



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

October 9, 2024

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

The Honorable Christopher A. Wray
Director
Federal Bureau of Investigation
Washington, D.C. 90535

Dear Secretary Mayorkas and Director Wray:

The Committee on Homeland Security (Committee) continues to conduct oversight of the Department of Homeland Security's (Department) and the Federal Bureau of Investigation's (FBI) management of heightened national security risks posed by individuals with alleged terrorist ties.

The Committee is seeking information about the recently reported arrests of two Afghan nationals living in Oklahoma City, who allegedly plotted an ISIS-inspired terrorist attack for Election Day.¹ According to the unsealed criminal complaint, Nasir Ahmad Tawhedi, an Afghan national, entered the United States on a Special Immigrant Visa (SIV) on September 9, 2021, days after the Biden-Harris administration's catastrophic U.S. withdrawal from Afghanistan.² In addition, Tawhedi reportedly worked with a co-conspirator described as an Afghan national juvenile with legal permanent resident status.³ The co-conspirator entered the United States on March 27, 2018 on an SIV, according to the complaint. As part of the FBI's investigation, Tawhedi and the co-conspirator obtained firearms and ammunition to conduct a terrorist attack on American soil on Election Day.⁴ Shortly thereafter, they were both arrested.⁵

These recent arrests raise serious concerns about the ongoing threat that ISIS and its fanatical supporters pose to U.S. national security, as well as the shortfall in the Biden-Harris administration's screening and vetting capabilities. On September 6, 2022, the Department's Office of Inspector General (DHS OIG) published a report stating that the Department

¹ Press Release, U.S. Dep't of Justice, *Afghan National Arrested for Plotting an Election Day Terrorist Attack in the Name of ISIS* (Oct. 8, 2024).

² Criminal Complaint, *United States v. Nasir Ahmad Tawhedi*, No. M-24-760-SM at 7 (W.D. Okla. Oct. 8, 2024).

³ *Id.*

⁴ *Id.* at 25.

⁵ *Id.*

encountered obstacles to screen, vet, and inspect all evacuees during the crisis following the U.S. withdrawal from Afghanistan.⁶ The DHS OIG reported that U.S. Customs and Border Protection (CBP) lacked critical data to properly vet evacuees, but CBP still admitted or paroled evacuees who were not fully vetted into the United States. The Committee also made repeated warnings about these deficiencies, requested documents from the Department through two letters,⁷ and subpoenaed Secretary Mayorkas for documents related to the screening and vetting of Afghan evacuees.⁸

Additionally, news of these potential Afghan terrorists comes when only months ago, it was widely reported that eight Tajikistanis with ties to ISIS were arrested in Los Angeles, New York, and Philadelphia after they had illegally crossed the border.⁹ Just this past week, reports indicate that three of the eight Tajikistanis with ties to ISIS were returned to Tajikistan and Russia based on removals from immigration court judges.¹⁰ Four are reportedly held in U.S. Immigration and Customs and Enforcement detention facilities for removal flights to Central Asia, and one awaits his legal proceeding.¹¹ The Committee's June 18, 2024 requests for documents related to these individuals from the Department and the FBI¹² remain only partially satisfied. The Committee also remains concerned that due to the Biden-Harris administration's failed open-border policies, these individuals with ties to ISIS and other foreign terrorist organizations can easily just reenter the United States again and again.

The Committee also remains concerned about the threat of a "lone wolf" actor or multiple actors attempting to commit a terrorist attack on U.S. soil. While the Committee commends law enforcement efforts to foil this alleged ISIS-inspired terrorist plot on Election Day, the Committee finds it unacceptable that the Biden-Harris administration is precariously failing to take measures to safeguard U.S. national security by allowing alleged terrorists into the interior of the United States to plot terrorist attacks.

⁶ OFFICE OF INSPECTOR GEN., DEP'T OF HOMELAND SEC., OIG-22-64, DHS ENCOUNTERED OBSTACLES TO SCREEN, VET, AND INSPECT ALL EVACUEES DURING THE RECENT AFGHANISTAN CRISIS (REDACTED) (Sept. 6, 2022).

⁷ Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec., et. al, to Hon. Alejandro Mayorkas, Sec., Dep't of Homeland Sec. (May 1, 2023); Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec., et. al, to Hon. Alejandro Mayorkas, Sec., Dep't of Homeland Sec. (June 9, 2023).

⁸ Subpoena Duces Tecum dated Oct. 31, 2023, issued by Hon. Mark Green, Chairman, H. Comm. on Homeland Sec., served on, Hon. Alejandro Mayorkas, Sec., Dep't of Homeland Sec.

⁹ Julia Ainsley, et al., *8 Suspected Terrorists with Possible ISIS Ties Arrested in New York, L.A. and Philadelphia, Sources Say*, NBC NEWS, June 11, 2024, <https://www.nbcnews.com/news/us-news/8-suspected-terrorists-possibleisis-ties-arrested-new-york-l-philadel-rcna156635>.

¹⁰ Nicole Sganga, *Tajikistan nationals with alleged ISIS ties removed in immigration proceedings, U.S. officials say*, CBS NEWS, OCT. 6, 2024, <https://www.cbsnews.com/news/tajikistan-men-alleged-isis-ties-removed-immigration-proceedings-us-officials/>.

¹¹ *Id.*

¹² Letter from Hon. Mark Green, Chairman, H. Comm. on Homeland Sec., et. al, to Hon. Alejandro Mayorkas, Sec., Dep't of Homeland Sec. and Hon. Christopher Wray, Dir., Fed. Bureau of Investigation (June 18, 2024).

To assist the Committee with its ongoing oversight, please provide the following documents and information, as soon as possible, but no later than, 5:00 p.m. on October 23, 2024:

1. The complete Alien File, including a copy of the Form I-213, Record of Deportable/Inadmissible Alien for Nasir Ahmad Tawhedi and his juvenile co-conspirator (two Afghan nationals arrested on October 7, 2024);
2. Documents sufficient to show all derogatory information in the Terrorist Screening Data Set associated with the two Afghan nationals arrested on October 7, 2024;
3. Documents sufficient to show the Department's screening, vetting, or inspection of the two Afghan nationals arrested on October 7, 2024, including but not limited to, facilitation documents, travel document data, or records in CBP's Treasury Enforcement Communications System;
4. Documents sufficient to show the number of eGuardians, preliminary investigations and full investigations of Afghan nationals resettled in the United States following the disastrous U.S. withdrawal from Afghanistan, for the period of August 30, 2021, to the present; and
5. A document sufficient to explain whether the Department can assure the Committee that the removal of the Tajikistani nationals with ties to ISIS will not again illegally enter the United States due to the Biden-Harris administration's failed open-border policies.

An attachment contains instructions for responding to this request. Please contact the Committee on Homeland Security Majority staff at (202) 226-8417 with any questions about this request. If a full response requires the disclosure of classified information, please provide such information under separate cover.

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.

Secretary Mayorkas
Director Wray
October 9, 2024
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Sincerely,

A handwritten signature in black ink that reads "Mark E. Green". The signature is written in a cursive, slightly slanted style.

MARK E. GREEN, M.D.
Chairman

Encl.

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