. This is an all too familiar narrative for my organization's clients, many of whom have been harmed by U.S. citizen men.

Congress recognized this when in 1994 with robust, bipartisan support, it passed the Violence Against Women Act and created in 2000 the U and T visa programs to, I quote, "strengthen the ability of law enforcement agencies to detect, investigate and prosecute cases of domestic violence, sexual assault and trafficking."

These laws encourage victims to report and cooperate with law enforcement to help get violent criminals off our streets and make all of us safer. These critical protections and the public policy goals of community safety they serve are now being significantly undermined because of misguided immigration enforcement policies.

Secure Communities, 287(g) agreements and the like rely on a false narrative. There is no data to suggest that localities with community trust policies has more criminal activity than others.

On the other hand, there is data to suggest that localities with community trust policies have actually achieved a reduction in crime. I heard just a few weeks ago a very compelling story by one police chief who told me that one morning there was a gentleman driving his car with his domestic partner, his -- his girlfriend in the car with him.

She attempted to -- I'm sure was a victim of domestic violence, she was attempting to escape the car. He dragged her back in, slammed the door and shot her right there at 9 a.m. in the morning in broad daylight. The gentleman kicked her out of the car and sped away.

There were only two eyewitnesses to this crime, two undocumented men who were day laborers standing outside a store nearby. When police came to try to investigate the crime and find the man who murdered this woman, it -- they questioned the witnesses.

The witnesses said they would be happy to cooperate but asked for reassurance that they wouldn't be deported. When the police gave them that reassurance, they were able to identify the -- the assailant and were able to apprehend him, and prosecute him, and bring him to justice.

More than 600 jurisdictions nationwide have enacted community policing strategies precisely to serve this goal of enhancing public safety. A recent report concluded that there are on average 35.5 fewer crimes committed per 10,000 people in so-called sanctuary counties than there are in non-sanctuary counties.

For this reason, major policing groups including the Major Cities Chiefs Association have opposed efforts to defund so-called sanctuary jurisdictions.

The policies of the January 25 executive order on interior enforcement are already having a devastating, chilling effect on reporting of criminal activity. In Denver, city attorney Kristin Bronson reported that four domestic violence victims informed her office that they no longer wished to pursue charges against their abusers out of fear that doing so will place them at risk for deportation.

In Los Angeles, Police Chief Charlie Beck said that reports of sexual assaults have dropped by 25 percent and domestic violence by 10 percent among the Latino population since the beginning of the year.

Less than three weeks after the president issued the executive order, ICE agents arrested an immigrant woman outside a courthouse in El Paso, Texas, where she had gone to seek an order of protection from her abuser. The result, fear of reporting spread like wildfire.

Domestic violence shelters in highly diverse areas reported a large drop in the number of women coming in for services, indicating that undocumented victims aren't taking the next steps to escape abusers such as pressing charges or moving into shelters.

One of our clients, who years ago called the police and cooperated with law enforcement after being brutally beaten by her husband while she was pregnant, recently said I needed help and at

that time it was not like now. You believed the police were there to help you, not that they would come and deport you.

Now I would think they would just come and deport me because that is what my husband was telling me, and that is what we are hearing everywhere. That is what we are seeing now, even though I did not commit any crime.

I applaud this committee for taking so seriously issues such as trafficking, sexual assault and domestic violence. I hope your concern spreads to all victims, including immigrants and those victimized by United States citizens. I trust you will direct your outrage towards strengthening laws like VAWA and pursuing policies that will actually protect our society's most vulnerable individuals.

The difficult truth is that policies like Secure Communities and 287(g) will not effectively prevent crime. Instead, they leave perpetrators on the streets. I urge Congress to avoid crafting policies that seem like they could enhance safety but that will, in fact, have exactly the opposite impact. Thank you.

SENSENBRENNER:

Thank you very much. I see the chairman of the full committee is here and without objection I will recognize him for 10 minutes for his opening statement and his questions. Without objection, the gentleman from Virginia is recognized for 10 minutes.

GOODLATTE:

Thank you very much, Mr. Chairman, for your forbearance, and I want to thank all the witnesses for their testimony today.

When the Obama administration sailed off, it left in its wake a systematically dismantled immigration enforcement infrastructure. Through so called priorities defined by the president, not Congress, the administration dramatically scaled back immigration enforcement and allowed millions of unlawful and criminal aliens to remain in the country free of consequence.

By terminating successful programs, including Secure Communities, the administration permitted, if not encouraged sanctuary city practices and policies. This left us with an immigration system more broken, more dysfunctional and far-friendlier to those that fragrantly disregard our nation's immigration laws, especially criminal aliens.

The effects of eight years of not-so-benign neglect of immigration enforcement will be felt for many years. Earlier this month, two students at Rockville High School in Rockville, Maryland brutally raped and attacked a fellow student.

Reports indicate that the perpetrators of this horrendous crime both entered the country as unaccompanied alien minors from Central America, likely drawn here by the Obama

administration's policy of releasing such aliens to their relatives in the United States, often illegally present themselves.

This was a double tragedy because both of its impact on a young girl's life and because it could have been prevented by sensible immigration enforcement. School districts around the country are facing a gang epidemic partly fueled by the Obama administration's policies.

As this case and the countless others demonstrate, illegal immigration is not a victimless crime. Foolhardy jurisdictions continue to pass legislation and implement policies aimed at stymieing Immigration and Customs Enforcement officers from enforcing the law.

The same week as the tragedy in Rockville, a Baltimore City Council member introduced a resolution calling on ICE to only arrest those posing a, quote, "serious risk," end quote. In discussing this initiative, the council member likened ICE officers to Nazis several times. Such rhetoric is reprehensible, creating a moral equivalence between genocide and a nation exercising a fundamental right and obligation of sovereignty.

It is especially ironic given that the United States has long had the most generous immigration system in the world. In a deeply troubling move, San Francisco even announced that it would no longer participate in the Joint Terrorism Taskforce because of concerns that the taskforce's duties may coincide with immigration enforcement.

Sanctuary policies often focus on ICE detainees, notices issued by ICE to allow it to take custody of aliens in law enforcement custody in order to initiate removal proceeding. These irresponsible sanctuary policies have led to a sharp drop in ICE's intake of aliens from criminal detention facilities, which forces ICE agents to engage in the far more time-consuming and dangerous task of picking them up on the streets.

The Trump administration is issuing a weekly report of declined detainer -- detainees nationwide. During the first week of the administration, 206 detainees were not honored nationwide, leading to the release of aliens who were arrested for or convicted of sex assaults, aggravated assaults, arson, robbery and many other serious offenses.

The new administration, only two months old, has already started right the ship. On January 25th, the president signed two executive orders aimed at securing our nation's borders and strengthening interior enforcement of our immigration laws. These executive orders nudge the rudder of this massive ship in the right direction.

I am encouraged that the new administration's enforcement priorities include all aliens who are threats to public safety and national security, and restores the Secure Communities Program. Just yesterday, Attorney General Sessions announced that the sanctuary cities will be ineligible for Justice Department grants.

Progress at the border has been dramatic. The number of illegal aliens apprehended decreased by over 40 percent in the first month of the new administration, by over 60 percent in the second

month. Yet, while this is encouraging, many thousands still make the dangerous trek across the border in order to turn themselves in and game our asylum system.

It is no secret that credible fear and asylum claims have been being rubberstamped with claimants released with work authorization as they await their hearings, some now scheduled for 2021. I applaud the president for addressing bogus credible claims in the executive order.

As much as I am encouraged by what the new administration is doing within the current statutory framework, it also desperately needs new statutory tools to enforce the immigration laws.

Over the past two Congresses, this committee has approved such measures to provide such tools to the administration, including providing that accompanied minors are safely and expeditiously returned home; that the federal government will work with local jurisdictions that want to provide assistance in enforcing immigration laws; that sanctuary cities will lose federal funds curtailing fraud in the asylum process, and to allow for the detention of dangerous aliens.

Sheriff Hodgson, welcome. I appreciate your testimony. I wonder if you could tell us what value do you see in involving local law enforcement in immigration enforcement?

HODGSON:

(OFF-MIKE) Thank you, Congressman.

It is imperative that we participate in local law enforcement. One of the things President Trump made very clear in one of his recent speeches was that -- to -- to -- to the sheriffs was, look, we recognize that you all have your boots on the ground, you have the information, the intimate relationships with the gang activities and the things that are going on, the intelligence we get through the prisons.

These -- these are very important aspects of us working with our federal partners. If we didn't learn anything after 9/11, by the fact that we needed to strengthen our -- our -- our relationships with -- with our federal partners to prevent the citizens of our communities from being victimized.

Look we just had a -- a woman -- a 19-year-old woman whose father had been deported twice, came over the day before Father's day, as she got out of her car and shot killed and her right there at her home. And this -- these are going -- these things are happening all over the country. We need to be able...

GOODLATTE:

Let me -- let me interrupt because I've got a limited amount of time.

HODGSON:

Sorry.

GOODLATTE:

And the Chairman has been very generous. Do you consider state and local enforcement to be competent to assist in the enforcement of immigration laws?

HODGSON:

Absolutely. And I think the Davis-Oliver Bill should be passed in giving us the authority to be able to add...

GOODLATTE:

Thank you.

HODGSON:

... more tools to our toolbox.

GOODLATTE:

Let me turn to Ms. Vaughan. Last week, the Department of Homeland Security released its final Declined Detainer Outcome report. The report demonstrated that in one-week period, January 28th through February 3rd, there were 206 instances of detainers not honored.

What does this report say about concerns for public safety in these jurisdictions? And other than releasing a weekly report, what else can either the administration or Congress do to discourage sanctuary policies?

VAUGHAN:

Well, I think that report validates the concerns that people have had about sanctuary policies, and that the beneficiaries of sanctuary policies are the criminal aliens who get sent back to our community.

There -- and -- and -- and I hope that the public will hold their leaders accountable for those policies now that they have that information.

In addition to denying funding, I -- I think that in some cases, they're going to be diehard sanctuary jurisdictions that want to keep their policies anyway, despite the lack of funding. They want to be martyrs over it.

I think that for the sake of public safety, the Department of Justice is going to have to take legal action against those jurisdictions, potentially seeking an injunction. There may be cases where it would be appropriate to even prosecute local officials who deliberately and knowingly harbor an illegal alien from detection and from deportation.

GOODLATTE:

Thank you. Mr. Arthur, your written testimony discusses a regulation governing confidentiality of alyssum information and dramatically limiting third-party disclosure.

ARTHUR:

That's...

GOODLATTE:

Does -- does this limitation extend to investigators looking into fraud or national security concerns? And what can either the administration or Congress do to aid ICE or another government agency in its attempt to verify pertinent information with a home government?

ARTHUR:

It does. It prevents any disclosure of information that is provided in an asylum application to anyone outside the government. There are very strict limits. But one of the main things that it does is it prevents the information that's provided in the asylum application from being verified with the home country.

There are ways to -- probably the best thing to do would be to amend the regulation to make it clear that biographical information, allegations with respect to arrests can be verified with the home country, but the fact that the individual has actually applied for asylum cannot. So that would be the best way to deal with it.

GOODLATTE:

Thank you. And Ms. Pyati, in your testimony, I noticed you referred to localities that have community trust policies. Would you say that Montgomery County, Maryland, where Rockville high School is located and is a sanctuary jurisdiction, whether that country's community trust policy protected that 14-year-old girl?

PYATI:

First, I want to start by saying that of course what happened to the 14-year-old girl is -- is a tragedy, none of us would have ever expected that to happen and feel horribly sorry for her in what she experienced.

GOODLATTE:

Wouldn't it have better -- been better if those two boys had never arrived in Montgomery County, Maryland?

PYATI:

Well, I think there are two different questions, if I may? Your first question was whether community trust policies would have -- were a part of it at all, and the answer is no. The boys had no criminal record whatsoever before, had never been picked up by law enforcement. And therefore, a community trust policy had nothing to do with that happened that day in that school. Secondly, whether they could have been...

GOODLATTE:

I'm sorry, but it is a violation of the law to cross our border, and so weren't they illegally present in the United States?

PYATI:

They did violate the law by crossing our border.

GOODLATTE:

And weren't they turned over by the previous administration to -- in one case, a parent and the other case an uncle. I know the -- the father of the one boy was also illegally present in the United States.

PYATI:

What happened at the border when they entered is very different than what happened in Rockville, Maryland. What we're talking -- your question to me was in Rockville, Maryland, could -- could the community -- could a defunded sanctuary policy for example have prevented the rape, and the answer is no to that. I think what happened there was completely...

GOODLATTE:

I think enforcement of our laws would have prevented the rape, would it not?

PYATI:

When they came to the border at the southern border...

GOODLATTE:

My time's expired. Thank you, Mr. Chairman.

SENSENBRENNER:

Thank you very much. The Chair recognizes himself for five minutes. Let me begin by making a statement. You know, the whole issue of sanctuary cities is something that is very disturbing

because it is an attempt by those jurisdictions to nullify federal law, and to say that federal law does not apply in the sanctuary city.

Now this country suffered probably the worst trauma in its history when certain states over 150 years ago decided that they had the power to nullify federal law. And there were over half a million people who were killed during the civil war, and I think that the horror of that has been forgotten.

Secondly, you know, I am very disturbed by saying that there are certain types of federal laws that state and local law enforcement do not enforce. You know, I guess I can say that robbing a bank is a federal offense, and I don't think that state and local law enforcement wait for the FBI to come to respond to the bank and try to catch the people who are committing a federal felony in the process of trying to clean out the bank's till.

Now, having that said statement, let me ask you, Ms. Vaughan. Under current immigration law, drunk driving is typically not a removable offense, and neither is most gang activities. Would you favor a change to make those offenses removable so that it is very clear that gang activity and being convicted of a DUI would be a removable offense?

VAUGHAN:

Absolutely. Of -- of course anyone who's in the country illegally is potentially subject to deportation, whether they have been driving drunk or not. But I do think that immigration officers and agents need better tools within the INA to make it easier to accelerate the removal of those individuals and to protect the communities.

SENSENBRENNER:

I know that in my district, there has been at least one real major tragedy where a van of a family that's going to church ended up being hit by a drunk driver, and some, but not all of them were killed, you know, which was a family that could have been prevented.

How about gang activity? You know, we have a lot of people who have been claiming that they're fleeing groups like MS-13 as they arrive at the border. Do any of the witnesses know if there are any people who have made such a claim for asylum that have ended up rejoining MS-13 once they get across the border?

VAUGHAN:

From what I understand and have been told by some local law enforcement agencies, there have been instances that they've learned from gang members who are now incarcerated that -- of course, not all of the youths who have been crossing illegally from Central America are involved with gangs.

But the gangs here know that the policy is so lenient that if someone who's a minor makes it to our border, that they will be allowed to resettle in the country with very few questions asked. So they

have deliberately taken advantage of that policy and used it in order to boost their ranks of cliques here in the United States in order to benefit...

SENSENBRENNER:

OK.

VAUGHAN:

... the gang as whole. So that it is definitely happening.

SENSENBRENNER:

Thank you. My time his running out.

Ms. Pyati, in your written testimony, page one, you say that your center advocates for laws and policies that help immigrant survivors of violence including sexual and domestic violence. Do you advocate for victims such as the Rockville teen?

PYATI:

Absolutely, I do.

SENSENBRENNER:

OK. That's good to know. And how do you do that?

PYATI:

How do we do that? So when -- we do have offices in a number of a countries -- a number of cities around the country. Four different cities, we're opening a fifth. Our work is to meet with victims, understand their situation, hear their stories, know if they have and -- and are eligible for any form of immigration remedy in this country.

Interview them extensively to find out if they, in fact, have a credible claim and one that might survive under the law. And if so, then offer them free legal assistance in order to be able to enter their claim into the adjudication system.

SENSENBRENNER:

OK. And so you -- you don't do, you know, any of the -- the type of counseling that is needed by anyone who is a victim of a sexual assault? You turn that over to somebody else?

PYATI:

We do. Our center offers holistic services, so we have both social workers and lawyers on our staff. And we would definitely offer that kind of counsel for somebody who came to us.

SENSENBRENNER:

OK. So you're -- you aren't proactive in seeking out and offering those types of services, the victim and the victim's family have to come to you rather than you going to them?

PYATI:

We conduct outreach in the community to be sure that individuals know that we are there, where we, you know, where our offices are, what kinds of services we provide. And to make sure that folks know they can come to us. The majority of the people who seek our services have heard about us through word of mouth as well as through our outreach efforts.

SENSENBRENNER:

Thank you very much.

Gentlewoman from California, Ms. Lofgren.

LOFGREN:

Thank you, Mr. Chairman. Just a couple of observations. You know, I -- I think it's a mistake to use the tragedy on 9/11, I mean where 19 Saudis during the Bush administration entered legally the United States with visas, and then had brutally attacked and killed Americans with a reason to deport nannies and farm workers in 2017. The two do not compute.

Just in terms of the sanctuary city issue. You know, there's no definition really of what a sanctuary -- so-called sanctuary city is. But 8 USC 1373, which really originated out of this committee before it became law, does not require localities to hold people whose -- who are otherwise to be released to detain them.

Nor does it require states and localities to collect information. That would be beyond the authority of the federal government to commandeer states and localities to do that.

I'm wondering, Ms. Pyati, the detainers that were outlined in the Detainer Outcome Report -- in jurisdictions where the controlling federal court ruling, such as the 4th Circuit, has said compliance with those detainers is an unconstitutional violation of the 4th Amendment, what -- what exposure would a locality have if they did what the attorney general said in a jurisdiction where the Circuit has said that violates the 4th Amendment?

PYATI:

Thank you for your question, Congresswoman. Certainly, the local jurisdiction has complete exposure. The federal courts have ruled that detainers that hold individuals after they have been

released, or could be released by the criminal system for civil law infractions such as immigration law infractions are -- invite -- it's a seizure that goes well beyond the 48 hours often, and that constitutes a violation under the 4th Amendment.

And that is the local jurisdiction that is on the hook for that. And so they absolutely would have full and complete exposure there.

LOFGREN:

Just a couple of other observations, and then, you know, maybe a question. Clearly, I mean the police chiefs and the police officers who I know in my -- in the district I represent are against criminals. I mean that's why they're in police work. I mean that's why it's -- they are called to do that. In -- in Santa Cruz recently, there was an effort, the sheriff actually sent his officers out with ICE agents because they were going to do an anti-gang activity.

And what he found out, at least what the -- the law enforcement official said was he'll never deal with ICE again because instead of doing an anti-gang activity, they did just general immigration enforcement. Now they can't get immigrants to call in to report crimes, they can't get people to be witnesses.

So I do think the distinction between federal and state obligations is an important one. Even though we often use -- I mean for example, DUI was an enforcement priority under the Obama administration. You had a DUI, you're going to be deported under the Obama administration.

So I guess the question is what is that distinction? I've had complaints out of California that ICE agents are putting the word police on their jackets, even though they're not police. And the police are -- are greatly concerned about this because it muddies up who's doing what.

Do you think that there is -- when we talked to the secretary of Homeland Secretary about this issue and explained that the -- the sheriff in Los Angeles and the police departments all over California, I mean that -- because that's where I'm from, are complaining about this, he just said well, he didn't care.

Do we have any -- what are your thoughts on that, Ms. Pyati? Do we have an opportunity do you think to -- to remedy this? Would this be a problem with ICE agents having police on their jackets when it comes to domestic violence and sexual assault cases?

PYATI:

I appreciate your question, Congresswoman. Certainly, I think any time we commingle local law enforcement with immigration enforcement, we are -- we are in a very dangerous game. There are definitely officers wearing vests that say police and it doesn't make clear that we're talking about immigration police, wandering around in -- in the streets.

And we saw this at times in the Obama administration and we're seeing it now in this administration. What we see is when people are in the community, let's say in a home and afraid, I'm not going to pick up the phone and call 911 if I'm not sure who's going to show up at my door.

What I need to be sure of is that if my child is watching me be hurt, when I call 911, the two -- my child and I are going to find safety and we're going to find protection. And then gentleman who's hurting me, whether he's my husband or -- or -- or family member could be armed, could be dangerous, could be intoxicated, could be a danger to others in the community, and that person is actually going to need justice.

If I'm too scared to called 911 because I'm worried that because of who I am, where I'm from, what my national status is or the color of my skin, I'm not going to get fair treatment, safety and protection from my local police, then all of our less safe.

LOFGREN:

Mr. Chairman, my time has expired and I yield back.

SENSENBRENNER:

OK. Thank you.

The gentleman from Texas, Mr. Smith.

SMITH:

Thank you, Mr. Chairman. Mr. Chairman, many members of Congress and as far as that goes, many members of the media often say that immigrants are no more likely to commit crime than other individuals, but that in my view is a misleading statement because they don't distinguish between illegal immigrants and legal immigrants.

When you look at the crimes committed by illegal immigrants, you find out that, for example, 35 percent of the individuals who are sentenced for federal crimes are illegal immigrants, 35 percent.

Well, illegal immigrants are 3.5 percent of the population. So that means they are 10 times more likely to be sentenced for a federal crime than other legal residents. Ten times. And that's why we say, rightfully, that illegal immigrants are disproportionately dangerous to innocent Americans, and dangerous to our communities, and dangerous to our neighborhoods.

Sheriff Hodgson, let me address my first question to you. And thank you for your strong testimony on -- on sanctuary cities. Another figure that I know you're familiar with is that about a third, 30 percent or more of those who are released, the criminal immigrants who are released back into our communities, are rearrested for another crime.

And the fact that we have law enforcement officials sworn to uphold the law intentionally releasing these individuals into our communities really makes me think that they're an accessory to the crimes that these illegal immigrants go on and additionally commit. It is just inexcusable.

My question is this, and you've had so many good years of experience, what should the federal government do about the sanctuary jurisdictions that intentionally release these dangerous individuals back into our communities?

HODGSON:

(OFF-MIKE) Thank you -- thank you, Congressman.

What I believe they should do is in those instances, we cannot say that -- that elected officials who have taken the same oath that we have can decide which laws they're going to follow or not. They should be held to the same standards of accountability that we are.

In those instances where they're intentionally harboring and concealing people they know to be in the country illegally, they should have federal warrants issued -- arrest warrants issued for them, no ifs, ands or buts.

SMITH:

OK. Thank you, Sheriff.

And Mr. Arthur, welcome back.

ARTHUR:

Thank you, sir.

SMITH:

A question for you? What programs are most abused by illegal immigrants to try to wrongfully stay in the United States?

ARTHUR:

Anecdotally, it would appear that asylum is probably the number one source of fraud in the system. Part of the problem, Mr. Smith, is the fact that there are no hard and fast studies on fraud in the system.

GAO did an analysis back in 2002 in which they found that nobody could really estimate how much fraud there was. Don Crocetti, who had been the head of FDNS, the Fraud Detection National Security director at CIS, testified before this committee back in the 113th Congress, I think it was, and indicated that a study had been undertaken that had found a fairly significant amount of fraud, but that it had never been completed for various reasons within CIS.

And so there is marriage fraud, there is -- there are other forms of fraud, but it -- just based on the number of credibility determinations or adverse credibility determinations and application, it would be asylum.

SMITH:

OK. Do you think it's this major problem or a minor problem, the degree of fraud?

ARTHUR:

I would always do a credibility determination in every case that I did, do in every asylum decision that I issued, whether I granted or denied. And I would probably guess that in the -- probably in a fairly large number of those cases I made adverse credibility determinations that were sustained by the board of immigration appeals in the 3rd Circuit where I sat.

SMITH:

OK. Thank you.

Last question, Ms. Vaughan. What are the three policies that you feel would be most effective in keeping criminal immigrants off our streets and out of our neighborhoods?

VAUGHAN:

I think the most effective policy would be, first of all, for ICE to make better use of the accelerated forms of due process. ICE also -- ICE agents and officers need to be empowered to use detention...

SMITH (?):

(inaudible)

VAUGHAN:

... as the law allows.

SMITH (?):

(inaudible)

VAUGHAN:

And I think that it -- we need to take action against the sanctuaries because they've been releasing a thousand criminal aliens a month for years now and those -- we know that they go on to reoffend, and it's a significant public safety (inaudible)...

SMITH:

And like I said, over 30 percent are rearrested for additional crimes.

VAUGHAN:

I've heard even higher over longer periods of time.

SMITH:

Yes.

VAUGHAN:

That they're comparable to the re-offense rates of all criminals.

SMITH:

OK. Thank you, Ms. Vaughan. Thank you, Mr. Chairman.

SENSENBRENNER:

The time of the gentleman has expired.

The gentleman from Michigan, Mr. Conyers.

CONYERS:

Thank you very much, Mr. Chairman. I thank the witnesses.

Let me turn to the chief of policy and programs at the Tahirih Justice Center. Ms. Pyati, many of the witnesses on this panel have argued that community trust policies encourage lawlessness and create an environment where undocumented immigrants are allowed to commit acts of crime, violence and terror. What's your response to such a claim as that?

PYATI:

Thank you, Congressman. My response is quite simply that when we talk about so-called sanctuary cities and those communities, we have to be very clear that the more 600 jurisdictions that have adopted these types of policies has adopted a very wide-range. And so it would be really impossible to say that they all are engaging in one type of practice or another.

Some of the -- of the jurisdictions are 100 percent cooperating, but they also offer protections for those who might call 911 or come into an emergency room seeking -- seeking life-saving emergency services.

And so the -- the range of policies is really quite dramatic. It would be very difficult for us to try to make any generalizations about what could be happening on -- on a level with crime in all of these jurisdictions that make some sort of statement that it's making us all less safe. I think that that is an unfair characterization and one that in -- in fact will leave more criminals on our streets if we're not very careful.

CONYERS:

Now with your experience, do you think that immigrants are more likely to commit crimes in areas with community trust polices?

PYATI:

I don't know, Congressman, honestly, that anyone has measured whether there's a likelihood of committing crime in a certain area or not. I do think that our likelihood of catching criminals and actually keeping communities safe, especially of preventing crime is much higher in a community that has a community trust policy.

Law -- local enforcement officers know what they're doing, and they know that when they are trying to keep a community safe, making sure that when they walk around town, when they go to community events, when they patrol apartment buildings, when they are speaking with members of their town, that they are getting real information.

When they say who is -- who is likely to be committing an offense, who is a criminal in your neighborhood, they need that information from the community in order to be able to make arrests and, you know, watch for crime and protect -- and protect its citizens and non-citizens in the community.

If there is a barrier put up between local law enforcement and the community, there's no way for them to do their job effectively. I don't think we can effectively measure, in fact, if I may, Congressman, how much crime has honestly been prevented by these community trust policies.

It would be hard to say thousands of crimes, for example, didn't happen because people called the police and trusted the police. It's much easier to pick out the one or two crimes we have seen across America and really shine a light on those than it is to really weigh the benefit of these community trust policies. We can only take our law enforcement officers' word for it.

CONYERS:

Yes. Thank you.

PYATI:

Thank you.

CONYERS:

My last question is my infamous three-in-one question. Three questions in one. Have you worked with law enforcement agencies on strategies to combat domestic violence? What specific challenges have these agencies shared as it relates to criminal arrests and prosecution within the immigrant community?

And finally, how do you think the Trump administration's approach to withhold federal funds will impact on these local law enforcement efforts? And I'll be happy to repeat any of them if necessary. I don't think you'll need that.

PYATI:

I -- I did take notes, Congressman. Thank you.

I do -- our organization does definitely work with law -- local law enforcement agencies across the country, and I know many other organizations like ours do as well.

What we do is we communicate with local law enforcement, we provide training on immigration law and on how to recognize victims in the community. We also work with them to identify different cultural barriers that might exist between local -- local law enforcement officers and members of a community so that they might break down those barriers and find ways to actually get critical, vital information from those in a community.

Some of the specific challenges we've learned involve a number of those that I -- I cited earlier as challenges that the victims face. So it's a two-way street. Whether it be language barriers, cultural barriers, you know, many -- many undocumented immigrants come from environments and other countries where trusting law enforcement is not smart. Where when you talk to a police officer as a rape victim, for example, you might, yourself, be re-victimized.

And so to say to a woman, as I have had to, honestly these armed and uniformed police officers are here to help you takes a lot of courage. I mean not -- not on my part. It takes a lot of courage for the victim to look at me, and believe me, and trust me, and want to work with local enforcement.

So those are the challenges we've heard from law enforcement officers. We've also heard about those who -- who prey on immigrant communities. We've heard about -- from local law enforcement officers, we've heard about a notarios. We've heard about people who hold themselves out to be either legal representatives or members of the government.

Since the Trump administration has come into power, there are a number -- the -- the executive orders have actually led to a sense of mistrust and fear in the community, but it's also led to a number of people standing outside apartment buildings for example.

In one community I heard this -- I've heard this from several actually, saying, you know, we are with the immigration and we're here to ask you questions. We'd like to see your papers. And then all of a sudden, you have people kind of trying to steal identity and trying to take information from law-abiding members of the community.

So specific challenges law enforcement faces involve really policing in a cooperative way in communities that historically have not felt included in law enforcement efforts.

And the Trump administration honestly, the -- I think coupled -- the actual executive orders that came in January coupled with rhetoric honestly from the campaign trail together have led to a sense of fear among community members. Also a sense of confusion. What -- what are our rights? Where can we go for help? Who can we call?

Advocates have been calling us from around the country, thousands actually asking us so if a victim tells me she's been raped several times by her husband and he's actively beating her, do I tell her to call the police or not? We don't know.

These are strategies we have for decades now been so lucky to have in this country, the opportunity to tell victims, look, America understands that violence is something we need to prevent. We have laws for that. Call your police officer, he or she will help you. We don't know what to say anymore.

CONYERS:

Thank you.

SENSENBRENNER:

The time of gentleman has expired.

Gentleman from Arizona, Mr. Biggs.

BIGGS:

Thanks, Mr. Chairman. And thank you, Mr. Chairman, for convening this committee hearing today. It's important and I appreciate all the panelists for being here.

One of our panelists recently indicated that one or two crimes -- we shouldn't focus on one or two crimes that we've seen across America, and yet in one recent 15-month period in Maricopa County, the largest county in Arizona, more than 3,600 criminally violent, illegal aliens were released back on to the streets of the -- of the state's largest county

There are two things to point out about that. We know they were criminally violent because they had been in the system charged and convicted of crimes, and yet they were released without being deported.

And so I'd appreciate it, particularly Ms. Vaughan, mentioning that Grant Ronnebeck case where Grant was an unfortunate 21-year-old convenience store clerk had been brutally shot and killed for failing to deliver a pack of cigarettes to a -- a criminally violent, illegal alien who had been convicted and yet was on the streets of Maricopa County.

And that's why I introduced Grant's law here in Congress, which should pass. It is a no-brainer, and it requires the very accelerated due process requirements that Ms. Vaughan has mentioned to deport these criminally violent, illegal aliens from our country within 90 days.

I wanted to talk specifically with regard to -- to you, Ms. Vaughan, with regard to the apprehension rates reported. If we were to look at the apprehension rates, historically, we would see that there were consistently over a million people, sometimes more than 1.5 million people actually apprehended at the border, and -- and that began to slow down. And 2006 was the first -- 2007 was the first time reported apprehensions actually began declining below 1 million.

But all experts talk about apprehensions -- border apprehensions, and this is the southern border. The first is the multiplier effect of people who actually cross and remain in the country. That those numbers have been -- the lowest number I've ever seen reported was opined by several U.S. senators to be about four times the actual apprehension rate.

Last year, 415,000 illegal aliens were apprehended at the southern border, more than half were other than Mexican nationals coming into this country.

So I guess my -- my question for you is if you please comment on the multiplying effect, and whether the numbers were accurate for that 10-year period under the Obama administration where we saw the actual apprehension rate dipped as low as 330,000 in two -- in 2015, whether that was accurate and how that -- and in the reporting please?

VAUGHAN:

Well, unfortunately, the Border Patrol does not have full situational awareness to know that important number of who was not apprehended. There was a very credible study that was done, commissioned by DHS, that found that in 2015, the estimated apprehension rate of people trying to cross illegally was only 54 percent.

So, you know, that suggests that there's at least one person succeeding for everyone who's caught. This is -- and there is also a low apprehension rate of people trying to enter illegally at the legal ports of entry, people getting through in car trunks or as impostors or whatever.

And most concerning, there is the high rate of people who are caught by the Border Patrol, but who were allowed to enter anyway, either, you know, because of policies or because of the prioritization policy imposed on the Border Patrol in November 2014 where -- where they were told, you know, to -- to let people go if they claimed to have been here before January 2014.

The head of the National Border Patrol Council has said that at that time he estimated the Border Patrol agents were letting as many 80 percent of the people that they encountered stay in the country.

BIGGS:

Thank you. And Sheriff Hodgson, thank you for being here as well. You know, we -- we previously talked about drunk driving and gang membership being disqualifiers for remaining in this country.

I always want to relate the story of Brandon Mendoza, Mesa's police sheriff -- or excuse me -- police officer who was driving in 2014 -- March of 2014 -- almost exactly two years ago, when an illegal alien who had been apprehended at least three times, once committing crimes in Colorado, was -- had a legal -- blood alcohol limit over three times the legal limit in Arizona and had driven on a freeway the wrong way for 33 miles when he hit Officer Mendoza's car and -- and killed him tragically.

SENSENBRENNER:

The time of the gentleman has expired. Will he ask his question?

BIGGS:

Yes, thank you. My question is do you think enforcement of immigration laws by local agencies have a chilling effect on community participation or reporting of crimes?

HODGSON:

Congressman, I don't -- I don't think. I believe that the -- the crimes that are happening in our communities -- if illegals are not going to report those crimes, it's no different than what happens in -- in America with criminals -- people who have done something wrong.

I don't understand why people have a problem with people feeling afraid that they've done something wrong in this country. If you have done something wrong, you should feel afraid and you should be concerned if you violated the laws.

And so I don't -- I don't think any more than anyone else in our country, if you've done something wrong, there are going to people who won't come forward. There are others who will. But the realities are that these things are happening in every community throughout the United States.

SENSENBRENNER:

Thank you very much.

Gentlewoman from Washington, Ms. Jayapal.

GUTIERREZ:

Sorry, Mr. Chairman, I'm here.

SENSENBRENNER:

I call on people in the order in which they appear for the committee. Ms. Jayapal appeared before you.

GUTIERREZ:

I was -- I was here when everybody was -- when everybody started.

JAYAPAL:

I can yield.

(UNKNOWN)

He can't wait.

GUTIERREZ:

OK. I know you don't want to hear from me, but I was here. You know, I (ph)...

SENSENBRENNER:

Oh, I'm always happy to hear from you, Mr. Gutierrez.

GUTIERREZ:

Well, then you should follow regular order. I was here, present.

SENSENBRENNER:

Well, I -- this is...

GUTIERREZ:

I listened to all four of the witnesses. I was here for all of their testimony.

SENSENBRENNER:

OK. Well, I just got a list from the staff on who appeared at what order.

GUTIERREZ:

They make mistakes.

SENSENBRENNER:

They must have made a mistake.

GUTIERREZ:

They made a mistake.

SENSENBRENNER:

The gentleman from Illinois is recognized...

GUTIERREZ:

(inaudible)

SENSENBRENNER:

... for five minutes. And would you please reset the clock...

GUTIERREZ:

Thank you.

SENSENBRENNER:

... so you get it all.

GUTIERREZ:

Well, want to make sure. We can talk about the Sensenbrenner Bill. Let's start. I mean maybe we should start right there. It was so popular, you don't even want to talk about it. But let's go on to some other stuff.

Number one, here we go again. It doesn't change. Ms. Vaughan, she's always here. She's a regular. She'd be out of a job if we fixed this problem. And we can fix this problem, but she'd be out of a job.

Sheriff, they kind of rotate the sheriffs that come and kind of say what you say all the time. Judge, you're a new experience here. Thank you for the advocacy for our immigrant community.

It all kind of changes here, but it really doesn't -- we're not here to solve a problem. We're here to say that immigrants are drunk drivers, murderers, rapists and what else -- and gang members, because it doesn't change. But that shouldn't surprise us since we have a president that said that all Mexicans are murderers, drunk -- rapists and drug dealers.

SENSENBRENNER:

The gentleman from Illinois...

GUTIERREZ:

And got away with that.

SENSENBRENNER:

... will comply with the rules in referring to the president.

GUTIERREZ:

OK, I'll say Donald Trump, is that OK?

SENSENBRENNER:

Ah, no, it's what you said whether it's President or Donald Trump.

GUTIERREZ:

But he did say it.

SENSENBRENNER:

The -- the gentleman from will comply with the rules and not cast dispersions on the president...

GUTIERREZ:

No (ph) -- OK.

SENSENBRENNER:

... because those are rules of the House.

GUTIERREZ:

I'm going to -- let me just repeat that.

SENSENBRENNER:

And the gentleman from Illinois knows that.

GUTIERREZ:

But -- look -- let me just repeat that. We have a president of the United States that said, and I can bring the YouTube video, that Mexicans are murderers, rapists and drug dealers. Fact? Good. Let's move on.

So it doesn't really surprise me the conversation we're having here. So (ph) it's not looking for a solution, it's looking for a demonization of a community of people to score political points, and not to resolve it because we could resolve it.

We can resolve this problem, but we don't resolve this problem. Just like we don't resolve the health care issue in this country. We don't resolve it. We want to make a political point about the health care issue in this country because if we wanted to resolve it, we could do it.

See what we have here is people that say how do we expect to restore Western civilization with other people's babies. That's what we have members of Congress saying. And that's part of what goes on here. It's a demonization. It's other people's babies.

It's this constant -- which I have to say, the president's paying one big role in all of it because you see today there are millions, at least 5 million, American citizen children who live in fear of their federal government.

Live in fear of their federal government because people go around calling their moms and dads murderers, rapists, killers, drug dealers and drunk drivers. Millions of American citizen children. Shame on us for not responding.

You know what those murderers, rapists do every weekend now under this administration? They go see lawyers so that they can prepare in the eventuality that they're deported and separated from their American citizen children. That's what they're doing.

Filling out guardianship papers. Filling out who's going to get the car. How do you deal with the house? How do you deal with the contingency? What family member is going to be there?

Shame on us for not resolving this problem and leaving a legacy of abuse against those 5 million American -- since everybody wants to talk about the undocumented, which you call illegal, right? I want to talk a minute about those that are here legally in this country. Those American citizen children, and that's what we do.

And so we sit by smugly and we talk about 9/11, but we have a Muslim ban and they didn't even include Saudi Arabia in the Muslim ban. Yet, last time I checked, every last person that attacked this country was from Saudi Arabia. You know what it is? It's politics. Because also they want to make us afraid of who? Of the Muslims. So they have a Muslim ban. They call Mexicans one thing, Muslims another thing.

And then they said, oh, we're going to leave the gay people alone. And so they decided that transgender children and the transgender community would be one that we are going to attack. That's what happens here. And so we do not resolve the problem.

We could resolve this problem because I happen to know for a fact that there are over 60 members of the Republican Caucus who today would vote for a comprehensive immigration reform bill.

Today. But we're not allowed to vote for that bill. And you know what evidence I have? Check last week.

Why? Because you have radicals on that side of the aisle who say we will not allow there to be a vote on an issue. So they withdrew their own immigration bill. That's why we can't deal with this.

We can deal with it in the Senate. We have 68 senators come together in the summer 2013 to help solve this problem. And how could we do it? It's quite easy we could do it because what you do is -- see what we all know, Sheriff, here's what we all know. The resources do not exist of the federal government to pick up, to jail and deport 11 million people.

SENSENBRENNER:

The time of the gentleman has expired.

GUTIERREZ:

You know what they can do? Insist on bringing fear to those people.

SENSENBRENNER:

The time of the gentleman has expired.

GUTIERREZ:

Shame on all of us.

SENSENBRENNER:

The time of the gentleman has expired. He can see the clock up there like all the rest of us. The gentleman...

GUTIERREZ:

And you took -- Mr. Chairman, you took at least 15, 20 seconds admonishing me for something.

SENSENBRENNER:

No, no. If you were listening to me, mister -- gentleman from Illinois, I asked that the clock be reset.

GUTIERREZ:

No, no. You -- you reset it one time.

SENSENBRENNER:

So...

GUTIERREZ:

But not during the second intervention. And there's a video of this.

SENSENBRENNER:

OK. Well...

GUTIERREZ:

OK, what?

SENSENBRENNER:

Now you know why we have difficulty reaching a...

(UNKNOWN)

Mr. Chairman, I asked unanimous...

SENSENBRENNER:

The gentleman...

(UNKNOWN)

... Mr. Chairman?

SENSENBRENNER:

The gentleman...

(UNKNOWN)

Mr. Chairman?

SENSENBRENNER:

The gentleman...

(UNKNOWN)

Mr. Chairman?

SENSENBRENNER:

... from Iowa, Mr. King.

KING:

Thank you, Mr. Chairman.

(UNKNOWN)

I'd ask unanimous consent that Mr. -- Mr. Gutierrez be given an additional minute.

(UNKNOWN)

I object.

(CROSSTALK)

(UNKNOWN)

I object and I ask for...

(CROSSTALK)

SENSENBRENNER:

The objection is heard.

(UNKNOWN)

... (inaudible) regular order.

SENSENBRENNER:

The gentleman from Iowa, Mr. King is recognized for five minutes.

GUTIERREZ:

Shame on all of us.

KING:

Thank you, Mr. Chairman. I would note that I was watching that clock and you did reset it out courtesy, and I would point out also that there was a complete and utter rebuttal, I'll call it a pre-

buttal, of Mr. Gutierrez's statement on November 8th. The American people went to the poles and said we want the law enforced and we want our streets safe.

And so I want to first turn to Mr. -- to Sheriff Hodgson and point in your testimony under your introduction, it says the human costs and emotional impact of crimes committed by illegals is beyond measure. Could you speak to that, I know it's a thoughtful statement?

HODGSON:

Congressman, my -- I can tell you in one community in Massachusetts -- in Milford, Massachusetts, there were three people killed by illegals in the small community of Milford. We're seeing these situations happening all over the country. And this -- there's nothing wrong with us enforcing the laws that are on the books.

And you can't ask law enforcement -- look if there -- if there are members of the legislature that want to change the laws in Massachusetts or wherever, come here and lobby Congress, but don't else that we have to violate our oath and allow our citizens we're protecting to be exposed to greater risks. That's what going on in Congress (inaudible).

KING:

Thank you, Sheriff. And you pointed out also the Facebook post that gave a heads up that ICE agents were coming into the community, and I want -- I -- so I opened up the -- the federal code here, USC 1324, and I want to read this into the record. And I want to -- I want to ask you and others what you think about prosecuting under this that individual or any individual. This -- and this is 8 USC 1324. Any person who, and I'm going to cut out the irrelevant language.

Any person who conceals, harbors or shields from detection, or attempts to conceal, harbor or shield from detection, or any person who encourages or induces an alien to come to, enter, reside in the United States knowing that such coming to, or enter your residence is or will be in violation of law, or who engages in any conspiracy to commit any kind of the proceeding acts, or who aids and abets the commission of any of the proceeding acts is guilty of the violation of this statute.

And if they did it for a financial gain, facing a 10-year penalty. If it wasn't for a financial gain, a five-year penalty. Sheriff, you looked at that section, I know.

HODGSON:

Congressman, I've been repeating that section every chance I get because the truth is the law is the law. It's up to five years per illegal alien in that case. And I've called for actually in the case with the Boston mayor and the mayor of Summerville, Massachusetts, came out and said I will use city hall if I have to to violate federal law and protect these people as well as in Summerville where the mayor said I'll open my home.

My answer to that was act on Title 8, Section 1324. Issue arrest warrants, and we'll figure out real fast how popular sanctuary cities will be in this country.

KING:

I absolutely agree with you, Sheriff.

And I turn to Ms. Vaughan. And you made a statement, there may be cases where we need to prosecute local officials. Where you -- did you have this section in mind when you made that statement?

VAUGHAN:

Yes, indeed. Yes, indeed.

KING:

And is it your advocacy -- do -- do you concur with Sheriff Hodgson?

VAUGHAN:

Yes, I do. When a -- when a judge takes an illegal alien out the side door of a courthouse to avoid ICE, when a jail does not permit ICE access to the jail to interview inmates, when an -- a law enforcement agency receives a detainer that gives probable cause to hold a criminal alien and they have information on that individual's crimes, all of those are shielding illegal aliens from ICE knowingly.

KING:

And when a -- when a judge facilitates that kind of escape from their chambers, you're -- you're suggesting specifically a USC 1324...

VAUGHAN:

Yes.

KING:

... as a means to enforce?

VAUGHAN:

Yes. And there are penalties there, especially when that individual who was shielded goes on to cause further harm in the community and -- and -- and potentially creates new victims, or -- or does in fact after their release, as we know has happened. These are not isolated cases.

KING:

And there is a means where this Congress can act on their own without a presidential signature, and that -- and what I'm thinking of is the impeachment of such judge. What's your advice to us on that?

VAUGHAN:

Well, I -- I don't know the law with respect to the standards for judge impeachments, so I -- I'd have to...

KING:

We set the standards according to the constitution. So under those terms?

VAUGHAN:

I think that would be an effective deterrent to try to nip this problem.

KING:

Mr. Arthur?

ARTHUR:

I'm not aware of any case law that does that, but one thing that -- or that would advise that, I don't know of any that wouldn't. But one thing that I would say, Mr. King, is that the job that we ask our ICE officers to do is a difficult one, and when it is subverted by individuals deliberately, I don't -- I am not familiar with this specific case, it just makes that job more difficult.

And here's really the crucial part of that. If it's a public place and the officer has the opportunity to make an arrest, generally it's a controlled situation. If the officers have to go the home of that individual, it's not a controlled situation anymore.

My uncle, my aunt were both law enforcement officers in the city Baltimore for many years. The worst thing that any police family can ever hear is that their loved one's not coming home. And if you put -- if -- if you put an agent in harm's way, I don't understand that so...

KING:

Thank you, Mr. Arthur.

My time...

SENSENBRENNER:

The time...

KING:

... and I yield back.

SENSENBRENNER:

The time of the gentleman has expired. The gentlewoman from Washington, Ms. Jayapal is now recognized.

JAYAPAL: Thank you, Mr. Chairman. And thank you to our panel for being here. I must say that I have had a -- a challenge listening to our majority witnesses today. I have worked on immigration issues for the last 20 years of my life. I've been on a domestic violence agency board for many years.

And I appreciate the testimony of Ms. Pyati in really trying to set the record straight about exactly why we have a division between federal law enforcement, immigration law enforcement and -- excuse me -- between federal law enforcement and local law enforcement.

And there is a very specific reason why there are 600 jurisdictions across the country who have actually said the role of local law enforcement is to enforce public safety, not to get involved in federal immigration laws enforcement.

And some people don't realize this, but I think it's worth saying again for anybody who might be watching this hearing, and perhaps some of you on the panel, but our federal immigration system is a civil system. It is not a criminal system. It is a federal system -- it is a civil system.

So when somebody violates immigration laws simply for being here without documented presence, that is a civil offense. It is not a criminal offense. And I would like to set the record straight for, I believe it was Mr. Smith who was talking about federal sentencing rates, and I just want to be clear about something.

Federal sentencing rates are not a reliable indicator of criminal offenses because more than half of federal prosecutions, 52 percent in 2016 are for immigration-related offenses that include illegal entry, which is a misdemeanor or illegal reentry which is considered a felony. That has happened over the years as we have criminalized undocumented presence in this country instead of passing comprehensive immigration reform.

Now there is one thing that Ms. Vaughan said that I agree with, which is some things can only be done by Congress. Yes. Comprehensive immigration reform is one of the things that can only be done by Congress.

And in fact we had bipartisan agreement for that comprehensive immigration reform in 2013 where 68 senators agreed that we should pass an immigration reform bill because they understand the hypocrisy of a country -- the hypocrisy of a country that utilizes the labor of immigrants -- if you eat fruits or vegetables, you utilize the labor of immigrants. If you stay in hotel rooms, you utilize the labor of immigrants.

There are numerous places across this country where you simply cannot wake up in the morning without utilizing the labor of undocumented immigrants that have been building this country. So that would be a solution that we should really move towards.

Now I want to talk about -- quickly -- about immigration detainers, and then ask Ms. Pyati a question about domestic violence and victims of crime. The overwhelming number of sanctuary jurisdictions are not violating the law. Let us be very clear about this. The vast majority of sanctuary policies, if you look at the Constitution and USC 1373 do not prevent citizenship and immigration status information from being shared.

And in fact, when we worked on these sanctuary policies in my home state of Washington, my prosecutor, Dan Satterberg, who I'll -- I'll quote from in a second, as well as our local police chiefs have been terrific about understanding that their mission is to promote community trust. And that they can only do that if they pass policies that ensure the people understand they're not enforcing immigration law, they are trying to protect public safety.

And I wanted to read to you what the -- what our association, the Major Cities Chiefs Association stated. "Immigration laws are very complex and the training required to understand them significantly detracts from the core mission of local police to create safe communities."

And recently, our county prosecutor published an op-ed in the Seattle Times where he said, "From my position as King County prosecutor" -- this is a prosecutor. "I can tell you that these actions have the opposite effect for crime victims." And he's talking specifically about the -- about all of the immigration executive orders that this president has signed.

And here's what he said, "When victims of crime are afraid to trust police and the courts, the only winners are violent people because our top mission is public safety, this 'crackdown'" -- in quotes -- "is an immediate and serious concern to those of us who work to protect our residents."

So, Ms. Pyati, could you tell me in your opinion, is local law enforcement qualified to act as immigration enforcement agents?

SENSENBRENNER:

The time of the gentlewoman has expired. Ms. Pyati, why don't you answer her question?

PYATI:

I'll answer quickly, Chairman, thank you.

I don't -- I don't believe they are. Thank you, Congresswoman for asking the question. The immigration code is huge, some compare it to the tax code in its complexity and diversity of issues it tackles. Just like I wouldn't ask my doctor to fill out my taxes, I don't want the person who's in charge of my safety to be also spending his time worrying about the immigration law. Immigration law should be enforced by the federal government, not by our local police.

JAYAPAL:

Thank you, Ms. Pyati.

And, Mr. Chairman, if there's no opposition, I would like to introduce for the record the statement from our Supreme Court justice on this issue in particular as well as an additional statement from our -- well, just that statement.

SENSENBRENNER:

Without objection.

JAYAPAL:

Thank you.

SENSENBRENNER:

The gentleman from Idaho, Mr. Labrador?

LABRADOR:

Thank you, Mr. Chairman. And thank you to each of the witnesses for being here today.

Since being elected to Congress in 2010, I have consistently advocated for some form of immigration reform. And I've consistently advocated for achieving immigration reform by addressing each aspect of our immigration system separately and in order. That makes sense to the American people.

I believe that before we can address those who are currently here illegally, or how to best modernize our visa programs, we must act to ensure that our immigration laws are being properly enforced. That must come first. This requires Congress acting to provide those who enforce our immigration laws with the tools and support they need to accomplish their mission.

Mr. Arthur, I just want to ask you a quick question because I hear this again and again and again. As a former immigration judge, is entry into the United States without documentation a crime or not?

ARTHUR:

It is a misdemeanor.

LABRADOR:

It is a misdemeanor. So I just get tired of hearing that it's not a crime. It is a crime, whether you should -- you want to enforce that law -- you -- you -- we can have that discussion here in Congress, but it -- it is a misdemeanor to come into the United States illegally.

Ms. Vaughan, why have interior removals declined so much in the past several years?

VAUGHAN:

Because of deliberate policies that were put into place by the Obama administration to greatly restrict the types of cases that ICE officers could pursue for deportation, and that exempted the -- according to one former ICE official, 99 percent of illegal aliens who were here.

LABRADOR:

So what message has this decline sent to those who would enter our country illegally, or who have entered illegally

VAUGHAN:

It sends the message that if you can get here, in all likelihood, you won't be subject to deportation.

LABRADOR:

So have we seen a difference in the last few months over that -- the messaging and -- and the results at the border?

VAUGHAN:

There are some signs according to the statistics that have been released by CBP that apprehensions as a measure of attempts have dramatically declined over the last two months, and that the smuggling prices have risen, which is taken as an indicator that it's much harder to do now.

LABRADOR:

Mr. Arthur, you testified about the impact that President Obama's execution actions had on ICE's ability to carry out its mission. Recently, President Trump has tried to reverse the damage done by President Obama's action.

While I applaud these actions, I believe that Congress needs to act to ensure that we will not continue to have dramatic shifts in enforcement policies. I don't want one president to do one thing, and another president to do something else.

What can Congress do to ensure that future presidents are not able to unilateral -- unilaterally alter or dramatically change the interior enforcement activities?

ARTHUR:

Any amendment to the Immigration and Nationality Act would limit the ability -- would have language in it -- mandatory language that would limit the ability of any future president to do something other than what it is.

With respect to inadmissibility that the secretary of Homeland Security shall take into custody and shall remove any individual for example. You could put mandatory language in 237 and in 212 of the Immigration and Nationality Act.

LABRADOR:

And you can put...

ARTHUR:

In detainer language as well.

LABRADOR:

Thank you.

Ms. Vaughan, I am very concerned about the number of visa overstays that are occurring each year. We need to have a system to track individuals who come here on a visa, ensure that they leave when their visa expires. What roadblocks have you seen to implementing a functioning tracking system?

VAUGHAN:

The lack of will on the part of the federal government to move forward with it. We got the entry part at airports and seaports done very effectively, but there simply has not been enough interest in completing the system.

LABRADOR:

Thank you.

Sheriff, in your testimony, you discussed your participation in Section 287(g) Program. Was the training your department received sufficient to be able to effectively assist ICE?

HODGSON:

We're in the process -- we're in the process, Congressman, of sending our people to -- they'll be going in -- within a couple of months. But I've built an immigration detention facility at my complex in Dartmouth, so I've been housing illegals for over eight (ph) years.

LABRADOR:

OK. Do you have suggestions so -- on how the training could be improved? Do you have anything that you've gone through the system?

HODGSON:

Well, I think the training is -- is critically important. The federal government does cover the costs, and that's the biggest part for any jurisdiction is making sure that the costs are -- are covered because we do have in our state some legislators who are attempting to prevent us by legislation from even participating in 287(g) suggesting that our staff work for the state, and therefore, we shouldn't be doing that which would be contrary.

And I think the committee needs to know this, that if we're going to suggest we can't work with ICE, then what happens to our federal taskforces? I have people full time on FBI taskforce, DEA. We have people that need to be out there every day sharing the information and making sure we have put our best foot forward to get these criminals off the street.

LABRADOR:

Are those taskforces making your communities more safe or less safe?

HODGSON:

More safe.

LABRADOR:

Thank you.

I yield back.

SENSENBRENNER:

The time of the gentleman has expired.

Gentleman from Rhode Island, Mr. Cicilline.

CICILLINE:

Thank you, Mr. Chairman.

As Sheriff Hodgson said, public safety is our most fundamental responsibility, and it's precisely because of that that community (inaudible) policing policies must be protected as they are vital to public safety because law enforcement rely on trust and cooperation from all their community members, including immigrants, to help prevent, solve and prosecute crimes.

Local enforcement agencies are in the best position to decide which community trust policies work best for the individual localities, and that's why many cities have adopted policies that all immigrants to come forward and seek the assistance of the police without fear.

As my former chief said, the single -- and many chiefs across the country have said, the single most powerful tool a local police department has is the trust and confidence of the community. President Trump's immigration crackdown, which is strong-arming local government has created a climate of fear and uncertainty that has already begun to undermine public safety.

The administration's large immigration enforcement operations and attempts to force local police to do the work of ICE are making immigrants both documented and undocumented, afraid to leave their homes, go to the grocery store, and send their children to school, as well as to help local law enforcement in fighting crime.

There are also reports that domestic violence and sexual assault crimes are -- victims are afraid to report these crimes for fear of being apprehended themselves.

Many of the witnesses in today's hearing have suggested that -- that immigrant -- the immigrant community is disproportionately responsible for crime, so I would ask unanimous consent, Mr. Chairman, to include in the record two reports, one from the sentencing project that found foreign-born residents of the United States commit crime less often than native-born citizens, and another study by the Cato Institute comparing incarceration rates by migratory status that comes to the same conclusion. And despite the suggestion of..

SENSENBRENNER:

Without objection, the material will be included in the record.

CICILLINE:

Thank you, Mr. Chairman.

And despite the suggestion of Mr. Smith that this relates to -- doesn't distinguish between illegal and legal immigrants, the reports says, and I quote. "A few studies using other data sources to differentiate the legal status have supported the conclusion that immigrants regardless of legal status do not have higher crime rates than native-born citizens." And they have three studies to support that.

So I want to set the record the straight that that underlying claim is simply not true. I'd also ask unanimous consent to introduce into the record a letter from February 28, '17 signed by a number of law enforcement leaders across the country criticizing the shifting of the burden of federal immigration law on to local law enforcement agencies.

SENSENBRENNER:

Without objection, that will be included as well.

CICILLINE:

Thank you. And Ms. Pyati, I'd ask you, hundreds of law enforcement agencies throughout the United States have adopted community trust policies. These agencies everywhere from Michigan to California to Ohio report that such policies far from increasing crime, actually reduce it.

And recent comprehensive studies have supported these claims statistically showing that community trust jurisdictions are demonstrably safer than their counterparts. So why is that? Can you help us understand why communities where this -- these trust jurisdictions are actually protecting our constituents and providing safer communities, less crime? Why is that happening?

PYATI:

Thank you very much, Congressman. I think you actually said it yourself. You said that the former chief in your jurisdiction indicated it's really that trust between the community and the -- and the police officers that allows for thorough reporting by victims.

It allows for cooperation as witnesses. It allows for investigations into community, you know, knocking on doors and finding those witnesses who want to respond and offer what they've seen and what they've heard.

There's really no way to prosecute and investigate crime committed by anyone, whether it's a citizen or a legal immigrant or an undocumented immigrant, there is really no way to prosecute crime without participation of the -- of the -- of residents in the community. And so that trust is the number one thing we're looking for.

CICILLINE:

And is it -- you made some reference to an example of a -- a case in which there had been someone who was murdered, who without the -- the presence of two witnesses. Are there other instances that you're aware of around the country where individuals have either been unwilling or unable to come forward because of the immigration status?

And how do you think the Trump policy or the Trump administration's policies are making that either more likely or less likely to happen? And what's the impact on the safety of our communities as a result?

PYATI:

Thank you, Congressman. Yes, I am aware of a number of cases around the country that really resonate with what I was sharing earlier. I would say that one of the things that happens is that when a person is afraid to come forward and report crime or share information as a witness, we really -- our hands are tied behind our back in terms of investigating.

We also don't then have a lot of media reports, for example, about those individuals because as stated, they are too afraid to come forward. And so we don't -- we don't get the splash that we might get otherwise in -- in these situations.

I do know that in El Paso when there was an ICE pickup of a woman at -- while she was receiving her protection order, a message was sent loud and clear across the country, especially to survivors of violence.

If you use the criminal justice system to report a -- a -- the crime committed against you by an abuser, if you pursue what our system is here to offer, which is a protection order, safety for you and your -- and your family, you could be a victim of -- of a -- of an arrest by ICE in that moment, and possibly deported.

And so that had a very significant chilling effect that our national hotlines, our national advocates and a -- coalitions across the country that work on domestic violence have been reporting in the last month and a half or so. A very significant drop off.

CICILLINE:

Mr. Chairman, I would just say that...

SENSENBRENNER:

The gentleman's time has expired. The gentleman from Louisiana, Mr. Johnson.

JOHNSON:

Thank you, Mr. Chairman. I thank all of you for being here. I know it's been a long day. We're almost done.

Sheriff, my first question is for you. In -- last year I was a legislator in Louisiana, state legislator, and in -- in 2016 I co- authored a bill to prohibit local governments and state agencies from adopting sanctuary policies in our state. We were going to penalize them by taking away their ability to borrow money for certain projects from our State Bond Commission unless they comply with the federal law.

Ultimately, what happened down there was quite a saga. Our Democrat governor with the assistance of a few local law enforcement officials in the New Orleans area killed our legislation. They -- they argued that our efforts were political pandering and that this was something that should remain solely a federal issue.

So I'm -- I just was curious from your perspective as a law enforcement official on the ground as it were, you're the top law enforcement official in your county. I know that your state doesn't have such a ban, but if such a statute was presented in Massachusetts, or in other states for that matter, do you think that's something that would be helpful, a state law to ban sanctuary cities?

HODGSON:

State law banning, Congressman, the sanctuary cities -- yes, absolutely. I mean the -- look, the bottom line is -- and I commend you for filing that down in Louisiana. The -- the reality is that -- that we're basically suggesting that there are certain laws that we can enforce and certain laws we can't (ph).

Law enforcement can't be put in that position, and I think it's important to point out. Our frontier has changed since '93 when the first Trade Center was hit in regards to how we police our communities.

And so we are seeing a lot more -- more gang activities through illegal immigration. And -- and I note that these police chiefs -- now I think it's important for this committee to know. I'm not going to say all police chiefs, but I think it's important to be mindful of the fact that police chiefs are appointed by mayors.

Sheriffs are not. We are elected by the people as you are. So we are not beholden and our -- our - - our jobs aren't relying and (ph) support of our families based on the political appointments that we get.

So I -- I think it's important for the committee to keep that in -- in mind when it comes to measuring what, unfortunately, chiefs -- many of the chief's positions that they have and have been put into.

JOHNSON:

I appreciate you saying that, and I wish I had had your testimony in Louisiana when I was battling that last (inaudible)...

HODGSON:

Any time you want me to come down.

JOHNSON:

All right. You know, we -- we made the argument that -- as John Adams famously said. He was distinguishing our republic from the monarchy in -- in Great Britain, what we were fleeing from, and he said -- we -- famously said, "We're a nation of laws, not of men." And we had to follow those laws and it's important to do that on a local and regional level just as it is on a federal level or we -- it undermines that foundation of our republic.

Another question, do you believe there's adequate collaboration currently between federal and local law enforcement agencies on addressing illegal immigration? More -- more specifically is there anything that maybe we could do to improve the sharing of intelligence?

HODGSON:

Well, Congressman, I think that there's always more we can do. I think there is some -- some cyber things that we can do through the internet and so forth that -- that could help.

In addition to the acceleration of the 287(g) program, that becomes critically important because within our prisons across this country, we really are the central intelligence base. The president pointed that out in a recent speech to the sheriffs.

And I think most law enforcement people would agree with me that that's critically important to have that information shared back and forth in an ongoing basis. So the extension of the 287(g) and acceleration of it would be great.

JOHNSON:

On that same theme of technology, Judge Arthur, this one's for you. Can you expand on why it's more difficult for the court when asylum and Border Patrol agents' interviews are not electronic?

ARTHUR:

Absolutely, and it's a very good question. Often what'll happen is asylum officers will present a -- what purports to be the statement of the alien, sometimes it's simply a summarization of what the alien said.

If in court, the alien is confronted by the ICE attorney with a -- with a contrary statement to one that is contained in the asylum application. Often they'll say I didn't say that, that doesn't accurately reflect it. I don't have the asylum officer in front of me, and unfortunately, ICE never provides them.

So to have an actual electronic statement would allow me to look at that and to better identify any true inconsistencies which would greatly aid in the decision.

JOHNSON:

Thank you. I think I've got 30 seconds left. Ms. -- Ms. Vaughan, this one's for you. In your testimony, you briefly mentioned how our local law enforcement agencies have been effected by incarcerating illegal aliens on local charges without the cooperation of ICE officers. Just wondering if you can expand on the State Criminal Alien Assistance Program and what changes to the reimbursement program might need to be made?

VAUGHAN:

Well, I think it would be a -- a good idea and more effective to have that reimbursement funding tied to specific cooperation, and that is honoring ICE detainers. In other words, if a jurisdiction is not honoring ICE detainers, then they become ineligible for SCAAP funding. I think that would be a simple fix to the program that would be more directly relevant to the situation today.

JOHNSON:

Thank you, all.

SENSENBRENNER:

Time of the -- time of the gentleman has expired. The gentlewoman from Texas, Ms. Jackson Lee will -- at (ph) cleanup.

JACKSON LEE:

And let me thank the chairman and ranking member for a very important hearing. Let me ask just a straight-forward question that deals with fixing the immigration laws and allowing individuals to come from out of the shadows and distinguishing individuals who are here opposed to criminals and others who happen to be unstatus.

Mr. Hodgkins (sic), would support comprehensive immigration reform? Yes or no?

HODGSON:

Congressman, I've been working on that -- since for 20 years going back to the days of Henry Hyde and Barney Frank. I -- I've worked on the first bill that made it through the (inaudible).

JACKSON LEE:

Thank you. I was probably around at that time, sir. Good to see you.

Ms. Vaughan, would you support comprehensive immigration reform?

VAUGHAN:

No, I think it makes much more sense. We learn from...

JACKSON LEE:

Thank you.

Let me go on to Mr. Arthur.

ARTHUR:

I would probably recommend enforcement of the immigration laws.

JACKSON LEE:

Would you support comprehensive immigration reform? It takes into account enforcement. If you look at the concept of the Gang of Eight, it takes into enforcement. Would you support it?

ARTHUR:

I -- I would have to look at the particulars...

JACKSON LEE:

All right.

ARTHUR:

... of any legislation.

JACKSON LEE:

Ms. Phile (sic). Let me...

PYATI:

Pyati, yes.

JACKSON LEE:

Yes. Yes, would you support...

PYATI:

Yes, Congresswoman, I would support it.

JACKSON LEE:

Thank you so very much. Let me quickly move forward on my questioning. All of us were appalled at the killing of Kate Steinle and others who have suffered, but if we were to correlate that tragedy to high crime work with non-status people as Republicans have tried to do, San Francisco then would have a high murder rate.

And as of 2015, there was no rise in San Francisco's murder rate in the 26 years it has, in quotes, "a sanctuary city." In fact, the city's murder rate has fallen to its lowest level in decades, which I think is the very important point.

The other point is that I would ask a yes or no question, do you think in the context of unstatus that we are trying to deport the bad hombres that President Trump said? Is that, Sheriff, what your focus would be, the bad hombres? Yes or no?

HODGSON:

Yes, (ph) that's exactly what the priority is.

JACKSON LEE:

Thank you.

Ms. Vaughan?

VAUGHAN:

According to the Department of Homeland Security...

JACKSON LEE:

Yes or no?

VAUGHAN:

... there are about 2 million criminal aliens...

JACKSON LEE:

All right. Mr. Arthur.

VAUGHAN:

... in the country. And we should make them the top of the priority for deportation. Of course, you know, others...

JACKSON LEE:

Thank you.

VAUGHAN:

... appropriate to deport as well.

JACKSON LEE:

Mr. Arthur? Mr. Arthur, I'm so sorry.

ARTHUR:

In -- in my court, Ms. Jackson Lee, I would see many individuals for a long period of time. I would see individuals who had committed serious domestic violence...

JACKSON LEE:

So you would think that the bad elements should be the top priority, the bad hombres?

ARTHUR:

Unfortunately, I saw those people disappear from my court and I don't know why.

JACKSON LEE:

But (inaudible)...

ARTHUR:

So (ph), yes, I think that -- I think that we should definitely remove individuals who commit serial drunk driving offenses like the chairman spoke about.

JACKSON LEE:

All right. Thank you so very much.

ARTHUR:

Horrible (ph) domestic violence.

JACKSON LEE:

(inaudible) Pyati?

PYATI:

Sure.

JACKSON LEE:

Your view of that.

PYATI:

Yes, thank you, Miss -- congresswoman. I'd certainly...

JACKSON LEE:

And I'm only rushing because -- because I want to ask you a lengthier question. So it's just yes or no. Do you think it should be focused on the bad hombres that should be deported?

PYATI:

I think we should be focusing those with serious criminal violations.

JACKSON LEE:

Thank you so very much.

PYATI:

Thank you.

JACKSON LEE:

I'd like to offer into the record this comment, Trump supporter thought president would only deport bad hombres. Instead her husband is being deported.

Months later after she voted, Roberto Burstane (ph), her husband, a successful business man, respected member of the -- of his Indiana town and father of three American born children languishes in a detention facility with hardened criminals as he awaits his deportation back to Mexico, the country he left in 1998 when he entered the United States illegally. I ask unanimous consent for that to be put into the record.

SENSENBRENNER:

Without objection.

JACKSON LEE:

Thank you. I also ask unanimous consent to be put into the record the statement of the Travis (ph) County Sheriff's Office policy on cooperation with the U.S. Immigration and Customs Enforcement to negate any suggestion that the so-called sanctuary cities label is that cities are not cooperating with ICE. I ask unanimous consent to put that into the record?

SENSENBRENNER:

Without objection.

JACKSON LEE:

And I also ask to put into the record this statement from the constitutional lawyers that this is unconstitutional, the order by Sessions and the president of the United States to penalize cities and deny them their money. I hope one of them will sue. I ask unanimous consent...

SENSENBRENNER:

Well, the -- reserving the right to object, who are these constitutional lawyers. Can...

JACKSON LEE:

I'm losing my time. I'll -- I will pull that...

SENSENBRENNER:

I would like to...

JACKSON LEE:

... back and then ask a question of Ms. -- Ms. Pyati.

SENSENBRENNER:

... reserve the right -- to -- reserving the right to object. I'd like to find out...

JACKSON LEE:

I don't -- are you going to give me extra time, I have a question for Ms. Pyati, Mr. Chairman?

SENSENBRENNER:

Well, if -- just to answer my question, you've been asking (inaudible)...

JACKSON LEE:

There is a long list of -- how many is it, Stan (ph),

(UNKNOWN)

(OFF-MIKE)

JACKSON LEE:

How much?

(UNKNOWN)

(OFF-MIKE)

JACKSON LEE:

No, there are more than that.

(UNKNOWN)

(OFF-MIKE)

JACKSON LEE:

They -- they said they're representing -- 292. Two hundred and ninety-two, and they're from UC Irvine, University of San Francisco, Denver, and SMU, Dedman School of Law, Southern Methodist (ph). And there are 292, I can get those names. They're not attached to the letter right now.

SENSENBRENNER:

The -- the ranking member says she has already put that in the record.

JACKSON LEE:

Thank you. And may I ask my question.

SENSENBRENNER:

So will you withdraw your unanimous consent request?

JACKSON LEE:

Yes, Mr. Chairman.

SENSENBRENNER:

OK, thank you.

JACKSON LEE:

May I ask, Ms. Pyati the question please?

SENSENBRENNER:

Well, I ask unanimous consent the gentlewoman from Texas be given an additional minute.

JACKSON LEE:

I thank you, Mr. Chairman.

Ms. Pyati, I am very familiar with the Center. I think you know Marty (ph) or -- down in Texas, and we've been very close working on it.

I think it is very important to reemphasize how lives can be saved when we give the opportunity for individuals who are unstatus to feel free to report the threats that not only can jeopardize the lives of the significant other, the spouse, the girlfriend, but the children in that home or in that context.

So would you explain the impact that you've seen -- that the women that you've helped of the children that have been involved and how important it is for there to be the freedom for that.

SENSENBRENNER:

The gentlewoman time's has expired. Ms. Pyati, you may answer the question.

JACKSON LEE:

Thank you so very much.

PYATI:

Thank you very much. Congresswoman, hello from our Texas office at Tahirih Justice Center where you know we work hand in hand with Houston police to in -- to help them to identify and investigate trafficking in the area.

Our work there I think has been pioneering in attempting to bring trafficking as a crime under some kind of control. I can talk about -- right now you've asked me to share with you something about a client.

I -- I do -- we do have a client who spoke at a briefing just a few weeks ago here in the House who shared that as a -- a woman who met her husband, a U.S. citizen military husband overseas. He brought her here to United States and they had a child together.

Their -- their son was autistic, and the son was witnessing physical and emotional abuse in their home and was struggling significantly. She was afraid to contact law enforcement because her husband continued to say to her, I'm a citizen and you don't have status. And if you call the police, you'll be deported and then our child will be with me, and you're out of luck.

And so very desperately and very nervously she contacted us for help and worked to build up her courage, and eventually was able to cooperate with law enforcement. And her husband was removed from the home allowing the child then to really flourish, and his autism has now significantly improved.

So we can see not just sort of emotional impact immediately, but certainly even cognitive and behavioral changes when abusers are removed from the home and -- and women are able to care for their children in safety.

JACKSON LEE:

I thank the Chairman.

SENSENBRENNER:

Thank you.

JACKSON LEE:

And I thank the witness.

SENSENBRENNER:

Thank you very much.

LOFGREN:

Mr. Chairman? Mr. Chairman.

SENSENBRENNER:

Gentlewoman from California.

LOFGREN:

I'd like to ask unanimous consent to put in the record a letter from the chief justice of the California State Supreme Court, appointed by a Republican I might add, to the Department of Homeland Security asking that enforcement in courtrooms in California cease.

SENSENBRENNER:

Without objection.

JAYAPAL:

Mr. Chairman?

SENSENBRENNER:

Gentlewoman from Washington?

JAYAPAL:

Thank you, Mr. Chairman. I ask unanimous consent to enter into the record the op-ed that I referred to from our King County prosecutor, also a Republican.

SENSENBRENNER:

Without objection.

JAYAPAL:

Thank you.

SENSENBRENNER:

I guess this shows that we Republicans aren't like the Rockettes.

JAYAPAL:

That's right.

SENSENBRENNER:

This concludes today's hearing. Thanks to all of our witnesses for attending. Without objection, all members will have five legislative days to submit additional written questions to the witnesses or additional materials for the record.

And without objection, the hearing is adjourned.