Congress of the United States
Washington, DC 20515

October 30, 2015

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

Dear Secretary Johnson:

We write to request case information on Jose Amaya-Vasquez, reportedly an unlawful alien from Honduras who allegedly kidnapped his estranged girlfriend at knifepoint in Missouri and repeatedly raped her as he drove her and her two-year-old child to New Jersey in May 2015. He is currently charged with kidnapping and illegal reentry after removal, and in custody in Camden, New Jersey. According to media reports, Amaya-Vasquez illegally entered the United States in 2005. He was twice removed from the United States in 2014 and subsequently reentered prior to allegedly perpetrating the rapes.

In order to better understand Amaya-Vasquez's immigration and criminal history, we are seeking answers about his entry to and residency in the United States. Please provide both Committees on the Judiciary, no later than November 6, 2015, with the immigration history and status, executive summary, criminal history and any other information that may be readily available surrounding Amaya-Vasquez.

Furthermore, please provide the Committees with the following documents and answers to the below questions as soon as possible, but not later than November 16, 2015:

1. Please identify and explain each and every encounter that the Department of Homeland Security or any of its agencies has had with Amaya-Vasquez, including the date of the encounter, whether the encounter resulted in detention or the issuance of a detainer or request for notification, whether the encounter resulted in the initiation of removal proceedings or reinstatement of a prior removal order against Amaya-Vasquez, and the current status of those removal proceedings or reinstatement.
2. Please identify each and every date on which Amaya-Vasquez was arrested by a law enforcement agency in the United States, including criminal and civil arrests, the nature of the charges, the jurisdictions where the arrests occurred, the dispositions of the charges, the dates on which Amaya-Vasquez was released from the custody of the law enforcement agencies, and the reasons for the release.
3. Were any detainers or requests for notification about the release of Amaya-Vasquez issued by the Department of Homeland Security to any state, local or federal jurisdiction or agency?
4. We have seen numerous examples of illegal immigrants who were in federal custody, but were handed over to state or local law enforcement agencies with sanctuary polices, and subsequently released again into the public. To identify and prevent this type of enabling of criminal aliens to reoffend, please answer the following questions about this case:

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a. Is DHS aware of any outstanding warrants for Amaya-Vasquez? If so, please provide the jurisdiction and the reason for the warrant.
b. If Amaya-Vasquez is transferred to a state or local law enforcement agency for an outstanding warrant, will ICE issue a detainer or request for notification of release?
c. If the state or local law enforcement agency declines to honor a detainer or notify ICE, what action will DHS take to ensure that this alleged sex offender is not free to walk and reoffend?

5. Did Amaya-Vasquez ever apply for any immigration benefits, including deferred action? If so, was any application approved? Please provide copies of any applications that Amaya-Vasquez may have submitted.
6. Please provide a copy of the alien file for Amaya-Vasquez.
7. Please provide any other information collected or maintained by DHS, including ICE or CBP, regarding Amaya-Vasquez.
8. If Amaya-Vasquez had been encountered by DHS enforcement officials prior to his arrest in connection with the above mentioned crimes, would he have met the requirements to be considered a priority for removal under PEP? If so, please provide the exact reason for such consideration. If not, why not?

If you cannot comply with this request by November 16, 2015, please provide an update on the status of this request and the expected date of compliance prior to the expiration of the referenced date and not less frequently than weekly thereafter.

As you know, the Privacy Act authorizes disclosure of information to Committees of Congress. If you cannot fully respond to each and every request for documents or information set forth above, please identify the specific item requested to which you cannot fully respond and explain why you cannot respond.

Should you have any questions, please contact Kathy Nuebel Kovarik at (202) 224-5225 or Tracy Short at (202) 225-3926. Thank you for your cooperation.

Sincerely,

Charles E. Grassley
Chairman
Senate Committee on the Judiciary

Bob Goodlatte
Chairman
House Committee on the Judiciary