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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

December 11, 2017

VIA ELECTRONIC TRANSMISSION

The Honorable Kirstjen M. Nielsen
Secretary
U.S. Department of Homeland Security
Washington, D.C. 20528

The Honorable Rex Tillerson
Secretary
U.S. Department of State
Washington, D.C. 20520

Dear Secretary Nielsen and Secretary Tillerson:

Earlier today, a man wearing an “improvised low-tech explosive device” similar to a pipe bomb detonated the explosive at the Port Authority Bus Terminal, a busy transit hub near Times Square in New York City.¹ Law enforcement have identified the suspect as 27-year-old Akayed Ullah, a Bangladeshi immigrant who received a green card and currently resides in Brooklyn, NY.² According to authorities, the suspect’s device, held together by Velcro and zip ties, prematurely exploded injuring himself and three victims, all of whom are being treated for injuries at nearby hospitals.³ Reportedly, Ullah told law enforcement that he committed the act in the name of ISIS.⁴

According to press reports, Ullah was 20 years old when his uncle, a U.S. citizen, petitioned for Ullah’s mother to receive a derivative visa as a sister of a U.S. citizen or lawful

¹ Melanie Grayce West, *Suspect in Custody in New York’s Port Authority Explosion*, The Wall Street Journal, available at <https://www.wsj.com/articles/explosion-reported-at-new-yorks-port-authority-1512997695>

² <http://newyork.cbslocal.com/2017/12/11/port-authority-terror-suspect/>

³ Elliott C. McLaughlin, *New York explosion: Man Detonates Pipe Bomb in ‘Attempted Terrorist Attack,’ Officials Say*, CNN News, available at <http://www.cnn.com/2017/12/11/us/new-york-possible-explosion-port-authority-subway/index.html>; Aaron Katersky, Emily Shapiro, M.L. Niestel, *Explosive Detonates Near New York City’s Times Square in ‘Attempted Terrorist Attack,’ Suspect in Custody*, ABC News, available at <http://abcnews.go.com/US/nyc-police-respond-reports-explosion-port-authority-bus/story?id=51714989>

⁴ Tom Winter, Jonathan Dienst, and Tracy Connor, *NYC Blast Suspect Akayed Ullah Aimed to Avenge Muslim Deaths, Source Says*, NBC NEWS, available at <https://www.nbcnews.com/news/us-news/akayed-ullah-nyc-explosion-suspect-identified-27-year-old-brooklyn-n828361>

permanent resident.⁵ Ullah was subsequently allowed to emigrate as a child of a sister of a U.S. citizen benefiting from a controversial immigration occurrence known as chain migration.⁶ Therefore, Ullah, as a child of the principal applicant, was also allowed to receive derivative status and a green card, which he used to emigrate from Bangladesh in 2011. If these sources are correct, this further highlights the need to consider whether our country is best served by a family, non-skills based legal immigration system.

To better understand what motivated this act of terror, please provide numbered written responses to the following questions no later than December 18, 2017:

Department of Homeland Security:

1. Please provide a list of all A-files, executive summaries, or receipt files with TECs hits for terrorism that have been requested from the Department of Homeland Security in furtherance of the investigation into the New York City terrorist attack including any information on Akayed Ullah.
2. Did Akayed Ullah have any criminal convictions? Please explain and provide all relevant documentation.
3. Was Akayed Ullah on any terrorist watch lists? If so, which lists and which dates was he on the lists?

Department of State:

4. Please provide all visa records and associated documentation for Akayed Ullah.
 - a. Did Akayed Ullah apply for any U.S. visa? If the answer is yes, what category of visa was sought? Which embassy or consulate did he submit the application to? If the visa was denied, what was the basis for denial?
 - b. Please provide the visa category and validity period for any and all previous visas issued to Akayed Ullah.
 - c. Please provide the dates of application submission and the basis of denial for any past visa applications submitted by Akayed Ullah, along with any associated documentation, case or interview notes, or other related information.

⁵ Nolan D. McCaskill, *White House: Trump's Immigration Policies Could Have Prevented New York Attack*, Politico, <https://www.politico.com/story/2017/12/11/white-house-trump-immigration-prevented-new-york-attack-290499>; *Port Authority Blast Suspect Identified as Akayed Ullah, Is From Bangladesh and Lived in Brooklyn*, CBS New York, available at <http://newyork.cbslocal.com/2017/12/11/port-authority-terror-suspect/>; <https://www.uscis.gov/sites/default/files/ocomm/ilink/0-0-0-32054.html>

d. Has Akayed Ullah ever been in possession of a U.S. visa that was later revoked? If so, please provide any information that supported the decision for revocation.

e. Was Akayed Ullah subjected to any additional administrative processing associated with any visa application? Please explain and provide all documentation uncovered, or created, as a result of such additional processing.

g. Please provide a timeline for all applications or petitions for immigrant and/or non-immigrant visas.

Thank you for your attention to this important matter. Should you have any questions, please contact Katherine Nikas of my Committee staff at (202) 224-5225.

Sincerely,



Charles E. Grassley
Chairman
Senate Committee on the Judiciary

cc:

The Honorable Dianne Feinstein
Ranking Member
Senate Committee on the Judiciary

The Honorable Christopher Wray
Director
The Federal Bureau of Investigation
Washington, D.C. 20535