



**Homeland  
Security**

**MEMORANDUM OF ACTIVITY**

**Type of Activity:** Personal Interview – Alejandro Mayorkas

<b>Case Number:</b> [REDACTED]	<b>Case Title:</b> Unknown Management and Counsel
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On December 5, 2014, Alejandro Mayorkas, former Director, U.S. Department of Homeland Security (DHS), United States Citizenship and Immigration Services (USCIS), Washington, DC, was interviewed by [REDACTED], [REDACTED], and [REDACTED], Senior Special Agents, DHS, Office of Inspector General (OIG), Special Investigations Division, Washington, DC. Attorneys [REDACTED] and [REDACTED] from the law offices of WilmerHale were also present as Mayorkas' personal legal counsel. The interview was conducted in conjunction with an investigation involving allegations of misconduct by Mayorkas, and other senior-level DHS and USCIS executives, in the administration of the Employment Based Fifth Preference Immigrant Investor Program, commonly known as the EB-5 Program.

The interview was conducted at the DHS-OIG Headquarters, [REDACTED] Washington, DC 20005. Mayorkas was administered the Kalkines Advice of Rights and advised of the allegations and scope of the OIG investigation. (Attachment 1)

Mayorkas provided the following information, in substance:

As the USCIS Director, Mayorkas was responsible for leading the organization and ensuring it fulfilled its responsibilities in the execution of laws regarding the country's immigration system. He oversaw all USCIS immigration (i.e. family-based, economic, and humanitarian), management, and fraud detection and national security programs within the agency. Mayorkas' prior experience in immigration matters consisted of his work as a Federal prosecutor dealing with gang related cases. He had no EB-5 experience prior to becoming the Director. He reportedly studied the immigration programs and issues before joining the USCIS, as well as read reference materials to become familiar with the immigration system and process. He continued to familiarize himself with the [immigration] issues once on board at USCIS by reading and talking to internal and external stakeholders.

According to Mayorkas, he did not receive any guidance regarding the EB-5 program from the White House (WH), DHS Secretary, or Congress prior to assuming the Director's position. However, he noted that the program was the greatest source of inquiries from the Hill and that USCIS was inundated with complaints and inquiries from (bipartisan) Congress, the WH National Economic Council, the [DHS] Secretary, and stakeholders. He stated that the EB-5 program became an increasing focus of his due to the inherent problems that became evident, both internal and



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external. He attributed the problems of the EB-5 program to confusion with the application of the [immigration] laws and policies. Mayorkas indicated that when he took office, the U.S. economy was struggling and his focus on the EB-5 program grew. By 2011, he was very engaged in the program and received complaints from everyone and everywhere due to the lack of clarity and consistency with the program. He stated that he was not a “ribbon cutter,” but rather worked very hard.

Mayorkas did not know if the USCIS’ Office of Policy and Strategy (OP&S) Chief had statutory responsibilities. [REDACTED]

[REDACTED] He described the OP&S as being “all over the place” with “conflicting and inconsistent” interpretations of the law. He reported that the various USCIS offices across the country had varying [policy] guidance. According to Mayorkas, there were different practices in different parts of the agency when he arrived at USCIS and the agency’s policies and practices were disparate and not rigorously followed.

Mayorkas was shown a copy of the USCIS Memorandum, titled “Ethics and Integrity Memorandum No. 2: Preferential Treatment,” dated April 2, 2010, which was addressed to USCIS employees and signed by him. (Attachment 2) Mayorkas could not recall whether he thought to issue this memo himself or if it was a collective decision as a “refresher” to the workforce. He also could not recall the specific genesis of the memo, but was in agreement with issuing it. He reportedly learned of concerns regarding the preferential treatment of cases by employees at the California Service Center (CSC), but did not remember when those concerns came to his attention or whether it was around the time of the memo being issued. Mayorkas also heard complaints from within USCIS that they (USCIS) were “opening up too much” as an agency to the public. He developed policy that allowed the public to comment on policy changes within the agency, a newly established practice that was not met with unanimous support. Mayorkas referenced an instance in which USCIS, prior to this new policy, changed a policy that affected medical interns from other countries without soliciting outside input. As a result, USCIS was bombarded with complaints from the public.

Mayorkas acknowledged signing a recusal from having any involvement with his old law firm, O’Melveny & Myers (OMM), but did not recall having a recusal in place for any other particular party or recusing himself from any EB-5 matters. He reportedly sought ethics advice when he had a question or when an issue was raised to him. He stated that he sought ethics advice on EB-5 related matters from [REDACTED] and did not remember if he had spoken with [REDACTED] on those same matters. There was one instance in which Mayorkas admitted he did not follow [REDACTED] advice when [REDACTED] advised that they [USCIS] not meet with Microsoft. According to Mayorkas, he and others did however meet with Microsoft at the request of either the DHS Secretary’s office or WH due to the economic benefits of meeting with the company. He acknowledged that there might have been other instances in which he disagreed with or did not follow the ethical advice he was given, but could not recall them specifically. Mayorkas

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asserted that if someone questioned the integrity in which he (Mayorkas) made his decisions, he would “fight that to his death.” Mayorkas proposed that the OIG polygraph him on any aspect of his life. He further claimed that the OIG’s investigation [involving him] has been very difficult for him and if he had the authority to insist that he be polygraphed, he would insist on it.

When asked about the established channels for a petitioner (or his/her agent) to inquire with USCIS on the status of a particular EB-5 petition or case specific matter, Mayorkas advised that people inquired through all kinds of different channels. Mayorkas stated that he received complaints regarding the EB-5 program through various avenues to include the [DHS] Secretary’s Office, Congress, USCIS’ Office of Public Engagement, and the U.S. Department of Commerce (DOC). As a result, they (USCIS) developed a complaint intake process for stakeholders to communicate directly with USCIS. He thought it was unacceptable to hear complaints and not address them. When he came on board at USCIS, Mayorkas claimed there was no existing or specific guidance for communicating with a stakeholder. There were also reportedly no written procedures for members of Congress or other state and local officials to communicate with USCIS; however, the general practice was that inquiries from a member of Congress or state/local official be routed through the Office of Legislative Affairs (OLA). Mayorkas reportedly sought to establish procedures that people used with sufficient rigor. He commented that “demanding excellence is an ethical responsibility.”

Mayorkas advised that he tried to acknowledge receipt of the emails he received regarding EB-5 and/or other immigration related matters. He acknowledged that he received emails from many different sources, and would generally forward them to the appropriate individual(s). Mayorkas was asked about instances in which he dealt directly with the regional centers regarding an individual investor petition and whether doing so was in violation of USCIS policy. Mayorkas claimed that he was unaware of any instance in which he violated the privacy policy. He stated that if he engaged with an external group, he would have vetted it through several people at USCIS to include the lawyers and Office of Public Engagement.

Mayorkas stated that the December 15, 2010, letter from Terry McAuliffe, former GreenTech Automotive (GTA) Chairman, to Janet Napolitano, then DHS Secretary, was not his first encounter with GTA. According to Mayorkas, he received the McAuliffe letter through the Office of the Executive Secretariat and was requested to provide a response on behalf of the DHS Secretary. Mayorkas was shown a copy of the draft response letter, but recalled a more detailed response letter than the one he was shown and did not know if the letter was sent to McAuliffe. He stated that he did not draft the response letter because he did not know the case. According to Mayorkas, the DHS Secretary’s Office also asked him for a briefing on the Gulf Coast Funds Management (GCFM) case. Mayorkas asserted that McAuliffe did not warrant his attention and did not get it. (Attachment 3)

Mayorkas noted that his initial encounter with GCFM/GTA was via an email he received from ██████████ Chief, DHS-USCIS, Office of Communications, Washington, DC. [Agent’s Note: It is believed that the ██████████ email referenced above is an email dated June 7, 2010, titled “EB-5 Alien Investor program – letter to Senator Warner from Sussex County re: GTA – GCFM.” (Attachment 4)]

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Mayorkas advised that once he was made aware of the letter, he dealt with it like any other case and forwarded it on to his staff. Mayorkas also could not recall actually having a telephone call/conversation with Secretary Napolitano on January 24, 2011. [Agent's Note: According to an email, dated January 24, 2011, titled EB-5 GCFM Documents, [REDACTED] DHS-USCIS, Service Center Operations, Washington, DC, referenced a telephone call that afternoon that Mayorkas was apparently having with the Secretary. (Attachment 5)]

Mayorkas was asked about a meeting he convened with USCIS staff on January 25, 2011, to discuss the GCFM case [GTA]. (Attachment 6) Mayorkas could not recall the specific discussions of the meeting or if he had provided any instructions to the staff on the case.

Mayorkas was asked about an email, dated January 27, 2011, in which his staff was presumably instructed to connect with Dawn Lurie, attorney on the GCFM case, as well as be on standby to send her a PDF in advance of a scheduled call. (Attachment 7) According to Mayorkas, he did not know the reason for contacting the attorney, but believed it was probably because something was wrong. He had no idea of what was on the PDF that was being sent to Lurie. Mayorkas admittedly participated on a call with the GCFM attorney at some point. He iterated that he looped in the agency lawyers all the time, but never did he receive an email from them (agency lawyers) that said "Ali don't" [in regards to communicating with Lurie or other stakeholders]. He explained that his communications with Lurie were precipitated by an email from [REDACTED], [REDACTED] that got his attention.

Mayorkas acknowledged that he attended a meeting at the request of the DHS Secretary's Office on February 3, 2011, regarding the GTA case in which McAuliffe was also present. However, he could not recall who arranged the meeting. Prior to the meeting, he consulted with [REDACTED] on the appropriate course of action. He stated that he did not want to attend, but Department officials insisted that he attend the meeting. Mayorkas reportedly made no promises during the meeting to expedite the review of the GCFM application and was in a "listen only" mode. Mayorkas claimed that he did not invite or bring anyone from USCIS to the meeting because he did not want to get into substantive discussions about the case. Mayorkas did not take notes or recall seeing the Secretary stop by the meeting. Mayorkas was reportedly offended by expletives McAuliffe used at the meeting and Mayorkas left the meeting before it ended. In addition to McAuliffe and himself, two unknown Asian American men, an unknown female lawyer, and Noah Kroloff (former DHS Chief of Staff) attended the meeting.

Mayorkas reported that over the course of the next two years following the February 2011 meeting, McAuliffe called him a handful of times to scream and curse at him. On one occasion, McAuliffe left Mayorkas a voice message in which he (McAuliffe) screamed and used profanity. Mayorkas advised that he played the voice message for [REDACTED] to hear. On another occasion, McAuliffe raised his voice at Mayorkas when they encountered each

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other at a crowded event. Mayorkas asserted that he will not accept the notion that he gave preferential treatment to anyone, let alone McAuliffe.

Mayorkas was asked about a number of email communications related to the GTA cases between McAuliffe and either Kroloff or Douglas Smith (former Assistant Secretary for DHS Office of Private Sector) that were forwarded to him. Mayorkas advised that he tried to be responsive to their (Kroloff and Smith) calls and emails, as well as adhere to his responsibilities. He stated that he became less involved in EB-5 matters once the issues were resolved.

When asked if he had any contact with anyone from GCFM including counsel regarding their appeal, Mayorkas replied that he may have communicated something regarding the case status or something to that effect. He claimed that if he had not gotten involved in this case, it would have been decided incorrectly. Mayorkas asserted that he would speak to any counsel if by doing so clarified or resolved a particular issue. He believed it was important for the agency to communicate with stakeholders and take the appropriate steps to resolve matters. Mayorkas admitted that he engaged stakeholders in adoption cases as well, but yet no one was complaining about his involvement in those cases.

Mayorkas noted that there were nine people [adjudicators, economists, etc.] working on these [EB-5] cases and described them as being “out of their league” due to the complexity of the economic issues involved in the EB-5 cases. He claimed that it was not fair to the USCIS employees to be placed in a situation of adjudicating cases without having the proper expertise. He reportedly approached the DOC Assistant Secretary to get his help with the EB-5 program, but the DOC wanted nothing to do with the program. Mayorkas described [REDACTED] as being the only one [adjudicator] that was “on point” with the EB-5 program and further described [REDACTED] as an “earnest” individual. Mayorkas said that he brought economists on board to assist with the adjudication of the EB-5 petitions, but was not sure if those selected for the position were the best choices. He then brought in [REDACTED], [REDACTED]

Mayorkas’ reasons for personally fielding inquiries and being directly involved in case specific petitions/matters related to GCFM/GTA was to find out what was going on and help drive the case towards the correct conclusion. He was also asked about a comment that he allegedly made during the July 21, 2011, meeting he convened to discuss the draft Administrative Appeals Office (AAO) decision on the GCFM case. Specifically, it was alleged in an email that during the meeting Mayorkas’ position was that if the regional center claimed it would create jobs for U.S. workers, he would read the statute and the regulations as generously as possible, but for other classifications such as H-1 B where there are statutory provisions designed to ensure that U.S. workers are protected, he would read the statute and regulations more narrowly. In addition, it was reported in the email that Mayorkas made reference on several occasions to these cases being affiliated with “people of influence” and “people of money” and that he had several more of these cases on his radar. (Attachment 8) However, Mayorkas did not remember saying that. He further commented that such a statement sounded “absurd” and he would not have made such a statement. Mayorkas asserted that neither the rich nor the poor deserved special treatment or a wrong decision. The allegation that he

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was concerned with EB-5 cases affiliated with “people of influence” and “people of money” was false. He recalled raising his voice after coming across an article in the Wall Street Journal about USCIS denying cases and believed that USCIS’ decision on the case was a “bad” decision. Mayorkas further added that he was “impervious to pressure on how to decide a case.” He indicated that the issues he “tackled” were issues that mattered to USCIS.

According to Mayorkas, he offered to re-write the AAO decision on the GCFM case as a gesture to help and lighten the load on the AAO. He claimed that the [AAO] decision was well written but incorrect and thought there was unanimity on the correct decision. Mayorkas was asked about his conduct at the [July 21, 2011] meeting allegedly creating an appearance of preferential treatment towards GCFM and he vigorously disagreed with that claim. He could not recall if the GCFM case was his first time meeting with the AAO on a specific EB-5 decision nor did he know the approximate number of AAO decisions issued by USCIS in a given year. He did not review all EB-5 related AAO case decisions, only those that came to his attention or warranted his review. Mayorkas reportedly reviewed other program case decisions when the facts and law warranted him to do so.

Mayorkas was asked about an email, dated April 27, 2012, in which he instructed [REDACTED] to stop communicating with Lurie and what changed to warrant such instructions. (Attachment 9) He stated that the GCFM matter did not warrant his involvement anymore so he shut down the communications with Lurie, which was also the reason for the email to [REDACTED]. Mayorkas remembered meeting D. Simone Williams [Senior Counsel at GCFM who replaced Lurie] at a stakeholder’s engagement, but could not remember the specifics of their conversation. Mayorkas was informed of the content of his conversation with Williams based on an email Williams sent to McAuliffe. Mayorkas stated that he could have been just being polite to her, but did not recall his specific dialogue with Williams.

[Agent’s Note: According to Williams’ email to McAuliffe, she introduced herself to Mayorkas, advised him that she worked for McAuliffe, and informed him that the GCFM/GTA petitions had been “pending way beyond processing times.” Mayorkas reportedly acted surprised and said “you haven’t heard anything yet?” and that GCFM/GTA should have received something by now and that he would look into it. (Attachment 10)]

Mayorkas could not recall if he had met with Tom Rosenfeld, President and Chief Executive Officer of CanAm Enterprises (CanAm), but indicated that he may have possibly met with him. He acknowledged that Ed Rendell, Governor of Pennsylvania, contacted him on several occasions regarding EB-5 issues affecting certain CanAm regional centers, as well as on other issues. He commented that so did other legislators. Mayorkas was questioned about several separate instances in which he contacted Rosenfeld and/or his attorney Ronald Klasko even after being informed by USCIS counsel that Klasko was Rosenfeld’s attorney of record in pending litigation against the agency. Mayorkas replied that he would get involved in a matter to include pending litigation if he felt USCIS was headed toward problems. Mayorkas opined that he “couldn’t care less” about Rosenfeld.

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Mayorkas was asked about an email communication regarding LA Films with Katherine Hennigan, formerly of Los Angeles Mayor Antonio Villaraigosa's office, in which Mayorkas asked senior USCIS staff to follow-up on the matter. In the email, Mayorkas wrote "The EB-5 cases have an urgency to them because of the time-sensitivity of these investment vehicles and, significantly, their job creation potential." (Attachment 11) Mayorkas claimed that he may not have known the urgency of the cases other than from what was stated in Hennigan's email and did not recall knowing Hennigan. [Agent's Note: At this time, Mayorkas was advised of an email message from Hennigan in which she referenced meeting a "mutual acquaintance" of theirs. (Attachment 12)] Mayorkas referred to Villaraigosa as a state politician and stated that he (Mayorkas) had infrequent interactions with Villaraigosa at events such as the gang violence forum when he was the United States Attorney for the Central District of California (CDCA).

[Agent's Note: Records revealed that in late June 2011, Mayorkas reviewed the draft denial notice on the LA Films III case and initially expressed some concerns. Later, on July 7, 2011, Mayorkas instructed ██████████ to process the denials without any further meetings or briefings. Then, within an hour of a July 15, 2011, call with former Governor Edward Rendell, Mayorkas issued instructions to reverse the decision to issue the denials. (Attachment 13)]

Mayorkas could not recall the basis of his initial concerns regarding the LA Films III denial notice, but noted that the case involved a "financing" issue. He stated that there would have been a discussion [among senior management] as to the correct adjudicative action to take on the case. He stated that he did not know the reason(s) for the reversal of the decision, but was adamant that the reversal was not because Rendell had asked him to do so. Mayorkas could not remember anything noteworthy coming from his call with Rendell. He commented that he "never spoke for a long time with those people." He stated that if any notes were generated from his communications with the Governor, they would be in the file back at USCIS.

Mayorkas was asked about email and telephone communications with Rosenfeld regarding the LA Films and Aqua [EB-5] projects, which spanned over several weeks in July and August 2011, as well as related materials he received from Rosenfeld. (Attachment 14) Mayorkas reportedly could not recall the subject of these communications or receiving the materials, but remarked that the communications probably involved a complaint of some sort and it was not unusual for him to receive materials from principles or regional centers. He stated that if any notes were generated from his communications with Rosenfeld, they would also be in the file back at USCIS.

[Agent's Note: In an email dated August 23, 2011, Mayorkas advised Rosenfeld that it would be inappropriate to speak with him about pending matters. (Attachment 15)] When asked why he ceased communications with Rosenfeld, Mayorkas speculated it was either because USCIS was already aware of the issues that needed to be addressed or the matter was in capable hands. Mayorkas explained that the creation of the Deference Review Board (DRB) had nothing to do with Rosenfeld or LA Films and was a general reform that had been captured in a public announcement. During the interview, Mayorkas' attorney ██████████ emailed the reporting agent a copy of the public

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contemporaneous notes resulted from these communications, they would be with the OLA. Mayorkas said that, at the conclusion of the meeting/call, he might have said “we will look into it” and believed that they (USCIS) looked into the matter. Mayorkas did not recall agreeing to provide weekly updates on the case. When told weekly updates were provided over a period of six-months, he stated that this sounded ridiculous to him.

[Agent’s Note: On January 24, 2013, Steve Olson, then Executive Director for SelectUSA and Senior Advisor to the DOC Secretary, forwarded an expedite request to USCIS on behalf of SLS. (Attachment 17)]

Mayorkas acknowledged that he and Olson were former partners at OMM and when Mayorkas was the United States Attorney for the CDCA, Mayorkas hired Olson as an Assistant United States Attorney within that office. Mayorkas believed that the DOC letter was adequate justification for USCIS to expedite the SLS petitions. He also thought that it was inappropriate for USCIS to be in the business of asking people whether or not they had attempted to modify the terms of their loan with the bank to qualify for an expedite, which appeared to be USCIS’ response to the matter. When questioned about the CSC being ordered to expedite the SLS petitions, Mayorkas commented that “they (CSC) were ordered to apply the agency’s rules...they cannot just make up rules.”

When asked about the concerns senior managers and external stakeholders expressed regarding Mayorkas’ allegedly meeting and communicating exclusively with the American Immigration Lawyers Association (AILA) and/or Klasko, Mayorkas replied that Klasko represented AILA’s executive board and he had public engagements all the time with many people and entities. Mayorkas acknowledged receiving comments from AILA on USCIS policies and a series of position papers from Klasko. He further noted that he, along with other USCIS managers, met with AILA on EB-5 related matters. He believed that [REDACTED] position was that if you met with one, you should meet with all. Mayorkas disagreed with [REDACTED] rules of engagement with stakeholders. In his opinion, AILA represented many and was comprised of more than 10,000 immigration attorneys. Mayorkas further disagreed with the notion that AILA or the law lobby had unprecedented access to USCIS officials. He claimed that if he did continue to communicate with Klasko after learning Klasko represented CanAm Enterprises [Rosenfeld], it was because Klasko provided value to the agency [USCIS] and Mayorkas was trying to fix a wrong.

Mayorkas could not recall if he attended the September 14, 2011, reception hosted by the Association to Invest in USA (IIUSA) in which he was asked to be a guest and keynote speaker. Days after the interview, Mayorkas checked his calendar and advised that he did not attend the event. The IIUSA letter listed Rosenfeld as one of the organization’s Directors; however, Mayorkas was not sure if he had even looked at that information on the letter. (Attachment 18) In regards to the legal opinion he received from [REDACTED] recommending that he not participate, Mayorkas stated that he was not sure if he agreed with counsel’s opinion. He further advised that the Federal Advisory Committee Act process was required for a group that is set up as a formal advisor. Mayorkas claimed he did not receive an ethics opinion indicating that he could not meet with AILA and noted that he did not meet with them exclusively.

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Mayorkas reported that, to his knowledge, he had not received any communications from a stakeholder on his personal email ([REDACTED]). If he had, he would have forwarded the email to his government email account. He stated that he does not give out his personal email address.

Mayorkas opined that he did not need to read the report on [REDACTED] to know his ethical responsibilities. He reportedly inquired about the matter involving [REDACTED] and was told of the events that occurred in the past, but did not recall if he had actually read the [REDACTED] investigative report involving [REDACTED]. Mayorkas remembered [REDACTED] speaking up at an EB-5 engagement and did not agree with [REDACTED] position.

Mayorkas described John Emerson as an “acquaintance” from Los Angeles. He acknowledged that Emerson had contacted him about LA Films, but denied speaking to him about the substance of the case. Mayorkas did not remember calling Emerson later that same evening from his personal cell phone, but noted that if he had it could have been regarding something else. Mayorkas added that he (Mayorkas) was on a board with Emerson’s wife.

[Agent’s Note: According to an email, dated July 29, 2011, Emerson is referred to as Mayorkas’ career advisor and having advised Mayorkas on his position as the USCIS Director. (Attachment 19)]

To his knowledge, Mayorkas did not delete any emails, Outlook calendar items or file events related to official USCIS business. However, he might have deleted an appointment if it was cancelled, but not to conceal a fact.

Mayorkas acknowledged that he drafted the initial draft of the EB-5 policy guidance because it needed to “get done, done well, and done quickly.” Mayorkas felt that he had a better grasp of the program to write the EB-5 policy than someone in the OP&S. He stated that there was a need for sound policy on material change and it was an issue he felt needed to be resolved. Mayorkas further commented that if it was a sound policy, he was going to promulgate it regardless of ongoing litigation on the matter.

On January 5, 2015, Mayorkas provided the DHS-OIG with a sworn statement, as well as emails and documents he believed were relevant to the investigation. (Attachment 20) The supporting emails and documents were categorized as Exhibits 1 through 22. In his statement, Mayorkas provided additional information regarding the allegations under review to include:

- Details of his involvement in the Gulf Coast/GreenTech Automotive, SLS Las Vegas, LA Films, and Aqua Project cases;
- Details of his communications with Lurie, Rosenfeld, Klasko, and McAuliffe. Reasons for the communications with these individuals/entities;

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- Criteria used to engage or disengage with stakeholders or petitioners on a particular case;
- Explanation and/or reason for personally drafting the new EB-5 policy memorandum;
- Explanation and/or reason for not utilizing or involving the Chief, USCIS Office of Strategy and Policy in the development of the new EB-5 Policy;
- Motives behind direct contact with particular stakeholders, petitioners, or agents acting on their behalf (i.e. Lurie, Rosenfeld, Klasko, McAuliffe, Gov. Rendell, Sen. Reid) and end results of such contact;
- Position on the appearance of impropriety as a result of direct communications with stakeholders, petitioners, or agents acting on their behalf (i.e. Lurie, Rosenfeld, Klasko, McAuliffe, etc.);
- Reason/specific case(s) that prompted the implementation of the DRB;
- Reason for convening the DRB without any established policy, protocols, or procedures in place;
- Any ethical advice sought and/or received regarding the communications with Lurie, Rosenfeld, Klasko, or others and his actions after receiving any advice; and
- A description of his management practices and/or style as it relates to the administration of the EB-5 program in comparison to other immigration programs.

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