

**Prepared Statement by Senator Chuck Grassley of Iowa
Chairman, Senate Judiciary Committee
Hearing on “Oversight of the Department of Homeland Security”
Thursday, June 30, 2016**

Almost one year ago to the day, a young woman was walking arm in arm with her father along a pier in San Francisco. She had hopes and dreams, and a bright future ahead. But, her life was cut short when she was tragically shot, dying in her father’s arms. Her name was Kate Steinle.

The suspected killer, who was illegally in the country and deported five times prior to that day, was released into the community by a sanctuary jurisdiction that did not honor a detainer issued by Immigration and Customs Enforcement. The suspect in Kate’s death admitted that he chose to be in San Francisco because of its sanctuary policies.

Unfortunately, nothing has changed in the last year. There has been a long list of tragedies – tragedies that could have been avoided.

In July, Marilyn Pharis was brutally raped, tortured, and murdered in her home in Santa Maria, California, by an illegal immigrant who was released from custody because the county sheriff does not honor ICE detainees.

In July, Margaret Kostelnik was killed by an illegal immigrant who also allegedly attempted to rape a 14-year-old girl and shoot a woman in a nearby park. The suspect was released because ICE refused to issue a detainer and take custody of the suspect.

In July, a two-year old girl was brutally beaten by an illegal immigrant in San Luis Obispo County, California. He was released from local custody despite an immigration detainer and extensive criminal history, and is still at large.

In September, 17-year-old Danny Centeno-Miranda from Loudoun County, Virginia, was allegedly murdered by his peers – people in the country illegally who also had ties to the MS-13 gang -- while walking near his school bus stop.

In November, Frederick County Deputy Sheriff Greg Morton was attacked by an MS-13 gang member who was in the country illegally.

In January, my constituent, Sarah Root was rear-ended and killed by a man in the country illegally who was street-racing and had a blood-alcohol level four times the legal limit. Sarah graduated from college with perfect grades that very day. ICE refused to issue a detainer, and the suspect was released. He is still at large.

In February, Chelsea Hogue and Meghan Lake were hit by a drunk driver, leaving one injured and the other in a coma. The driver was in the country illegally and had previously been removed from the country five times.

In February, Stacey Aguilar was allegedly shot by a man who was in the country illegally. The suspect had also been previously convicted of a DUI.

This month – just 2 weeks ago -- five people were trapped by a fire and killed in a Los Angeles apartment building. The man who allegedly started the fire was in the country illegally and had been previously arrested for domestic violence and drug charges. Four of the five victims have been identified so far. The fire killed Jerry Dean Clemons, Marry Ann Davis, Joseph William Proenneke and Tierra Sue-Meschelle Stansberry—all my constituents from Ottumwa, Iowa.

This is just a short list of victims of lax immigration enforcement—in the last year alone. Too many Americans have lost their lives, and too many families have had to feel the real and devastating impact caused by sanctuary cities and lax immigration enforcement.

So, what has changed since Kate Steinle was killed a year ago? Unfortunately, not enough. The administration's policies and priorities are having devastating effects. The Obama administration's record is abysmal, and its policies are an affront to the rule of law.

Sanctuary policies and practices have allowed thousands of dangerous criminals to be released back into the community. Yet, this administration has failed to address the unwillingness of sanctuary jurisdictions to work with federal immigration authorities.

In addition, the Obama administration is wedded to its inadequate "PEP" program, which is focused only on a small population of criminal immigrants. For example, the administration has de-prioritized the arrest and removal of persons arrested or even convicted of drunk driving offenses, which the administration does not consider serious. This, despite innumerable reports of individuals who have committed such offenses, and who subsequently go on to drink and drive again and cause the deaths of U.S. citizens.

As I mentioned earlier, Sarah Root was killed when Edwin Mejia, an undocumented person who was drag racing while under the influence of alcohol, ran into her car earlier this year. This driver was later released from custody because the federal government refused to issue a detainer on him.

Because of the twisted priorities of this administration, people in this country illegally understand there are no consequences to their actions. Criminals are not being detained, even when someone's life has been taken. This is why I introduced a bill last night to address this problem.

Then there's the Obama Administration's release of thousands of undocumented criminals. In the last three years, this administration released 86,288 undocumented criminals back into the public. Most of those releases were discretionary releases—decisions made by the Secretary and the Department.

Others have been released into the community because of court rulings and non-cooperation from other countries. The Obama administration has failed to use the authority Congress granted allowing visa sanctions on uncooperative countries. This tool has been used only once since its creation against Guyana in 2001. It proved very effective in getting Guyana to issue travel documents to its nationals so they could be removed.

However, despite the effectiveness of this tool, the administration has refused to use it. Today, 23 countries are labeled as uncooperative. Another 62 countries are approaching this designation. In a letter to the Secretary this week, I told him something has to change and I wanted to see him exert the authority he has been given.

I also look forward today to discussing the EB-5 immigrant investor program. I have had several discussions with Secretary Johnson on this issue, and he fully understands my concerns. I am hopeful that the administration will soon take action to rein in fraud and abuse—from top to bottom. Until then, I will continue to push for legislative reforms.

Finally, given the recent events in Turkey, Brussels, Paris, San Bernardino and Orlando, I have concerns about the threat that ISIS poses and their intent to harm Americans. We must acknowledge the ongoing threats against the homeland by radical Islamic terrorists. I sent a letter to Secretary Kerry and Secretary Johnson earlier this month regarding the Orlando nightclub shooter, Omar Mateen. The suspect's father is allegedly an immigrant from Afghanistan and hosts a program on a California-based satellite Afghan TV station with a pro-Taliban slant. It's been 24 days since I wrote that letter, and I would like to know when I can expect a response and the information I requested as Chairman.

Secretary Johnson, you have just over 200 days left as the leader of the Department of Homeland Security. It's not too late to make sure that we're doing everything we can to protect the American people.

I want to thank you for being here today. I now turn to Senator Leahy for his statement.