



**TERROR AT OUR DOOR: HOW THE BIDEN-HARRIS
ADMINISTRATION'S OPEN-BORDERS POLICIES UNDERMINE
NATIONAL SECURITY AND ENDANGER AMERICANS**

Interim Staff Report of the
Committee on the Judiciary
and
Subcommittee on Immigration Integrity, Security, and Enforcement

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EXECUTIVE SUMMARY

The open-borders policies of President Joe Biden and border czar Vice President Kamala Harris have allowed millions of illegal aliens to enter the United States, including terrorist organizations and other bad actors looking to harm Americans. In three-and-a-half years, the Biden-Harris Administration has released more than 5.4 million illegal aliens into the United States,¹ with an additional at least 1.9 million known “gotaways” escaping into the country.² Among those more than 7.3 million illegal aliens are 375 illegal aliens on the U.S. government’s terrorist watchlist who have been apprehended by Border Patrol under President Biden’s and Vice President Harris’s watch.³ That is a more than 3,000 percent increase of watchlisted alien encounters compared to all four years of the Trump Administration.⁴

With the border in chaos under the Biden-Harris Administration, the terrorist threat to the homeland has skyrocketed. This border insecurity has been the Administration’s choice, and it is a mistake. As detailed in the 9/11 Commission Report, “[i]n the decade before September 11, 2001, border security—encompassing travel, entry, and immigration—was not seen as a national security matter.”⁵ As a result, Islamic extremist terrorists were able to carry out a terrorist attack on U.S. soil that killed nearly 3,000 Americans.⁶ More than two decades later, national security experts are again sounding the alarm about the increasing chance of terrorism in the United States due to the Biden-Harris Administration’s open-borders policies. A former FBI assistant director publicly warned just weeks ago about a potential terrorist attack emanating from the border crisis.⁷ Last December, Federal Bureau of Investigation (FBI) Director Christopher Wray told the Senate Judiciary Committee that he saw “blinking lights everywhere” he turned in

¹ See H. Comm. on the Judiciary, Interim Staff Rep., *The Biden Border Crisis: New Data and Testimony Show How the Biden Admin. Opened the Sw. Border and Abandoned Interior Immigr. Enf’t*, at App’x 1 (Oct. 9, 2023); U.S. Customs and Border Prot., *Custody and Transfer Statistics FY 2023*, U.S. DEP’T OF HOMELAND SEC. (last accessed July 15, 2024); U.S. Customs and Border Prot., *Custody and Transfer Statistics FY 2024*, U.S. DEP’T OF HOMELAND SEC. (last accessed July 15, 2024); Camilo Montoya-Galvez, *Biden administration has admitted more than 1 million migrants into U.S. under parole policy Congress is considering restricting*, CBS NEWS (Jan. 22, 2024); *Latest UC Data, Total Monthly Discharges to Individual Sponsors Only*, U.S. DEP’T OF HEALTH AND HUMAN SERVS. (last accessed Mar. 22, 2024); Off. of Refugee Resettlement, *Unaccompanied Children Released to Sponsors by State*, U.S. DEP’T OF HEALTH AND HUMAN SERVS. (last accessed July 15, 2024); U.S. Customs and Border Prot., *CBP Releases June 2024 Monthly Update*, U.S. DEP’T OF HOMELAND SEC. (July 15, 2024); Immigr. and Customs Enf’t, *Daily SWB Placemat*, U.S. DEP’T OF HOMELAND SEC. (Apr. 2023–June 2024) (on file with Comm.); Off. of Homeland Sec. Statistics, *Immigr. Enf’t and Legal Processes Monthly Tables – Feb. 2024*, U.S. DEP’T OF HOMELAND SEC. (last accessed June 25, 2024).

² Casey Harper, *Border crisis creates national security threat for U.S., observers say*, WASH. EXAMINER (Aug. 7, 2023); Bill Melugin (@BillMelugin_), X (June 20, 2024, 10:22 AM).

³ U.S. Customs and Border Prot., *CBP Enf’t. Statistics, Terrorist Screening Data Set Encounters*, U.S. DEP’T OF HOMELAND SEC. (last accessed July 15, 2024).

⁴ See *id.*

⁵ THE 9/11 COMMISSION REPORT: FINAL REPORT OF THE NATIONAL COMMISSION ON TERRORIST ATTACKS UPON THE UNITED STATES, at 383-84 (2004), available at <https://www.9-11commission.gov/report/911Report.pdf>.

⁶ See Diane Bartz, *White House to make decision on 9/11 report by June: Bob Graham*, REUTERS (Apr. 24, 2016, 1:16 PM), <https://www.reuters.com/article/us-usa-sept11-graham/white-house-to-make-decision-on-9-11-report-by-june-bob-graham-idUSKCN0XL0TE>.

⁷ Jon Michael Raasch, *FBI agent and Twin Towers first responder reveal how likely another 9/11 attack is on U.S. soil...and why it will be even more deadly*, DAILY MAIL (June 16, 2024, 9:19 AM), <https://www.dailymail.co.uk/news/article-13530633/FBI-agent-Twin-Towers-responder-reveal-likely-9-11-attack-U-S-soil-deadly.html>.

relation to national security threats.⁸ At a hearing before the Committee in July 2024, Director Wray testified that he is “increasingly concerned that foreign terrorists could seek to exploit vulnerabilities at our southwest border or at other ports of entry, or in other aspects of our immigration system, to facilitate an attack here in the United States.”⁹ A Department of Homeland Security (DHS) Homeland Threat Assessment from 2023 similarly highlighted that “[i]ndividuals with terrorism connections are interested in using established travel routes and permissive environments to facilitate access to the United States.”¹⁰

While national security officials alert Americans about potential terrorist threats, Biden-Harris Administration officials continue to downplay the national security nightmare created by the border crisis. For example, DHS Secretary Alejandro Mayorkas repeatedly claims that illegal aliens are adequately screened and “individuals who pose a threat to national security or public safety are detained.”¹¹ But the on-the-ground reality reflects serious—and potentially dangerous—flaws in the open-borders policies, as DHS has released into the country illegal aliens on the terrorist watchlist. As Charles Marino, the former senior law enforcement advisor to DHS Secretary Janet Napolitano, rightly asked in testimony before the Immigration Subcommittee in September 2023: “How many on [the terrorist watchlist] have made it in?”¹² Although the Biden-Harris Administration refuses to provide full transparency to the American people about the terrorist threat, the Committee’s and Subcommittee’s oversight has revealed:

- Under the Biden-Harris Administration, of the more than 250 illegal aliens on the terrorist watchlist who were encountered by Border Patrol at the southwest border between fiscal years 2021 and 2023, DHS has released into American communities at least 99, with at least 34 others in DHS custody but not yet removed from the United States.¹³
- Between fiscal years 2021 and 2023, Border Patrol at the southwest border encountered aliens on the terrorist watchlist from 36 different countries, including places with an active terrorist presence such as Afghanistan, Iraq, Lebanon, Kyrgyzstan, Mauritania, Pakistan, Somalia, Syria, Tajikistan, Turkey, Uzbekistan, and Yemen.¹⁴

⁸ Holmes Lybrand & Hannah Rabinowitz, *FBI director warns senators he sees ‘blinking lights everywhere’ on threats against the US*, CNN (Dec. 6, 2023, 10:30 AM), <https://www.cnn.com/2023/12/05/politics/fbi-director-senate-hearing/index.html>.

⁹ *Oversight of the Federal Bureau of Investigation: Hearing Before the H. Comm. on the Judiciary*, 118th Cong. (July 24, 2024) (statement of Christopher Wray, Dir., Fed. Bureau of Investigation.).

¹⁰ OFF. OF INTEL. & ANALYSIS, U.S. DEP’T OF HOMELAND SEC., *HOMELAND THREAT ASSESSMENT 2024*, at 3 (2023), https://www.dhs.gov/sites/default/files/2023-09/23_0913_ia_23-333-ia_u_homeland-threat-assessment-2024_508C_V6_13Sep23.pdf.

¹¹ See, e.g., *Oversight of the Dep’t of Homeland Security: Hearing Before the H. Comm. on the Judiciary*, 118th Cong. (2023) (statement of Alejandro Mayorkas, Sec’y, Dep’t of Homeland Sec.).

¹² *Terrorist Entry Through the Sw. Border: Hearing Before the Subcomm. on Immigr. Integrity, Security, and Enf’t, of the H. Comm. on the Judiciary*, 118th Cong. (2023) (statement of Charles Marino).

¹³ Information provided to Comm. staff, H. Comm. on the Judiciary, by U.S. Dep’t of Homeland Sec. (June 14, 2024).

¹⁴ CBP TSDS Encounters of Non-U.S. Citizens Between SWB POEs (FY21-FY23) Citizenships of Non-U.S. Citizens, provided to Comm. staff (June 28, 2024) (on file with Comm.).

- So far during fiscal year 2024, Border Patrol has encountered tens of thousands of illegal aliens nationwide from countries that could present national security risks, including 2,134 Afghan nationals, 33,347 Chinese nationals, 541 Iranian nationals, 520 Syrian nationals, and 3,104 Uzbek nationals.¹⁵
- Of the eight Tajik nationals with potential ISIS ties that ICE arrested in June 2024, three were released into the country after using the Biden-Harris-Administration’s CBP One phone application to schedule an appointment at a port of entry, four were initially encountered by Border Patrol while crossing the border, and one arrived at a port of entry without scheduling a CBP One app appointment.¹⁶ Just last year, however, Secretary Mayorkas boasted about the vetting capabilities through the CBP One app, claiming the app “[a]llows [DHS] to screen and vet individuals before they arrive at our border.”¹⁷
- ICE officials have revealed to the Committee that officers encounter members and affiliates of terrorist organizations in their areas of responsibility,¹⁸ with one senior ICE official admitting that the Biden-Harris border crisis has made it more difficult for officers to arrest national security threats in the United States.¹⁹ If a national security threat recently crossed the border, ICE finds it “very difficult” to locate the illegal alien in the United States, given the alien’s lack of a “digital footprint” in the country.²⁰
- The Biden-Harris border crisis has exposed national security loopholes in multiple departments related to the use of classified information in immigration court proceedings. With an immigration judge granting bond to a potential terrorist earlier this year after not being told the alien was a national security threat, the nation’s Chief Immigration Judge admitted to the Committee that only about five percent of immigration judges are able to access top secret information.²¹ The official also conceded to the Committee that she “imagine[d] there may be” gaps in the information that DHS shares with immigration judges about whether an illegal alien should be detained due to being a danger to the community or a flight risk.²²
- Immigration judges granted bond to at least 27 aliens on the terrorist watchlist who were encountered between ports of entry at the southwest border between fiscal years 2021 and 2023.²³ Additionally, immigration judges granted asylum to at least four watchlisted

¹⁵ U.S. Customs and Border Prot. Enf’t Encounters – Nationwide, Fiscal Year 2024 to date – June, provided to Comm. staff (July 16, 2024) (on file with Comm.).

¹⁶ Information provided to Comm. staff, H. Comm. on the Judiciary, by U.S. Dep’t of Homeland Sec. (July 9, 2024).

¹⁷ *Oversight of the Dep’t of Homeland Security: Hearing Before the H. Comm. on the Judiciary*, 118th Cong. (2023) (statement of Alejandro Mayorkas, Sec’y, Dep’t of Homeland Sec.).

¹⁸ Transcribed Interview of ██████████ Field Office Director ██████████, U.S. Immigr. and Customs Enf’t, at 55, 57 (Sept. 28, 2023) (on file with Comm.).

¹⁹ Transcribed Interview of ██████████ Field Office Director ██████████, U.S. Immigr. and Customs Enf’t, at 55 (May 3, 2024) (on file with Comm.).

²⁰ *Id.* at 54-55.

²¹ Transcribed Interview of Chief Immigr. Judge Sheila McNulty, Off. of the Chief Immigr. Judge, Exec. Off. for Immigr. Rev., at 112 (May 16, 2024) (on file with Comm.).

²² *Id.* at 107.

²³ Information provided to Comm. staff, H. Comm. on the Judiciary, by U.S. Dep’t of Homeland Sec. (June 14, 2024).

aliens, with at least two additional known or suspected terrorists having their cases terminated by an immigration judge.²⁴

This interim staff report highlights how the Biden-Harris Administration's open-borders policies endanger Americans and incentivize bad actors, including terrorists, from across the globe to exploit the wide-open southwest border. The Committee and the Immigration Subcommittee will continue oversight of the border crisis to inform legislative reforms to secure the border and stop the Biden-Harris Administration's destruction of our national security. The Committee and Subcommittee also will continue to inform the country about the growing terrorist threats that America faces as a result of the Biden-Harris Administration's radical, open-borders policies.

²⁴ *Id.*; TSDS Doc. Rev. Getbacks provided to Comm. staff by Off. of Legis. Affs., U.S. Dep't of Homeland Sec. (July 15, 2024) (on file with Comm.).

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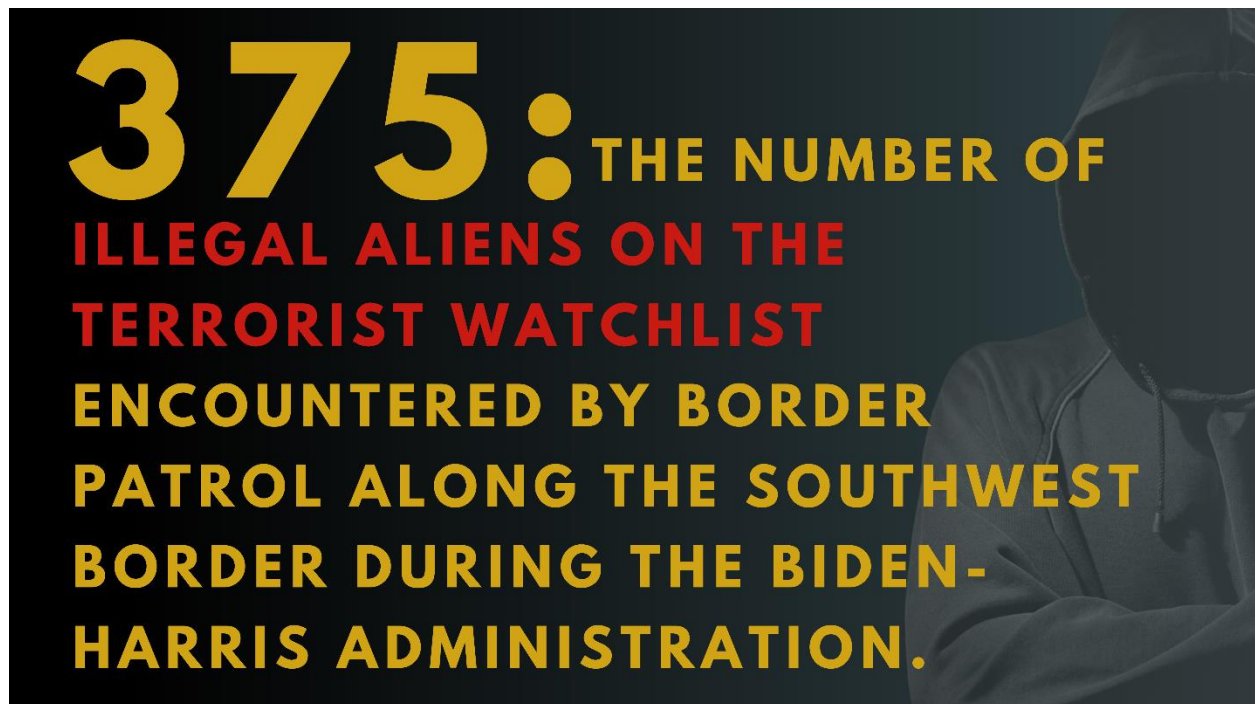
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RECORD NUMBER OF POTENTIAL TERRORISTS ARE CROSSING THE SOUTHWEST BORDER

Since January 2021, the Biden-Harris Administration’s open-borders policies have invited illegal aliens to the southwest border, resulting in increased threats from bad actors, including terrorists. The Federal Bureau of Investigation (FBI) tracks such potential threats to prevent terrorism in the United States. Through the Terrorist Screening Center (TSC), the FBI “shar[es] terrorism-related information across the U.S. government and with other law enforcement agencies.”²⁵ The TSC maintains the terrorist watchlist, a database containing national security and law enforcement information about the identities of “people reasonably suspected to be involved in terrorism (or related activities).”²⁶ After encountering an alien at the border, Customs and Border Protection (CBP) officials collect the alien’s biographical and biometric information to submit to the FBI to determine whether it hits on the terrorist watchlist.²⁷



The crisis at the southwest border caused by the Biden-Harris Administration has raised serious national security risks, with the number of potential terrorists encountered at the southwest border skyrocketing since January 2021. During fiscal year 2022, U.S. Border Patrol encountered 98 aliens on the terrorist watchlist along the southwest border.²⁸ That is 83 more aliens on the terrorist watchlist than those encountered during fiscal year 2021 and is nearly nine

²⁵ Fed. Bureau of Investigation, *What We Investigate, Terrorist Screening Center*, U.S. DEP’T OF JUSTICE, <https://www.fbi.gov/investigate/terrorism/tsc> (last accessed July 11, 2024).

²⁶ *Id.*

²⁷ INSPECTOR GEN., U.S. DEP’T OF HOMELAND SEC., OIG-23-31, CBP RELEASED A MIGRANT ON A TERRORIST WATCHLIST, AND ICE FACED INFORMATION SHARING CHALLENGES PLANNING AND CONDUCTING THE ARREST, at 3 (2023), <https://www.oig.dhs.gov/sites/default/files/assets/2023-07/OIG-23-31-Jun23-Redacted.pdf>.

²⁸ U.S. Customs and Border Prot., *CBP Enf’t Statistics, Terrorist Screening Data Set Encounters*, U.S. DEP’T OF HOMELAND SEC., <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics> (last accessed July 15, 2024).

times the number encountered during fiscal years 2017 through 2020 *combined*.²⁹ Under the Biden-Harris Administration, Border Patrol agents have encountered at least 375 total illegal aliens on the terrorist watchlist along the southwest border, a more than 3,000 percent increase of such watchlisted alien encounters compared to all four years under the Trump Administration.³⁰

The open southwest border has served as a magnet for illegal immigration from all around the world. In fact, aliens from more than 160 different countries have been encountered at the southwest border during the Biden-Harris Administration.³¹ Between fiscal years 2021 and



2023, Border Patrol agents at the southwest border encountered aliens on the terrorist watchlist from 36 different countries, including Afghanistan, Egypt, Iraq, Kyrgyzstan, Lebanon, Mauritania, Pakistan, Russia,

Somalia, Sri Lanka, Syria, Tajikistan, Turkey, Uzbekistan, and Yemen.³² In late July 2024, Border Patrol agents “detained three Palestinian migrants who illegally crossed” into the United States at the southwest border “after they were found to have possible ties to terrorist organizations.”³³ The phone of one of the illegal aliens “includ[ed] a picture of a masked man holding an AK-47 rifle.”³⁴

For years, concerned officials have underscored the emerging national security threats caused by the open southwest border. In August 2021, for example, “[t]he head of the Border Patrol, Rodney Scott, told his 19,000 agents before retiring on Aug[ust] 14 that their national security mission is paramount right now despite the Biden [A]dministration’s focus on migrant families and children”³⁵ Chief Scott went on to tell the agents: “[I]t is a national security

²⁹ *Id.*

³⁰ *Id.*

³¹ See, e.g., Bethany Blankley, *Border Patrol agents apprehend 38 known terrorists in the first 3 month of fiscal 2023*, THE CENTER SQUARE (Jan. 23, 2023), https://www.thecentersquare.com/national/article_2bc101f0-9b78-11ed-aaeb-bfcb093f6e7.html.

³² CBP TSDS Encounters of Non-U.S. Citizens Between SWB POEs (FY21-FY23) Citiznships of Non-U.S. Citizens, provided to Comm. staff (June 28, 2024) (on file with Comm.).

³³ Jennie Taer, *3 Palestinian terror suspects caught after crossing border illegally as overwhelmed agents warn: ‘I probably let terrorists in’*, N.Y. POST (July 28, 2024, 12:08 PM), <https://nypost.com/2024/07/28/us-news/palestinian-terror-suspects-caught-after-crossing-illegally/>.

³⁴ *Id.*

³⁵ Anna Giaritelli, *Suspected terrorists crossing border ‘at a level we have never seen before,’ outgoing Border Patrol chief says*, WASH. EXAMINER (Aug. 16, 2021, 5:47 PM),

crisis. Immigration is just a subcomponent of it, and right now, it's just a cover for massive amounts of smuggling going across the southwest border—to include [aliens on the terrorist watchlist] at a level we have never seen before. That's a real threat.”³⁶ During an Immigration Subcommittee hearing in May 2023, when asked if it was easier for a terrorist to cross the border now compared to five years ago, Chief Scott, then retired, responded, “It definitely is.”³⁷ Similarly, in July 2023, FBI Director Christopher Wray testified before the Committee that there has been “an uptick” in “known or suspected terrorists coming across the southwest border” and that “the southern border represents a massive security threat.”³⁸ In March 2024, Wray testified before the Senate Intelligence Committee that the FBI is “concerned about the terrorism implications from potential targeting of vulnerabilities at the border.”³⁹ Nonetheless, the Biden-Harris Administration has done virtually nothing to change its open-borders policies to address the threat to the homeland.

THE BIDEN-HARRIS ADMINISTRATION IS RELEASING TERRORISTS INTO THE UNITED STATES

As if the record-breaking number of border encounters of illegal aliens on the terrorist watchlist is not concerning enough, the Biden-Harris Administration has released some of the aliens into the interior of the United States. Indeed, terrorist organizations are taking full advantage of the Administration's open-borders policies. Under the Biden-Harris Administration, of the more than 250 illegal aliens on the terrorist watchlist who were encountered at the border just between fiscal years 2021 and 2023, DHS has released into American communities at least 99, with at least 34 others in DHS custody but not yet removed from the United States.⁴⁰

More alarmingly, untold scores of potential terrorists have entered the United States because they were not on the terrorist watchlist at the time that DHS released them into the country. In July 2024, FBI Director Wray testified before the Committee that he is even more concerned about this category of illegal aliens:

[T]here has been a lot of focus on the number of known or suspected terrorists encountered at the border. And that number has increased over the last five or six years, and that should be of concern. But frankly, to me, the bigger concern is individuals who weren't, either weren't on the [terrorist] watchlist at the time they came in because there wasn't information known yet that ties them to terrorism, and

<https://www.washingtonexaminer.com/news/1935132/suspected-terrorists-crossing-border-at-a-level-we-have-never-seen-before-outgoing-border-patrol-chief-says/>.

³⁶ *Id.*

³⁷ *The Biden Border Crisis: Part III: Hearing Before the H. Comm. on the Judiciary, Subcomm. on Immigr. Integrity, Security, and Enf't*, 118th Cong. (2023) (Statement of Rodney Scott).

³⁸ *Oversight of the Federal Bureau of Investigation: Hearing Before the H. Comm. on Judiciary*, 118th Cong. (2023) (Statement of Christopher Wray, Dir., FBI).

³⁹ Nick Mordowanec, *Terrorists Using Fake IDs to cross border raises red flags for FBI Director*, NEWSWEEK (Mar. 12, 2024, 4:31 PM), <https://www.newsweek.com/terrorists-using-fake-ids-cross-border-raises-red-flags-fbi-director-1878514>.

⁴⁰ Information provided to Comm. staff, H. Comm. on the Judiciary, by U.S. Dep't of Homeland Sec. (June 14, 2024).

it is only after they get in that some new piece of information develops somewhere overseas and now we know. That is a bigger concern.⁴¹

Director Wray testified that fake documents compound the difficulties in vetting national security threats at the border, as illegal aliens who use fraudulent documents to enter the country cannot be connected to biometric data of potential terrorists.⁴² Those encounters with potential terrorists do not even account for the nearly 2 million illegal alien “gotaways” who evaded Border Patrol altogether and about which law enforcement has limited information.⁴³



Recent ICE arrests have validated these concerns. Since January 2021, potential terrorists have entered the country on multiple occasions, even if they were not initially found on the terrorist watchlist. As one example, in June 2024, press reports revealed that DHS had “identified over 400 immigrants from Central Asia and elsewhere who crossed into the U.S. in the past three years as ‘subjects of concern’ because they were brought by an ISIS-affiliated human smuggling network,” with many released into the U.S. by DHS.⁴⁴ Although more than 150 of the illegal aliens have been arrested, “the whereabouts of over 50 remain unknown.”⁴⁵ When the ISIS-affiliated smuggling network was originally reported in August 2023, Biden-Harris Administration officials downplayed the security concerns associated with the nationals of

⁴¹ *Oversight of the Federal Bureau of Investigation: Hearing Before the H. Comm. on the Judiciary*, 118th Cong. (July 24, 2024) (statement of Christopher Wray, Dir., Fed. Bureau of Investigation.).

⁴² *Id.*

⁴³ See Harper et al., *supra* note 2.

⁴⁴ Julia Ainsley & Tom Winter, *DHS identifies over 400 migrants brought to the U.S. by an ISIS-affiliated human smuggling network*, NBC NEWS (June 26, 2024, 3:08 PM), <https://www.nbcnews.com/investigations/dhs-identifies-400-migrants-brought-us-isis-linked-human-smuggling-rcna158777>.

⁴⁵ *Id.*

Uzbekistan, Russia, Georgia, and Chechnya being smuggled into the United States through the southwest border, claiming asylum, and being released into the country.⁴⁶ Reportedly, DHS found “no information in any of the intelligence community’s databases that raised any red flags and the people were all released into the US pending a court date.”⁴⁷ Officials even sought to split hairs about the aliens’ connection with terrorists, claiming that one ISIS sympathizer associated with the smuggling ring was merely an “independent contractor.”⁴⁸ According to reports, officials also maintained the illegal border crossers were likely just “seeking a better life.”⁴⁹

The activities of that ISIS-affiliated smuggling network are far from an isolated incident, as a press report in June 2024 exposed how Immigration and Customs Enforcement (ICE) arrested eight illegal aliens from Tajikistan who had “potential ties to ISIS.”⁵⁰ According to one of the reports, “[t]he targets had all crossed the southern border and initial vetting by federal authorities didn’t turn up any negative information tied to their names.”⁵¹ That reality exposes the dangers of the Biden-Harris border crisis, as even potential terrorists can overcome “vetting” at the southwest border. For instance, three of the aliens were released into the United States after using CBP One,⁵² a phone application “the Biden [A]dministration created to allow migrants to book appointments to claim asylum.”⁵³ The FBI’s Joint Terrorism Task Force “began monitoring” the eight illegal aliens as part of its investigation into “a potential terrorist threat originating in central Europe.”⁵⁴

⁴⁶ Katie Bo Lillis et al., *Exclusive: Smuggler with ties to ISIS helped migrants enter US from Mexico, raising alarm bells across government*, CNN (Aug. 30, 2023, 7:23 AM), <https://www.cnn.com/2023/08/29/politics/migrants-us-southern-border-smuggler-isis-ties/index.html>.

⁴⁷ *Id.*

⁴⁸ *Id.*

⁴⁹ *Id.*

⁵⁰ 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, 5:09 PM), <https://www.nbcnews.com/news/us-news/8-suspected-terrorists-possible-isis-ties-arrested-new-york-l-philadel-rcna156635>.

⁵¹ Jennie Taer, *Six suspected terrorists with ISIS ties arrested in sting operation in New York, Los Angeles and Philadelphia: sources*, N.Y. POST (June 11, 2024, 1:50 PM), <https://nypost.com/2024/06/11/us-news/six-suspected-terrorists-with-isis-ties-arrested-in-sting-operation/>.

⁵² Information provided to Comm. staff, H. Comm. on the Judiciary, by U.S. Dep’t of Homeland Sec. (July 9, 2024).

⁵³ Ainsley et al., *supra* note 50.

⁵⁴ *Id.*



**AT LEAST THREE
POTENTIAL
TERRORISTS WERE
RELEASED INTO
THE UNITED STATES
USING THE BIDEN-
HARRIS
ADMINISTRATION'S
CBP ONE APP.**

Releasing terrorists into the United States has become almost routine for the Biden-Harris Administration. In April 2024, for instance, ICE arrested yet another potential terrorist, a man from Uzbekistan “with alleged ISIS ties” who had lived in the U.S. for more than two years.⁵⁵ The Biden-Harris Administration released the man, Jovokhir Attoev, into the United States in February 2022 after “neither [CBP] nor ICE could find any derogatory information on Attoev” in their databases.⁵⁶ DHS had released yet another watchlisted alien, Issam Bazzi, in November 2021, after encountering him crossing the southwest border illegally.⁵⁷ Despite “high[ly] derogatory information” in the FBI’s database, DHS decided to release Bazzi into the U.S. because he was overweight and may have been susceptible to COVID-19 in an ICE detention facility.⁵⁸ During his July 2023 testimony, Secretary Mayorkas testified to the Committee that he was “unfamiliar with that report” and claimed—contrary to the facts—that “individuals who pose a threat to national security or public safety are detained.”⁵⁹ As DHS’s release into the U.S. of potential terrorists illustrates, Secretary Mayorkas’s statement is wrong and DHS’s vetting of illegal aliens at the border is insufficient to uncover derogatory information on potentially dangerous aliens.

⁵⁵ Julia Ainsley, *Migrant with alleged ISIS ties was living in the U.S. for more than two years, officials say*, NBC NEWS (May 1, 2024, 5:30 PM), <https://www.nbcnews.com/politics/immigration/migrant-alleged-isis-ties-living-us-two-years-officials-say-rcna150281>.

⁵⁶ *Id.*

⁵⁷ Charlie LeDuff, *Is This Venezuelan In Metro Detroit An Asylum Seeker Or Suspected Terrorist?*, DEADLINE DETROIT (Jan. 27, 2022, 7:00 AM), https://www.deadlinedetroit.com/articles/29777/leduff_is_this_venezuelan_in_dearborn_an_asylum_seeker_or_suspected_terrorist.

⁵⁸ *Id.*

⁵⁹ *Oversight of the Dep’t of Homeland Security: Hearing Before the H. Comm. on the Judiciary*, 118th Cong. (2023) (statement of Alejandro Mayorkas, Sec’y, Dep’t of Homeland Sec.).

Against this backdrop of terrorists entering the United States in record numbers, the Biden-Harris Administration has been flat-footed in its response. Three-and-a-half years too late, the Biden-Harris Administration recently ordered “that migrants from Tajikistan shouldn’t be released from custody” unless they are “interviewed by intelligence officials first.”⁶⁰ Meanwhile, CBP encountered more than 2,000 Tajikistan nationals nationwide in fiscal year 2023 alone,⁶¹ with 736 encounters so far in fiscal year 2024.⁶² As of June,



during fiscal year 2024, Border Patrol nationwide has encountered tens of thousands of illegal aliens from countries that could present national security risks, including 2,134 Afghan nationals, 33,347 Chinese nationals, 541 Iranian nationals, 520 Syrian nationals, and 3,104 Uzbek nationals.⁶³ These Border Patrol encounters also include 1,260 illegal aliens from Russia; 752 from Kyrgyzstan; 734 from Pakistan; 704 from Somalia; 433 from Kazakhstan; 123 from Yemen; and 62 from Lebanon.⁶⁴

⁶⁰ Jennie Taer, *Biden admin scrambles to stop releasing migrants from ISIS hotbed country into US — but hundreds have already crossed*, N.Y. POST (July 10, 2024, 6:05 AM), <https://nypost.com/2024/07/10/us-news/biden-admin-scrambles-to-stop-releasing-migrants-from-isis-hotbed/>.

⁶¹ U.S. Customs and Border Prot. Enf’t Actions – Nationwide, Fiscal Year 2023, provided to Comm. staff (on file with Comm.).

⁶² U.S. Customs and Border Prot. Enf’t Encounters – Nationwide, Fiscal Year 2024 to date – June, provided to Comm. staff (July 16, 2024) (on file with Comm.).

⁶³ *Id.*

⁶⁴ *Id.*

MOHAMMAD KHARWIN: A DANGEROUS TERRORIST RELEASED TWICE BY THE BIDEN-HARRIS ADMINISTRATION

The Biden-Harris Administration’s release of potential terrorists into the United States has revealed systemic issues across multiple agencies in the U.S. government, with any potential national security safeguards failing at every level. As one example, in February 2024, authorities arrested Mohammad Kharwin, “[a]n Afghan migrant on the terrorist watchlist,” after he “spent nearly a year inside the U.S.” following his release by CBP in March 2023.⁶⁵ He was released again in March 2024 “by an immigration judge who was not told he was a national security threat,” despite his apparent membership in Hezb-e-Islami, “a political and paramilitary organization that the U.S. has designated a terrorist organization.”⁶⁶ As a result, ICE released Kharwin on March 30, 2024, after he posted “the \$12,000 bond mandated by the immigration judge.”⁶⁷ He was rearrested only after media reports surfaced about the case, and he remains in ICE custody.⁶⁸

In a transcribed interview with the Committee in May 2024, an ICE field office director provided additional color on Kharwin’s case. This ICE official confirmed that Kharwin was arrested by ICE and was released after an immigration judge granted him bond.⁶⁹ The ICE official said that officers briefed him on Kharwin, who was no longer in ICE custody.⁷⁰ Following the briefing, the field office director ordered his officers to find and arrest Kharwin, who remained at large in the community.⁷¹

The Kharwin case also illustrates how immigration judges—who hear immigration cases and can determine whether an alien should remain detained—are ill-equipped to handle national security-related cases. In a transcribed interview before the Committee in May 2024, the nation’s Chief Immigration Judge admitted that only about five percent of immigration judges are able to access top-secret information.⁷² The official also admitted to the Committee that she “imagine[d] there may be” gaps in the information that DHS shares with immigration judges about whether an illegal alien should be detained due to being a danger to the community or a flight risk.⁷³ Immigration judges’ inability to access classified information and gaps in DHS information-sharing could explain why an immigration judge granted Kharwin bond despite his alleged ISIS ties. In fact, “[w]hen ICE prosecutors appeared in court” to argue that Kharwin should remain in ICE custody, “they did not share some classified information with the [immigration] judge that

⁶⁵ Julia Ainsley, Didi Martinez, & Laura Strickler, *Man on terror watchlist was released by Border Patrol*, NBC NEWS (Apr. 11, 2024, 11:52 PM), <https://www.nbcnews.com/investigations/man-terror-watchlist-remains-us-released-border-patrol-rcna147192>.

⁶⁶ *Id.*

⁶⁷ *Id.*

⁶⁸ See Ainsley, *Migrant with alleged ISIS ties was living in the U.S. for more than two years, officials say*, *supra* note 55.

⁶⁹ Transcribed Interview of ██████████ Field Office Director ██████████, Immigr. and Customs. Enf’t, at 58 (May 3, 2024) (on file with Comm.).

⁷⁰ *Id.* at 56.

⁷¹ *Id.*

⁷² Transcribed Interview of Chief Immigr. Judge Sheila McNulty, Off. of the Chief Immigr. Judge, Exec. Off. for Immigr. Rev., at 112 (May 16, 2024) (on file with Comm.).

⁷³ *Id.* at 107.

purportedly showed Kharwin’s” terrorist ties.⁷⁴ Instead, ICE attorneys “argued that he should be detained without bond because he was a flight risk, but they did not say he was a national security risk.”⁷⁵

That lack of information also may explain why immigration judges granted bond to at least 27 watchlisted aliens who were encountered between ports of entry at the southwest border between fiscal years 2021 and 2023.⁷⁶ Additionally, at least four watchlisted aliens were granted asylum by an immigration judge, with at least two additional known or suspected terrorists having their cases terminated by an immigration judge, allowing them to remain in the U.S. indefinitely.⁷⁷



ILLEGAL ALIENS ON THE TERRORIST WATCHLIST ENCOUNTERED AT THE SOUTHWEST BORDER
FY 2021 - FY 2023
*** BOND GRANTED: 27**
*** ASYLUM GRANTED: AT LEAST 4**
*** CASE TERMINATED: AT LEAST 2**
*** BY IMMIGRATION JUDGES**

Since the immigration judge’s decision that allowed the Biden-Harris Administration to release Kharwin into the United States a second time, both DHS and the Department of Justice, which runs and oversees the nation’s immigration courts, appear to have sought to expand immigration judges’ access to classified information. In May 2024, for instance, DHS announced new guidance that instead of using classified information “only as a last resort” in an immigration proceeding, as policy previously dictated, DHS may now use classified information if DHS “learns of classified information indicating that an individual subject to immigration proceedings may present a threat to national security or public safety.”⁷⁸ This summer, the

⁷⁴ Julia Ainsley, Didi Martinez, & Laura Strickler, *supra* note 65.

⁷⁵ *Id.*

⁷⁶ Information provided to Comm. staff, H. Comm. on the Judiciary, by U.S. Dep’t of Homeland Sec. (June 14, 2024).

⁷⁷ *Id.*; TSDS Doc. Rev. Getbacks provided to Comm. staff by Off. of Legis. Affs., U.S. Dep’t of Homeland Sec. (July 15, 2024) (on file with Comm.).

⁷⁸ Memorandum from Alejandro Mayorkas, Sec’y, U.S. Dep’t of Homeland Sec., to Kristie Canegallo, Senior Official Performing the Duties of the Deputy Sec’y et al., “DHS Policy and Guidelines for the Use of Classified

immigration courts also received updated operating policies and procedures related to classified information—the first update in 15 years.⁷⁹ Even now, however, the nation’s immigration courts do not have a memorandum of understanding with other agencies to guide the sharing of classified information in immigration court proceedings.⁸⁰

WATCHLISTED ILLEGAL ALIEN RELEASED AND ALLOWED TO BOARD A COMMERCIAL FLIGHT

In one of the more egregious examples of the Biden-Harris Administration’s lax approach to national security, an illegal alien on the terrorist watchlist was released into the United States, allowed to board a commercial flight, and remained at large for two weeks. On June 28, 2023, the DHS Office of the Inspector General (OIG) released a report detailing how CBP released an alien encountered illegally crossing the southwest border who was on the terrorist watchlist.⁸¹ According to the OIG, “[o]n April 17, 2022, Border Patrol apprehended [the alien] . . . in Yuma, Arizona,” screened him and his family for “national security threats,” and received an “inconclusive [t]errorist [w]atchlist match” from the FBI’s Terrorist Screening Center (TSC).⁸² Just two days later, Border Patrol released the alien, and the potential terrorist was later allowed to board a plane to Tampa, Florida.⁸³ According to the Inspector General:

On April 21, 2022, at the Palm Springs International Airport, in Palm Springs, California, the migrant and the migrant’s family members checked in for a flight to Tampa, Florida. During pre-flight screening, the TSC obtained additional information from TSA and confirmed the migrant was a positive Terrorist Watchlist match. ICE [Enforcement and Removal Operations] (ERO) arrested the migrant more than 2 weeks later, on May 6, 2022.⁸⁴

While the alien was ultimately arrested in Tampa, Florida, the OIG also noted that ICE had “challenges while planning and conducting the arrest.”⁸⁵ Specifically, ICE ERO in Tampa had to wait eight days to receive the alien file (A-File) in the mail before it could use the information in the file to plan a safe arrest.⁸⁶ In addition, once the alien left his house in a

Information in Immigration Proceedings” (May 9, 2024), https://www.dhs.gov/sites/default/files/2024-05/24_0509_sec_24-02395-s1-signed-policy-and-guidelines-classified-info-in-immigration-proceedings-508.pdf.

⁷⁹ Memorandum from Sheila McNulty, Chief Immigr. Judge, Exec. Off. For Immigr. Rev., “Operating Policies and Procedures Memorandum 24-01: Classified Information in Immigration Court Proceedings” (June 18, 2024), https://www.justice.gov/d9/2024-06/oppm_24-01_-_classified_information_in_immigration_court_proceedings.final_6-18-24.pdf.

⁸⁰ Call between Comm. staff and Off. of Legis. Affs., U.S. Dep’t of Justice (July 11, 2024).

⁸¹ INSPECTOR GEN., DEP’T. OF HOMELAND SECURITY, OIG-23-31, CBP RELEASED A MIGRANT ON A TERRORIST WATCHLIST, AND ICE FACED INFORMATION SHARING CHALLENGES PLANNING AND CONDUCTING THE ARREST (2023), <https://www.oig.dhs.gov/sites/default/files/assets/2023-07/OIG-23-31-Jun23-Redacted.pdf>.

⁸² *Id.*

⁸³ *Id.* at 6; Transcribed Interview of ██████ Field Office Director ██████, U.S. Immigr. and Customs Enf’t, at 40 (Aug. 17, 2023) (on file with Comm.).

⁸⁴ INSPECTOR GEN., DEP’T OF HOMELAND SECURITY, OIG-23-31, CBP RELEASED A MIGRANT ON A TERRORIST WATCHLIST, AND ICE FACED INFORMATION SHARING CHALLENGES PLANNING AND CONDUCTING THE ARREST, at 6 (2023), <https://www.oig.dhs.gov/sites/default/files/assets/2023-07/OIG-23-31-Jun23-Redacted.pdf>.

⁸⁵ *Id.* at 10.

⁸⁶ *Id.* at 11.

vehicle, ICE ERO could not initially access the GPS information necessary to track the alien's location.⁸⁷ ICE finally arrested the alien on May 6, 2022, more than two weeks after his initial release.⁸⁸

According to the Inspector General, had CBP provided the FBI's TSC with the requested information to clarify the alien's inconclusive match to the watchlist, the TSC would have confirmed that the alien was in fact a positive match with the watchlist.⁸⁹ As the report describes, "[t]his occurred because CBP's ineffective practices and processes for resolving inconclusive matches with the Terrorist Watchlist led to multiple mistakes," including sending "a request to interview the [alien] to the wrong email address, obtain[ing] information requested by the TSC but never shar[ing] it, and releas[ing] the [alien] before fully coordinating with the TSC."⁹⁰ When asked at the Committee's July 2023 hearing if DHS disagreed with the OIG's report, DHS Secretary Alejandro Mayorkas responded, "We respectfully do."⁹¹ Although the Committee has asked Secretary Mayorkas to elaborate on the reasons for his disagreement with the OIG report,⁹² to date, he has not done so.

An ICE field office director involved in the case told the Committee in a transcribed interview last year that he was "not certain of any [DHS] policies and procedures" to ensure the timely apprehension of national security threats.⁹³ He later clarified that "there is a specific policy as far as tracking and annotating cases" in which an alien is on the terrorist watchlist.⁹⁴ When asked whether he was aware of a "specific timetable" on when ICE should arrest and detain a national security threat, the ICE official testified that he could not recall one.⁹⁵ Although he said "there [were] talks" of developing tools to "ping an officer or ping a specific case on the docket that now had been designated as a national security case," he was unaware of whether that change had been implemented.⁹⁶

INADEQUATE VETTING OF POTENTIAL TERRORISTS AT THE BORDER

Despite the undeniable increase of terrorist threats at the border and in the interior, Biden-Harris Administration officials have repeatedly misled the American people about the scope of vetting that illegal aliens receive once they arrive in the United States.⁹⁷ Instead of being vetted against databases in their home countries, illegal aliens are only screened against

⁸⁷ *Id.* at 12.

⁸⁸ *Id.*

⁸⁹ *Id.* at 13.

⁹⁰ *Id.* at 7.

⁹¹ *Oversight of the Dep't of Homeland Security: Hearing Before the H. Comm. on the Judiciary*, 118th Cong. (2023) (statement of Alejandro Mayorkas, Sec'y, Dep't of Homeland Sec.).

⁹² *See* Letter from Jim Jordan, Chairman, H. Comm. on the Judiciary, to Alejandro Mayorkas, Sec'y, U.S. Dep't of Homeland Sec., at 5 (Aug. 8, 2023).

⁹³ Transcribed Interview of ██████ Field Office Director ██████, U.S. Immigr. and Customs Enf't, at 33 (Aug. 17, 2023) (on file with Comm.).

⁹⁴ *Id.* at 36.

⁹⁵ *Id.* at 36-37.

⁹⁶ *Id.* at 37.

⁹⁷ *See, e.g., Oversight of the Dep't of Homeland Security: Hearing Before the H. Comm. on the Judiciary*, 118th Cong. (2023) (statements of Alejandro Mayorkas, Sec'y, Dep't of Homeland Sec.).

U.S. criminal databases and against INTERPOL.⁹⁸ According to former Border Patrol Chief Rodney Scott, the U.S. government has “very, very minuscule data” available when an alien arrives at the southwest border because “[c]rimes committed by a foreign national outside the U.S. rarely appear in [U.S.] databases.”⁹⁹ Instead, Chief Scott explained, illegal aliens at the border are essentially “vetted against a blank sheet of paper.”¹⁰⁰

Contrary to this reality, Secretary Mayorkas continues to claim that aliens encountered at the southwest border are all thoroughly screened and vetted by DHS personnel.¹⁰¹ For example, at a Committee hearing in July 2023, when pressed about the status of the record number of aliens on the terrorist watchlist who have been encountered during the Biden-Harris Administration, Secretary Mayorkas reiterated that “individuals that present a national security or public safety threat are detained and are [a] priority [for removal].”¹⁰²

Recent reports by the DHS OIG, however, have exposed Secretary Mayorkas’s assessment as incorrect. Instead of showing that DHS adequately vets and tracks legal and illegal aliens, the DHS OIG continually underscores vetting vulnerabilities across the agency. In one recent report, the DHS OIG revealed that the agency’s “technology, procedures, and coordination were not fully effective to screen and vet [aliens] applying for admission into the United States or asylum seekers whose asylum applications were pending for an extended period.”¹⁰³ The report acknowledged that “[w]ithout capabilities to effectively screen and vet [aliens], CBP is unable to conduct complete screening and vetting of all [alien] travelers at air and land [ports of entry].”¹⁰⁴ In addition, at certain land ports of entry, CBP officers failed to “query all vehicle occupants . . . to identify criminal warrants, national security concerns, or border crossing history before admitting them into the country.”¹⁰⁵ In another report, the DHS OIG expressed concerns that, in fiscal years 2022 and 2023, ICE released hundreds of aliens from custody who should have been detained based on an assessment that the aliens were a high risk to public safety.¹⁰⁶

Once aliens are released, DHS has no idea where the aliens go. According to the OIG, Border Patrol “cannot always obtain and does not always record migrant addresses, and ICE

⁹⁸ *The Biden Border Crisis: Part III: Hearing Before the Subcomm. on Immigr. Integrity, Security, and Enf’t, of the H. Comm. on the Judiciary*, 118th Cong. (2023) (statement of Rodney Scott).

⁹⁹ *Terrorist Entry Through the Sw. Border: Hearing Before the Subcomm. on Immigr. Integrity, Security, and Enf’t, of the H. Comm. on the Judiciary*, 118th Cong. (2023) (statement of Rodney Scott).

¹⁰⁰ *The Biden Border Crisis: Part III: Hearing Before the Subcomm. on Immigr. Integrity, Security, and Enf’t, of the H. Comm. on the Judiciary*, 118th Cong. (2023) (statement of Rodney Scott).

¹⁰¹ *Oversight of the Dep’t of Homeland Security: Hearing Before the H. Comm. on the Judiciary*, 118th Cong. (2023) (statement of Alejandro Mayorkas, Sec’y, U.S. Dep’t of Homeland Sec.).

¹⁰² *Id.*

¹⁰³ INSPECTOR GEN., DEP’T OF HOMELAND SEC., OIG-24-27, DHS NEEDS TO IMPROVE ITS SCREENING AND VETTING OF ASYLUM SEEKERS AND NONCITIZENS APPLYING FOR ADMISSION INTO THE UNITED STATES, at 4 (June 7, 2024), <https://www.oig.dhs.gov/sites/default/files/assets/2024-06/OIG-24-27-Jun24-Redacted.pdf>.

¹⁰⁴ *Id.* at 5.

¹⁰⁵ *Id.* at 7.

¹⁰⁶ INSPECTOR GEN., DEP’T OF HOMELAND SEC., OIG-24-31, ICE’S RISK CLASSIFICATION ASSESSMENT PROCESS WAS NOT CONSISTENTLY USED TO PREVENT THE RELEASE OF HIGH-RISK INDIVIDUALS, at 4 (June 12, 2024), <https://www.oig.dhs.gov/sites/default/files/assets/2024-06/OIG-24-31-Jun24.pdf>.

does not always validate migrant addresses prior to migrant release into the United States.”¹⁰⁷ Moreover, “[w]hen migrants do not check in, ICE cannot ensure the migrant understands the next steps in the immigration process and cannot easily locate migrants who may be threats to public safety or are scheduled for removal.”¹⁰⁸ According to one ICE ERO officer interviewed for the OIG report, “without a valid address to locate migrants, ICE may only locate migrants after they have been arrested by state or local police for unrelated offenses post-release. Only after the migrant’s arrest would ICE be aware of the migrant’s whereabouts.”¹⁰⁹ Similarly, an ICE official testified to the Committee that locating national security concerns requires significant time and manpower because the aliens “don’t want to be found.”¹¹⁰ The official explained the difficulties in locating illegal aliens who recently arrived in the United States because those aliens have no “digital footprint” in the country.¹¹¹

Although Secretary Mayorkas refuses to acknowledge the severity of the Biden-Harris border crisis and its national security implications, some ICE officials have been more honest in



their assessment of the national security implications of the open southwest border. One senior ICE official admitted to the Committee that as the number of illegal aliens crossing the southwest border increased, so did the number of national security

risks.¹¹² He acknowledged that the national security risks have increased under the Biden-Harris Administration.¹¹³ A field office director in a major city in Texas acknowledged that his office has “a steady state as far as national security cases,” and revealed that his office encounters members and affiliates of terrorist organizations.¹¹⁴ Nonetheless, because more ICE officers are devoted to tasks such as processing illegal aliens for appointments due to the border crisis, fewer

¹⁰⁷ INSPECTOR GEN., DEP’T. OF HOMELAND SEC., OIG-23-47, DHS DOES NOT HAVE ASSURANCE THAT ALL MIGRANTS CAN BE LOCATED ONCE RELEASED INTO THE U.S., at 4 (Sept. 6, 2023), <https://www.oig.dhs.gov/sites/default/files/assets/2023-09/OIG-23-47-Sep23-Redacted.pdf>.

¹⁰⁸ *Id.* at 15-16.

¹⁰⁹ *Id.* at 14.

¹¹⁰ Transcribed Interview of ██████████ Field Office Director ██████████, U.S. Immigr. and Customs Enf’t, at 13 (May 3, 2024) (on file with Comm.); *see id.* at 20, 41, 43.

¹¹¹ *Id.* at 54-55.

¹¹² Transcribed Interview of ██████████, U.S. Immigr. and Customs Enf’t, ██████████, at 81-82 (June 27, 2023) (on file with Comm.).

¹¹³ *Id.*

¹¹⁴ Transcribed Interview of ██████████ Field Office Director ██████████, U.S. Immigr. and Customs Enf’t, at 55, 57 (Sept. 28, 2023) (on file with Comm.).

officers are available to address such national security threats.¹¹⁵ In fact, a former senior ICE official agreed that the border crisis during the Biden-Harris Administration has made it far more difficult for ICE to arrest national security threats in the United States.¹¹⁶

CONCLUSION

Although American communities already feel the disastrous effects of the Biden-Harris Administration’s immigration policies, the worst could still be yet to come. With national security experts and immigration officials increasingly concerned about the threat of terrorism originating from the border, it is clear that policymakers must take all necessary steps to secure the border and stop the flow of illegal aliens. However, the Biden-Harris Administration has refused to address the national security nightmare created by its radical, open-borders agenda. The Biden-Harris Administration continues to prioritize illegal aliens—including hundreds on the terrorist watchlist and many more from terrorist-sympathizing countries—over the safety and security of the American people. In fact, the Biden-Harris Administration has released into American communities at least 99 illegal aliens on the terrorist watchlist who were encountered by Border Patrol at the southwest border between fiscal years 2021 and 2023.¹¹⁷ That does not include the untold numbers of potential terrorists that evaded Border Patrol to enter the United States as part of nearly 2 million “gotaways” since the beginning of the Biden-Harris Administration.

Despite worsening national security conditions, the Biden-Harris Administration and Senate Democrats have also failed to consider H.R. 2, the House-passed Secure the Border Act of 2023. To secure the homeland and protect Americans, the Senate must pass, and President Biden must sign into law, H.R. 2. In the meantime, the Committee and Subcommittee will continue to conduct oversight of the Biden-Harris Administration’s dangerous immigration policies to inform the House and the American people about the mounting threats facing the United States.

¹¹⁵ Transcribed Interview of ██████████ Field Office Director ██████████ U.S. Immigr. and Customs. Enf’t, at 94 (May 3, 2024) (on file with Comm.).

¹¹⁶ *Id.* at 55.

¹¹⁷ Information provided to Comm. staff, H. Comm. on the Judiciary, by U.S. Dep’t of Homeland Sec. (June 14, 2024).