

United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

April 21, 2006

The Honorable Alberto Gonzales
Attorney General
United States Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Dear Attorney General Gonzales:

It was recently reported that the Justice Department requested the inclusion of provisions in the House immigration bill, H.R. 4437, which are controversial in that they are seen to criminalize both undocumented presence in the United States as well as acts of humanitarian assistance in the aid of undocumented individuals.

As you know, the House bill was sponsored by Chairman Sensenbrenner, who noted on the House floor during debate of the bill that the Bush-Cheney administration had originally proposed the idea to criminalize undocumented status. On the House Floor on December 16, 2005, during debate on these provisions, Chairman Sensenbrenner stated: "At the Administration's request, the base bill makes unlawful presence a crime, such as unlawful entry already is. This change makes sense. Aliens who have disregarded our laws by overstaying their visas to remain in the United States illegally should be just as culpable as aliens who have broken our laws to enter and remain here illegally." *The Los Angeles Times* reported on April 16 that an anonymous White House official confirmed this.

Would you please provide a detailed account of all contacts between the Justice Department – and, to the extent you can determine, other components of the Administration – and the Republican leadership in the House of Representatives, regarding these provisions, as well as copies of all communications with any House Republicans in connection therewith? I would appreciate your prompt and thorough response to this request.

Sincerely,



PATRICK LEAHY
Ranking Member