



**OFFICE OF INSPECTOR GENERAL**  
Department of Homeland Security

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**Inspector General Finds USCIS Did Not Deliberately  
Violate Court Injunction**

The Department of Homeland Security Inspector General (DHS OIG) found no evidence that U.S. Citizenship and Immigration Services (USCIS) deliberately violated a U.S. District Court's preliminary injunction when it issued approximately 2,000 3-year employment cards, called Employment Authorization Documents, after the Court enjoined the November 2014 executive actions on immigration. Under the injunction, USCIS was prohibited from approving 3-year employment cards.

On February 16, 2015, the U.S. District Court for the Southern District of Texas issued a preliminary injunction preventing implementation of the Deferred Action for Parents of Americans program and modifications to the Deferred Action for Childhood Arrivals program announced by the Administration in November 2014. On May 7, 2015, DHS disclosed in a court filing that it had discovered about 2,000 individuals who had been erroneously sent 3-year employment cards after the injunction. The next day, DHS Secretary Johnson requested that the DHS OIG investigate the circumstances of the issuance of the 3-year employment cards.

According to the Inspector General, USCIS initially stopped the 3-year employment cards from moving forward after the injunction. When approvals of allowable 2-year employment authorizations resumed and employment cards were allowed to move forward, it was assumed the 3-year cards had been removed from the production queue. That assumption was incorrect, however, and the allowable 2-year cards approved after the injunction were comingled with the unallowable 3-year cards being held. Thus, when the cards that had been halted were released for printing, USCIS staff did not realize that both 2- and 3-year employment cards would move forward to be printed and mailed. The Inspector General was not able to confirm the total number of employment cards that were inappropriately issued after the injunction.

The OIG has provided a copy of its report to the Secretary and Congress consistent with the *Inspector General Act*.

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