



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

April 3, 2024

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

Dear Secretary Mayorkas:

The Committee on Homeland Security (Committee) is conducting oversight of the Department of Homeland Security's (DHS) procedure for processing and detaining known or suspected terrorists at the Southwest border. According to recent news reports, DHS arrested at least two known terrorists in January 2024, who had been released into the United States.¹ Since February 1, 2024, Committee staff has contacted DHS several times to confirm and clarify the facts surrounding these reports;² however, our questions have not been answered.

The first case involves a member of the U.S.-designated foreign terrorist organization al-Shabaab. According to a news report, the alien was "caught illegally crossing the southern border near San Ysidro, California on March 13, 2023;" however, he was deemed a "mismatch" and was subsequently released into the interior.³ Almost one year later, the Terrorist Screening Center "made a redetermination" and confirmed the alien as a terrorist member of al-Shabaab, and then Immigration and Customs Enforcement (ICE) located and arrested him.⁴

The second case involves a Pakistani man allegedly on the terrorist watch list who illegally entered the United States but was apprehended by the Border Patrol the following day.⁵ Less than two weeks later, the Terrorist Screening Center confirmed his status on the "terror

¹ Jennie Taer, *Exclusive: Terrorist Caught Illegally Crossing The Border Was Allowed To Roam Free For Nearly A Year, Memo Says*, THE DAILY CALLER, Jan. 29, 2024, https://dailycaller.com/2024/01/29/exclusive-terrorist-caught-illegally-crossing-border-allowed-roam-free-nearly-year-memo-says/?utm_source=118th+Members%2C+Chiefs%2C+And+Comms+Directors&utm_campaign=9341c68a3e-EMAIL_CAMPAIGN_2019_02_04_09_01_COPY_01&utm_medium=email&utm_term=0_3985f74780-9341c68a3e-147591794, and Jennie Taer, *Exclusive: Pakistani Illegal Immigrant On Terror Watchlist Given Free Day Of Release In US*, DAILY CALLER NEWS FOUNDATION, Feb. 9, 2024, <https://dailycaller.com/2024/02/09/exclusive-pakistani-illegal-immigrant-on-terror-watchlist-given-free-day-of-release-in-us/>.

² *Id.*

³ *Id.*

⁴ *Id.*

⁵ *Id.*

watchlist;” however, ICE eventually released him through the Alternatives to Detention program.⁶

In addition to these unanswered requests for information, we are now facing a consistent stream of cases highlighted in the news of aliens allegedly on the terrorist watchlist either being apprehended at the border or discovered in the interior.⁷ Two of these, which occurred last month, are particularly concerning. The first relates to Awet Hagos, who was arrested in North Carolina following a four-hour standoff with local law enforcement.⁸ Following the standoff, authorities allegedly found that Hagos was on the terrorist watchlist and had been residing in the area for six months.⁹ The other case involves Basel Bassel Ebbadi, who was apprehended by the U.S. Border Patrol near El Paso, Texas, on March 9, 2024.¹⁰ According to a Border Patrol document obtained by the New York Post, when asked what he was doing in the United States, Ebbadi stated he was going to try and make a bomb.¹¹ Ebbadi further said in a sworn interview that he had trained and served as an active member of Hizballah, a U.S.-designated foreign terrorist organization.¹²

To further the Committee’s oversight work on threats to the homeland, on March 20, 2024, the Committee held a hearing to examine the growing activity by Iranian-backed terrorist groups and the implications for homeland security.¹³ Testimony was provided by DHS’s Office of Intelligence and Analysis, the Federal Bureau of Investigation, the Department of State’s Bureau of Counterterrorism, and the Drug Enforcement Administration. This hearing raised serious red flags for the national security of the United States and reiterated the Committee’s concerns with the number of aliens on the terrorist watchlist being discovered in the United States or at the Southwest border.

The Committee is concerned with DHS’s current practices in processing and releasing known or suspected terrorists encountered at the Southwest border. This concern is amplified following the Federal Bureau of Investigation (FBI) Director Christopher Wray’s testimony before the Senate Intelligence Committee on March 11, 2024, where he stated that he is “very concerned” about a human smuggling network with ties to the Islamic State of Iraq and Syria (ISIS).¹⁴ To assist the Committee with its oversight, we are requesting a classified briefing for Committee

⁶ *Id.*

⁷ Sarah Rumpf-Whitten, *Man Arrested Following North Carolina Barricade Incident On Terror Watch List, Illegal Migrant*, FOX NEWS, Mar. 20, 2024, <https://www.foxnews.com/us/man-arrested-following-north-carolina-barricade-incident-terror-watch-list-illegal-migrant> and Jennie Taer, *Illegal Migrant From Lebanon Caught at Border Admitted He’s A Hezbollah Terrorist Hoping ‘To Make A Bomb’ — And Was Headed For NY*, NEW YORK POST, Mar. 17, 2024, https://nypost.com/2024/03/17/us-news/illegal-migrant-from-lebanon-admitted-terror-ties/?utm_source=twitter&utm_medium=social&utm_campaign=nypost_sitebuttons.

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

¹³ *Examining the Current Status of Iran’s Axis of Resistance and the Implications for Homeland Security and U.S. Interests: Hearing Before the H. Comm. on Homeland Sec.*, 118th Cong. (Mar. 20, 2024).

¹⁴ Adam Shaw, *FBI Director Warns Of ‘Very Dangerous Threats’ At Border, Smuggling Network With ‘ISIS Ties’*, FOX NEWS, Mar. 11, 2024, <https://www.foxnews.com/politics/fbi-director-warns-very-dangerous-threats-border-smuggling-network-isis-ties>.

staff to discuss these cases no later than April 17, 2024. The Committee requests information regarding the following:

1. The identities and complete Alien Files, including a copy of the Form I-213, for each of the four subjects referenced in this letter;
2. The factors leading to the misidentification and release determination for the individual who was a member of al-Shabaab and the facts surrounding how and when the redetermination led to his arrest;
3. The factors leading to the release determination for the Pakistani individual and the facts surrounding the information that led to his arrest;
4. The current immigration status and locations of the individuals;
5. Since January 2021, the number of aliens released into the United States who were on the terrorist screening dataset (TSDS) and aliens released into the United States who were later identified as individuals on the TSDS and their current disposition;
6. Since January 2021, information regarding the total number of individuals on the TSDS who have been released into the United States or who were released and later identified as individuals on the TSDS who have failed to fully comply with any terms of release; and,
7. DHS's policies and procedures for determining the processing disposition of an individual identified on the TSDS.

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 functions 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 important matter.

Sincerely,



MARK E. GREEN, M.D.
Chairman
Committee on Homeland Security



CLAY HIGGINS
Chairman
Subcommittee on Border Security
and Enforcement



AUGUST PFLUGER

Chairman

Subcommittee on Counterterrorism,
Law Enforcement, and Intelligence

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

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

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