

United States Senate

WASHINGTON, DC 20510

October 13, 2016

The Honorable Jeh Johnson
Secretary of Homeland Security
United States Department of Homeland Security
Washington DC, 20528

Dear Secretary Johnson:

We write today regarding the September 8, 2016 DHS Inspector General report that indicated that between 858 and 1,811 individuals subject to deportation orders may have been improperly granted U.S. citizenship due to gaps in a fingerprint database maintained by your department. The report indicated that DHS has accepted and is currently implementing the Inspector General's recommendations to fill those gaps. According to a briefing provided by your office, DHS has already identified 696 individuals it will recommend for de-naturalization. We appreciate your department's willingness to address this problem and urge expeditious action to complete the recommended corrective actions.

We also write to request further information in order to understand the full contours of the problem. The DHS Inspector General report's scope was limited in two significant ways. First, it focused on the number of individuals granted *citizenship*, and did not cover individuals to whom DHS may have improperly granted other immigration benefits, such as legal permanent residence, student visas, or various employment-based visas.

Second, the Inspector General report focused mainly on individuals granted citizenship who came *from special interest countries and countries with high rates of immigration fraud that share a border with a special interest country*. Special interest countries present certain U.S. national security concerns, so it is understandable that the report would prioritize these nations in its analysis. But the list of special interest countries and their neighbors is but a subset of all the countries from which individuals subject to deportation orders hail. If we take into account all of those countries, the full number of individuals to whom DHS may have improperly granted U.S. citizenship may be far larger than the 858 to 1,811 number contained in the Inspector General report. This possibility was confirmed to our offices in conversations with the DHS Inspector General's office. Being that DHS failed to digitize the fingerprint records of 148,000 aliens who were either subject to deportation orders or who were criminals or fugitives, the opportunity for fraud is massive.

So that the Senate is apprised of the entire scope of the problem DHS is facing, we request that your department provide responses to the following questions and requests.

1. Regardless of whether an individual hailed from a special interest country or country neighboring a special interest country, please indicate the full number of individuals who fulfill the following three criteria: (i) had final deportation orders under another identity; (ii) became naturalized U.S. citizens; and (iii) did not have a digital fingerprint record available in the DHS fingerprint repository at the time U.S. Citizenship and Immigration Services (“USCIS”) was reviewing and adjudicating their citizenship application.
2. Regardless of whether an individual hailed from a special interest country or country neighboring a special interest country, please indicate the full number of individuals who fulfill the following three criteria: (i) had final deportation orders under another identity; (ii) were granted legal permanent residence; and (iii) did not have a digital fingerprint record available in the DHS fingerprint repository at the time USCIS was reviewing and adjudicating their permanent residence application.
3. Regardless of whether an individual hailed from a special interest country or country neighboring a special interest country, please indicate the full number of individuals who fulfill the following three criteria: (i) had final deportation orders under another identity; (ii) were granted an employment-based or student visa; and (iii) did not have a digital fingerprint record available in the DHS fingerprint repository at the time USCIS or another appropriate office was reviewing and adjudicating their visa application.
4. Regardless of whether an individual hailed from a special interest country or country neighboring a special interest country, please indicate the full number of individuals who fulfill the following three criteria: (i) had final deportation orders under another identity; (ii) were granted a family-based visa; and (iii) did not have a digital fingerprint record available in the DHS fingerprint repository at the time USCIS or another appropriate office was reviewing and adjudicating their visa application.
5. Regardless of whether an individual hailed from a special interest country or country neighboring a special interest country, please indicate the full number of individuals who fulfill the following three criteria: (i) had final deportation orders under another identity; (ii) were granted any other immigration benefit not mentioned in questions 1 through 4; and (iii) did not have a digital fingerprint record available in the DHS fingerprint repository at the time USCIS was reviewing and adjudicating their application for an immigration benefit.

We are confident you agree that U.S. citizenship is a precious privilege, one that must only go to those immigrants who earn and deserve it. We are also confident you agree that the ability to reside and work in the United States, whether temporarily or permanently, should only go to those who legally obtain those rights and not to those who commit fraud. To further these principles, it is important to understand the full scope of the problem presented by the DHS

Inspector General. We therefore appreciate your urgent attention to the requests set forth in this letter.

Sincerely,



Tom Cotton
United States Senator



Ron Johnson
Chairman
Senate Committee on Homeland Security
and Governmental Affairs

CC León Rodríguez, Director, U.S. Citizenship & Immigration Services
Sarah Saldaña, Director, U.S. Immigration & Customs Enforcement
John Roth, DHS Inspector General