

WASHINGTON - Arizona Congressmen Ed Pastor and Raul Grijalva sent a letter to President Obama today asking his administration to take all appropriate actions to prevent state Senate Bill 1070 from being implemented, including a lawsuit against the Arizona Legislature or any other appropriate governmental entity. They also sent a copy of the letter to U.S. Attorney General Eric Holder.

"We are urging President Obama to take any appropriate actions to enjoin this measure from implementation as we see its passage as a severe setback to civil rights in America," Pastor said Thursday afternoon.

Senate Bill 1070 would also "encourage additional states to create unworkable and unconstitutional immigration regulation schemes," they wrote, and the Congressmen agreed with the President's statement that the legislation will undermine basic notions of fairness Americans cherish, as well as undermine trust between police and their communities.

Pastor and Grijalva asked for a lawsuit against the state legislature on the grounds that the U.S. Congress has preempted the field of immigration enforcement in this country, that the bill violates the country's Civil Rights and Safe Streets Act and the Fourteenth Amendment of the U.S. Constitution, which guarantees every person's equal protection under the law.

They also asked the President to use his administration's full powers to make sure Arizona Law Enforcement Agencies comply fully with the federal Safe Streets Act, which prohibits discrimination on the grounds of race, color, religion, national origin or sex in programs or activities conducted using funds made available under the act.

The full text of the letter is below:

Dear Mr. President:

As Members of the Arizona Congressional Delegation, we are writing to express our grave

concerns about Arizona Senate Bill 1070 and urge your Administration to take all appropriate actions to prevent this law from being implemented. Rather than offering a real solution to our broken immigration system, Senate Bill 1070 represents a severe setback for civil rights in this country and will encourage additional states to create unworkable and unconstitutional state immigration regulation schemes.

We agree with your recent statement that Senate Bill 1070 threatens to “undermine basic notions of fairness that we cherish as Americans, as well as the trust between police and their communities that is so crucial to keeping us safe.” We believe that Senate Bill 1070 will create a negative and hostile environment for people of color, encourage racial profiling against citizens and legal residents, and increase fear within our communities. In addition, the law will undermine public safety by diverting scarce law enforcement resources away from combating serious and violent crimes. Finally, the implementation of Senate Bill 1070 will only serve to exacerbate the harmful anti-immigrant rhetoric that is hindering our efforts to enact federal comprehensive immigration reform.

For these reasons, we urge you in the strongest terms possible to commence a lawsuit against the Arizona Legislature challenging Senate Bill 1070 on the grounds that the United States Congress has preempted the field of immigration enforcement in this country, that Senate Bill 1070 violates this country’s Civil Rights and the Safe Streets Act, and that Senate Bill 1070 violates the Fourteenth Amendment of the United States Constitution which guarantees every person Equal Protection under the law. An immediate legal challenge commenced by your Administration based on these significant constitutional flaws is necessary to help prevent Senate Bill 1070 from ever taking effect.

Furthermore, we urge you to use your full powers under the Safe Streets Act to ensure that all Arizona Law Enforcement Agencies (LEAs) comply with the Act fully. As you know, the Safe Streets Act prohibits discrimination on the ground of race, color, religion, national origin, or sex in programs or activities conducted using funds made available under the Act. In addition, the Safe Streets Act contains regulatory requirements, including the obligation to submit regular data reports, provide access to all sources of information needed to determine compliance with the Act, and sign contractual assurances that LEAs will comply with the statute and its implementing regulations.

In closing, we believe that Senate Bill 1070 is not only bad public policy, but also threatens the general welfare of our state. Therefore, we urge you to commence a legal challenge to the implementation of this law and to take full advantage of your powers under the Safe Streets Act to ensure that the Arizona State Legislature and Arizona LEAs comply with federal law.

Thank you for your consideration, and we look forward to your response.

Sincerely,

Ed Pastor, Member of Congress

Raul Grijalva, Member of Congress

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