



U.S. Department of Justice
Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

FAX COVER SHEET

DATE: 10/14/14

TO: Cong. Paul Gosar
Department/Agency/Bureau:
FAX #: (202) 226-9739

FROM: Shirley McKay
PHONE #:
FAX #:

of PAGES: 3 + COVER

Comments: DOJ Resp dated 10/10/14
Re: Operation Streamline

Precedence: Immediate _____ Priority _____ Routine _____ Sensitive _____
Non-Sensitive _____

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OCT 10 2014

The Honorable Paul A. Gosar
U.S. House of Representatives
Washington, DC 20515

Dear Congressman Gosar:

This responds to your letter to the Attorney General dated August 28, 2014, which expressed concerns about misdemeanor prosecutions for improper entry by aliens, in violation of 8 U.S.C. § 1325, in the Yuma County border sector of Arizona, and specifically the policy of the United States Attorney's Office for the District of Arizona regarding federal criminal prosecution of undocumented aliens along Arizona's border.

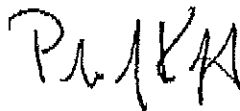
It is the Department's longstanding practice not to provide specific information regarding criminal law enforcement policies of United States Attorneys' offices, as doing so could potentially undermine law enforcement efforts. United States Attorneys formulate their own district guidelines in the exercise of investigative and prosecutorial discretion. See *Memorandum to Heads of Department of Justice Components and United States Attorneys*, dated August 12, 2013, at <http://www.justice.gov/ag/smart-on-crime/ag-memo-substantial-federal-interest.pdf>. We can assure you that the United States Attorney's Office for the District of Arizona is committed to public safety in the enforcement of federal immigration laws and to working with its federal and state law enforcement partners in this effort. Charging decisions by that office are made in accordance with the *Principles of Federal Prosecution*. See *United States Attorneys' Manual* 9-27.000, http://www.justice.gov/usao/eousa/foia_reading_room/usam/title9/27mcrm.htm#9-27.001.

As Attorney General Holder recently reiterated in testimony to Congress, the Department of Justice is committed to the cause of justice and the mission of "securing our nation and protecting the American people. This is, and will always be, our top priority." See *Attorney General Eric Holder Testifies Before the U.S. House Committee on the Judiciary*, (April 8, 2014), <http://www.justice.gov/iso/opa/ag/speeches/2014/ag-speech-140408.html>. Public safety is the paramount consideration in exercising prosecutorial discretion as it relates to the prosecution of undocumented aliens. Other considerations may include the nature and extent of a defendant's criminal and prior removal history, ensuring deportation and removal consequences for immigration violations, prosecutorial consistency, and local court practice.

The Honorable Paul A. Gosar
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We hope this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Sincerely,



Peter J. Kadzik
Assistant Attorney General