



One Hundred Eighteenth Congress
Committee on Homeland Security
U.S. House of Representatives
Washington, DC 20515

May 22, 2023

The Honorable Alejandro Mayorkas
Secretary
Department of Homeland Security
Washington, D.C. 20528

The Honorable Christopher Wray
Director
Federal Bureau of Investigation
Washington, D.C. 20528

Dear Secretary Mayorkas and Director Wray:

We write to request information concerning the recent reported arrests of an Afghan national as well as a Pakistani national on the FBI's terrorist watchlist who crossed the U.S.-Mexico border illegally on May 10 and May 12, 2023, respectively.¹ According to multiple sources from the U.S. Customs and Border Protection (CBP), the Afghan national was apprehended near San Diego, California, along with a group of aliens who had crossed the border illegally.² Reports indicate that a fingerprint scan revealed he was a match to someone on the Terrorist Screening Database, triggering an investigation by the FBI.³ Additionally, a Pakistani national on the FBI's terrorist watchlist was arrested by Border Patrol agents in southeastern Arizona, a day after the expiration of Title 42, according to reports.⁴

These reported arrests raise serious questions about the security of our Southwest border and the potential for terrorists to take advantage of the glaring vulnerabilities due to the Biden-Harris administration's open-border policies. Just last month, on April 18, 2023, the Subcommittee on Counterterrorism, Law Enforcement, and Intelligence held a hearing that examined the administration's catastrophic withdrawal from Afghanistan where we heard from

¹ Patrick Hauf, *Border agents arrest man on FBI terror watchlist amid migrant influx: CBP sources*, FOX NEWS, May 15, 2023, <https://www.foxnews.com/politics/border-agents-arrest-man-fbi-watchlist-amid-migrant-influx-cbp-sources>.

² Marvin Ang, *Afghan On FBI's Terrorist Database Tried To Cross US Border Amid Title 42 Deadline*, INTERNATIONAL BUSINESS TIMES, May 14, 2023, <https://www.ibtimes.com/afghan-fbis-terrorist-database-tried-cross-us-border-amid-title-42-deadline-3693175>.

³ Ronny Reyes, *Afghan national on FBI terror list nabbed trying to cross border with migrants*, NY Post, May 14, 2023, <https://nypost.com/2023/05/14/afghan-national-on-fbi-terror-list-nabbed-trying-to-cross-border-with-migrants/>.

⁴ Anna Giaritelli, *Pakistani illegal immigrant on FBI terror list arrested at border day after Title 42 ended*, WASH. EXAM., May 15, 2023, <https://www.washingtonexaminer.com/policy/defense-national-security/pakistani-illegal-immigrant-fbi-terror-list-arrested-border>.

multiple witnesses who testified and warned that the security vacuum in the region could result in further terrorist encounters at the Southwest border.⁵

After you provide the requested information in writing, we request that DHS and the FBI provide Committee staff a briefing about these arrests of foreign nationals on the terrorist watchlist no later than June 5, 2023. To assist the Committee's continued oversight of the threats posed by illegal border crossers who are in the Terrorist Screening Database as well as the Committee's examination of DHS's role and processes regarding the administration's disastrous withdrawal from Afghanistan, we ask that you provide responses to the following questions regarding the Afghan national and the Pakistani national on the FBI's terrorist watchlist, no later than June 5, 2023.

1. Provide any relevant demographic information about the apprehended individuals, including but not limited to their country of origin.
2. Where are the apprehended individuals being held and under whose custody?
3. Was any derogatory information on the apprehended individuals provided to the U.S. Border Patrol agents? If so, what was the derogatory information?
4. What questions did the U.S. Border Patrol agents ask the apprehended individuals during CBP's screening process and what were the responses?
5. What terrorist groups are associated with the individuals and is there any information regarding whether the individuals were directed by a terrorist group to travel to the United States?
6. When did DHS and the FBI become aware of the individuals having intentions of traveling to the United States?
7. What was the path of their travel, and did they travel with any other individuals on the Terrorist Screening Database? If so, provide information about these individuals, including but not limited to the total number of individuals, and the underlying derogatory information about these individuals, if any.
8. Provide any information about the means, financial support, and sponsorship of the travel of the apprehended individuals, both to and across the southwest border.

To the extent a complete response to this inquiry requires the provision of classified information, please do so under separate cover. Please contact the Committee on Homeland Security Majority staff at (202) 226-8417 with any questions about this request.

Per Rule X of the U.S House of Representatives, the Committee on Homeland Security is the principal committee of jurisdiction for overall homeland security policy and has special oversight of "all Government activities relating to homeland security, including the interaction of all departments and agencies with the Department of Homeland Security."

Thank you for your prompt attention to this matter.

⁵ *The Homeland Security Cost of the Biden Administration's Catastrophic Withdrawal from Afghanistan: Hearing Before the Subcomm. on Counterterrorism, Law Enforcement, and Intelligence of the H. Comm. on Homeland Sec., 118th Cong. (Apr. 18, 2023).*

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Director Wray
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Sincerely,



MARK E. GREEN, MD
Chairman
Committee on Homeland Security



AUGUST PFLUGER
Chairman
Subcommittee on Counterterrorism,
Law Enforcement, and Intelligence



CLAY HIGGINS
Chairman
Subcommittee on Border Security
and Enforcement

cc: The Honorable Bennie Thompson, Ranking Member
Committee on Homeland Security

The Honorable Seth Magaziner, Ranking Member
Subcommittee on Counterterrorism, Law Enforcement, and Intelligence

The Honorable Lou Correa, Ranking Member
Subcommittee on Border Security and Enforcement