

BOB GOODLATTE, Virginia
CHAIRMAN

F. JAMES SENSENBRENNER, JR., Wisconsin
LAMAR S. SMITH, Texas
STEVE CHABOT, Ohio
DARRELL E. ISSA, California
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
KEN BUCK, Colorado
JOHN RATCLIFFE, Texas
MIKE BISHOP, Michigan
MARTHA ROBY, Alabama
MATT GAETZ, Florida
MIKE JOHNSON, Louisiana
ANDY BIGGS, Arizona

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
JUDY CHU, California
TED DEUTCH, Florida
LUIS V. GUTIÉRREZ, Illinois
KAREN BASS, California
CEDRIC L. RICHMOND, Louisiana
HAKEEM S. JEFFRIES, New York
DAVID CICILLINE, Rhode Island
ERIC SWALWELL, California
TED LIEU, California
JAMIE RASKIN, Maryland
PRAMILA JAYAPAL, Washington

ONE HUNDRED FIFTEENTH 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>

March 22, 2017

The Honorable John F. Kelly
Secretary
U.S. Department of Homeland Security
Washington, D.C. 20528

Dear Secretary Kelly:

I write to request information surrounding the horrific sexual assault that reportedly occurred at Rockville High School in Rockville, MD, last Thursday. According to press reports, Jose O. Montano, 17, from El Salvador, and Henry E. Sanchez-Milian, 18, from Guatemala, forced a 14-year-old female student into a restroom at the school and subsequently raped and sodomized her.¹

And those same reports have noted that the Department of Homeland Security has acknowledged that Border Patrol agents encountered Sanchez-Milian entering the United States illegally in August 2016, through the Rio Grande Valley.² Apparently he was issued a notice to appear in immigration court, but no hearing date had yet been set.

Once again, we have an example of how the Obama Administration's lax immigration enforcement policies resulted in a life being seriously harmed – in this case, the life of an innocent 14 year-old-girl who was simply attending school.

There is no doubt that such heinous crimes by illegal immigrants who were encountered by the Obama Administration, not removed by the Obama Administration, and instead actually set free in American communities by the Obama Administration, will continue to occur until sufficient enforcement has occurred.

You have continuously stated your commitment to such enforcement, and I appreciate that commitment. Systematic and steady immigration enforcement is key to protecting American communities from dangerous criminals entering the country and committing crimes, and to ensuring that all foreign nationals understand that if they choose to put themselves in

¹ Malia Zimmerman, *Rape of Girl Allegedly by Two Teens One Here Illegally Offers New Details*, FoxNews, <http://www.foxnews.com/us/2017/03/20/rape-girl-allegedly-by-2-teens-one-here-illegally-offers-new-details.print.html>, Mar. 20, 2017.

² *Id.*

danger to make the long, and many times expensive, journey to the U.S., they will no longer be assured of being able to stay. Systematic and steady enforcement is the best deterrent to illegal immigration. As proof, we need look no further than the success your policy changes are already having at the Southwest border. I was happy to see, per your press release last month, that border apprehensions were down 40 percent. And I was even more pleased when President Trump updated that number yesterday to 61 percent. Again – this is proof that enforcement is a deterrent to illegal immigration. I commend you for your commitment to enforcing the law and for your progress thus far to deter illegal immigration.

Perhaps if Sanchez-Milian had known he would likely be deported, he would not have come to the U.S. and the 14-year-old high school student would not have been assaulted.

That said, please provide case history information regarding Jose O. Montano and Henry E. Sanchez-Milian, including but not limited to:

1. The complete alien file (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 him, whether currently in written or electronic form, including, but not limited to, the Enforcement and Removal Operations (ERO) Executive Summary, criminal history or immigration summaries, detainers or requests for notification, I-213(s), and Notice(s) to Appear or other charging documents created to seek his removal from the United States.
2. Each and every date on which the individuals were encountered by a law enforcement agency in the United States, to include criminal and civil arrests, the nature of the charge, the jurisdiction where the arrest occurred, the disposition of that charge, the date(s) on which he was 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 each individual enter the United States? Was each ever served with a Notice to Appear? If so, was it filed with an immigration court? Please explain.
4. Did either individual ever apply for any immigration benefits, including deferred action? If so, was any application approved? Please provide copies of any applications that they may have submitted, whether or not adjudicated.
5. Has either individual been removed previously? If so, when?
6. Has ICE issued a detainer or request for notification to any entity regarding either individual? Please explain.
7. Is either individual a member of, or associated with, any criminal gang? Please explain.

As you know, Privacy Act protections do not apply to this request made in my capacity as Chairman of the House Judiciary Committee.

In addition, please explain what steps you are currently taking to prevent individuals like Montano and Sanchez-Milian from victimizing the American public.

Lastly, as Chairman of the Committee of jurisdiction over immigration enforcement, my agenda includes providing legislative and other resources that would aid your mission to enforce

immigration laws and prevent criminal aliens from having access to our communities, including our schools. In that vein, please provide me any such legislative changes that your Department would like to see to current immigration law.

Please respond to this request by April 5, 2017. If you have any questions about this request, please contact Andrea Loving, Counsel for the House Judiciary Committee, at (202) 225-3926. Thank you in advance for your prompt attention to this matter.

Sincerely,

A handwritten signature in blue ink that reads "Bob Goodlatte". The signature is fluid and cursive, with the first name "Bob" and last name "Goodlatte" clearly distinguishable.

Bob Goodlatte
Chairman