

# Congress of the United States

## Washington, DC 20515

March 28, 2022

The Honorable Joseph V. Cuffari, Ph.D.  
Inspector General  
U.S. Department of Homeland Security  
245 Murray Lane, SW  
Washington, DC 20528

Dear Inspector General Cuffari:

We write to request your review of the Transportation Security Administration's (TSA) policies and procedures, which have allowed, and could further allow, illegal aliens to enter the sterile area of an airport and board commercial airlines without proper identification and, in some cases, use arrest warrants as a form of identification.

After the horrific attack our nation experienced on September 11, 2001, Congress saw the urgent need to protect our nation's transportation system and created TSA in response. Now, TSA is allowing unvetted illegal aliens to gain access to our airports and board commercial aircraft, which creates serious security concerns and undermines the progress we have made since 9/11.

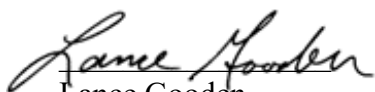
On January 7, 2022, TSA's response to a congressional inquiry confirmed several details that present an apparent failure to protect our transportation network. In the response, TSA stated 159 non-citizen and non-U.S. national passengers fly daily without proper identification or with documents that do not accurately confirm the identity of those passengers. In fact, the agencies responsible for issuing these documents have stated they are not acceptable alternatives to ID and do not sufficiently confirm or verify the individual's identity.

To ensure our transportation security network is safe, we request a review of TSA operations, specifically at border airports, and report on the following:


1. Review policies and procedures that the appropriate agency has in place to confirm an individual's identity before they issue one of the following documents listed below. Please also verify if the issuing agency believes these documents are alternatives to acceptable forms of ID.
  - a. ICE Form I-200 – Warrant for Arrest of Alien
  - b. ICE Form I-205 – Warrant of Removal/Deportation
  - c. ICE Form I-220A – Order of Release on Recognizance
  - d. ICE Form I-220B – Order of Supervision
  - e. DHS Form I-862 – Notice to Appear
  - f. CBP Form I-94 – Arrival and Departure Form (including a print-out of an electronic record)
  - g. DHS Form I-385 – Alien Booking Record

2. Review TSA Federal Security Directors (FSD) policies and procedures at our nation's airports. Specifically, please review:
  - a. The extent to which FSDs have the discretion to modify policies and allow individuals to enter the sterile area without proper identification or enhanced security screening.
  - b. What authority and responsibility does an FSD have to confirm the identity of a passenger who does not have proper identification?
3. TSA consultation processes with non-governmental organizations, law enforcement organizations, and commercial airlines. Specifically, examine:
  - a. TSA coordination and communication with non-governmental organizations providing illegal aliens, non-citizens, and non-U.S. nationals with correspondence allowing them to enter the sterile area of an airport without proper identification.
  - b. The extent to which TSA coordinates or notifies ICE or local law enforcement if an ICE Form I-200 – Warrant for Arrest of Alien – was used as a form of identification.
4. Conduct a review of policies and procedures related to the National Transportation Vetting Center (NTVC). Specifically, please verify NTVC and TSA sufficiently confirm the identity of non-citizen and non-U.S. national passengers before they are allowed to enter the sterile area of an airport.

We request you review this matter and submit a report within 120 days. In the interim, we request that you provide us with monthly updates. Thank you for your prompt attention to this important request.

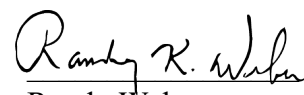
  
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