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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

KOLAN L. DAVIS, Chief Counsel and Staff Director
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October 13, 2017

VIA ELECTRONIC TRANSMISSION

Elaine Duke
Acting Secretary
U.S. Department of Homeland Security
Washington, D.C. 20528

Dear Acting Secretary Duke:

On October 4, 2017, Greenville County Sheriff's deputies arrested 19 year-old Daniel De Jesus Rangel-Sherrer for the murder of 18-year-old Diana Martinez-Gonzales in Greenville, South Carolina.¹ According to reports, deputies found the young woman dead in a nearby wooded area where she was apparently held against her will and shot during an argument with Rangel-Sherrer. Rangel-Sherrer was arrested shortly after and charged with murder, kidnapping, and possession of a weapon during a violent crime.²

News reports also claim that U.S. Immigration and Customs Enforcement (ICE) issued a detainer for Rangel-Sherrer, a Mexican national being held at the Greenville County Detention Center without bond.³ Reports to the Committee suggest that Rangel-Sherrer has been able to remain in the country as a beneficiary of President Obama's Deferred Action for Childhood Arrivals (DACA) since 2014.

For years, the Committee has been investigating the DACA program's vulnerabilities to ensure benefits aren't fraudulently obtained by criminals and others who wish to exploit the program. Most recently, the Committee held a hearing entitled, "Oversight of the

¹ Amanda Shaw, *ICE: Man Accused of Shooting High Schooler in Woods was in U.S. Illegally*, Fox News Carolina, available at <http://www.foxcarolina.com/story/36521508/greenville-co-sheriff-man-confessed-to-killing-woman-who-was-forced-into-woods>

² *Greenville Teen Found Dead After Search for Shooting Victim*, WSPA News, Oct. 4, 2017, available at <http://wspa.com/2017/10/04/deputies-searching-for-victim-after-reported-shooting-in-greenville-co/>.

³ Amanda Shaw, *ICE: Man Accused of Shooting High Schooler in Woods was in U.S. Illegally*, Fox News Carolina, available at <http://www.foxcarolina.com/story/36521508/greenville-co-sheriff-man-confessed-to-killing-woman-who-was-forced-into-woods>

Administration's Decision to End Deferred Action for Childhood Arrivals"⁴during which government officials testified that almost 2,000 beneficiaries lost their status due to criminal activity. When pressed about the details after the hearing, your Department reported that these criminal terminations were based on a variety of offenses "from an accumulation of three nonsignificant misdemeanor convictions to very serious crimes including arrests and/or convictions for capital murder, sexual assault of children, rape, aliens possessing firearms, burglary, alien smuggling, aggravated assaults with deadly weapons, drug manufacturing with intent to sell and domestic violence."⁵Some of the terminations occurred due to gang membership, and around 700 terminations occurred for arrests involving national security or public safety concerns.⁶

Understanding the program's past vulnerabilities is the key to mitigating future problems as well as obtaining the best solution for the almost 800,000 beneficiaries impacted by the President's recent decision to terminate DACA. Therefore, please respond to the following questions no later than October 23, 2017:

1. Please provide the number of beneficiaries who lost their status due to a disqualifying crime since 2012. Please also include the category of offense, and whether the individuals were referred to ICE for deportation. If no referral was made, please explain why, and detail how many of the terminated beneficiaries are suspected to remain in the country.
2. Please provide the alien registration number for Rangel-Sherrer, his complete alien file (A-file), including any temporary files or working files, and all documents and items contained in them that were generated by the Department of Homeland Security (DHS) or in its possession about him, whether currently in written or electronic form, including: the Enforcement and Removal Operations (ERO) Executive Summary, criminal history and 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.
3. Please identify and explain each encounter DHS or any of its components had with Rangel-Sherrer, 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 him.
4. Did Rangel-Sherrer ever apply for any immigration benefit(s), including DACA? If so, was his application approved? Please explain.
5. If approved for DACA, has Rangel-Sherrer's DACA grant been terminated? Has his employment authorization (EAD) been terminated? If so, when? If not, why not?

⁴ <https://www.judiciary.senate.gov/meetings/oversight-of-the-administrations-decision-to-end-deferred-action-for-childhood-arrivals>

⁵ E-mail on file with the Committee

⁶ *Id.*

Thank you in advance for your cooperation with this request. If you have questions, please contact Katherine Nikas of my Committee staff at (202) 224-5225.

Sincerely,

A handwritten signature in blue ink that reads "Chuck Grassley". The signature is written in a cursive, flowing style.

Charles E. Grassley
Chairman
Senate Committee on the Judiciary

cc:

The Honorable Dianne Feinstein
Ranking Member
Senate Committee on the Judiciary