



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

January 5, 2017

The Honorable Charles E. Grassley
Chairman
Committee on the Judiciary
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

This responds to your letter to the Attorney General and the Secretary of Homeland Security, dated September 20, 2016, concerning the Department of Homeland Security (DHS), Office of the Inspector General (OIG) report, entitled *Potentially Ineligible Individuals Have Been Granted U.S. Citizenship Because of Incomplete Fingerprint Records* (Sept. 19, 2016). The report concluded that the United States Citizenship and Immigration Services (USCIS), a component of DHS, granted U.S. citizenship to at least 858 people who had been ordered deported or removed under another identity. According to the report, the granting of citizenship was a consequence of the fingerprint records of these individuals not being digitized and uploaded into the DHS digital fingerprint repository. We are responding to the portions of Questions 3 and 4 concerning the Department of Justice's (the Department) role in denaturalization cases. We understand that the Department of Homeland Security may reply separately to your letter. We are sending identical responses to the other Senators who joined in your letter and apologize for our delay in responding.

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Matters that the Department concludes are not appropriate for criminal prosecution may be referred by USCIS to the Department's Office of Immigration Litigation, District Court Section (OIL/DCS) for possible civil denaturalization proceedings. See 8 U.S.C. § 1451. OIL/DCS expects to receive a substantial number of referrals associated with the findings of the

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We hope this information is helpful. Please do not hesitate to contact this office if we may provide additional assistance regarding this or any other matter.

Sincerely,

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Peter J. Kadzik
Assistant Attorney General

cc: The Honorable Dianne Feinstein
Ranking Member



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

January 5, 2017

The Honorable Orrin G. Hatch
United States Senate
Washington, DC 20510

Dear Senator Hatch:

This responds to your letter to the Attorney General and the Secretary of Homeland Security, dated September 20, 2016, concerning the Department of Homeland Security (DHS), Office of the Inspector General (OIG) report, entitled *Potentially Ineligible Individuals Have Been Granted U.S. Citizenship Because of Incomplete Fingerprint Records* (Sept. 19, 2016). The report concluded that the United States Citizenship and Immigration Services (USCIS), a component of DHS, granted U.S. citizenship to at least 858 people who had been ordered deported or removed under another identity. According to the report, the granting of citizenship was a consequence of the fingerprint records of these individuals not being digitized and uploaded into the DHS digital fingerprint repository. We are responding to the portions of Questions 3 and 4 concerning the Department of Justice's (the Department) role in denaturalization cases. We understand that the Department of Homeland Security may reply separately to your letter. We are sending identical responses to the other Senators who joined in your letter and apologize for our delay in responding.

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Peter J. Kadzik
Assistant Attorney General



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

January 5, 2017

The Honorable Jeff Sessions
United States Senate
Washington, DC 20510

Dear Senator Sessions:

This responds to your letter to the Attorney General and the Secretary of Homeland Security, dated September 20, 2016, concerning the Department of Homeland Security (DHS), Office of the Inspector General (OIG) report, entitled *Potentially Ineligible Individuals Have Been Granted U.S. Citizenship Because of Incomplete Fingerprint Records* (Sept. 19, 2016). The report concluded that the United States Citizenship and Immigration Services (USCIS), a component of DHS, granted U.S. citizenship to at least 858 people who had been ordered deported or removed under another identity. According to the report, the granting of citizenship was a consequence of the fingerprint records of these individuals not being digitized and uploaded into the DHS digital fingerprint repository. We are responding to the portions of Questions 3 and 4 concerning the Department of Justice's (the Department) role in denaturalization cases. We understand that the Department of Homeland Security may reply separately to your letter. We are sending identical responses to the other Senators who joined in your letter and apologize for our delay in responding.

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Peter J. Kadzik
Assistant Attorney General



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

January 5, 2017

The Honorable Lindsey O. Graham
United States Senate
Washington, DC 20510

Dear Senator Graham:

This responds to your letter to the Attorney General and the Secretary of Homeland Security, dated September 20, 2016, concerning the Department of Homeland Security (DHS), Office of the Inspector General (OIG) report, entitled *Potentially Ineligible Individuals Have Been Granted U.S. Citizenship Because of Incomplete Fingerprint Records* (Sept. 19, 2016). The report concluded that the United States Citizenship and Immigration Services (USCIS), a component of DHS, granted U.S. citizenship to at least 858 people who had been ordered deported or removed under another identity. According to the report, the granting of citizenship was a consequence of the fingerprint records of these individuals not being digitized and uploaded into the DHS digital fingerprint repository. We are responding to the portions of Questions 3 and 4 concerning the Department of Justice's (the Department) role in denaturalization cases. We understand that the Department of Homeland Security may reply separately to your letter. We are sending identical responses to the other Senators who joined in your letter and apologize for our delay in responding.

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Peter J. Kadzik
Assistant Attorney General



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

January 5, 2017

The Honorable John Cornyn
United States Senate
Washington, DC 20510

Dear Senator Cornyn:

This responds to your letter to the Attorney General and the Secretary of Homeland Security, dated September 20, 2016, concerning the Department of Homeland Security (DHS), Office of the Inspector General (OIG) report, entitled *Potentially Ineligible Individuals Have Been Granted U.S. Citizenship Because of Incomplete Fingerprint Records* (Sept. 19, 2016). The report concluded that the United States Citizenship and Immigration Services (USCIS), a component of DHS, granted U.S. citizenship to at least 858 people who had been ordered deported or removed under another identity. According to the report, the granting of citizenship was a consequence of the fingerprint records of these individuals not being digitized and uploaded into the DHS digital fingerprint repository. We are responding to the portions of Questions 3 and 4 concerning the Department of Justice's (the Department) role in denaturalization cases. We understand that the Department of Homeland Security may reply separately to your letter. We are sending identical responses to the other Senators who joined in your letter and apologize for our delay in responding.

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Peter J. Kadzik
Assistant Attorney General



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

January 5, 2017

The Honorable Michael S. Lee
United States Senate
Washington, DC 20510

Dear Senator Lee:

This responds to your letter to the Attorney General and the Secretary of Homeland Security, dated September 20, 2016, concerning the Department of Homeland Security (DHS), Office of the Inspector General (OIG) report, entitled *Potentially Ineligible Individuals Have Been Granted U.S. Citizenship Because of Incomplete Fingerprint Records* (Sept. 19, 2016). The report concluded that the United States Citizenship and Immigration Services (USCIS), a component of DHS, granted U.S. citizenship to at least 858 people who had been ordered deported or removed under another identity. According to the report, the granting of citizenship was a consequence of the fingerprint records of these individuals not being digitized and uploaded into the DHS digital fingerprint repository. We are responding to the portions of Questions 3 and 4 concerning the Department of Justice's (the Department) role in denaturalization cases. We understand that the Department of Homeland Security may reply separately to your letter. We are sending identical responses to the other Senators who joined in your letter and apologize for our delay in responding.

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Peter J. Kadzik
Assistant Attorney General



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

January 5, 2017

The Honorable Ted Cruz
United States Senate
Washington, DC 20510

Dear Senator Cruz:

This responds to your letter to the Attorney General and the Secretary of Homeland Security, dated September 20, 2016, concerning the Department of Homeland Security (DHS), Office of the Inspector General (OIG) report, entitled *Potentially Ineligible Individuals Have Been Granted U.S. Citizenship Because of Incomplete Fingerprint Records* (Sept. 19, 2016). The report concluded that the United States Citizenship and Immigration Services (USCIS), a component of DHS, granted U.S. citizenship to at least 858 people who had been ordered deported or removed under another identity. According to the report, the granting of citizenship was a consequence of the fingerprint records of these individuals not being digitized and uploaded into the DHS digital fingerprint repository. We are responding to the portions of Questions 3 and 4 concerning the Department of Justice's (the Department) role in denaturalization cases. We understand that the Department of Homeland Security may reply separately to your letter. We are sending identical responses to the other Senators who joined in your letter and apologize for our delay in responding.

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Assistant Attorney General



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

January 5, 2017

The Honorable Jeff Flake
United States Senate
Washington, DC 20510

Dear Senator Flake:

This responds to your letter to the Attorney General and the Secretary of Homeland Security, dated September 20, 2016, concerning the Department of Homeland Security (DHS), Office of the Inspector General (OIG) report, entitled *Potentially Ineligible Individuals Have Been Granted U.S. Citizenship Because of Incomplete Fingerprint Records* (Sept. 19, 2016). The report concluded that the United States Citizenship and Immigration Services (USCIS), a component of DHS, granted U.S. citizenship to at least 858 people who had been ordered deported or removed under another identity. According to the report, the granting of citizenship was a consequence of the fingerprint records of these individuals not being digitized and uploaded into the DHS digital fingerprint repository. We are responding to the portions of Questions 3 and 4 concerning the Department of Justice's (the Department) role in denaturalization cases. We understand that the Department of Homeland Security may reply separately to your letter. We are sending identical responses to the other Senators who joined in your letter and apologize for our delay in responding.

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Peter J. Kadzik
Assistant Attorney General



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

January 5, 2017

The Honorable David Vitter
United States Senate
Washington, DC 20510

Dear Senator Vitter:

This responds to your letter to the Attorney General and the Secretary of Homeland Security, dated September 20, 2016, concerning the Department of Homeland Security (DHS), Office of the Inspector General (OIG) report, entitled *Potentially Ineligible Individuals Have Been Granted U.S. Citizenship Because of Incomplete Fingerprint Records* (Sept. 19, 2016). The report concluded that the United States Citizenship and Immigration Services (USCIS), a component of DHS, granted U.S. citizenship to at least 858 people who had been ordered deported or removed under another identity. According to the report, the granting of citizenship was a consequence of the fingerprint records of these individuals not being digitized and uploaded into the DHS digital fingerprint repository. We are responding to the portions of Questions 3 and 4 concerning the Department of Justice's (the Department) role in denaturalization cases. We understand that the Department of Homeland Security may reply separately to your letter. We are sending identical responses to the other Senators who joined in your letter and apologize for our delay in responding.

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Assistant Attorney General



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The Honorable David A. Perdue
United States Senate
Washington, DC 20510

Dear Senator Perdue:

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The Honorable Thom Tillis
United States Senate
Washington, DC 20510

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Peter J. Kadzik
Assistant Attorney General

From: Belsan, Timothy M. (CIV) - (b) (6)
Sent:
To: Wetmore, David H. (ODAG) - (b) (6)
Subject: FW: AP, denaturalizations

Will let you handle, as I think you have the most detailed knowledge of the behind the scenes here.

Tim

From: O'Malley, Devin (OPA)
Sent: Friday, June 08, 2018 3:43 PM
To: Belsan, Timothy M. (CIV) - (b) (6); Wetmore, David H. (ODAG) - (b) (6)
Cc: Sutton, Sarah E. (OPA) - (b) (6)
Subject: FW: AP, denaturalizations

I missed the call, so can y'all clarify?

Devin M. O'Malley
Department of Justice
Office of Public Affairs
Office: (b) (6)
Cell: (b) (6)

From: Taxin, Amy <ATaxin@ap.org>
Sent: Friday, June 8, 2018 3:30 PM
To: Sutton, Sarah E. (OPA) - (b) (6)
Cc: O'Malley, Devin (OPA) - (b) (6); Leonard, Catherine (OPA) - (b) (6)
Subject: RE: AP, denaturalizations

Sarah,

Thank you very much. That was a very helpful phone call.

The one point that I find confusing is what are these 750,000 files, and these 2.1 million files, that the DOJ officials said DHS is inputting. I said that because in the 2016 OIG report for the DHS (<https://www.oig.dhs.gov/assets/Mgmt/2016/OIG-16-130-Sep16.pdf>), it mentions 315,000 such files that needed to be uploaded, of which 167,000 had been and 148,000 should be.

Here's the text from that report, which indicates there should be no more than 315,000 such records because fingerprint records are no longer taken on paper:

ICE identified about 315,000 such aliens whose fingerprint records were not in IDENT. Because fingerprints are no longer taken on paper cards, this number will not grow. In 2012, DHS received \$5 million from Congress to pull its paper fingerprint cards from aliens' files and digitize and upload them into IDENT, through an ICE-led project called the Historical Fingerprint Enrollment (HFE). Through HFE, ICE began digitizing the old fingerprint cards of the 315,000 aliens with final deportation orders, criminal convictions, or fugitive status and uploading them into IDENT. The process was labor intensive, requiring staff to manually pull the fingerprint cards from aliens' files. ICE reviewed 167,000 aliens' files and uploaded fingerprint records into IDENT before HFE funding was depleted. Some fingerprint cards were missing or unclear and could not be digitized. Since that time, ICE has not received further funding for HFE; efforts to digitize and upload the records have been sporadic, and the process has not been completed.

Please if you could help clarify, I'd be most grateful.

Sincerely,

Amy

From: Sutton, Sarah E. (OPA) - (b) (6)
Sent: Friday, June 08, 2018 8:15 AM
To: Taxin, Amy <ATaxin@ap.org>
Cc: O'Malley, Devin (OPA) - (b) (6); Leonard, Catherine (OPA) - (b) (6) >
Subject: RE: AP, denaturalizations

Great. What is the best number to reach you on?

From: Taxin, Amy <ATaxin@ap.org>
Sent: Friday, June 8, 2018 10:02 AM
To: Sutton, Sarah E. (OPA) - (b) (6)
Cc: O'Malley, Devin (OPA) - (b) (6); Leonard, Catherine (OPA) - (b) (6) >
Subject: Re: AP, denaturalizations

Sure, thanks.

Sent from my iPhone

On Jun 8, 2018, at 6:44 AM, Sutton, Sarah E. (OPA) (b) (6) > wrote:

Amy- Would you be available for a call today at 1:45 PM EDT?

From: Taxin, Amy <ATaxin@ap.org>

Sent: Thursday, June 7, 2018 10:39 PM

To: O'Malley, Devin (OPA) (b) (6)

Cc: Sutton, Sarah E. (OPA) (b) (6); Leonard, Catherine (OPA) (b) (6)

Subject: Re: AP, denaturalizations

Thanks. Let's do that and if it doesn't run til Monday I can circle back with you for a quote/comment and/or on the record details. If you can let me know why we can't quote him/her this would also be helpful.

Best is any time between 10 am and 3 pm Eastern.

Have a good night.

Sent from my iPhone

On Jun 7, 2018, at 7:25 PM, O'Malley, Devin (OPA) (b) (6) wrote:

Yeah sorry this was not the week for civil denatz

I'm focused on some other things, but Sarah copied can reach out to the guys that handle denatz to see their availability tomorrow. Would be on background as doj official, not directly quotable.

Sarah can circle back tomorrow, but please send her your avails.

Sent from my iPhone

On Jun 7, 2018, at 10:23 PM, Taxin, Amy <ATaxin@ap.org> wrote:

I am writing tomorrow but I don't know when the story will run. Let me know.

Sent from my iPhone

On Jun 7, 2018, at 7:11 PM, O'Malley, Devin (OPA) (b) (6) > wrote:

Can we do Monday?

Sent from my iPhone

On Jun 7, 2018, at 3:57 PM, Taxin, Amy <ATaxin@ap.org> wrote:

Hi Devin,

Just checking back with you on this. I spoke with USCIS and they said to speak with you as you would be able to inform me about DOJ's work on this front. If so, please let me know what time/number are good. I am around tomorrow morning starting at 7 am Pacific.

If not, please let me know who to try and will do and thanks,

Amy

Amy Taxin
Immigration reporter
Associated Press
17291 Irvine Blvd Ste. 263
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Twitter: @ataxin

From: Taxin, Amy
Sent: Thursday, June 07, 2018 9:35 AM
To: 'O'Malley, Devin (OPA)' <(b) (6)>
Cc: Sutton, Sarah E. (OPA) <(b) (6)>; Leonard, Catherine (OPA) <(b) (6)>
Subject: RE: AP, denaturalizations

Devin,

The document you sent me is great.

I would very much like to speak with a SME on denaturalization, esp civil denaturalization. Please let me know who you recommend and when is good. I'm around today and tomorrow and Monday.

Also, do you keep any stats on how many cases are brought in federal civil courts, and how many the USAOs are successful in?

Can you tell me how many Affidavits of Good Cause (AGCs) the DOJ has received to refer cases for denaturalization, and on what grounds and from what agencies? Has this changed over time?

How many of the current cases that DOJ is pursuing for denaturalization are part of Operation Janus and the Sept 2016 OIG report? How many are unrelated?

Is there a bigger push to pursue denaturalization cases, and if so, on what grounds? If so, how do you measure the growth in these cases and the DOJ's success? With what funding/staffing is DOJ pursuing these cases?

Thanks,

Amy

Amy Taxin
Immigration reporter
Associated Press
17291 Irvine Blvd Ste. 263
Tustin, CA 92780
Tel: (b) (6)
Cel: (b) (6)
Email: ataxin@ap.org
Twitter: @ataxin

From: O'Malley, Devin (OPA) <(b) (6)>
Sent: Monday, June 04, 2018 6:11 PM
To: Taxin, Amy <ATaxin@ap.org>
Cc: Sutton, Sarah E. (OPA) <(b) (6)>; Leonard, Catherine (OPA) <(b) (6)>
Subject: RE: AP, denaturalizations

Hey Amy-

Did you still want to do a call with a SME on this? I've been super delinquent in getting back with you.

Devin M. O'Malley
Department of Justice
Office of Public Affairs
Office: (b) (6)
Cell: (b) (6)

From: Taxin, Amy <ATaxin@ap.org>
Sent: Monday, May 21, 2018 12:46 PM
To: O'Malley, Devin (OPA) <(b) (6)>
Cc: Sutton, Sarah E. (OPA) <(b) (6)>; Laco, Kelly (OPA) <(b) (6)>

Subject: RE: AP, denaturalizations

OK, thanks. Even if you have just a handful of case numbers. I can pull them up in PACER to read up in the meantime. Thank you!

From: O'Malley, Devin (OPA) (b) (6)
Sent: Monday, May 21, 2018 9:31 AM
To: Taxin, Amy <ATaxin@ap.org>
Cc: Sutton, Sarah E. (OPA) (b) (6); Laco, Kelly (OPA) (b) (6)
Subject: Re: AP, denaturalizations

Adding Kelly to see if there's someone at the office that can pull this together. I forgot Sarah was going to be out this week, and I'm basically out of pocket all week.

Sent from my iPhone

On May 21, 2018, at 5:18 PM, Taxin, Amy <ATaxin@ap.org> wrote:

I'm in on 5/29. If Sarah can send a list of some cases sooner that would be great as I can read them to have a better idea of the circumstances and process through the documents. Thanks.

From: O'Malley, Devin (OPA) (b) (6)
Sent: Friday, May 18, 2018 2:28 PM
To: Taxin, Amy <ATaxin@ap.org>
Cc: Sutton, Sarah E. (OPA) (b) (6)
Subject: RE: AP, denaturalizations

Hey Amy-

Sorry, but next week is not good. I will be out of the country. Week after?

Devin M. O'Malley
Department of Justice
Office of Public Affairs
Office: (b) (6)
Cell: (b) (6)

From: Taxin, Amy <ATaxin@ap.org>
Sent: Friday, May 18, 2018 3:00 PM
To: O'Malley, Devin (OPA) (b) (6)
Cc: Sutton, Sarah E. (OPA) (b) (6)
Subject: Re: AP, denaturalizations

Next week would be great. My schedule is flexible Tues-Thurs. If there is a time that works let me know. But reading up on the cases first would be great. Thanks!

Sent from my iPhone

On May 18, 2018, at 11:32 AM, O'Malley, Devin (OPA) (b) (6) > wrote:

Hey Amy-

Adding Sarah from our office, who can pull together all the civil denaturalization releases for you, which should be helpful.

I can certainly try to set up a call with someone to discuss, on background, our efforts on civil denaturalization cases. This document can also give you a good sense of the process:
<https://www.justice.gov/usao/page/file/984701/download>.

What's your timeframe on this? I'm not sure I can pull together a call this afternoon on this, and I am on work travel next week, which won't allow me to facilitate a call then.

Thanks!

Devin

Devin M. O'Malley
Department of Justice
Office of Public Affairs
Office: (b) (6)
Cell: (b) (6)

From: Taxin, Amy <ATaxin@ap.org>

Sent: Friday, May 18, 2018 2:11 PM

To: O'Malley, Devin (OPA) (b) (6)

Subject: AP, denaturalizations

Hi Devin,

I was hearing from some attorneys that there has been an increase in denaturalization cases. I saw a DOJ press release in January about the first denaturalization in the Operation Janus cases and wanted to find out more.

Is there a push to evaluate certain cases for denaturalization, and is it just the Operation Janus cases, or are there others? Is there an increase in filings, and can you point me to a few case numbers I could review to have a sense of the circumstances in these cases? Would someone from DOJ be willing to discuss the history of these cases, and the challenges in bringing them?

Many thanks.

Sincerely,

Amy

Amy Taxin
Immigration reporter
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