

United States Senate

WASHINGTON, DC 20510

June 18, 2024

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

Dear Secretary Mayorkas,

We write to express our grave concerns regarding reports of U.S. Immigration and Customs Enforcement (ICE) arrests of eight individuals from Tajikistan suspected to have terror ties to ISIS who crossed the southern border to enter the U.S. last year and this year.¹ Reportedly, two of these individuals crossed the border in spring 2023, and one of them used the CBP One app to enter the U.S.² We are deeply concerned by reports that a wiretap shows that one of the now-arrested individuals was talking about bombs and that the target of the wiretap was previously released by federal authorities at the southern border with a court date of next year.³ We are further concerned by reports that federal authorities vetting these individuals upon entry into the U.S. did not detect any ties to ISIS at the time and only discovered these ties “[l]ater and in recent weeks.”⁴

As Federal Bureau of Investigation (FBI) Director Christopher Wray recently testified to Congress, “Now increasingly concerning is the potential for a coordinated attack here in the homeland, akin to the ISIS-K attack we saw at the Russia concert hall a couple weeks ago,” in reference to ISIS-Khorasan, that is, ISIS’s Afghan affiliate.⁵ Director Wray also testified in March that the FBI is “very concerned” about a “smuggling network” with “overseas facilitators” that “have ISIS ties.”⁶ Additionally, it was reported last August that the FBI was

¹ Pierre Thomas & Jake Date, *8 Tajikistanis with suspected ties to ISIS arrested in US, source says*, ABC NEWS (Jun. 11, 2024), <https://abcnews.go.com/Politics/8-tajikistanis-suspected-ties-isis-arrested-us-source/story?id=111035401>.

² Julia Ainsley, Tom Winter, Andrew Blankstein & Antonio Planas, *8 suspected terrorists with possible ISIS ties arrested in New York, L.A. and Philadelphia, sources say*, NBC NEWS (Jun. 11, 2024), <https://www.nbcnews.com/news/us-news/8-suspected-terrorists-possible-isis-ties-arrested-new-york-l-philadel-rcna156635>.

³ Jennie Taer, *Six suspected terrorists with ISIS ties arrested in sting operation in New York, Los Angeles and Philadelphia: sources*, NEW YORK POST (Jun. 11, 2024), <https://nypost.com/2024/06/11/us-news/six-suspected-terrorists-with-isis-ties-arrested-in-sting-operation/>.

⁴ *Supra* note 1.

⁵ Jeff Seldin, *FBI fears ‘coordinated attack’ on US homeland*, VOICE OF AMERICA (Apr. 11, 2024), <https://www.voanews.com/a/fbi-fears-coordinated-attack-on-us-homeland/7565964.html>.

⁶ Luke Barr, *FBI director warns of ‘dangerous individuals’ coming across southern border*, ABC NEWS (Mar. 11, 2024), <https://abcnews.go.com/Politics/fbi-director-warns-dangerous-individuals-coming-southern-border/story?id=108024830>.

investigating, as possible criminal threats, more than a dozen illegal aliens from Uzbekistan and other countries who traveled to the U.S. with the help of a smuggler with ties to ISIS.⁷

There have been multiple recent releases of aliens on the terrorist watchlist into the United States, such as Afghan national Mohammad Kharwin, a suspected member of the U.S.-designated terrorist group Hezb-e-Islami, or HIG, who was arrested on March 10, 2023, in California, after crossing the southern border illegally, and briefly enrolled in an Alternatives to Detention monitoring program for about two weeks.⁸ He was allowed to roam free in the U.S. for ten months, unmonitored, until ICE agents arrested him again due to potential terrorist ties.⁹ Additionally, a 27-year old Somali who was on the watchlist as “a confirmed member” of U.S.-designated terrorist organization Al-Shabaab, who was involved in the use, manufacture, or transportation of explosives or firearms, was released shortly after being arrested for crossing the border illegally in California in March 2023, and roamed free for nearly a year before he was captured in Minnesota.¹⁰ On April 17, ICE arrested Jovokhir Attoev of Uzbekistan for alleged ISIS ties.¹¹ Attoev had crossed the southern border into Arizona in February 2022, and was arrested by Border Patrol but was released into the U.S. when Customs and Border Protection (CBP) and ICE failed to find derogatory information about him.¹² However, in May 2023, the government of Uzbekistan issued an international notice that Attoev was wanted for ISIS ties, which U.S. officials failed to discover until March of this year.¹³ Most recently, on May 3, two Jordanian nationals posing as Amazon subcontractors attempted to breach Marine Corps Base Quantico.¹⁴ One of these individuals had been admitted into the U.S. on a student visa September 11, 2022, which expired January 14, 2023.¹⁵ The other was arrested on April 8, in California after entering the U.S. illegally, ordered to appear before an immigration judge on April 9, and released on his own recognizance.¹⁶ According to multiple sources, one of these two Jordanians is on the U.S. terrorist watch list.¹⁷

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

⁸ Julia Ainsley, *Man on terrorist watchlist was dropped from program that monitors migrants*, NBC NEWS (Apr. 17, 2024), <https://www.nbcnews.com/news/investigations/man-terrorist-watchlist-was-dropped-program-monitors-migrants-rcna148205>.

⁹ *Id.*

¹⁰ Jennie Taer, *Known terrorist spent year in US after being wrongly released by feds — and GOP lawmakers demand answers*, NEW YORK POST (Apr. 2, 2024), <https://nypost.com/2024/04/02/us-news/lawmakers-demand-to-know-if-taxpayers-funded-al-shabaab-terrorist/>.

¹¹ 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), <https://www.nbcnews.com/politics/immigration/migrant-alleged-isis-ties-living-us-two-years-officials-say-rcna150281>.

¹² *Id.*

¹³ *Id.*

¹⁴ Greg Wehner & Bill Melugin, *ICE confirms Jordanians who attempted to breach Marine Corps Base Quantico were both in US illegally*, FOX NEWS (May 23, 2024), <https://www.foxnews.com/us/ice-confirms-jordanians-attempted-breach-marine-corps-base-quantico-both-us-illegally>.

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ Kelly Sienkowski, *Exclusive: Driver's Attempt at Breaching Quantico Gate Echoes Deadly Incidents at White House, U.S. Military Bases*, POTOMAC LOCAL NEWS (May 10, 2024), <https://www.potomaclocal.com/2024/05/10/exclusive-drivers-attempt-at-breaching-quantico-gate-echoes-deadly-incident-at-white-house-u-s-military-bases/>.

Moreover, there are skyrocketing U.S. Border Patrol encounters of aliens on the terrorist watchlist as well as a record number of Chinese national encounters at the southern border during the Biden administration. In fiscal years 2017 to 2020 combined, 11 noncitizens on the terrorist watchlist were caught attempting to enter via the Southern border between ports of entry.¹⁸ That number increased to 15 in FY 2021, 98 in FY 2022, 169 in FY 2023, and 80 in FY 2024 as of May 15.

Lastly, in April, you were asked in a hearing whether individuals on the terror watchlist were “at large” or whether they had been apprehended. You refused to answer directly and only said they are a “priority for detention.”¹⁹ However, in a November 2023 hearing, Director Wray admitted in a hearing, “There are certainly individuals who are the subject of terrorism investigations that we are searching for.”²⁰

Due to the grave nature of these threats to the American public, we request that the Department of Homeland Security brief the undersigned senators or their staff and respond to the following questions by June 25, 2024.

1. What are the names and identities of the arrested individuals?
2. When and where did they enter the U.S. and for what purpose? Did they present themselves at a port of entry or enter between the ports of entry?
3. Did these arrested individuals claim asylum when they entered the U.S.? If so, how was their asylum claim resolved?
4. What was the vetting process for these arrested individuals when they entered the U.S.? Did the Department of Homeland Security (DHS) have information indicating that these arrested individuals posed a criminal or national security threat when they entered the U.S.? Did DHS accidentally release them into the U.S.?
5. Are these arrested individuals members of ISIS or another terrorist organization?
6. Are these arrested individuals part of a broader network inside the U.S.?
7. Were these arrested individuals planning a terrorist attack or taking actions in preparation for a terrorist attack?
8. Do these arrested individuals possess weapons, explosives, or other dangerous items, or other items that could be used to plan or conduct a terrorist attack?

Sincerely,

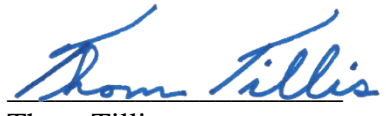
¹⁸ U.S. Customs and Border Protection, CBP Enforcement Statistics, <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics> (last modified May 15, 2024).

¹⁹ Josh Christenson, *Mayorkas tells Congress border ‘as secure as it can be,’ cannot ‘recall’ saying 85% of migrants are released into US*, NEW YORK POST (Apr. 16, 2024), <https://nypost.com/2024/04/16/us-news/mayorkas-tells-congress-border-is-as-secure-as-it-can-be-cannot-recall-saying-over-85-of-migrants-are-released-into-us/>.

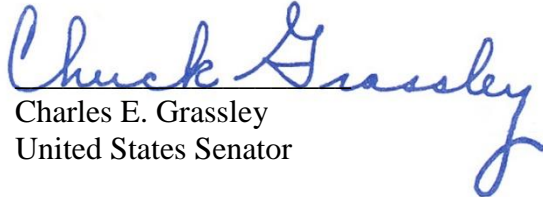
²⁰ Virginia Allen, *Threat of Terrorist Attack Against US Has Reached a ‘Whole ‘Nother Level,’ FBI Director Tells Congress*, DAILY SIGNAL (Nov. 15, 2023), <https://www.dailysignal.com/2023/11/15/threat-terrorist-attack-us-has-reached-whole-nother-level-fbi-director-tells-congress/>.



Ted Budd
United States Senator



Thom Tillis
United States Senator



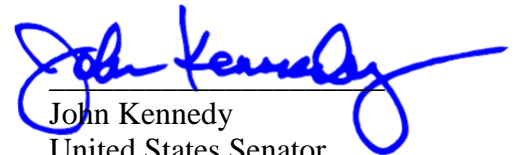
Charles E. Grassley
United States Senator



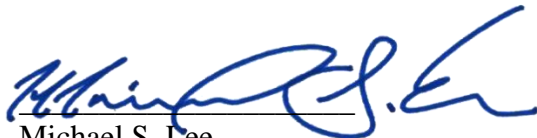
Roger Marshall, M.D.
United States Senator



John Hoeven
United States Senator



John Kennedy
United States Senator



Michael S. Lee
United States Senator



John Thune
United States Senator



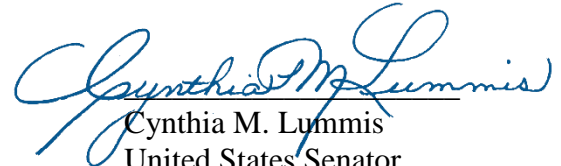
Rick Scott
United States Senator




Joni K. Ernst
United States Senator



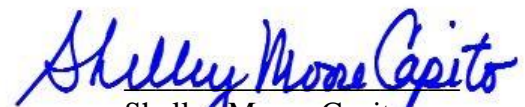
Kevin Cramer
United States Senator



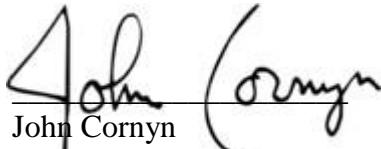
Cynthia M. Lummis
United States Senator



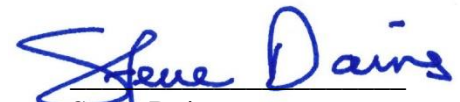
Todd Young
United States Senator




Shelley Moore Capito
United States Senator



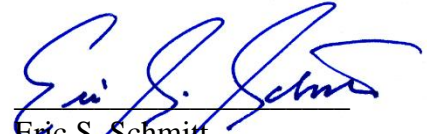
John Cornyn
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Eric S. Schmitt
United States Senator



JD Vance
United States Senator



Pete Ricketts
United States Senator



Tim Scott
United States Senator

cc: Christopher Wray, Director, Federal Bureau of Investigation