

BOB GOODLATTE, Virginia
CHAIRMAN

F. JAMES SENSENBRENNER, JR., Wisconsin
LAMAR S. SMITH, Texas
STEVE CHABOT, Ohio
DARRELL E. ISSA, California
J. RANDY FORBES, Virginia
STEVE KING, Iowa
TRENT FRANKS, Arizona
LOUIE GOHMERT, Texas
JIM JORDAN, Ohio
TED POE, Texas
JASON CHAFFETZ, Utah
TOM MARINO, Pennsylvania
TREY GOWDY, South Carolina
RAÚL R. LABRADOR, Idaho
BLAKE FARENTHOLD, Texas
DOUG COLLINS, Georgia
RON DeSANTIS, Florida
MIMI WALTERS, California
KEN BUCK, Colorado
JOHN RATCLIFFE, Texas
DAVE TROTT, Michigan
MIKE BISHOP, Michigan

JOHN CONYERS, JR., Michigan
RANKING MEMBER

JERROLD NADLER, New York
ZOE LOFGREN, California
SHEILA JACKSON LEE, Texas
STEVE COHEN, Tennessee
HENRY C. "HANK" JOHNSON, JR., Georgia
PEDRO R. PIERLUISI, Puerto Rico
JUDY CHU, California
TED DEUTCH, Florida
LUIS V. GUTIERREZ, Illinois
KAREN BASS, California
CEDRIC L. RICHMOND, Louisiana
SUZAN K. DELBENE, Washington
HAKEEM S. JEFFRIES, New York
DAVID CICILLINE, Rhode Island
SCOTT PETERS, California

ONE HUNDRED FOURTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-3951

<http://www.house.gov/judiciary>

October 21, 2016

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

Dear Secretary Johnson:

Yet again, I must write to you to request information about criminal aliens whose unlawful presence in the United States has enabled them to allegedly perpetrate heinous crimes—this time involving two reported child rapists. U.S. Immigration and Customs Enforcement (ICE) reported that Tomas Martinez-Maldonado is an unlawfully present citizen of Mexico, who has been removed from the United States ten times since 2010. He was arrested and charged with raping a 12-year-old girl on a bus in Kansas on or about September 27. Media reports indicate that Edis Moya Alas is a citizen of El Salvador and, according to ICE, he is unlawfully present in the United States. He was arrested on October 8 and charged with Aggravated Sexual Assault and Aggravated Kidnapping after reportedly abducting a 6-year-old girl from her home in Fort Worth, Texas and raping her. She was found by police after a local resident reported hearing her screams from a nearby wooded area.

Both of these alleged child predators were previously encountered by law enforcement agencies in the United States. ICE has confirmed that Martinez-Maldonado has been removed to Mexico ten times during the last six years and has a 2013 felony conviction for illegal reentry after removal. Alas was reportedly arrested in Fort Worth on drug charges approximately two years ago. After their respective arrests on the criminal charges, it would appear that both men should have been encountered and detained by ICE and placed in removal proceedings.

It is important for this Committee to understand why these criminal aliens remained at large at the time of these alleged offenses and to determine whether the Department of Homeland Security (DHS) took all reasonable and appropriate actions within its immigration enforcement authority to ensure the safety and protection of these vulnerable victims.

Therefore, please provide the following information no later than November 4, 2016:

1. The alien registration numbers for Martinez-Maldonado and Alas, their complete alien files (A-file), including any temporary files, working files, or Service Center files, and all documents and items contained in them, all reports or notifications generated by DHS or in its possession about them, whether currently in written or electronic form, including, but not

limited to, Enforcement and Removal Operations (ERO) Executive Summaries, criminal histories or immigration summaries, detainers or requests for notification, I-213(s), and Notice(s) to Appear or other charging documents created to seek their removal from the United States.

2. Please identify each and every date on which Martinez-Maldonado and Alas were encountered by a law enforcement agency in the United States, to include criminal and civil arrests, the nature of the charges, the jurisdictions where the arrests occurred, the disposition of each charge, the date(s) on which they were released from the custody of that law enforcement agency, and the reason(s) for the release. Please provide the arrest and disposition documentation for each encounter.
3. How and when did Martinez-Maldonado and Alas enter the United States? Were they ever served with a Notice to Appear? Was it filed with an immigration court? Please explain.
4. Did Martinez-Maldonado or Alas ever apply for any immigration benefits, including deferred action? If so, was any application approved? Please provide copies of any applications that either may have submitted, whether or not adjudicated.
5. Has Martinez-Maldonado or Alas been removed previously? If so, when? Please explain.
6. Has ICE issued a detainer or request for notification to any entity regarding Martinez-Maldonado or Alas? Please explain for each.
7. Has Martinez-Maldonado or Alas ever been a member of, or associated with any criminal gang? Please explain for each.
8. If Martinez-Maldonado and Alas had been encountered by DHS enforcement officials prior to their latest arrests for child rape, would they have met the requirements to be considered a priority for removal under the Administration's Priority Enforcement Program? If so, please provide the exact reason for such consideration for each alien. If not, why not?

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.

If you have any questions about this request, please contact Tracy Short, Counsel, Subcommittee on Immigration and Border Security, at (202) 225-3926. Thank you for your prompt attention to this matter.

Sincerely,



Bob Goodlatte
Chairman

cc: Hon. John Conyers, Jr.