



Congress of the United States
House of Representatives
Washington, DC 20515-3222

House Committee on Ways and Means
Subcommittee on Health
Subcommittee on Trade
**House Committee on Science, Space,
and Technology**
Subcommittee on Energy
**House Permanent Select
Committee on Intelligence**
Subcommittee on Defense
Intelligence and Overhead Architecture
Subcommittee on National
Intelligence Enterprise

October 30, 2026

The Honorable Letitia James
Attorney General of the State of New York
Office of the New York State Attorney General
The Capitol
Albany, NY 12224-0341

Re: NYS AG Directives Relating to Firearm Charges for Illegal Immigrants

Attorney General James:

I write today regarding disturbing findings from the October 26, 2026 House Judiciary Committee report concerning New York City prosecutors who have considered immigration consequences when charging and negotiating pleas for foreign national defendants, including in cases involving firearms.

This report found that New York City district attorneys actively consider immigration consequences when prosecuting foreign nationals, giving preferential treatment to foreign nationals to allow them to evade deportation. Most concerning, the Bronx District Attorney's Office directs prosecutors in some firearms cases to omit the firearm from conviction records or offer dispositions that do not specify a firearm, because certain firearms offenses can make an alien deportable. The Committee also documented broader efforts to structure charges and pleas to avoid immigration consequences. This is the very definition of a two-tiered justice system: one for American citizens and one for foreign nationals.

On October 29, 2026, you joined New York City Police Commissioner Jessica Tisch and New York City district attorneys for a press conference highlighting efforts to remove illegal firearms from New York City streets. At that event, you pledged that your office would continue working to "combat gun violence in every borough and keep New York families safe." At this event, a reporter asked you and the district attorneys a straightforward question about whether you have directed your office to downgrade firearm charges against immigrants. You did not answer the reporter's question and were reportedly asked again after the press conference, and you again declined to respond.

I request that you provide written answers to the following questions in regard to this troubling issue:

1. Did you or any employee of the Office of the New York State Attorney General ever direct, advise, encourage, approve, or coordinate with any prosecutor to reduce, alter,

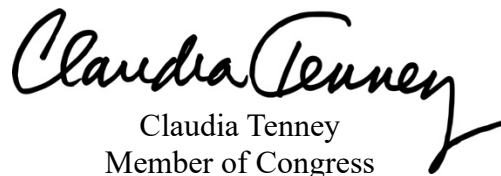
- omit, or otherwise structure a firearm-related charge or record for the purpose of avoiding immigration consequences for a defendant?
2. Before the October 29 press conference, were you or anyone in your office aware of policies in any of the New York City district attorneys' office that instructed prosecutors to consider immigration consequences in firearms cases or to omit firearm involvement from a conviction record?
 3. Do you support or oppose the practice of reducing, altering, or structuring firearm-related charges or plea agreements for the purpose of helping a defendant avoid deportation or other immigration consequences?

I also find your refusal to address this issue concerning, given that your office is opposing the Bureau of Alcohol, Tobacco, Firearms and Explosives' efforts to strengthen Second Amendment rights and modernize federal firearm regulations. While you vocally oppose these efforts, you have no comment on reports that New York City district attorneys may be actively omitting or reducing firearms-related criminal charges in order to prevent deportations of foreign nationals.

You cannot credibly claim that New Yorkers deserve to feel safe in their communities while refusing to address allegations that prosecutors are structuring firearm cases to help defendants avoid deportation. New Yorkers should know whether certain criminals are receiving lesser charges because of their immigration status. A prosecutor should not obscure serious criminal conduct or manipulate charges for the purpose of shielding a criminal alien from the lawful immigration consequences of that conduct.

If you believe in combating gun violence and keeping New York families safe, then the rule of law must be upheld and offenders must be prosecuted to the fullest extent of the law. I look forward to your prompt and complete response to these questions.

Sincerely,


Claudia Tenney
Member of Congress