

**Congress of the United States**  
**Washington, DC 20515**

May 15, 2015

Sarah R. Saldaña  
Assistant Secretary  
U.S. Immigration and Customs Enforcement  
200 Independence Avenue, S.W.  
Washington, D.C. 20201

Dear Assistant Secretary Saldaña:

We write to request additional information and clarification regarding your recent testimony before the House Appropriations Subcommittee on Homeland Security. We are greatly troubled by this administration's directives attempting to supersede immigration enforcement protocols laid out in federal law. Just as troubling is President Obama's assertion that Immigration and Customs Enforcement (ICE) agents who do not follow his directives will be held "answerable to the head of the Department of Homeland Security," and "there will be consequences to it."

When questioned during the hearing about your actions to implement the President's policies, you stated that you have a "fundamental disagreement" that ICE agents should follow federal law if a superior has instructed them not to. We want to be clear: your agency is not above the law, and you and your employees are expected to uphold the laws of this country, as you have sworn to.

We have heard reports of agents who face retribution or threats for following the law. ICE agents are diligently working to enforce the laws of this nation. They should not be worried about facing disciplinary action for faithfully executing their duty.

We write today seeking specific answers to these questions on ICE's actions to implement these policies.

- 1) We would like to know the legal rationale your agency has used to justify holding executive memos as superior to the plain language of federal statute and how that allows you to punish agents who are following the law.
- 2) We also request that you provide us with the protocols agents have been instructed to follow dealing with the President's directives and current guidelines on the disciplinary actions that agents face for not following them.
- 3) To date, has ICE taken any adverse action against any career employee for not following the President's policy and what are the details of that action?
- 4) Lastly, if these executive actions are ultimately found to be illegal through the current litigation challenging them and struck down by a federal court, how will punished agents receive restitution in full from ICE?

You are responsible for making sure these agents are equipped with the resources they need to do this, not threaten them with punishment for it. We ask that you respond to these questions by June 5<sup>th</sup>.

Sincerely,



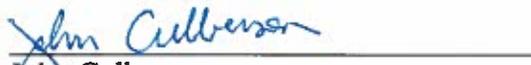
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David Young  
Member of Congress



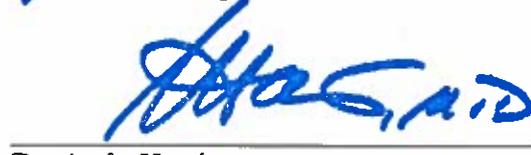
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John Carter  
Member of Congress



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John Culberson  
Member of Congress



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Dr. Andy Harris  
Member of Congress



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Chuck Fleischmann  
Member of Congress