

United States Senate

COMMITTEE ON FINANCE

WASHINGTON, DC 20510-6200

May 6, 2010

Via Electronic Transmission

The Honorable Janet Napolitano
Secretary
United States Department of Homeland Security
3801 Nebraska Avenue, N.W.
Washington, DC 20528

Dear Secretary Napolitano:

As the Senior Senator from Iowa, Ranking Member on the United States Senate Committee on Finance, and a Senior Member of the Committee on the Judiciary it is my constitutional duty to conduct oversight into the actions of the Executive Branch, including the activities of the Department of Homeland Security (DHS).

On May 3, 2010, Faisal Shahzad was arrested on suspicion of parking a vehicle packed with explosives in Times Square, New York City, New York. At the time of his arrest he was attempting to flee the United States for the Middle East. News reports state that Shahzad is a naturalized United States citizen from Pakistan, having become naturalized in 2009. I have received information that your Department played a significant role in Shahzad's capture, and would like to congratulate the men and women of DHS for their vigilance in this investigation. However, his recent naturalization raises questions about how thoroughly potential citizens are being vetted before being granted the privileges of U.S. citizenship. This issue has arisen before, where aliens have been naturalized by one agency of our government even while under investigation by another. In this instance, it has been reported that in 2004, long before his naturalization last year, agents from the Joint Terrorism Task Force were seeking information about Shahzad from the buyer of his home. Shahzad also reportedly transported about \$80,000 in currency or monetary instruments into the United States. Questions about these matters should have been raised and addressed during a change of status interview prior to the decision to grant naturalization.

Accordingly, it is necessary to investigate the path Shahzad took to becoming a United States citizen. In order for a complete and thorough investigation, please provide the Judiciary and/or Finance Committees with the following information and documents:

- 1) The alien file of Faisal Shahzad.
- 2) Any temporary alien file that may have been created for Faisal Shahzad.
- 3) The alien files of all relatives of Faisal Shahzad.

- 4) The alien files of all individuals that Faisal Shahzad may have listed as references and/or sponsors.
- 5) International travel history of Faisal Shahzad.
- 6) A copy of each Arrival/Departure Record, CBP Form I-94, for Faisal Shahzad and a copy of each I-94 completed by traveling companions.
- 7) A description of any and all investigations by any U.S. government agency in which Shahzad was named as a subject or a witness.
- 8) Completed National Security Entry-Exit Registration System (NSEERS) registration forms for Faisal Shahzad.
- 9) Any I-213 forms for the arrest/apprehension of Faisal Shahzad.
- 10) A listing of all individuals sponsored by Faisal Shahzad.
- 11) Was Faisal Shahzad the importer of record for any importations? If so, provide a copy of each CBP Entry Summary Form 7501.
- 12) Provide any Shippers Export Declarations for all exports performed by Faisal Shahzad.
- 13) A number of Legal Permanent Residents become naturalized by Citizenship and Immigration Services without the authorizing official having the original alien file in his/her possession. When Faisal Shahzad was naturalized, did the approving official have the opportunity to review the original alien file of Shahzad? Or was the approving officer in a remote location while the original alien file was stored elsewhere?
- 14) When Faisal Shahzad first entered the United States, what was his immigration status? Was he ever out of status?

Thank you for your cooperation and attention to this important matter. Please respond to the questions set forth in this letter no later than May 11, 2010. Provide your response to Brian_Downey@finance-rep.senate.gov. If you have any questions, please do not hesitate to contact Jason Foster at (202) 224-4515.

Sincerely,



Charles E. Grassley
Ranking Member