

# United States Senate

August 8, 2019

## VIA ELECTRONIC DELIVERY

The Honorable Kevin McAleenan  
Acting Secretary  
U.S. Department of Homeland Security  
2801 Nebraska Avenue NW  
Washington, DC 20528

The Honorable Michael Pompeo  
Secretary of State  
U.S. Department of State  
2201 C Street NW  
Washington, DC 20300

Dear Acting Secretary McAleenan and Secretary Pompeo:

I write to request further information on the administration's policy to permit deported Veterans entry into the United States to attend their citizenship interview with U.S. Citizenship and Immigration Services (USCIS). Public reports indicate that a Marine Veteran was recently denied entry causing him to miss his scheduled citizenship appointment. The reporting also cites that the U.S. Department of Homeland Security (DHS) and U.S. Department of State could not agree on which agency was responsible for granting the Veteran's request for entry.

As you are aware, U.S. Customs and Border Protection (CBP), Immigration Customs and Enforcement (ICE) and USCIS are all authorized to grant parole to noncitizens for significant public benefit and humanitarian reasons. A 2008 Memorandum of Agreement outlines a non-exhaustive list of parole programs that affords noncitizens to temporarily enter the United States. However, the current list does not provide an appropriate parole scenario or category for deported Veterans seeking entry for their citizenship interview. Further, Federal guidance does not specify whether CBP, ICE or USCIS has jurisdiction to grant such parole.

This lack of clarity deprives Veterans of a fair chance for citizenship and further delays the naturalization process. Missing a citizenship interview can add several months to the process – an unnecessary delay that can be avoided with appropriate Federal guidance. Media outlets indicate that there are numerous Veterans with citizenship cases who will likely face significant challenges to enter the United States for their naturalization interview.

It is my understanding that USCIS has conducted interviews at ports of entry and in consulates for deported Veterans in the past. I agree that once applicants submit the naturalization application and pass FBI criminal background checks, USCIS should ensure every noncitizen can attend the naturalization interview on their scheduled date. Unfortunately, the current policy is ambiguous and complex. Given that a Veteran who served honorably in the U.S. Armed Forces is currently stuck at the San Ysidro Port of Entry, I urge you to take immediate action to ensure he can attend his naturalization interview. Even further, I urge you to establish clear policies that allow deported Veterans to temporarily enter the United States to attend naturalization interviews.

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Accordingly, I request that you provide my office with the following documents and information by August 29, 2019:

- The guidance that each of the following agencies use to grant parole for deported Veterans to attend citizenship interviews:
  - USCIS
  - CBP
  - ICE
- The quality assurance mechanisms that each of the following agencies use to ensure deported Veterans are not arbitrarily and unfairly denied entry into the United States for citizenship interviews:
  - USCIS
  - CBP
  - ICE
- The number of deported Veterans who received parole to attend citizenship interviews.
- The number of deported Veterans who have pending citizenship cases.
- The number of denied parole applications requested for deported Veterans seeking entry for the purpose of citizenship interviews and the justification by the following agencies:
  - USCIS
  - CBP
  - ICE
- The guidance that USCIS has issued to conduct citizenship interviews at ports of entry.
- The guidance that USCIS has issued to conduct citizenship interviews in consulate offices.
- The guidance the State Department has issued to adjudicate requests from deported Veterans requesting entry into the United States to attend citizenship interviews.

Thank you in advance for your attention to this important matter.

Sincerely,



Tammy Duckworth  
United States Senator