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August 28, 2014

The Honorable Eric Holder
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

The Honorable Jeh Johnson
Secretary
U.S. Department of Homeland Security
Nebraska Avenue Center, NW
Washington, DC 20528

The Honorable John S. Leonardo
United States Attorney, District of Arizona
Two Renaissance Square
40 N Central Avenue, Suite 1200
Phoenix, AZ 85004

Dear Attorney General Holder, Secretary Johnson, and Mr. Leonardo,

I write you today regarding reported alterations that have been made to the prosecution guidelines related to Operation Streamline. Yuma County Sheriff Leon Wilmot wrote me to inform me that during the course of a recent Customs and Border Patrol briefing, his department was told that the U.S. Attorney's office would no longer be prosecuting undocumented aliens (UDAs) under Title 8, United States Code, §1325. I have enclosed Sheriff Wilmot's letter for your reference.

A change of this nature to these prosecution guidelines constitutes a major shift in practice, and certainly undermines the "zero tolerance" policy established by Operation Streamline. I am greatly concerned that such a shift also flies in the face of years of work conducted by federal, state, and local law enforcement to secure our communities, secure our borders, and, more broadly, enforce the rule of law.

I have outlined some questions for you below, and I respectfully ask for a timely response so that I may share your answers with relevant stakeholders and concerned constituents.

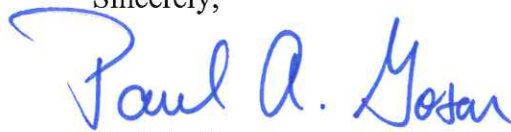
1. Is this shift in prosecution guidelines (shift) something that came from the Department of Justice and/or Department of Homeland Security in Washington? If so, from whom or which office exactly did it originate?
2. Is this shift specific to Arizona, or is it being applied nationwide?
3. What law enforcement purpose does this shift serve?
4. On what date exactly did the shift occur, and approximately how many UDAs have avoided prosecution in Arizona under 8 USC §1325? Approximately how many nationwide?

5. What exactly are the final guidelines being followed after the shift? Please provide me with a copy of those guidelines.
6. Do you anticipate future shifts in the prosecution guidelines which would lead to further erosion in prosecution numbers under 8 USC §1325? If so, please elaborate.

I support Operation Streamline and do not appreciate it being undermined by executive fiat. Again, such actions compromise the safety of our citizens, not to mention our national security.

Thank you for your attention to this important matter. As always, I ask that this matter be handled in strict accordance with the existing agency rules, regulations, and ethical guidelines. If you have any questions or concerns, please feel free to contact my office.

Sincerely,



Paul A. Gosar
Member of Congress
Arizona's Fourth District

Enclosure