

DARRELL ISSA
48TH DISTRICT, CALIFORNIA

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May 16, 2024

Troy A. Miller
Acting Commissioner
U.S. Customs and Border Protection
1300 Pennsylvania Avenue NW
Washington, D.C. 20229

Alejandro Mayorkas
Secretary
Department of Homeland Security
300 7th Street SW
Washington, D.C. 20004

Dear Acting Commissioner Miller and Secretary Mayorkas:

I am writing to seek data regarding the nationalities of individuals arrested by U.S. Border Patrol listed in the Terrorist Screening Dataset (TSD) from the start of Fiscal Year (FY) 2021 through the end of FY 2023.

With more than 1.6 million gotaways reported between FY 2021 and FY 2023, my district – which includes the San Ysidro port of entry – has experienced an unprecedented influx of illegal migrants crossing through our open southern border. Among those seeking entry that I personally encountered were a considerable number of individuals from entities of concern, including the People's Republic of China. This influx of “asylum seekers” from foreign adversaries is an alarming national security risk.

Because of this national security concern, it is critical to retain data on the number of and nationalities of gotaways who have entered the United States and remain in the country. My constituents – and all Americans – would be better served if they had access to this information. Fortunately, American citizens have the Freedom of Information Act (FOIA) to receive information from government agencies. As you are aware, FOIA requires – upon request – the full or partial disclosure of previously unreleased or uncirculated information and documents controlled by the government.

FOIA responses from U.S. Customs and Border Protection have been made public stating that the institution was unable to provide nationalities of Border Patrol arrests of terror watchlist suspects in the United States to American citizens via FOIA citing concerns about disclosing personally identifiable information. Requests shared with me, including one by Mr. William Melugin on October 31, 2023, did not inquire about data other than the number and nationalities of gotaways, yet still received this response. To prevent a similar response, I would ask that you ensure that data is anonymized for the below questions:

- 1) Please share the nationalities of Border Patrol arrests of terror watchlist suspects from the start of FY 2021 through the end of FY 2023.
- 2) Please highlight all nationalities of Border Patrol arrests of terror watchlist suspects within and surrounding my district, California's 48th Congressional District.

I urge you to share this critical information with me, as a Member of Congress, and with American citizens as required by FOIA.

Sincerely,



Darrell Issa
Member of Congress