

United States Senate

WASHINGTON, DC 20510

June 3, 2014

The Honorable Jeh Johnson
Secretary of Homeland Security
U.S. Department of Homeland Security
Nebraska Avenue Complex
3801 Nebraska Avenue, N.W.
Washington, DC 20528

Dear Secretary Johnson:

We write to seek additional details surrounding actions reportedly taken by Immigration and Customs Enforcement (ICE) officials in Arizona.

On May 30, 2014, the *Arizona Republic* posted a story entitled “Scores of Undocumented Migrants Dropped Off in Arizona” that details hundreds of illegal aliens apprehended in Texas being flown into Tucson, Arizona for processing.¹ In addition, the story indicates that a number of these illegal aliens from Central America “have been released at Greyhound Lines, Inc. bus stations in Tucson and Phoenix.” Apparently ICE has been transporting them to the Tucson bus station alone, until Greyhound officials complained that the practice had overwhelmed it. It appears that this practice has been on-going for several months, though groups being dropped off have grown in size recently to as large as 90 people as opposed to smaller groups in the past. According to details provided in the story, “[a]fter screening, they are being released under supervision and then required to report to a local ICE office near their destination within 15 days.” It appears that, at the time of reporting, that ICE was unable to confirm how many of the hundreds flown into Arizona received the Greyhound station release.

While there have been concerns raised regarding the adequacy and humaneness of the described approach, the practice raises a number questions. Specifically:

1. To date, how many illegal aliens have been flown or transported into Arizona from other states for processing? Are there other states currently receiving out-of-state illegal aliens for processing?
2. Please explain in detail the adjudicatory process currently being followed by Border Patrol and ICE officials when an illegal alien is apprehended. It is apparent that not all of the illegal aliens flown into Arizona ended up at the bus station; please describe how illegal aliens are chosen for transport into Arizona, the scenario under which they would be dropped off at the bus station, and the likely scenarios for those who remain in custody in Arizona.

¹ Gonzalez, D. (2014, May 30). Scores of undocumented migrants dropped off in Arizona. *The Arizona Republic*. Retrieved from <http://www.azcentral.com> (accessed June 2, 2014)

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3. Does the adjudication process that yields groups of illegal aliens being dropped off at the Greyhound bus station in Tucson and Phoenix represent a change from the past or existing practice for adjudicating illegal aliens?
4. What is the nature of the supervision under which those who are dropped off at the bus station find themselves? When dropping them off, is ICE aware of their ultimate destination? Is the local ICE agent made aware of those who should be reporting to them within 15 days?
5. What is the recourse for the Department should any of those who are dropped off at bus station not report to a local ICE officer at their destination within 15 days? What percentage of those released under these conditions in Arizona have made contact with an ICE officer within the allotted time?
6. Have any of those who were dropped off at the Greyhound bus station been involved in subsequent criminal activity? Would DHS officials be made aware of any subsequent interactions with state and local law enforcement?
7. Where state or local law enforcements officials made aware that illegal aliens would be flown into the state from Texas? Were state and local law enforcement officials made aware that illegal aliens would be subsequently released at Greyhound bus stations in Phoenix and Tucson or that they would be arriving at localities?

As we are certain you are aware, while border security remains a paramount concern, Arizona's Tucson Sector no longer has the dubious distinction of being the busiest Border Patrol sector in the nation. It should come as no surprise that the reporting on the practice of flying illegal aliens into the state from Texas and releasing them at local bus stations has been met with some frustration by Arizonans. We would appreciate written responses to the above questions in a timely fashion.

We thank you for your attention to this matter, in strict accordance with all existing rules, regulations, and ethical guidelines.

Sincerely,


JEFF FLAKE
U.S. Senator


JOHN MCCAIN
U.S. Senator