

**BEYOND THE BORDER: TERRORISM AND HOME-  
LAND SECURITY CONSEQUENCES OF ILLEGAL  
IMMIGRATION**

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**JOINT HEARING**

BEFORE THE

SUBCOMMITTEE ON  
COUNTERTERRORISM,  
LAW ENFORCEMENT,  
AND INTELLIGENCE

AND THE

SUBCOMMITTEE ON  
BORDER SECURITY AND ENFORCEMENT

OF THE

COMMITTEE ON HOMELAND SECURITY  
HOUSE OF REPRESENTATIVES  
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# CONTENTS

	Page
STATEMENTS	
The Honorable August Pfluger, a Representative in Congress From the State of Texas, and Chairman, Subcommittee on Counterterrorism, Law Enforcement, and Intelligence:	
Oral Statement .....	1
Prepared Statement .....	2
The Honorable Seth Magaziner, a Representative in Congress From the State of Rhode Island, and Ranking Member, Subcommittee on Counterterrorism, Law Enforcement, and Intelligence:	
Oral Statement .....	3
Prepared Statement .....	4
The Honorable Clay Higgins, a Representative in Congress From the State of Louisiana, and Chairman, Subcommittee on Border Security and Enforcement:	
Oral Statement .....	5
Prepared Statement .....	6
The Honorable J. Luis Correa, a Representative in Congress From the State of California, and Ranking Member, Subcommittee on Border Security and Enforcement:	
Oral Statement .....	7
Prepared Statement .....	8
The Honorable Bennie G. Thompson, a Representative in Congress From the State of Mississippi, and Ranking Member, Committee on Homeland Security:	
Prepared Statement .....	10
WITNESSES	
Ms. Kelly Brown, DBA, Private Citizen:	
Oral Statement .....	11
Prepared Statement .....	13
Mr. Timothy J. Healy, Private Citizen:	
Oral Statement .....	15
Prepared Statement .....	17
Mr. Alex Nowrasteh, Vice President, Economic and Social Policy Studies, CATO Institute:	
Oral Statement .....	20
Prepared Statement .....	21



# **BEYOND THE BORDER: TERRORISM AND HOMELAND SECURITY CONSEQUENCES OF ILLEGAL IMMIGRATION**

**Thursday, September 19, 2024**

U.S. HOUSE OF REPRESENTATIVES,  
COMMITTEE ON HOMELAND SECURITY,  
SUBCOMMITTEE ON COUNTERTERRORISM, LAW  
ENFORCEMENT, AND INTELLIGENCE, AND THE  
SUBCOMMITTEE ON BORDER SECURITY AND  
ENFORCEMENT,  
*Washington, DC.*

The subcommittees met, pursuant to notice, at 10:05 a.m., in room 310, Cannon House Office building, Hon. August Pfluger (Chairman of the subcommittee) presiding.

Present: Representatives Pfluger, Higgins, Gonzales, Taylor Greene, D'Esposito, Luttrell, Crane, Brecheen, Magaziner, Correa, Goldman, Garcia, Suozzi, and Ramirez.

Mr. PFLUGER. Subcommittee on Counterterrorism and Law Enforcement will come to order. The purpose of this hearing is to allow Members to examine the travel patterns of individuals linked to foreign terrorist organizations and how these individuals make their way to our Nation's borders. I now recognize myself for an opening statement.

Good morning and welcome to this joint hearing. It is no secret that our Nation is in the midst of a dire crisis at our Nation's borders. Over the last 4 years, a record number of migrants from across the globe have descended on our borders and created security challenges our Nation has never experienced.

Specifically, border encounters in the Biden administration have surpassed 10.1 million illegal aliens encountered nationwide with over 8.2 million encountered along the Southwest Border. These are only the number of individuals encountered at one of our borders. Experts estimate that nearly 2 million individuals have evaded arrest by CBP officials and are known to be gotaways.

The most glaring statistic that alarms me and this subcommittee, the two subcommittees that are here, is that 382 individuals whose names appear on the terror watch list were stopped trying to cross the U.S.-Mexico border illegally between ports of entry from fiscal year 2021 to date. This is compared to the 11 individuals apprehended between 2017 and 2020. Eleven. If we know that nearly 2 million individuals are considered gotaways, how many of these individuals also appear on the terror watch list?

We are not only discussing and debating this issue here at home. In March I led a bipartisan Congressional delegation trip to North Africa and Middle East. We heard from a variety of our foreign partners and entities within the U.S. Government on this topic.

One issue that alarmed all of us on this trip was the nature in which foreign terrorist networks are utilizing criminal smuggling networks to help facilitate their travel from the Middle East and central Asia to the Western Hemisphere. These elaborate smuggling operations are utilizing both commercial and private means to coordinate this travel.

This smuggling network was also highlighted in Director Wray's testimony during the Senate Intelligence Committee's annual worldwide threats assessment hearing. Specifically he stated, "there is a particular network where some of the overseas facilitators of the smuggling network have ISIS ties that we are very concerned about and that we have been spending an enormous amount of time with our partners to investigate".

His acknowledgement of this threat shows the gravity and seriousness of the threat, which is why we are here today. Today's hearing will examine irregular migration trends and the travel patterns that have been utilized by individuals who appear on the terror watch list. Initially we requested the Department of Homeland Security to participate in today's conversation, but our requests were rejected by the Department.

For a department that was born out of the aftermath of 9/11, it is deeply disturbing that they will not come to this committee to discuss terror threats to the United States and how this administration's policies have created the threat environment that every American is now living under.

I do not know why DHS has refused to participate today and provide answers to the American public. However, my best guess is that the Biden-Harris administration is attempting to hide from the public and not take accountability for their policy failures. I have full faith that the American people are smarter than this and that accountability for this administration's failures will be upheld.

Thankfully, we do have a distinguished panel here today that can share their expertise and experiences in their respective roles. I know that they will provide valuable testimony to help answer the questions that the Biden-Harris administration refuses to answer.

With that, I yield back.

[The statement of Chairman Pfluger follows:]

STATEMENT OF CHAIRMAN AUGUST PFLUGER

SEPTEMBER 19, 2024

Good afternoon, and welcome to this joint hearing.

It is no secret our Nation is in the midst of a dire crisis at our Nation's borders.

Over the last 4 years, a record number of migrants from across the globe have descended on our borders and have created security challenges our Nation has never experienced.

Specifically, border encounters under the Biden administration has surpassed 10.1 million aliens encountered nationwide, with over 8.2 million encountered along the Southwest Border.

These are only the number of individuals encountered at one of our borders.

Experts estimate that nearly 2 million individuals have evaded arrest by CBP officials and are known to be "gotaways."

The most glaring statistic that alarms me the most is the 382 individuals whose names appear on the terrorist watch list were stopped trying to cross the U.S.-Mexico border illegally between ports of entry from fiscal year 2021 to fiscal year 2024 year-to-date.

This is compared to the 11 individuals apprehended from fiscal year 2017–fiscal year 2020.

If we know that nearly 2 million individuals are considered “gotaways,” how many of these individuals also appear on the terror watch list?

We are not only discussing and debating this issue here at home.

In March, I led a bipartisan Congressional delegation trip to north Africa and the Middle East.

We heard from a variety of our foreign partners and entities within the United States Government on this topic.

One issue that alarmed all of us on this trip was the nature in which foreign terrorist networks are utilizing criminal smuggling networks to help facilitate their travel from the Middle East and Central Asia to the Western Hemisphere.

These elaborate smuggling operations are utilizing both commercial and private means to coordinate this travel.

This smuggling network was also highlighted in Director Wray’s testimony during the Senate Intelligence Committee’s annual Worldwide Threats Assessment hearing.

Specifically, he stated that “there is a particular network where some of the overseas facilitators of the smuggling network have ISIS ties that we’re very concerned about, and that we’ve been spending an enormous amount of effort with our partners to investigate.”

His acknowledgment of this threat shows the gravity and seriousness of this threat, which is why we are here today.

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Initially, we requested the Department of Homeland Security to participate in today’s conversation, but our requests were rejected.

For a department that was born out of the aftermath of 9/11, it is deeply disturbing that they will not come to discuss terror threats to the United States and how this administration’s policies have created the threat environment every American is living under.

I do not know why DHS has refused to participate today and provide answers to the American people.

However, my best guess is that the Biden-Harris administration is attempting to hide from the public and not take accountability for their policy failures.

I have full faith that the American people are smarter than this and accountability for this administration’s failures will be upheld.

Thankfully, we have a distinguished panel today that can share their expertise and experiences in their respective roles.

I know they will provide valuable testimony to help answer the questions that the Biden-Harris administration refuses to answer.

With that, I yield.

Mr. PFLUGER. I would now like to recognize the Ranking Member of the Counterterrorism, Law Enforcement, Intelligence subcommittee, the gentleman from Rhode Island, Mr. Magaziner, for his opening statement.

Mr. MAGAZINER. Thank you, Mr. Chairman.

We have real challenges at the border and real challenges facing our country when it comes to meeting the threat of terrorism. Unfortunately, too many of my Republican colleagues have chosen to put politics over securing our border and protecting the American people.

When the Biden administration worked with Senate Republicans and Senate Democrats to reach a bipartisan solution to secure the Southern Border, unfortunately, too many of my Republican colleagues chose to kill that deal because President Trump made it clear directly to Members of the Congressional Republican leadership and through his proxies in the media that he felt it would be better for him politically if the problem went unsolved.

The bipartisan border agreement negotiated between the Senate Republicans, Senate Democrats, and the Biden-Harris administration included new Presidential emergency authority to shut down the border when it became overwhelmed. It would have raised the standard for migrants to qualify for asylum and empower border officials to rapidly turn away those who failed to meet that standard.

It would have included funding for more than 1,500 new Customs and Border Protection personnel, an additional 4,300 asylum officers to make the asylum process faster and fairer and would have increased the number of detention beds to alleviate those facilities that are currently over capacity.

It is for this reason that the union that represents more than 18,000 Border Patrol officers endorsed the President's plan and it is why it is so unfortunate that too many of my colleagues on the other side chose to put Donald Trump's political ambitions ahead of securing the border and keeping the American people safe.

The American people are clear about what they want. They want us to put bipartisan partnership over politics. They want us to work together to solve our challenges at the border and to keep the American people safe in a collaborative bipartisan basis and to reject the hyper partisanship that has been the hallmark of the 118th Congress.

My hope is that today's hearing will be a step in the right direction toward bipartisanship, that we can renew our progress working together to secure the border and reject Donald Trump's hyper partisanship where he puts himself time and time again over the best interests of the American people.

I will also note for the record that the Department of Homeland Security did agree to come and address these committees on this topic, but asked to do it in a secure setting given the sensitive nature of the subject matter, and that request was rejected.

With that, I will yield back.

[The statement of Ranking Member Magaziner follows:]

STATEMENT OF RANKING MEMBER SETH MAGAZINER

SEPTEMBER 19, 2024

We have had repeated hearings this Congress on the Southern Border, but despite our attention to these problems, my Republican colleagues have shown no interest in real solutions. While the Biden-Harris administration has taken steps to make the border and homeland safer, House Republicans have tried to obstruct them every step of the way.

Republicans, including many of my colleagues across the dais, rejected even the possibility of considering the bipartisan border deal negotiated in the Senate between conservatives and the Biden-Harris administration.

Instead of taking action to move the bipartisan Senate border deal—the toughest border proposal in a generation—my Republican colleagues prioritized former President Trump's demands to sabotage the deal. Former President Trump and Republicans would rather have a problem to campaign on than solve the real issues we face at the border. Republicans chose their loyalty to one man—Donald Trump—over securing our borders.

The bipartisan border deal was a common-sense border security bill, signed off on by both Senate Republican and Democratic leaders, and the White House. When speaking about the bill, the lead Republican negotiator, Senator James Lankford, said it will be “by far, the most conservative border security bill in 4 decades.”

However, Republicans rejected this border security bill that would have made the border more orderly, secure, fair and humane. It contained new Presidential emergency authority to shut down the border when it became overwhelmed. It would

have raised the standard for migrants to qualify for asylum and empowered border officials to rapidly turn away those who failed to meet that standard.

The bill would have also included funding for the border wall, more than 1,500 new Customs and Border Protection personnel, an additional 4,300 Asylum Officers to make the asylum process faster and fairer, and it would have increased the number of detention beds to alleviate detention facilities that are currently over capacity.

As we hear from the witnesses today, I encourage my colleagues across the aisle to listen thoughtfully to what each person has to say, and to abandon partisanship to actually help fix the situation at our border.

Mr. PFLUGER. The gentleman yields. The Chair now recognizes the Chairman of the Border Security Enforcement—and Enforcement subcommittee, the gentleman from Louisiana, Mr. Higgins.

Mr. HIGGINS. Thank you, Mr. Chairman.

I would like to thank our witnesses for being here today. This hearing has been rescheduled a few different times. For that, I am appreciative for your kindness and your accommodation. We appreciate your participation and look forward to receiving your testimony.

The purpose of today's hearing is to examine the rise in illegal immigration from regions outside of the Western Hemisphere. We will assess the serious damage caused by the Biden-Harris open border policies which have a direct impact on the national security of the United States. We will hear expert insights into the connection between individuals on the terror watch list and special-interest aliens migrating illegally to the United States at record levels.

We will examine the national security consequences, including increased threat of exposure added within our borders stemming from these illegal migration trends. Finally, we will discuss potential legislative and policy measures necessary to strengthen border security and address national security concerns.

Fulfilling the committee's important oversight responsibilities is what we are here to accomplish and to remedy DHS's failures is what we envision. The Biden-Harris administration self-inflicted border crisis has resulted in record-breaking illegal immigration, and as a result, the country is facing an unprecedented internal threat, a threat to the homeland from within the homeland. That is why we are here today.

By ending the effective Trump-era policies and programs that protected us and secured our border, the Biden-Harris administration has seemingly intentionally left us vulnerable to potential attacks from terrorists and criminals who are freely moving around our communities. According to U.S. Customs and Border Protection, since fiscal year 2021, 382 aliens on a terror watch list have been caught illegally crashing our southwest borders.

My sources report that they estimate over 2,000 have actually crossed into our country. At least 99 illegal aliens on the watch list were released into the United States by DHS between fiscal years 2021 and 2023. These are the numbers that are acknowledged that we know of by DHS.

That is not all. According to many media reports, the Department of Homeland Security has identified over 400 illegal aliens from central Asian countries and elsewhere who crossed into the United States via an ISIS-affiliated human smuggling network. We have to get some of this data from open media sources, because the DHS obstructs our inquiries. They stand in the way in many cases

again and again from this committee's legitimate oversight authority to ask them about what is going on.

Eight individuals from Tajikistan were arrested on immigration charges in the United States following the discovery of ties to terrorism. These 8 suspected terrorists waived a full CBP and fully entered the United States without any issue. In fact, at least one of these individuals used the CBP One app to enter the country. Lately it seems terrorists like this are almost daily, yet the Biden-Harris administration continues to make it easy for unguarded illegal immigrants to cross our border and live and work in the United States across every community and every sovereign State. This is what we are dealing with.

How many more suspected terrorists are or actual terrorists are part of the nearly 2 million known got-aways that are most likely living in your community? No one knows. I pray we don't find out the hard way.

Mr. Chairman, thank you for this hearing.

I yield.

[The prepared statement of Chairman Higgins follows:]

STATEMENT OF CHAIRMAN CLAY HIGGINS

SEPTEMBER 19, 2024

Thank you, Chairman Pfluger.

I would like to thank our witnesses for being here today. This hearing has been rescheduled a few different times, and for that we apologize. We appreciate your participation, and we look forward to receiving your testimony.

This purpose of today's hearing is to examine the rise in migration from regions outside the Western Hemisphere.

We will assess the serious damage caused by the Biden-Harris open-border policies, which have a direct impact on the national security of the United States.

We will hear expert insights into the connection between individuals on the terrorist watch list and special-interest aliens migrating to the United States at record levels.

We will examine the national security consequences, including increased threat exposure, at and within our borders stemming from these trends.

Finally, we will discuss potential legislative and policy measures necessary to strengthen border security and address national security concerns, fulfilling the committee's important oversight responsibilities and to remedy DHS's failures.

The Biden-Harris administration's self-inflicted border crisis has resulted in record-breaking illegal immigration, and as a result, the country is facing an unprecedented internal threat. A threat to the homeland from within the homeland. That is why we are here today.

By ending effective Trump-era policies and programs that protected us, the Biden-Harris administration has intentionally left us vulnerable to potential attacks from terrorists and criminals who are freely moving around our communities.

According to U.S. Customs and Border Protection, since fiscal year 2021, 382 aliens on the terrorist watch list have been caught illegally crossing our Southwest Border, and at least 99 illegal aliens on the watch list were released into the United States by DHS between fiscal years 2021 and 2023.

And that's not all. According to media reports, the Department of Homeland Security has identified over 400 illegal aliens from Central Asian countries and elsewhere who crossed into the United States via an ISIS-affiliated human smuggling network.

Eight individuals from Tajikistan were arrested on immigration charges in the United States following the discovery of potential ties to terrorism. These 8 suspected terrorists were able to fool CBP and freely enter the United States without any issue. In fact, at least one of these individuals used the disgraceful CBP One app to enter the country.

Lately, it seems stories like these are almost a daily occurrence, yet the Biden-Harris administration continues to make it easy for unvetted illegal immigrants to cross our border, and live and work in the United States.

How many more bad actors or suspected terrorists are a part of the nearly 2 million known “gotaways” who are most likely living in your home town? No one knows. I pray we don’t find out the hard way.

With that, I yield back and look forward to hearing from our witnesses.

Mr. PFLUGER. Gentleman yields. The Chair now recognizes the Ranking Member of the Border Security Enforcement committee, the gentleman from California, Mr. Correa, for his opening statement.

Mr. CORREA. Thank you, Mr. Pfluger, and I welcome our witnesses here today for this most important hearing. Let me take a moment, though, to condemn the assassination attempt, 2 now, on former President Trump. Clearly, there is no room for political violence in our democracy. As a Member of the bipartisan House Task Force on the Attempted Assassination of Former President Trump, I am committed to work with my colleagues on both sides of the aisle to make sure we get to the bottom of what went wrong and to develop solutions to make sure that none of our Presidential candidates are in harm’s way. We want to make sure the voters of America choose who the next President is and not an assassin’s bullet.

Now let’s talk about today’s hearing, the topic which is terrorism. I take terrorism, the threat, seriously. I remember all too well 9/11, and that is why the Department of Homeland Security was created and why this committee was created as well. We all care deeply about making sure that similar attacks on our soil do not repeat themselves. But to stop these attacks, we start with the facts.

The word terrorism is thrown around a lot, so it is important to define what is terrorism. Terrorism involves a threat of use of violence by non-state actors to achieve political, economic, religious, or social goals. Within this understanding, the data shows that most terrorist activity is conducted by United States citizens and not immigrants. Let me repeat. Most terrorist activity conducted in the United States is by U.S. citizens.

In fact, a study by the Cato Institute found that from 1975 to the year 2022, the number of people murdered or injured by terrorist attacks on U.S. soil by foreign-born immigrants, zero. Let me repeat. Study by the Cato Institute found that from 1975 to 2022, the number of people murdered or injured by terrorist attacks on U.S. soil by foreign-born undocumented immigrants was zero.

However, DHS and FBI regularly tell us that one of the greatest terrorism threats we have is domestic terrorism. Domestic terrorism. Sadly, we can highlight far too many cases of domestic terrorism, radical and ethically-motivated extremism that caused death and injury in this country.

Just this past week we have seen at least 33—33 bomb threats that have shut down schools in Springfield, Ohio. Elementary schools were evacuated again earlier this week. The Ohio State Highway Patrol has been deployed to monitor these schools. This has been fueled by our former President spreading baseless rumors about migrants eating much-loved pets in those communities. Fortunately, there have not been any injuries yet, but the danger is real. Fear-mongering for political purposes has real consequences.

Yet we have not had one hearing in this committee during this entire Congress to address domestic violence or extremism.

Mr. Chairman, Members, we are not minimizing the threat of terrorism. It is real and it requires our focus. But clearly we need to defend our citizens, our taxpayers from all terrorist attacks that would harm our citizens. Yes, Mr. Chair, we have a challenge at the Southern Border, and as I have said before, this is not just a U.S. problem. This is a we problem of a global challenge. Right now we are essentially witnessing the largest mass movement of people this world has ever seen, and clearly they are potential threats to our national security and we must take action to prevent any of these possible threats from becoming real or materialized.

Here in this committee General John Kelly, former Secretary of Homeland Security and the former chief of staff to former President Trump would say, and I will paraphrase him, homeland security does not start or end at the border, and if a threat reaches our borders, then we are too late. We must exercise our collaboration with our global partners to stop the threats from coming close to our border. Our homeland experts have continuously said that our borders should not be our first line of defense.

I am proud that we have made progress on anti-terrorism measures. Some of these partnerships have actually yielded positive results. Since Biden's Executive Order took effect in June, temporary suspending entry of non-citizens across the Southern Border, migrant encounters with the Border Patrol have dropped 55 percent, reducing the threat of bad actors from entering into this country.

But all of us know there is so much more to be done. We need more resources to deal with the situation at the border, address the reprocess of migration, and stop individuals who pose a threat to our national security from entering our country. I call on my colleagues, both Democrats and Republicans, let's work across the aisle, hopefully with the Senate as well, to expand legal pathways to come to the United States so CBP can focus their attention on the real threats we have at the border. We do have the need for additional resources, not less.

Let me thank our witnesses for being here today. I look forward to hearing your testimony regarding the threats at the border and opportunities that we may have to strengthen our national security.

Thank you very much, Mr. Chair, and I yield.

[The statement of Ranking Member Correa follows:]

STATEMENT OF RANKING MEMBER J. LUIS CORREA

SEPTEMBER 19, 2024

I first want to take a moment and condemn the attempted assassination of former President Trump. There is no room for political violence in our democracy. As a Member of the bipartisan House Task Force on the Attempted Assassination of Former President Trump, I am committed to working with my colleagues on both sides of the aisle to get to the bottom of what occurred and develop solutions to prevent this from happening to any of our Presidential candidates. Again, there is no room for political violence in our democracy.

And now on to today's hearing topic. We must take the threat of terrorism seriously. The heinous terrorist attack of 9/11 is why the Department of Homeland Security was created, and ultimately why this committee was created. We all care deeply about preventing a similar terrorist attack from occurring on our soil, which is one of the reasons I serve on this committee.

We were reminded by the horrific October 7 attack by Hamas in Israel that terrorist organizations remain determined to attack us and our allies, no matter how sophisticated our intelligence and material capabilities may be.

To prevent future attacks, we must start with the facts. The word terrorism is thrown around a lot to fearmonger, so it's important we understand what defines terrorism. Terrorism involves the threat or use of violence by non-state actors to achieve political, economic, religious, or social goals.

With this understanding, the data shows that most terrorist activity is conducted by U.S. citizens, not immigrants. Let me repeat: most terrorist activity is conducted by U.S. citizens.

In fact, a study by the Cato Institute found that, from 1975 to 2022, the number of people murdered or injured by terrorist attacks on U.S. soil by foreign-born, illegal immigrants was zero. Again, zero Americans have been injured or killed by terrorist attacks perpetrated by undocumented immigrants who entered through the Southwest Border.

However, DHS and the FBI regularly tell us that one of the greatest terrorism threats to our homeland is domestic terrorism. Sadly, we can highlight far too many instances of domestic terrorism and racially and ethnically motivated violent extremism that caused death and injuries in this country.

Just this past week, we've seen at least 33 bomb threats shut down schools in Springfield, Ohio. Elementary schools were evacuated—again—early this week. The Ohio State Highway Patrol has been deployed to monitor schools. This has been fueled by the former President, and some Members across the aisle, spreading baseless rumors about migrants eating much-loved pets in the community.

Fortunately, there have not been any injuries yet. But the danger is real. Fearmongering for political purposes has very real consequences right now.

Yet, we have not had one hearing in this committee during this entire Congress to address domestic violence or extremism. So, we are not minimizing the threat of terrorism. It is real and requires our focus. But we clearly need to defend against ALL terrorist threats that would harm Americans, foreign and domestic.

And yes, we have a challenge at the Southern Border. As I've said before, this is not just a "US" problem; this is a "WE" problem on a global scale. With the largest mass movement of people this world has ever seen, clearly, there are potential threats to our national security. And we must take action to prevent these threats from materializing.

Here in this committee General John Kelly, former Secretary of Homeland Security and former Chief of Staff to President Trump, would say, let me paraphrase him, "Homeland Security does not start or end at the border . . . if a threat reaches our border, we are too late."

We must increase our collaboration with global partners to stop threats before they reach our border. Homeland experts have continuously said our border should not be our first line of defense.

I am proud that we have already made progress on anti-terrorism measures through these partnerships. Since Biden's Executive Order took effect in June, temporarily suspending entry of noncitizens across the Southern Border, migrant encounters with Border Patrol have dropped by 55 percent—reducing the threat of bad actors from entering the country.

Yet, there is more to be done. We need more resources to deal with the situation at the border, address root causes of migration, and stop individuals who pose a threat to national security from entering the country.

I call on my Republican colleagues to work with Democrats to pass the bipartisan Senate border bill and expand legal pathways so CBP can focus its attention on threats at the border. We need additional resources, not less, to help DHS to achieve its mission.

I want to thank our witnesses for joining us today. I look forward to hearing your testimony regarding threats at the border and opportunities to strengthen our national security measures.

Mr. PFLUGER. The gentleman yields. Other Members of the subcommittee are reminded that opening statements may be submitted for the record.

[The statement of Ranking Member Thompson follows:]

## STATEMENT OF RANKING MEMBER BENNIE G. THOMPSON

SEPTEMBER 19, 2024

Around the world, vulnerable people are fleeing countries of oppression—countries we often don't have a good relationship with—as well as regions facing poverty and violence. They're seeking refuge, safety, and opportunity. And in accordance with our laws and long-standing humanitarian values, we welcome many of those who need protection and pose no threat to our public safety or national security.

As part of this committee, it's our duty to ensure that the Department of Homeland Security has the tools and people it needs to keep our communities safe. That means investing in a robust vetting process to screen every single person who enters this country.

That means funding DHS to make sure that those who may pose a threat don't enter our communities.

It means working with our allies to ensure that those who pose a threat do not even enter this hemisphere.

The Biden administration has taken action to secure our borders, despite Republican obstruction. And it's showing results. President Biden's Executive action this summer led to a 55 percent decrease in encounters at our Southern Border.

Democrats do not shy away from addressing threats within our communities, at our borders, or beyond. I hope Republicans will work with us to tackle threats rather than use the issue for partisan politics.

Bad actors would prefer we fight each other rather than fix real challenges.

I also want to point out that this committee has yet to hold a single hearing on worsening domestic terrorism and violent extremism—which affects our national security, our public safety, and our way of life. Last fall, FBI Director Christopher Wray testified that his agency has over 2,700 open domestic terrorism cases.

And following the events of January 6th and mass murders in El Paso, Pittsburgh, and Buffalo its clear there are real threats right here at home from individuals from our own communities. We're now seeing unfounded and dangerous anti-immigrant rhetoric fueling hate by far-right extremists and neo-nazi groups in Springfield, Ohio.

More than 33 bomb threats in Springfield, Ohio have shut schools and municipal buildings over the past week. This hate was fueled in part by some Members of Congress across the aisle and former President Trump spreading false rumors that migrants are killing and eating pets.

Even amidst the bomb threats, Vice Presidential Candidate JD Vance defended making up such terrible stories. He told CNN that "If I have to create stories so that the American media actually pays attention to the suffering of the American people then that's what I'm going to do."

Let's be clear—it is never ok to make up stories that put our communities at risk.

Fearmongering about immigrants is not ok. Bomb threats and violence are not ok. This language must stop, and the threat of domestic violence and domestic terrorism should be a serious focus of this committee.

I look forward to today's discussion, and I ask my Republican colleagues to demonstrate the same interest and concern about the threat of domestic terrorism going forward.

Mr. PFLUGER. We are pleased to have a distinguished panel of witnesses before us today on this very important topic and I ask that the witnesses please rise and raise your right hand.

[Witnesses sworn.]

Mr. PFLUGER. Thank you. You may be seated.

Let the record reflect that the witnesses answered in the affirmative.

Our first witness, Dr. Kelly Brown, is a retired U.S. combat veteran—Army combat veteran and highly-respected leader with nearly 30 years of success managing high-performing joint military and international government teams as an aviator, strategist, and force manager. She has extensive experiences across multiple disciplines including the continuity of government, national contingency operations, homeland security, emergency management disaster response, and aviation operations.

Her wide-ranging military career includes service in the President's emergency operations center at the White House, senior military fellow for the chief of staff of the Army strategic studies group, and military adviser for U.S. Customs and Border Protection and the Department of Homeland Security.

Her combat experience includes deployments in support of Operation Iraqi Freedom and Operation Enduring Freedom. Thank you for your service to our Nation and welcome.

Our second witness, Mr. Timothy Healy, serves as the director of national security for Buchanan and Edwards, an award-winning technology leader creating transformative solutions for the Government.

In Mr. Healy's prior roles, he served as the director of the FBI's terrorist screening center where he led efforts to consolidate and coordinate the U.S. Government's approach to terrorism screening and facilitate the sharing of terrorism information that protects the Nation and our foreign partners while safeguarding civil liberties.

In addition, Mr. Healy has served as president of Ikun, LLC, a company focused on serving the Department of Defense, Department of Homeland Security, Federal and State law enforcement and intelligence communities. Thank you for your service to the country.

Our third witness, Mr. Alex Nowrasteh, who serves as vice president for economic and social study policies at Cato Institute. His work has been featured in prominent publications like *The Wall Street Journal*, *U.S.A. Today*, and *The Washington Post*, amongst others. He is a frequent guest on television and radio programs including Fox, MSNBC, Bloomberg, and NPR.

In the academic world, his research has been published in peer review journals, such as the *World Bank Economic Review*, the *Journal of Economic Behavior and Organization*, *Public Choice*, and the *Journal of Bioeconomics*. He has also contributed chapters to various edited volumes. Thank you for your service and being here as well.

I thank all the witnesses. We are going to allow an opening statement. I know that you have a lot of information. Please summarize it to 5 minutes. We have your written statements, and then we will get into the question-and-answer period.

The Chair now recognizes Dr. Brown for your opening statement of 5 minutes.

#### **STATEMENT OF KELLY BROWN, DBA, PRIVATE CITIZEN**

Ms. BROWN. Thank you. Mr. Chairman, Ranking Members, and distinguished Members of the committee, thank you for the opportunity to testify about homeland security consequences of illegal immigration. In January 2015 I was assigned to the Department of Homeland Security as a military adviser.

When President Trump directed the Secretary of Defense to support DHS in securing the Southern Border, my role within DHS drastically changed from that of a routine military adviser to that of a border crisis specialist.

From April 2018 to January 2021, I served as a national expert for translating law enforcement requirements into military capabilities. The border security system implemented from April 2018

to January 2021 consisted of agents, detection technologies, physical barriers such as the wall, Federal and State government cooperation, military support, and Federal policies working in synchronized harmony to support Federal law, discouraging illegal immigration, and expeditiously remove illegal aliens. Border agents were focused on securing the border and preventing illegal entry.

In January 2021 that border security system was intentionally dismantled, construction of physical barriers, such as the wall, were halted, military support was significantly reduced, Federal policies of previous administration were revoked, and pull factors were increased. Border agents' focus was intentionally shifted from securing the border and preventing illegal entry to processing illegal aliens as quickly as possible.

Since 2021, 9.5 million known illegal aliens, more than the entire population of Israel and just under that of Hungary had illegally entered the United States. The extent of the illegal immigration is not limited to a handful of nations, the Southwest Border, or a particular race or religion. Not including the United States, there are 194 countries in the world.

Since the beginning of this fiscal year, illegal aliens from 172 countries have entered the United States. As the committee well knows, the State Department has designated Cuba, Iran, North Korea, and Syria as state sponsors of terrorism.

So far this fiscal year over 14.5 thousand known illegal aliens have entered the United States from these 4 countries. While we usually focus on the vast number of illegal aliens entering the United States via the Southwest Border, it is important not to lose focus on the Northern Border.

In fiscal year 2020 illegal alien apprehensions on the Northern Border totaled 2.2 thousand. So far, this fiscal year illegal alien apprehensions on the Northern Border totaling nearly 23,000. That is an 800 percent increase. These aren't just Canadians heading south to escape the cold. These illegal aliens come from countries such as India, Romania, Russia, and China, just to name a few.

The influx of illegal aliens is so significant, Border Patrol agents are unprecedentedly being surged to the Northern Border. Although illegal aliens are vetted during initial processing, that vetting pales in comparison to the in-depth vetting conducted during the legal immigration process.

Additionally, vetting at the border is limited to the criminal and watch list databases available to U.S. Federal law enforcement. While those databases are extensive, they are not all-inclusive. Because the United States does not have access to criminal and terrorist watch list databases from nations such as China, Senegal, and Pakistan, we are not able to conclusively determine during the vetting process the potential terrorist threat illegal aliens from countries such as these present to the American people.

This fiscal year alone 52,000 illegal aliens have entered the United States from China, Senegal, and Pakistan. Of more concern is the upward of 2 million gotaways and the unknown number of undetected aliens that have entered the United States since 2021.

With the skyrocketing number of known terrorists apprehended at the border, it is reasonable to assume the number of bad actors entering the United States undetected has also skyrocketed. The

open flow of illegal aliens across all our Nation's borders has significant and potentially devastating second- and third-order effects. We have the laws in place to secure our borders. They must be enforced.

We have dedicated men and women working across all levels of law enforcement committed to securing our borders. They must be fully resourced. What we do not have are policies which enable law enforcement personnel to do their job, enforce our Nation's laws, and secure our Nation's borders.

Thank you for the opportunity to appear here today.  
[The prepared statement of Ms. Brown follows:]

PREPARED STATEMENT OF KELLY BROWN

SEPTEMBER 19, 2024

Chairmen Higgins and Pfluger, Ranking Members Correa and Magaziner, and distinguished Members of the subcommittees, thank you for the opportunity to testify today about homeland security consequences of illegal immigration. I am Dr. Kelly Brown, a 26-year U.S. Army combat veteran, Blackhawk helicopter pilot, strategist, and former military advisor to both the Secretary of the Homeland Security and the Commissioner of Customs and Border Protection (CBP).

In January 2015, I was assigned to the Department of Homeland Security (DHS) as the senior national guard advisor. I provided expert military advice on homeland security issues; served as a member of the DHS/Federal Emergency Management Agency (FEMA) core Department of Defense (DoD) liaison element; and engaged with FEMA and other Federal departments and agencies at the National Response Command Center during crises and incidents.

When President Trump directed that "the Secretary of Defense shall support the DHS in securing the Southern Border and taking necessary actions to stop the flow of deadly drugs and other contraband, gang members, other criminals, and illegal aliens into" the United States, my role within DHS drastically changed from that of a routine military advisor to that of a border crisis specialist. It was immediately apparent that CBP needed assistance translating law enforcement support requirements into military capability requests.

From April 2018 to January 2021, I was dual-hatted as a military advisor to the Secretary of Homeland Security and the first military advisor to the Commissioner of CBP. I served as the national expert for translating law enforcement requirements into military capabilities and processed 25 DHS Requests for Assistance to DoD totaling more than \$1.5 billion in assistance. Additionally, I personally trained over 2,000 soldiers for specialized Southwest Border support operations while advising the Border Patrol, Office of Field Operations, and Air and Marine Operations on the legal use of military personnel.

BORDER SECURITY SYSTEM

The border security system implemented from April 2018 to January 2021 consisted of agents, detection technologies, physical barriers such as the wall, State government cooperation, military support, and Federal policies working in synchronized harmony to support Federal law, discourage illegal immigration, and expeditiously remove illegal aliens. Border agents were focused on securing the border and preventing illegal entry.

In January 2021, that border security system was intentionally dismantled leaving a disjointed response system. Construction of physical barriers such as the wall were halted, military support was significantly reduced, Federal policies of the previous administration were revoked, and pull factors were increased. Border agent focus was intentionally shifted from securing the border and preventing illegal entry to processing illegal aliens as quickly as possible. Taking agents off the line resulted in the number of apprehended illegal aliens entering the United States between ports to surge from 400,000 in 2020 to 1.6 million in 2021 and over 2 million in both 2022 and 2023. Since 2021, 9.5 million known (apprehended and gotaway) illegal aliens—more to the entire population of Israel (9.3 million) and just under that of Hungary (9.6 million)—have illegally entered the United States.

## BREADTH OF THE PROBLEM

The extent of illegal immigration is not limited to a handful of nations, the Southwest Border, or a particular race or religion.

Not including the United States, there are 194 countries in the world.

In fiscal year 2020, illegal aliens from 141 different countries and their territories—representing 76 percent of the world's nations—illegally entered the United States.



Since the beginning of fiscal year 2024, illegal aliens from the following 172 different nations and their territories—representing 88 percent of the world's nations—have illegally entered the United States: Afghanistan, Albania, Algeria, Andorra, Angola, Anguilla (territory of the United Kingdom), Antigua-Barbuda, Argentina, Armenia, Aruba (territory of the Netherlands), Australia, Austria, Azerbaijan, Bahamas, Bangladesh, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bonaire (special municipality of the Netherlands), Bosnia-Herzegovina, Brazil, Bulgaria, Burkina Faso, Burma (Myanmar), Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, China, Cocos Islands (territory of Australia), Columbia, Comoros, Congo, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Finland, France, French Guiana (territory of France), French Southern and Antarctic (territory of France), Gabon, Gambia, Georgia, Germany, Ghana, Gibraltar (territory of the United Kingdom), Greece, Grenada, Guadeloupe (territory of France), Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kosovo (disputed territory), Kyrgyzstan, Laos, Latvia, Lebanon, Lesotho, Liberia, Libya, Lithuania, Malaysia, Mali, Malta, Mauritania, Mauritius, Mexico, Micronesia, Moldova, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Nepal, Netherlands, Nicaragua, Niger, Nigeria, North Korea, North Macedonia, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Romania, Russia, Rwanda, Samoa, Saudi Arabia, Senegal, Serbia, Sierra Leone, Somalia, South Africa, South Korea, South Sudan, Spain, Sri Lanka, St. Kitts-Nevis, Sudan, Suriname, Sweden, Switzerland, Syria, Taiwan (China), Tajikistan, Tanzania, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Turks and Caicos Islands (territory of the United Kingdom), Uganda, Ukraine, United Arab Emirates, United Kingdom, Uruguay, Uzbekistan, Vanuatu, Venezuela, Vietnam, Western Sahara (non-self-governing territory), Yemen, Zambia, and Zimbabwe.

So far, this fiscal year, the top 5 nations from which illegal aliens have entered the United States are Guatemala (193,000), Venezuela (134,000), Ecuador (115,000), Honduras (109,000), and Columbia (110,000) totaling 661,000 people or that of the entire population of the city of Las Vegas.

As the committee knows well, the State Department has designated Cuba, Iran, North Korea, and Syria as state sponsors of terrorism. With 2 weeks remaining in

this fiscal year, over 14,500 known illegal aliens, equivalent to the entire population of Anguilla, have entered the United States from these countries alone.

While we most often discuss the vast number of illegal aliens entering the United States via the Southwest Border, it is important to not lose focus on the Northern Border. In fiscal year 2020, illegal alien apprehensions on the Northern Border totaled 2,200. So far, this fiscal year, illegal alien apprehensions on the Northern Border total nearly 23,000—that’s an 800 percent increase. These aren’t just Canadians heading south to escape the cold weather. These illegal aliens come from countries such as India, Romania, Russia, and China, to name a few. The influx of illegal aliens is so significant, agents are unprecedentedly being surged to Northern Border.

#### BAD ACTOR OPPORTUNITIES

Although Border Patrol agents conduct initial vetting of illegal aliens during initial processing, that vetting pales in comparison to the in-depth vetting conducted during the legal immigration process. Additionally, Border Patrol agent vetting is limited to the criminal and watch list databases available to U.S. Federal law enforcement. While those databases are extensive, they are not all-inclusive, which allows some bad actors to slip into the country before the full extent of their criminal histories is uncovered.

Because the United States does not have access to criminal and terrorist watch list databases from nations such as China, Senegal, and Pakistan for example, Border Patrol agents are not able to conclusively determine the potential threat the 37,000 illegal aliens from China, 13,800 illegal aliens from Senegal, and 1,000 illegal aliens from Pakistan who have illegally entered the United States this fiscal year present to the American people.

Of more concern is the upwards of 2 million “gotaways” and unknown number of undetected aliens that have entered the United States since 2021. With the skyrocketing number of known terrorists apprehended at the border, it is reasonable to assume the number of bad actors entering the United States undetected has also skyrocketed.

#### CONCLUSION

The open flow of illegal aliens across all our Nation’s borders has significant and potentially devastating second- and third-order effects—some of which we see on the news as there is increased reporting of illegal alien criminals who victimize innocent American citizens.

We have the laws in place to secure our borders—they must be enforced.

We have dedicated men and women working across all levels of law enforcement agencies committed to securing our borders—they must be fully resourced and given the tools they need and deserve to do their jobs.

The pieces that are missing are leadership at the highest levels of government and policies which enable law enforcement to do its job, enforce our Nation’s laws, and secure our borders.

Thank you for the opportunity to appear before you today. I am ready to answer your questions.

Mr. PFLUGER. The Chair now recognizes Mr. Healy for his opening statement for 5 minutes.

#### **STATEMENT OF TIMOTHY J. HEALY, PRIVATE CITIZEN**

Mr. HEALY. Thank you, Mr. Chairman. I appreciate the opportunity to speak. On January 17, Kevin Brock, a retired assistant director, former head of the FBI intelligence division, convened a group of former senior FBI executives to draft a letter to Congress expressing our deep concern about the current threat that poses unprecedented danger to the United States.

This group of FBI leaders was notably diverse. Their professional backgrounds encompass a wider range of expertise within the FBI. The threat we faced was equally varied spanning the full spectrum of the FBI investigations. The threat was new and unfamiliar.

Our concern was that military-age men from across the globe, many in countries and regions hostile to the United States, were arriving on our soils by the thousands not by disembarking from

a ship or parachuting from a plane, but by crossing the border on foot, a border widely recognized around the world as largely unprotected and easily accessible.

This group included individuals apprehended by the border officials potentially released into the country along with an alarming number of gotaways, which everyone has spoken about. Gotaways from fiscal year 2021 to 2024 totaled over 2 million.

Considering such a daunting unprecedented level of penetration of our borders, it is reasonable to assess that the country's national security has been dramatically diminished.

On 2021, the demographics of those crossing the border began to shift. The number of young men traveling alone around the world drastically increased. Alarmingly, a significant number of them were found on the terrorist watch list or for countries from state-sponsored terrorism.

From 2021 to 2023, over 7,924,000 encounters nationwide. Since July 2024, more than 2,427,000 bringing the total to 10,351,000. These unprecedented numbers have shattered all expectations pushing our country's screening capabilities to the breaking point and exposing vulnerabilities on a scale once unimagined.

Given the sheer volume, it seems likely that effectively screening terrorists against the terrorist watch list has becoming an incredible challenge creating serious concerns for our national security.

As a former director of the TSC, my foremost concern was encounters within the United States. In my experience, numbers mattered. Nineteen al-Qaeda terrorists on 4 commercial jets fundamentally altered our world. In that landscape, a single terrorist act has the potential to impact millions of lives. I witnessed it firsthand the potential devastate—of devastating even of a lone terrorist that could cause.

Consider the events of Christmas day on 2009 when the underwear bomber attempted to detonate explosions on Northwest flight 253 or on May 1, 2010, when Faisal Shahzad tried to ignite a bomb in Times Square. Both events driven by actions of just 2 individuals had the potential to cause catastrophic consequences for thousands. Numbers matter, whether it is 19 or just 1, the potential consequences can be devastating.

Between 2017 and 2020, 14 individuals on the terrorist watch list were apprehended by Border Patrol between points of entry. This is alarming as the apprehensions at these locations indicate the suspected terrorist is actively trying to avoid detection. However, the situation has grown more urgent. From 2021 to 2024, 380 individuals on the watch list were apprehended between points of entry, an increase of 2,614 percent. The numbers underscore the escalating scale of the threat.

To add to this, between 2021, 2024 border officials on the Southwest Border encountered terrorist people—individuals on the terrorist watch list from 36 different countries. The reality is compounded by the 2 million gotaways who evaded capture. It would be crazy to assume that none of these individuals were on the watch list. In fact, it is highly likely that watch-listed individuals would have a stronger motivation to avoid detection making it impossible to know how many crossed undetected.

These facts paint a stark picture of the unprecedented challenge we face. The numbers do just matter. They tell us how precarious our current situation really is. In 2024 Director Wray testified that he was particularly concerned about the scores of potential terrorists who had entered the country because they weren't on the watch list initially but DHS had released them. He explained in many cases the FBI didn't have enough information to put them on the watch list. It was only after receiving new intelligence from overseas that they identified these individuals that should have been watch-listed.

Director Wray is right to be concerned. The new and unprecedented threat demands immediate and decisive action. Our borders must be secure and those already in the country illegally must be identified, vetted, and if necessary, watch-listed. We must act swiftly and comprehensively to close the gap that adversaries may seek to exploit. The stakes couldn't be higher. The need for vigilance, dedication, and immediate action is never more critical. Thank you.

[The prepared statement of Mr. Healy follows:]

PREPARED STATEMENT OF TIMOTHY J. HEALY

Good morning, Chairman, Ranking Member, and distinguished Members of the committee. My name is Tim Healy, I served as director of the Terrorist Screening Center from 2009 to 2013. Thank you for inviting me to join you, I appreciate the opportunity to speak with you today.

Following the terrorist attacks of September 11, 2001, the President and Congress mandated that all Federal departments and agencies share terrorism-related information with members of the counterterrorism community responsible for protecting the United States. In line with this mandate, Homeland Security Presidential Directive-6 (HSPD-6) was approved on September 16, 2003, establishing the Terrorist Screening Center (TSC). Shortly after HSPD-6 was enacted, I was assigned to help establish the TSC. I was privileged to serve as the TSC's deputy director under its first director, Donna Bucella, and later returned to serve as its director.

Through the TSC, the FBI shares terrorism-related information across the U.S. Government and with other law enforcement agencies. The TSC maintains the terrorist watch list, a database containing national security and law enforcement information about individuals "reasonably suspected to be involved in terrorism or related activities." An encounter occurs when an individual is identified during screening as a potential match to someone in the Terrorist Screening Database (TSDS). Encounters can be face-to-face (e.g., at a U.S. port of entry, visa interview, or traffic stop by local law enforcement), electronic (e.g., ESTA or visa application). If an individual is confirmed to match a record in the TSDS, each encountering agency will take appropriate action according to its internal policies, procedures, and regulatory & statutory requirements to fulfill its mission. For law enforcement officers, all positive matches are coordinated with the TSC and the FBI case agent; the officer is instructed via an NCIC hit to contact the TSC by phone. If the individual is encountered at the border, Customs and Border Protection (CBP) officers collect biographical and biometric information.

On January 17, 2024, Kevin Brock, a retired assistant director and former head of the FBI's Intelligence Division, convened a group of former senior FBI executives to draft a letter to Congress expressing our deep concern about a current threat that poses an unprecedented danger to the United States. This group of former FBI leaders was notably diverse, not because they didn't recognize the importance of the threat, but because their professional backgrounds encompassed a wide range of expertise within the FBI's many areas of jurisdiction. Despite their differing experiences, they were united in recognizing that the threat we faced was equally varied, spanning the full spectrum of the FBI's responsibilities. This new wave of threats would affect most of the FBI's domestic field offices, involving a wide array of Criminal, Counterintelligence, Counterterrorism, and Intelligence Squads, as well as various FBI task forces and personnel supporting the Terrorist Screening Center's (TSC) encounters.

The threat was new and unfamiliar: our concern was that military-aged men from across the globe, many from countries or regions hostile to the United States, were arriving on our soil by the thousands—not by disembarking from a ship or para-

chuting from a plane, but by crossing a border on foot, a border widely recognized around the world as largely unprotected and easily accessible.

The threat posed by the presence within our borders of what amounted to a massive influx of young single adult males, akin to a multi-division army from hostile nations and regions—whose backgrounds, intentions, or loyalties were entirely unknown. This group included individuals who were apprehended by border officials and potentially released into the country, along with an alarmingly high number of “gotaways.”

“Gotaways” for fiscal years 2021 to 2024, year-to-date, total over 2 million. The former chief of the Border Patrol testified that this figure is underreported by at least 20 percent, which means that, conservatively, there may be more than 2.4 million known and unknown gotaways. Considering such a daunting and unprecedented level of penetration of our border, it is reasonable to assess that the country’s national security has been dramatically diminished. Over the past 3½ years, the Nation’s military, laws, and other natural protective barriers that have traditionally provided security have been thoroughly circumvented.

In 2021, the demographics of those crossing the porous Southern Border began to shift. The number of young men traveling alone from around the world, often with questionable motivations, increased dramatically. Alarmingly, a significant number of them have been found on the terrorist watch list or are from countries designated as state sponsors of terror and openly hostile to the United States. From fiscal years 2021 to 2023, there have been over 7,924,000 encounters nationwide, and since July of fiscal year 2024, there have been more than 2,427,000, bringing the total to over 10,351,000 nationwide encounters. These unprecedented numbers have shattered all expectations, pushing our country’s screening capabilities to their breaking point and exposing vulnerabilities on a scale once unimaginable. Given the sheer volume, it seems likely that effectively screening individuals against the terrorist watch list has become an overwhelming challenge, creating serious concerns for national security. And yet, this situation was not only foreseeable but entirely avoidable.

This is especially concerning in light of the Hamas terror attacks on Israel last October 7. Counterterrorism experts understand that successful attacks often inspire replication. The potential threat posed by a large number of young males within our borders who could replicate the 10/7 attacks against unarmed citizens in the direction of a foreign terror group should not be ignored. While FBI Director Christopher Wray has rightly raised the threat level since 10/7, there has been little discussion about how unsecured borders contribute to this growing danger.

Every violation of our Nation’s immigration laws increases our risk, but the current surge of individuals arriving in American cities and towns is particularly alarming. These individuals are not only coming from regions with known terrorist activity but also from nations such as China and Russia—countries with hostile intentions toward the United States and aspirations to undermine our national infrastructure.

As the former director of the TSC, my foremost concern was encounters with known or suspected terrorists within the United States. My gravest fear was terrorists actively plotting to kill Americans on our own soil. In my experience, the numbers matter. Nineteen al-Qaeda terrorists on 4 commercial jetliners fundamentally altered our world, forever changing our mindset in the aftermath of 9/11. In this landscape, a single terrorist act has the potential to impact millions of lives. I witnessed first-hand the potential devastation that even a lone terrorist can cause. Consider the events of Christmas day in 2009, when Umar Abdulmutallab, later dubbed the “Underwear Bomber,” attempted to detonate explosives hidden in his underwear aboard Northwest Airlines Flight 253 en route from Amsterdam to Detroit. Or the incident on May 1, 2010, when Faisal Shahzad tried to ignite a bomb in Times Square, which had been ignited but failed to explode. Both events, driven by the actions of just 2 individuals, had the potential to cause catastrophic consequences for thousands. As the numbers grow, so do the unknowns; the danger increases exponentially, making the challenge of preventing such attacks incredibly more complex.

While at the TSC, I established a program to systematically monitor and identify all positive encounters involving terrorists who did not have an active FBI investigation. Each of these encounters was highlighted and categorized by the type of contact. If there was a U.S. nexus, the FBI had to be involved; if not, I wanted to know why. Most of these encounters, without exception, involved individuals flagged by U.S. intelligence agencies based on information obtained overseas. They typically occurred outside the United States during visa applications or with U.S. border officials abroad as individuals attempted to board flights to the United States, all outside the U.S. border.

However, on rare occasions—approximately once a month—an encounter would take place within the United States, involving a State or local law enforcement officer. This meant that a known or suspected terrorist, flagged by a U.S. intelligence agency, had managed to enter the United States undetected but was fortunately identified when stopped by a local officer, resulting in a positive match to the Terrorist Watch List. In these critical situations, the local FBI field office was immediately notified, and a counterterrorism investigation was launched. Such encounters were of grave concern, generating significant unease until an active FBI investigation was confirmed. These events underscored the constant need for unwavering dedication to the mission of border security in preventing a terrorist attack.

Numbers matter—whether it’s 19 terrorists or just 1, the potential consequences are always devastating. Between fiscal year 2017 and 2020, 14 individuals on the Terrorist Watch List were apprehended by Border Patrol between points of entry. This was alarming, as apprehensions at these locations indicate that known or suspected terrorists are actively trying to evade detection. However, this situation has only grown more urgent. From fiscal year 2021 to 2024, 380 individuals on the Terrorist Watch List were apprehended by Border Patrol between points of entry—an increase of 2,614 percent. The numbers underscore the escalating scale of the threat.

To add to this, between fiscal year 2021 and 2023, Border Patrol agents at the Southwest Border encountered individuals on the Terrorist Watch List from 36 different countries, including Afghanistan, Egypt, Iraq, Iran, Lebanon, Pakistan, Russia, Somalia, Yemen, and others. This list represents only those identified; the reality is compounded by the over 2 million “gotaways” who evaded capture. It would be dangerously naive to assume that none of these individuals were on the Terrorist Watch List. In fact, it is highly likely that a watch-listed individual would have a stronger motivation to avoid detection, making it impossible to know how many might have crossed our borders undetected.

These facts paint a stark picture of the unprecedented challenges we face today. The numbers do not just matter—they tell us how precarious our current situation truly is. I am deeply concerned about the odds we are up against, and the urgent need for vigilance and dedication in protecting our Nation from a potential terrorist attack.

In July 2023, FBI Director Christopher Wray testified about “an uptick” in “known or suspected terrorists coming across the Southwest Border” and stated that “the Southern Border represents a massive security threat.” In March 2024, Director Wray expressed concerns about “the terrorism implications from potential targeting of vulnerabilities at the border.” More of a concern, in July 2024, Director Wray testified that he was particularly concerned about the scores of potential terrorists who had entered the country because they were not on the terrorist watch list at the time the DHS released them into the United States. He explained that, in many of these cases, the FBI did not initially have sufficient information to place these individuals on the watch list. It was only after receiving new intelligence from overseas that the FBI identified them as individuals who should have been watch-listed.

Director Wray is right to be concerned, this new, unprecedented threat demands immediate and decisive action. Our borders must be secured, and those already in the country illegally must be identified, vetted, and, if necessary, added to the watch list. Achieving this level of security will require a coordinated effort between the FBI, the DHS, and the broader intelligence community. We must act swiftly and comprehensively to close the gaps that adversaries may seek to exploit.

The reality is stark: our country is facing a form of invasion—one that will persist as long as our enemies believe it will be tolerated. Until we take strong and unwavering steps to halt this, the United States remains dangerously less safe and secure. Knowing all this, it would be nothing short of a shameful travesty if a preventable attack were to strike innocent Americans or target the infrastructure that keeps our Nation safe and functioning. The stakes could not be higher, and the need for vigilance, dedication, and immediate action has never been more critical.

#### ADDITIONAL BACKGROUND REGARDING THE TSC NOMINATION PROCESS

##### NOMINATIONS TO THE TSDS

Nominations to the Terrorist Screening Database (TSDB) originate from credible information provided by intelligence and law enforcement agencies. Each nominating agency employs a multi-layered review and quality assurance process to ensure the accuracy and reliability of the information. Once this process is complete, all international subjects are submitted to the National Counterterrorism Center

(NCTC), which conducts its own multi-layered review and quality assurance process. If a nomination does not meet the reasonable suspicion standard, the NCTC may request additional information from the intelligence community.

Similarly, the FBI is solely responsible for nominating individuals with a nexus to domestic terrorism. These nominations are provided directly to the TSC for potential inclusion in the TSDB.

Before any information is placed into the TSDB, the TSC undertakes a multi-level review process to ensure that the nomination meets the criteria for inclusion. Generally, nominations to the TSDB must satisfy 2 primary requirements. First, the facts and circumstances must meet the reasonable suspicion standard. Second, the biographic information associated with a nomination must contain sufficient identifying data to ensure that an individual being screened can be accurately matched to, or differentiated from, another watch-listed individual.

The reasonable suspicion standard requires articulable facts which, when considered with rational inferences, reasonably suggest that an individual is “known or suspected to be, or has been, engaged in conduct constituting, in preparation for, in aid of, or related to terrorism and terrorist activities.” This standard is based on the totality of the circumstances, accounting for the often-fragmentary nature of terrorist information and gives due weight to reasonable inferences that can be drawn from the available facts. Mere guesses or vague “hunches” are not sufficient to establish reasonable suspicion.

TSC personnel also review the supporting information to determine whether it meets the additional requirements necessary for placing an individual on the No-Fly or Selectee Lists. If a nomination involves a request for an individual to be placed on these lists, it must meet more stringent criteria beyond the reasonable suspicion standard required for TSDB nominations. Additionally, they verify that the biographic information is sufficiently detailed to ensure that a person being screened can be properly matched to, or distinguished from, a watch-listed individual on the TSDB.

Mr. PFLUGER. The Chair now recognizes Mr. Nowrasteh for his opening statement of 5 minutes.

**STATEMENT OF ALEX NOWRASTEH, VICE PRESIDENT,  
ECONOMIC AND SOCIAL POLICY STUDIES, CATO INSTITUTE**

Mr. NOWRASTEH. Chairman Pfluger—Chairman Pfluger and Higgins, Ranking Members Magaziner and Correa, and distinguished Members of the subcommittees, thank you for the opportunity to testify today. Over the decades, Cato Institute scholars have produced original research on immigration and realistic evaluations of the threat of foreign-born terrorism.

To analyze the security consequences of illegal immigration, we must focus on the facts and analyze them rationally. We must start such an analysis with the base rate of foreign-born terrorism to correctly understand the terrorist threat posed by illegal immigrants. The base rate, also known as prior probability, is the likelihood of a terrorist attack before considering any new information like the increase in illegal immigration over the last several years.

The first potential base rate is that terrorists who entered as illegal immigrants have committed zero attacks on U.S. soil, and as a result have murdered or injured zero people in terrorist attacks in the United States. The 9 terrorists who have entered the United States illegally could also be included here.

They were all arrested before carrying out their attacks, 5 of them illegally across the U.S.-Canada border, 1 was a stowaway on a ship, and 3 of them, the Duka brothers, entered illegally through the U.S.-Mexico border in 1984 when they were young children. In 2007 they were convicted as part of the Fort Dix plot.

The second potential base rate is that all for—is that all foreign-born terrorists, not just those who entered illegally, have murdered

3,046 people in attacks on U.S. soil since 1975, equivalent to about 0.3 percent of all homicides during that time.

That includes, of course, the 9/11 attacks, the deadliest terror attacks in world history that account for almost 98 percent of all people murdered by foreign-born terrorists on U.S. soil. The annual chance of being murdered in an attack committed by foreign-born terrorists is about one in 4.5 million per year during that time.

The third potential base rate is the 44 people murdered in foreign-born terrorist attacks on U.S. soil since 9/11. An average of about 2 victims per year accounting for 0.01 percent of all homicides since 9/11 and translating to a 1 in 157 million chance per year of being killed.

So we can reasonably choose any of these 3 base rates. No. 1, zero people killed by illegal immigrant terrorists. No. 2, the 3,046 people killed by all foreign-born terrorists since 1975. Or No. 3, the 44 people killed by foreign-born terrorists since 9/11.

Now, regardless of the base rate that you choose for this, foreign-born terrorism on U.S. soil is a small and manageable threat that is even smaller when focusing on terrorists who could cross the U.S.-Mexico border. How low is the risk? So low that some analysts even resort to making up terrorism cases where there are none.

They exaggerate unknowns, rely on incomplete investigations, or hyperbolize news stories like in Quantico, Virginia. Those exaggerators have inverted the anti-terror slogan “see something, say something” into the post-modern “say something, see something”. They think that calling something terrorism makes it so, but it does not.

Some people would argue that the base rate should be higher because the number of migrants encountered entering between ports of entry who are on the terrorism watch list is much higher than in recent years. The facts are that of all Border Patrol encounters along the U.S.-Mexico border, only, and there is a lot of zeros here, so bear with me, 0.001 percent were on the watch list in the 2017 to 2020 period compared to 0.005 percent since then.

Furthermore, few migrants on the watch list are actually terrorists, which is evidenced by the zero terrorism-related charges brought against them. Illegal immigrants who cross the U.S.-Mexico border have never murdered or injured anyone in a terrorist attack on U.S. soil, but it could happen. I want to emphasize that. It could happen. The chance is above zero. The Government should continue to screen migrants, travelers, and immigrants to the United States to exclude security threat.

In conclusion, a focus on the fact shows us that the threat of illegal immigration, terrorism, is small and manageable. Thank you.

[The prepared statement of Mr. Nowrasteh follows:]

PREPARED STATEMENT OF ALEX NOWRASTEH

SEPTEMBER 19, 2024

Chairmen Pfluger and Higgins, Ranking Members Magaziner and Correa, and distinguished Members of the subcommittees, thank you for the opportunity to testify. My name is Alex Nowrasteh, and I am the vice president for economic and social policy studies at the Cato Institute, a nonpartisan public policy research organization in Washington, DC. It is an honor to be invited to speak with you today on the topic: “Beyond the Border: Terrorism and Homeland Security Consequences of Illegal Immigration.”

Over many decades, the Cato Institute has produced original research on the benefits of immigration to Americans, the problems of illegal immigration and chaos along the Southwest Border caused by the restrictive legal U.S. immigration system, and sober evaluations of the realistic hazard of foreign-born terrorism. In my research, I use a broad definition of terrorism: the threatened or actual use of illegal force and violence by non-state actors to attain a political, economic, religious, or social goal through fear, coercion, or intimidation.<sup>1</sup> Drug cartels and other criminal organizations are not terrorists even though they commit heinous crimes, murder many people, destroy much more property, and injure more innocent people. Terrorism is not synonymous with “bad crimes.” It is a specific type of crime based on the motivations of the criminal.

Foreign-born terrorists who seek to commit attacks on U.S. soil pose a hazard to the life, liberty, and private property of Americans and the lawful operation of the U.S. Government. Reducing the risk of foreign-born terrorism is a legitimate function of the U.S. Government. Nonetheless, terrorism committed by foreign-born attackers is a manageable hazard. The threat of terrorist entry through the Southwest Border is minuscule even when compared to the overall low hazard posed by foreign-born terrorism. This fact could always change because the future is unknowable, but available information indicates that foreign-born terrorists who seek to cross the U.S.-Mexico border and commit an attack here pose a very small and manageable threat.

#### ILLEGAL IMMIGRANTS, ASYLUM SEEKERS, AND FOREIGN-BORN TERRORISM ON U.S. SOIL

In my research, I have identified 230 foreign-born terrorists who committed attacks on U.S. soil, intended to commit attacks on U.S. soil, threatened attacks here, or tried to fund domestic terrorism.<sup>2</sup> Those 230 foreign-born terrorists were responsible for 3,046 murders and 17,078 injuries in attacks on U.S. soil from 1975 through the end of 2023.<sup>3</sup> The annual chance of being murdered in a terrorist attack committed by a foreign-born terrorist during that time is about 1 in 4.5 million per year.<sup>4</sup> The annual chance of being injured in such an attack is about 1 in 793,561 per year. By comparison, the annual chance of being murdered in a criminal non-terrorist homicide in the United States was about 1 in 13,767 during the same period. The chance of being murdered in a normal homicide is about 323 times greater than being killed in an attack committed by a foreign-born terrorist.<sup>5</sup> During that time, 97.8 percent (2,979) of all those murdered in terrorist attacks were murdered on 9/11, and 86.9 percent (14,842) of all people injured in foreign-born terrorist attacks were injured on 9/11.

Zero people were murdered in attacks on U.S. soil committed by a foreign-born terrorist who entered illegally during the 1975–2023 period. Zero people were injured in attacks on U.S. soil committed by a foreign-born terrorist who entered illegally during that time. Suffice it to say, the number of people killed or injured in a terrorist attack committed by an illegal immigrant who entered illegally across the U.S.-Mexico border is also zero.

However, 9 foreign-born terrorists entered the United States illegally during the 1975–2023 period (Table 1). Three of the 9 terrorists entered illegally by crossing the U.S.-Mexico border. They are Dritan Duka, Eljvir Duka, and Shain Duka, and they entered illegally in 1984 when they were aged 5, 3, and 1, respectively. They were arrested almost 23 years later, in 2007, while plotting to attack Fort Dix, New Jersey. The Duka’s plot was not serious. They were arrested after a video clerk saw a VHS recording that the brothers taped of themselves acting as terrorists.<sup>6</sup> Of the other illegal immigrant terrorists, 5 illegally crossed the U.S.-Canada border (Kabbani, Thurston, Mezer, Ressam, and Abdi) and one was a stowaway on a ship (Meskini).

The Duka brothers were “gotaways,” which is defined as an unlawful border crosser who (1) is directly or indirectly observed making an unlawful entry into the United States; (2) is not apprehended; and (3) is not a turn back.<sup>7</sup> There have been

<sup>1</sup> Definition from the Global Terrorism Database: <http://www.start-dev.umd.edu/gtd/using-gtd/>; the narrower legal definition: 18 U.S. Code § 2331.

<sup>2</sup> See Appendix for how these numbers are calculated.

<sup>3</sup> Alex Nowrasteh, “Terrorism and Immigration: A Risk Analysis, 1975–2023,” Cato Institute Policy Analysis no. 972, April 9, 2024.

<sup>4</sup> Alex Nowrasteh, “Terrorism and Immigration: A Risk Analysis, 1975–2023,” Cato Institute Policy Analysis no. 972, April 9, 2024.

<sup>5</sup> Alex Nowrasteh, “Terrorism and Immigration: A Risk Analysis, 1975–2023,” Cato Institute Policy Analysis no. 972, April 9, 2024.

<sup>6</sup> Alex Nowrasteh and Michael J. Ard, “Alarmism about Terrorism is Risky and Unjustified,” *Discourse Magazine*, July, 2, 2024.

<sup>7</sup> 6 U.S. Code § 223.

many gotaways in recent years, over 1.7 million since January 2021. There is little evidence that a larger population of illegal immigrants in the United States, a population augmented by more gotaways, poses an increased risk of terrorism. The Department of Homeland Security (DHS) should be vigilant to the possibility, the situation could always change, and an illegal immigrant could commit an attack, but there is little reason to worry more than usual.<sup>8</sup>

Thirteen terrorists entered as asylum applicants, and they are responsible for 9 murders and about 669 injuries in attacks on U.S. soil during the 1975–2023 period. The annual chance of being murdered by a foreign-born terrorist who entered as an asylum applicant or who was granted asylum shortly after entering is about 1 in 1.5 billion per year. The annual chance of being injured in an attack committed by a foreign-born terrorist who was present as an asylum seeker is just over 1 in 20 million per year. None of the asylum seekers who became terrorists entered by crossing the U.S.-Mexico border. Only one was from the Western Hemisphere; Eduardo Arocena from Cuba, and he committed his last attack in 1980.<sup>9</sup>

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<sup>8</sup>Alex Nowrasteh, “A Foreign-Born Terrorist Could Cross the Southwest Border,” Alex Nowrasteh’s Deep Dives, July 9, 2024.

<sup>9</sup>Alex Nowrasteh, “Terrorism and Immigration: A Risk Analysis, 1975–2023,” Cato Institute Policy Analysis no. 972, April 9, 2024.

TABLE 1

Name of Terrorist	Year	Fatalities	Injuries	Immigration Status Upon Entry	Country of Birth	Ideology
Kabbani, Walid .....	1987	0.00	0.00	Illegal Immigrant .....	Lebanon .....	Foreign Nationalism.
Thurston, Darren .....	1996	0.00	0.00	Illegal Immigrant .....	Canada .....	Left.
Mezer, Gazi Ibrahim Abu .....	1997	0.00	0.00	Illegal Immigrant .....	Palestine .....	Islamism.
Meskini, Abdelghani .....	1999	0.00	0.00	Illegal Immigrant .....	Algeria .....	Islamism.
Ressam, Ahmed .....	1999	0.00	0.00	Illegal Immigrant .....	Algeria .....	Islamism.
Abdi, Nuradin M. ....	2003	0.00	0.00	Illegal Immigrant .....	Somalia .....	Islamism.
Duka, Dritan .....	2007	0.00	0.00	Illegal Immigrant .....	Macedonia .....	Islamism.
Duka, Eljvir .....	2007	0.00	0.00	Illegal Immigrant .....	Macedonia .....	Islamism.
Duka, Shain .....	2007	0.00	0.00	Illegal Immigrant .....	Macedonia .....	Islamism.
Arocena, Eduardo .....	1980	2.00	0.00	Asylum .....	Cuba .....	Right.
Berberian, Dikran Sarkis .....	1982	0.00	0.00	Asylum .....	Lebanon .....	Foreign Nationalism.
Yousef, Ramzi .....	1993	1.00	173.67	Asylum .....	Pakistan .....	Islamism.
Ajaj, Ahmed .....	1993	1.00	173.67	Asylum .....	Palestine .....	Islamism.
Khan, Majid Shoukat .....	2003	0.00	0.00	Asylum .....	Pakistan .....	Islamism.
Siraj, Shahawar Matin .....	2004	0.00	0.00	Asylum .....	Pakistan .....	Islamism.
Ferhani, Ahmed .....	2011	0.00	0.00	Asylum .....	Algeria .....	Islamism.
Tsarnaev, Dzhokhar .....	2013	2.50	140.00	Asylum .....	Kyrgyzstan .....	Islamism.
Tsarnaev, Tamerlan .....	2013	2.50	140.00	Asylum .....	Kyrgyzstan .....	Islamism.
Fathi, El Mehdi Semlali .....	2014	0.00	0.00	Asylum .....	Morocco .....	Islamism.
Rahimi, Ahmad Khan .....	2016	0.0	29.0	Asylum .....	Afghanistan .....	Islamism.
Artan, Abdul Razak Ali .....	2016	0.0	13.0	Asylum .....	Somalia .....	Islamism.
Shihab, Shihab Ahmed Shihab ....	2022	0.0	0.0	Asylum .....	Iraq .....	Islamism.

Source: Alex Nowrasteh, Terrorism and Immigration A Risk Analysis, 1975–2023.

Abdulahi Hasan Sharif is the closest example of a possible asylum seeker or illegal immigrant having crossed the U.S.-Mexico border and then committing an attack. He crossed the U.S.-Mexico border in 2011 and was immediately apprehended by Border Patrol. He may have possibly applied for asylum, but an immigration judge ordered him to be removed, and Sharif never appealed that decision. Instead, he went to Canada and wounded 5 people years later in a vehicle attack in Edmonton in 2017.<sup>10</sup>

#### NOTE ON NATIVE-BORN AMERICAN TERRORISM

Native-born Americans have also committed terrorist attacks on U.S. soil and I investigated these cases for the 1975–2017 period.<sup>11</sup> During that shorter time, I identified 192 foreign-born terrorists who murdered 3,037 people in attacks on U.S. soil and 788 native-born terrorists who murdered 413 people in attacks. Of the attacks where the terrorists' nativity was known, 80 percent of the attackers were native-born, and 88 percent of the victims were murdered by foreign-born terrorists. During the post-9/11 period through the end of 2017, native-born terrorists murdered 149 people in attacks, and foreign-born terrorists murdered 41. My research did not cover native-born American terrorists during later periods because complex methodological problems emerged, the time cost was prohibitive, and there was virtually no interest in these findings.<sup>12</sup>

#### RECENT TERRORIST SCARES IN THE INTERIOR OF THE UNITED STATES

Two Jordanian individuals were arrested at the Marine Corps Base Quantico on May 3, 2024. According to the police incident report, they attempted to enter at a 100 percent identification checkpoint while driving a delivery truck en route to the Quantico post office. Guards stopped the truck, and the drivers handed over a delivery itinerary, a Virginia operator's license, and a Jordanian passport. The guards asked if the drivers had base access and they replied that they did not. The guards instructed the drivers to drive toward a vehicle inspection and visitor check areas. However, the truck was not stopping, so the guards activated the final denial barriers, and the vehicle stopped before the barrier. The 2 Jordanians were arrested for trespassing and 1 of them was initially flagged on a terrorist watch list, but that was an erroneous match.<sup>13</sup> There is no material or other evidence indicating a terrorist plot and the police incident report did not mention any ramming attack. Thus, the trespassing case in Quantico, Virginia, is not evidence of terrorism.<sup>14</sup>

Eight Tajik men who crossed the U.S.-Mexico border in 2023 and 2024 were arrested in early June 2024 on immigration charges after the Government learned they may have had contacts with ISIS or contacts with people who had potential ties to ISIS.<sup>15</sup> There was no evidence to suggest that a specific targeted attack was planned, no evidence of an imminent threat to the homeland, and there have been no terrorism charges filed against them.<sup>16</sup>

The on-going war between Israel and Hamas has raised terrorism concerns in the United States. Canadian police arrested Pakistani citizen and Canadian resident Muhammad Shahzeb Khan in September in connection with a complaint filed in the Southern District of New York.<sup>17</sup> The complaint alleged that he was planning a mass shooting, which was uncovered after Khan began communicating with 2 undercover officers on-line about his plot. Khan is only charged with attempting to supply material support and resources to a foreign terrorist organization. In March 2024, Lebanon-born Basel Bassel Ebbadi was arrested by Border Patrol crossing the U.S.-Mexico frontier and almost immediately said, "I'm going to try to make a

<sup>10</sup>"Man charged in Edmonton attacks crossed into the U.S. from Mexico, records show," *CBC News*, October 4, 2017.

<sup>11</sup>Alex Nowrasteh, "Terrorism and Immigration: A Risk Analysis, 1975–2017," Cato Institute Policy Analysis no. 866, May 7, 2019.

<sup>12</sup>Alex Nowrasteh, "Terrorism and Immigration: A Risk Analysis, 1975–2022," Cato Institute Policy Analysis no. 958, August 22, 2023.

<sup>13</sup>Kate Bo Lillis and Josh Campbell, "ISIS Isn't Done with Us: Arrested Tajiks Highlight U.S. Fears of Terror Attack on U.S.," CNN, June 14, 2024.

<sup>14</sup>Alex Nowrasteh, "A Foreign-Born Terrorist Could Cross the Southwest Border," Alex Nowrasteh's Deep Dives, July 9, 2024.

<sup>15</sup>Pat Milton, Robert Legare, Nicole Sganga, Camilo Montoyo-Galvez, "8 Arrests Men With Ties to ISIS Feared to Have Been Plotting Potential Terrorist Attack in U.S., Sources said," CBS News, June 26, 2024.

<sup>16</sup>Pat Milton, Robert Legare, Nicole Sganga, Camilo Montoyo-Galvez, "8 Arrests Men With Ties to ISIS Feared to Have Been Plotting Potential Terrorist Attack in U.S., Sources said," CBS News, June 26, 2024.

<sup>17</sup>Department of Justice, "Pakistani National Charged for Plotting Terrorist Attack in New York City in Support of ISIS," Press Release, September 6, 2024.

bomb,” and shortly thereafter said he had been trying to flee Lebanon and Hezbollah because he “didn’t want to kill people” and “once you’re in, you can never get out.”<sup>18</sup> Ebbadi will soon be deported without terrorism charges.

There are cases of similar apprehensions. Border Patrol should continue to be on the lookout and CBP should continue to improve its screening and vetting capabilities.<sup>19</sup> However, it’s important to note that the border security challenges faced by Israel and the United States are incomparable.<sup>20</sup> Most relevant here is that no terrorists have ever illegally crossed the U.S.-Mexico border and committed an attack on U.S. soil while approximately 3,000 crossed Israel’s border last October and murdered more than 1,200 Israelis.<sup>21</sup>

#### TERRORISM SCREENING DATASET ENCOUNTERS ON THE SOUTHWEST BORDER

Customs and Border Protection (CBP) publishes statistics on the number of encounters of non-U.S. citizens encountered by Border Patrol between ports of entry (POE).<sup>22</sup> People encountered by Border Patrol are screened through the Terrorism Screening Dataset (TSDS).<sup>\*</sup> CBP updates the number of positive hits frequently as part of its data releases. Although the published data only go back to 2017, there is a long-term increase in the number of non-U.S. citizens encountered by Border Patrol who return positive hits in the TSDS, rising from 2 in 2017 to 100 through the end of August 2024 (Table 2).

TABLE 2.—BORDER PATROL TERRORISM SCREENING DATASET ENCOUNTERS, 2017–2024 YTD

Fiscal Year	Southwest Border (SWB)	Northern Border	Total	Border Patrol Encounters (SWB)
2017 .....	2	0	2	303,916
2018 .....	6	0	6	396,579
2019 .....	0	3	3	851,508
2020 .....	3	0	3	458,088
2021 .....	15	1	16	1,734,686
2022 .....	98	0	98	2,378,944
2023 .....	169	3	172	2,063,692
2024 YTD .....	100	2	102	1,293,375

Source: Customs and Border Protection as of August 2024.

There are several reasons why these data do not indicate a threat of increased terrorist attacks on U.S. soil. First, the data quality is suspect and includes many false positives. For instance, the Texas Department of Public Safety (DPS) arrested a 29-year-old Iranian national named Alireza Heidari at a traffic stop in Val Verde County, Texas, in late 2022 or early 2023 as he was being smuggled with other illegal immigrants.<sup>23</sup> DPS handed Heidari over to Border Patrol, who then initially identified Heidari as a match for somebody on the TSDS, which the media reported as such.<sup>24</sup> After further data analysis, DHS announced that Heidari was not a match and was a false positive.<sup>25</sup> It is unclear whether Heidari’s false positive was reported in CBP’s published statistics on TSDS hits. Errors such as “[f]alse positives

<sup>18</sup> Jennie Taer, “Illegal migrant from Lebanon caught at border admitted he’s a Hezbollah terrorist hoping ‘to make a bomb’—and was headed for N.Y.,” *New York Post*, March 17, 2024.

<sup>19</sup> Jennie Taer, “Palestinian whose name appears on terror watchlist captured at southern border,” *New York Post*, August 14, 2024; U.S. Department of Homeland Security, Office of Inspector General, “DHS Needs to Improve Its Screening and Vetting of Asylum Seekers and Noncitizens Applying for Admission into the United States,” Report No. OIG–24–27, June 2024.

<sup>20</sup> Alex Nowrasteh, “Don’t Conflate U.S. and Israeli Border Security Challenges,” *Cato at Liberty* blog, October 18, 2023.

<sup>21</sup> Emanuel Fabian and Gianluca Pacchiani, “IDF Estimates 3,000 Hamas Terrorists Invaded Israel in Oct. 7 Onslaught,” *The Times of Israel*, November 1, 2023.

<sup>\*</sup> The TSDS replaced the Terrorism Screen Database (TSDB) in 2021. Most pre-2021 documents that reference TSDB remain valid and can be understood as referencing the TSDS.

<sup>22</sup> “CBP Enforcement Statistics,” U.S. Customs and Border Protection.

<sup>23</sup> Luke Gentile, “Iranian immigrant on terror watchlist detained near southern border: Report,” *Washington Examiner*, February 1, 2023.

<sup>24</sup> Luke Gentile, “Iranian immigrant on terror watchlist detained near southern border: Report,” *Washington Examiner*, February 1, 2023.

<sup>25</sup> Bill Melugin and Adam Shaw, “Iranian illegal immigrant caught at border not on terror watchlist after further vetting: DHS official,” *Fox News*, February 1, 2023.

are an inevitable consequence of any screening program,” and have been known to exist in the TSDS, although there is not much recent research on this issue.<sup>26</sup> Most Government investigations of errors in the TSDS are primarily concerned with reducing false negatives and they pay less attention to reducing false positives.<sup>27</sup>

Second, few people in the TSDS are terrorists. TSDS includes known and suspected terrorists (KSTs), which is a group of people less dangerous than it sounds. According to the FBI, a known terrorist is “an individual whom the U.S. Government knows is engaged, has been engaged, or who intends to engage in terrorism and/or terrorist activity, including an individual (a) who has been charged, arrested, indicted, or convicted for a crime related to terrorism by U.S. Government or foreign government authorities; or (b) identified as a terrorist or member of a designated foreign terrorist organization pursuant to statute, Executive Order or international legal obligation pursuant to a United Nations Security Council Resolution.”<sup>28</sup> A suspected terrorist is “an individual who is reasonably suspected to be, or has been, engaged in conduct constituting, in preparation for, in aid of, or related to terrorism and/or terrorist activities based on an articulable and reasonable suspicion [emphasis added].”<sup>29</sup>

The inclusion of individuals in the TSDS who have undertaken actions that are “related to terrorism and/or terrorist activities” leads to more people being added to the TSDS than is likely warranted. After all, “related to” is open-ended and causes vague talk of “ties” or “links” between people being mistaken for actual evidence of terrorism. Even worse, the process of adding an individual to the TSDS inflates the numbers. Originators at Federal agencies nominate individuals for inclusion as KSTs in the TSDS. Next, analysts at the National Counter Terrorism Center (NCTC) or the FBI vet the nominees. NCTC has access to another database known as the Terrorist Identities Datamart Environment (TIDE) which is the Government’s “central repository of information on international terrorist identities.”<sup>30</sup> Not all identities in TIDE are included in the TSDS. To make it into the TSDS, a nomination vetted by the NCTC or FBI must (1) meet the “reasonable suspicion watchlisting standard” and (2) have sufficient identifiers to distinguish between individuals. Those sufficient identifiers must include at least 1 piece of biographic information like a first name or birthdate.<sup>31</sup> The Terrorism Screening Center (TSC) verifies whether the person should be included under some circumstances.

A recent overview of the Government’s terrorist watch-listing process and procedures defined the reasonable suspicion standard as:

“The reasonable suspicion standard has been met when, based on the totality of the circumstances, there is reasonable suspicion that the person is engaged, has been engaged, or intends to engage in conduct constituting, in preparation for, or in aid or in furtherance of terrorism and/or terrorist activities. This includes taking into consideration any aggravating or mitigating factors that may contextualize or attenuate an individual’s association to terrorism.”<sup>32</sup>

The reasonable suspicion standard and its exceptions are well summed up by the Congressional Research Service:

“Articulable facts form the building blocks of the reasonable suspicion standard undergirding the nomination of suspected terrorists. Sometimes the facts involved in identifying an individual as a possible terrorist are not enough on their own to develop a solid foundation for a nomination. In such cases, investigators and intelligence analysts make rational inferences regarding potential nominees. The TSC vets all nominations, and when it concludes that the facts, bound with rational in-

<sup>26</sup> Paul Rosenzweig, “The Use of Commercial Data to Reduce False Positives in Screening Programs,” Washington, DC: Department of Homeland Security, 2005.

<sup>27</sup> “Review of the Terrorist Screening Center,” U.S. Department of Justice Office of the Inspector General, June 2005; “Follow-Up Audit of the Terrorist Screening Center,” U.S. Department of Justice Office of the Inspector General, September 2007; “Audit of the Federal Bureau of Investigation’s Management of Terrorist Watchlist Nominations,” U.S. Department of Justice Office of the Inspector General, March 2014.

<sup>28</sup> “Terrorist Screening Center: Frequently Asked Questions,” U.S. Department of Justice, April 11, 2016.

<sup>29</sup> “Terrorist Screening Center: Frequently Asked Questions,” U.S. Department of Justice, April 11, 2016.

<sup>30</sup> See page 4: Jerome P. Bjelopera, Bart Elias, and Alison Siskin, “The Terrorist Screening Database and Preventing Terrorist Travel,” Congressional Research Service, November 7, 2016. <https://sgp.fas.org/crs/terror/R44678.pdf>.

<sup>31</sup> See page 6: Jerome P. Bjelopera, Bart Elias, and Alison Siskin, “The Terrorist Screening Database and Preventing Terrorist Travel,” Congressional Research Service, November 7, 2016.

<sup>32</sup> “Overview of the U.S. Government’s Terrorist Watchlisting Process and Procedures,” Federal Bureau of Investigation, April 2024, p. 3.

ferences, hold together to form a reasonable determination that the person is suspected of having ties to terrorist activity, the person is included in the TSDB. In the nomination process, guesses or hunches alone are not supposed to lead to reasonable suspicion. Likewise, one is not supposed to be designated a known or suspected terrorist based solely on activity protected by the First Amendment or race, ethnicity, national origin, and religious affiliation.”<sup>33</sup>

Christopher Piehota, the former director of the TSC, testified that individuals can be included in the TSDS without a reasonable suspicion. He said, “There are limited exceptions to the reasonable suspicion requirement, which exist to support immigration and border screening by the Department of State and Department of Homeland Security.”<sup>34</sup> In other words, the TSDS includes individuals who did not meet even this flimsy reasonable suspicion standard. Of the 1,558,710 nominations to the TSDS from fiscal year 2009–fiscal year 2013, 14,183 (0.9 percent) were rejected.<sup>35</sup> As of February 2017, TIDE contained about 1.6 million people and 99 percent were neither U.S. citizens nor permanent residents.<sup>36</sup> From 2011 to 2017, NCTC deleted about 228,000 people from TIDE.<sup>37</sup> The Government’s April 2024 overview of terrorist watch list process and procedures confirms this lower standard for immigration enforcement.<sup>38</sup>

Third, many individuals who are in the TSDS are not affiliated with foreign terrorist organizations (FTOs) that pose a threat to the U.S. homeland. CBP does not disclose the nationalities of immigrants who were a match for the terror watchlist. However, data released to the *Washington Examiner* showed that 25 of the 27 KSTs arrested by Border Patrol in the first 6 months of 2022 were citizens of Colombia and likely members or former members of FARC (which was delisted as an FTO in 2021), Segunda Marquetalia, the United Self Defense Forces of Colombia (delisted as an FTO in 2021), or the National Liberation Army.<sup>39</sup> For instance, Border Patrol apprehended Isnardo Garcia-Amado in Arizona in early 2022 and released him into the country on April 18, 2022.<sup>40</sup> Three days later, Garcia-Amado was flagged by the TSC as a positive hit on the TSDS. Immigration and Customs Enforcement (ICE) arrested him on May 6, 2022.<sup>41</sup> There is no indication that he intended or was involved in any terrorism.

There has never been a terrorist attack committed on U.S. soil by Colombian groups, there is no evidence that they have ever intended to target the U.S. homeland, and no foreign-born person from Colombia has ever committed, planned, attempted, or been convicted of attempting to commit terrorism on U.S. soil.

Fourth, prosecutors have not filed terrorism charges against anyone who entered between a POE and who was flagged by the TSDS. There have been no attacks committed or thwarted by an individual who was flagged by the TSDS and entered between a POE. That’s evidence of an overinclusive watch list, a small terrorist threat, effective law enforcement, excellent deterrence, all four factors in combination, or others.

#### SPECIAL-INTEREST ALIENS

DHS defines special-interest aliens (SIA) as:

<sup>33</sup> Jerome P. Bjelopera, Bart Elias, and Alison Siskin, “The Terrorist Screening Database and Preventing Terrorist Travel,” Congressional Research Service, November 7, 2016, pp. 5–6.

<sup>34</sup> Christopher M. Piehota, “Safeguarding Privacy and Civil Liberties While Keeping Our Skies Safe: Hearings before the Committee on Homeland Security,” 113th Cong., 2d sess., September 1, 2014.

<sup>35</sup> Jerome P. Bjelopera, Bart Elias, and Alison Siskin, “The Terrorist Screening Database and Preventing Terrorist Travel,” Congressional Research Service, November 7, 2016, p. 7.

<sup>36</sup> “Terrorist Identities Datamart Environment (TIDE),” National Counterterrorism Center, 2017.

<sup>37</sup> “Terrorist Identities Datamart Environment (TIDE),” National Counterterrorism Center, 2017.

<sup>38</sup> “Overview of the U.S. Government’s Terrorist Watchlisting Process and Procedures,” Federal Bureau of Investigation, April 2024, footnote 7.

<sup>39</sup> “Foreign Terrorist Organizations,” U.S. Department of State Bureau of Counterterrorism. Anna Giaritelli, “Broken Border: Terrorist watch list arrests spike as migrants flock to U.S. from farther countries,” *Washington Examiner*, September 20, 2022.

<sup>40</sup> Bill Melugin and Adam Sabes, “Border Patrol released suspected terrorist who crossed into U.S. illegally, ICE took weeks to rearrest him,” Fox News, May 23, 2023; Anders Hagstrom and Bill Melugin, “Border agents confirm 1.2 million ‘gotaway’ migrants under Biden administration,” *Fox News*, January 22, 2023.

<sup>41</sup> “CBP Released a Migrant on a Terrorist Watchlist, and ICE Faced Information Sharing Challenges Planning and Conducting the Arrest (REDACTED),” Department of Homeland Security Office of the Inspector General, June 28, 2023.

“[A] non-U.S. person who, based on an analysis of travel patterns, potentially poses a national security risk to the United States or its interests. Often such individuals or groups are employing travel patterns known or evaluated to possibly have a nexus to terrorism. DHS analysis includes an examination of travel patterns, points of origin, and/or travel segments that are tied to current assessments of national and international threat environments.”<sup>42</sup>

According to a recent *Daily Caller News Foundation* article, Border Patrol agents encountered 25,627 SIAs in fiscal year 2022, with 60 percent of them coming from Turkey.<sup>43</sup> Every Turk encountered by Border Patrol in fiscal year 2022 was counted as an SIA if the *Daily Caller* report is to be believed—all 15,356 encountered along the U.S.-Mexico border or all 15,360 of them encountered nationwide. It is likely that every illegal border crosser from Uzbekistan, Bangladesh, Syria, Iraq, and perhaps other countries was counted as an SIA.<sup>44</sup>

Another *Daily Caller* article claimed that CBP flagged 74,904 illegal migrants nationwide for potentially posing risks to national security between October 2022 and August.<sup>45</sup> That is almost the same number of illegal immigrants who are from specifically-listed countries outside of the Western Hemisphere who were encountered nationwide by Border Patrol (75,549).<sup>46</sup> The difference is likely a result of a rounding error by *Daily Caller*'s source or the reporter.

In practice, the SIA definition corresponds to illegal immigrants from specific countries of origin.<sup>47</sup> In other words, the SIA designation is a fancy label for “illegal immigration from a country that could have terrorists” and nothing more. The SIA designation is not the result of serious analysis, an understanding of individual behavior being correlated with terrorist activity, or anything deeper. As a result, SIA is not a metric that should seriously be considered when analyzing terrorist threats along the border.

As DHS makes clear:

“This does not mean that all SIAs are ‘terrorists,’ but rather that the travel and behavior of such individuals indicates a possible nexus to nefarious activity (including terrorism) and, at a minimum, provides indicators that necessitate heightened screening and further investigation. The term SIA does not indicate any specific derogatory information about the individual—and DHS has never indicated that the SIA designation means more than that.”<sup>48</sup>

No SIA apprehended by Border Patrol has committed an attack on U.S. soil, which means that nobody has been killed or wounded by an SIA terrorist.

#### REDUCING ILLEGAL IMMIGRATION AND BORDER CHAOS

The chaos caused by illegal immigration is still a problem along the U.S.-Mexico border even if the terrorist threat is minuscule. The solution is to expand legal immigration for workers at every skill level for families, refugees, lawful permanent residents, temporary migrants, and other categories. The United States has a very restrictive legal immigration system.<sup>49</sup> Compared to other developed countries, the foreign-born share of the U.S. population is 35th out of 47 (Table 3). The United States is in 40th place only counting legal admissions. The median foreign-born share of the population in rich countries is over 21 percent, but just 15 percent here. By increasing lawful immigration, the U.S. Government would drive would-be illegal immigrants into the legal market. A shrunken black market would allow Border Patrol and other law enforcement agencies to focus on actual problems rather than trying to interrupt market forces. Furthermore, more legal immigration would allow

<sup>42</sup>“MYTH/FACT: Known and Suspected Terrorists/Special Interest Aliens,” Department of Homeland Security, released January 7, 2019.

<sup>43</sup>Jennie Taer, “EXCLUSIVE: ‘A Nexus To Terrorism’: Illegals Flagged As Potential National Security Risks Soared Nearly 600 percent In Last Year,” *Daily Caller*, October 3, 2022.

<sup>44</sup>Jennie Taer, “EXCLUSIVE: ‘A Nexus To Terrorism’: Illegals Flagged As Potential National Security Risks Soared Nearly 600 percent In Last Year,” *Daily Caller*, October 3, 2022.

<sup>45</sup>Jennie Taer, “EXCLUSIVE: Feds Flagged Nearly 75,000 Illegal Migrants As Potential National Security Risks,” *Daily Caller*, September 1, 2023.

<sup>46</sup>“Nationwide Encounters,” U.S. Customs and Border Protection, 2023.

<sup>47</sup>Alex Nowrasteh, “Terrorists Are Not Crossing the Mexican Border,” *Cato at Liberty* (blog), March 18, 2021; Jennie Taer, “EXCLUSIVE: ‘A Nexus To Terrorism’: Illegals Flagged As Potential National Security Risks Soared Nearly 600 percent In Last Year,” *Daily Caller*, October 3, 2022.

<sup>48</sup>“MYTH/FACT: Known and Suspected Terrorists/Special Interest Aliens,” Department of Homeland Security, released January 7, 2019.

<sup>49</sup>David J. Bier, “Why Legal Immigration is Nearly Impossible,” Cato Institute Policy Analysis no. 950, June 13, 2023.

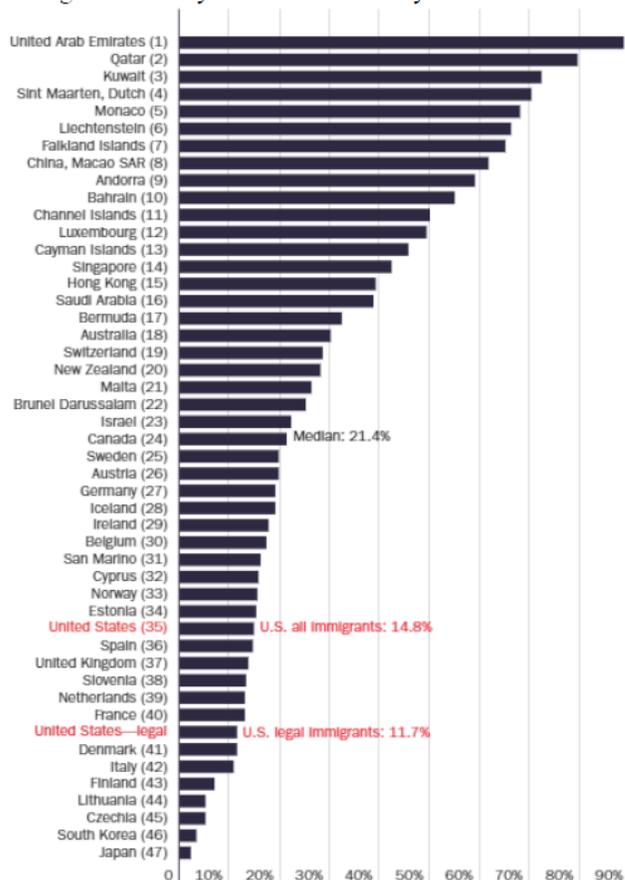
the Government to regulate and control the flow of immigrants to the United States. Congress can't regulate an illegal market; it can only regulate a legal one.

We know expanding legal immigration works because of recent experiences with parole. The parole program Uniting for Ukraine, which was implemented in May 2022, reduced the total number of Ukrainians coming to the U.S.-Mexico border by 99.9 percent from April 2022 to July 2023. Almost the entirety of that collapse occurred in May 2022, the first month of the program. Similar parole programs for migrants fleeing Venezuela, Cuba, Nicaragua, and Haiti also reduced illegal entries. Venezuelan illegal entries fell 66 percent from September 2022 to July 2023. From December 2022 to July 2023, illegal entries from Haitians fell 77 percent, 98 percent from Cubans, and 99 percent from Nicaraguans.<sup>50</sup> Parole is a great short-term stop-gap measure. Immigration liberalization is the only sustainable long-term fix to border chaos and illegal immigration.

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<sup>50</sup>“Nationwide Encounters,” U.S. Customs and Border Protection.

Table 3  
Immigrant Stock by Destination Country



Sources: "International Migrant Stock 2019," Population Division, Department of Economic and Social Affairs, United Nations, August 2019; *World Population Prospects 2019: Highlights* (New York: Department of Economic and Social Affairs, United Nations, 2019); "Per Capita GDP at Current Prices – US Dollars," UNData, United Nations Statistics Division, February 26, 2023; "GDP per Capita (Current US\$)," World Bank, 2020; and "Real GDP per Capita," Central Intelligence Agency, updated 2022.

Note: Countries include semi-autonomous regions with independent immigration policies. The UN data include foreign-born people who received citizenship at birth through their parents to allow for cross-country comparisons with different citizenship rules. Also included are people born in the overseas territories of Denmark, the United Kingdom, France, the Netherlands, New Zealand, and the United States (e.g., Puerto Rico). These people were excluded in this analysis because they are not considered "born abroad" for purposes of the home country. These overseas territories were also not treated as separate countries except in cases where immigrants from the parent country are not considered citizens of the overseas territory, such as in the Netherlands' territories.

#### CONCLUSION

Terrorism poses a risk to Americans' lives, liberty, and private property. However, there is very little evidence that foreign-born terrorists have crossed or are crossing the U.S.-Mexico border. The evidence that terrorists are crossing the border is of such low quality that we can safely discount much of it. This fact could always change, and the future is unknowable, but available information indicates that foreign-born terrorists seeking to cross the U.S.-Mexico border is at most a very small and manageable threat. The scale of this small threat becomes especially obvious when compared to the myriad threats that face the United States internationally

and domestically, or even the threat of normal homicide. The chaos along the U.S.-Mexico border is a travesty, but it will only be solved by expanding legal permanent immigration and temporary migration opportunities for families, humanitarian immigrants, and workers of every skill level. Only then will the flow of illegal border crossers diminish and allow Border Patrol to get control over the border, which will further reduce the already small chance of terrorists trying to cross the U.S.-Mexico border.

## APPENDIX

Those 230 foreign-born terrorists include those who committed attacks on U.S. soil, those who planned or conspired to commit attacks and were thwarted by law enforcement before carrying out their attacks, those who committed violent crimes domestically to fund terrorism even if they never committed the actual terrorist attack or planned to do so, and threatened attacks if they made an actual effort to commit an attack, had bomb-making experience, or if they made it appear as if they committed the attack through a hoax.<sup>51</sup> Their immigration status is determined by their initial immigration status when they first arrived on U.S. soil, a choice necessary because immigrants and migrants often adjust their statuses multiple times after arrival. I made this methodological choice because their initial immigration status is the first and most important point of potential security failure that could expose Americans to harm. For example, Faisal Shahzad is counted in my data as on a student visa because he initially entered on that visa and then obtained an H-1B visa before his unsuccessful attempt at setting off a car bomb in Times Square in 2010.

The only exception to my methodological rule is for those seeking asylum in the United States—they are counted under the asylum visa if they applied for asylum shortly after entering the United States. That exception is important because those individuals usually make their asylum claim at the U.S. border or after they have entered on another visa, often with the intention of applying for asylum.

The number of murders and injuries committed by foreign-born terrorists includes those murdered or injured in the attacks, those who died afterward because of their injuries, and those accidentally killed or injured by police or security forces responding directly to the terrorist attack. The terrorists who died or who were injured in the attacks are not included as victims. If a foreign-born terrorist commits an attack with the aid of a native-born American, the foreign-born terrorist is credited with all the deaths and injuries committed in the attack. If multiple foreign-born terrorists commit an attack, I divide all the deaths and injuries equally among the foreign-born terrorists. Data on the identities of those terrorists, their visa status upon entry, countries or origin, ideology, the number of their victims, and other information comes from many different data sources.<sup>52</sup>

Mr. PFLUGER. I thank the witnesses for their valuable testimony and Members for their upcoming questions. Members of the subcommittee may have some additional questions for the witnesses, and we would ask that witnesses respond in writing pursuant to committee rule VII(D). The hearing record will open for 10 days. Without objection, we will get into the questions.

I now recognize myself for myself 5 minutes of questioning. I will start with Dr. Brown.

Dr. Brown, it sounds like there is 0.000 percent chance of a terror attack happening, even though we have 382 people who have entered, so when talking about base rates, I think it is also important to talk about the fact that we had 11 people that matched the terror watch list between 2017 and 2020 and now we have 382.

From your time working as a military adviser in DHS to now, what has changed in this period of time to cause the massive increase? That is just the ones that we know about.

<sup>51</sup>Alex Nowrasteh, "Terrorism and Immigration: A Risk Analysis, 1975–2023," Cato Institute Policy Analysis no. 972, April 9, 2024.

<sup>52</sup>Alex Nowrasteh, "Terrorism and Immigration: A Risk Analysis, 1975–2023," Cato Institute Policy Analysis no. 972, April 9, 2024.

Ms. BROWN. Mr. Congressman, in my opinion, it is the change of policy that has emboldened the terrorists to come to our borders more so than they ever have before. While I was serving in the administration, there was this consolidated effort not only with action on the ground, but most importantly, with policies at the Federal level to ensure that we take great steps to close our border and discourage folks from entering illegally.

This is nothing to do with legal immigration. It is all about the illegal entry. There was a clear message sent that that was not going to be tolerated. Since the administration change, there has been a clear message sent to include Day 1 of the current administration that those policies were no longer going to be enforced and that it was a much more open society.

I know that in my very first town hall with the now-Secretary of Homeland Security, I asked the question what has changed since the election in November to January 2021? Because the numbers on our border had increased so dramatically, and the response was well, there are situations in their home countries.

Then I asked again more specifically what specifically has changed? Because from my analysis, there is—nothing has changed so dramatically over the last 4 months in any of the nations of which we had our illegal aliens entering, other than the change of administration here in the United States. My question was removed from the chat even though I put it in twice and it was refused to be answered. So in my opinion, it is the pull factors and attitude of the administration.

Mr. PFLUGER. Thank you, Dr. Brown.

Mr. Healy, I will go to you. One of the issues that we found on our Congressional travel to North Africa and the Middle East was the use of private air charters as a way for terrorist cells and organized criminal organizations to bring people to either South America or Central America that have now made their way into the United States.

Can you talk about your experiences investigating this and shed some light on what is happening and how they are getting into the—through the Southwest Border and into this country.

Mr. HEALY. I have to agree with Dr. Brown. I am a numbers person, and I am concerned about numbers. I am concerned about 1 terrorist threat and 1 terrorist. I worked as an undercover FBI agent and spent several months with a domestic terrorist group, the Montana Freeman, and lived with them for several months.

What you are dealing with, whether you are talking about percentages and numbers, is that there is a difference with a terrorist threat and terrorist action. I investigated hundreds of bank robberies and no one cared, but when one terrorist like Faisal Shahzad tries to blow up a bomb at Times Square, everything changes.

So it is not a question—for me, it's always been a question of numbers. The issue is that, you know, everything seemed to be working 4 or 5 years ago and they shut the border down, and I talked with friends at the terrorist screening center. They said the numbers were workable and we could screen it.

The whole process with the terrorist screening center and with the Border Patrol is we have to have the opportunity and the time

to sit down and talk to these individuals and identify who they are and how they work against the United States.

Mr. PFLUGER. Let me ask another question. Are you worried about a terrorist attack in this country because of the open-border policies and 382-plus people that match the terror watch list?

Mr. HEALY. When I was director of the terrorist screening center, I was concerned about encounters of people that we didn't know were in the United States. I identified specifically encounters with law enforcement officers and if we had open cases on them.

Typically, we would have 1 per month. That 1 per month that we had for 12 I lost sleep over until an FBI agent initiated a case to work it so that somebody was watching this individual and making sure that he wasn't—he was not going to do a terrorist act.

So yes, when the numbers go from 14 to 380, that is not manageable. When the numbers go from 2 million gotaways and the gotaways primarily are looking for I don't want to be seen, yes. So I am concerned at the state of the United States right now.

Mr. PFLUGER. Thank you. My time has expired. The Chair now recognizes the gentleman from California, Mr. Correa.

Mr. CORREA. Thank you again to our witnesses for your fine testimony.

Mr. Healy, you are a numbers man, so I want to put up right now this anti-defamation heat map, if I can, of domestic terrorism attacks in the United States. Does this concern you?

Mr. HEALY. Yes, absolutely.

Mr. CORREA. You said you were part of that Montana operation. So we should also be focusing on domestic terrorism as well.

Mr. HEALY. Yes, sir.

Mr. CORREA. Given the attacks in the United States from domestic terrorists, this should be one of our priorities, but this committee has not had any hearings on domestic terrorism. An American life is an American life lost irrespective of if it is a foreign or domestic terrorist, but the probability based on the numbers is here. OK? What just happened in Ohio is here from individuals from the United States motivating that kind of behavior.

Sir, I want to ask you, can you put into context the threat Americans face from migrants? I mean, compare and contrast. Where should we invest our resources when it comes to protecting Americans from terrorist attacks?

Mr. NOWRASTEJ. Sir, to be very clear, the threat from terrorism overall is a relatively small component of the total threat to the life, liberty, and property of Americans. However, since 9/11, it is important to point out that through the year 2017, which is my most recent numbers on this, 41 people have been murdered by attacks committed by foreign-born terrorists through 2017 from after 9/11 and 149 people murdered by native-born Americans—

Mr. CORREA. Let me say if I—I am sorry to interrupt. I don't have much time. But I want to be clear. We are not minimizing the threat of foreign attacks on our soil. All of us remember 9/11. I just want to make sure that we have a 360-degree view of what the challenges are for us Americans in this country. That is what we are paid to do, to make sure we protect American lives.

We mentioned 382 on the terrorist watch list that have been, I guess, arrested or identified. How many of those are from the Co-

Colombia civil war, the FARC list? I say that to you, because I have gone to the homeland security targeting center and there are a lot of folks that are arrested at the borders that should be that are on this watch list, but the president of Colombia today would be classified as a terrorist because he was part of that revolution 40 years ago. It is OK, but I think we need to focus our resources on the real threats, and they are emerging on a daily basis.

Just a couple of hours ago, Mr. Chairman, I was at an Aspen Institute meeting with General James Jones, former national security adviser, 40-year marine, and you know what he said the big issue right now in the world that is motivating people to move?

Ms. Brown, you talked about the pull. I think he was talking about the push. He talked about food insecurity. He said the world is not doing well post-COVID. There is hunger. There are children starving around the world and we are not doing well. He said that in the context of a national security adviser saying this thing is—this is a root cause of a lot of this migration.

There is a lot of other reasons, but the point is we, as a Nation, have to focus to make sure people are not motivated to come to this country because of hunger. If I look at everybody in this room here today, I bet you that was one of the motivating factors for our ancestors to come to America. You are starving in Ireland, you don't have enough food, potato famine, or God knows what else you are running away from in your home. We need to focus on that, and we don't do enough of a job to do that.

We will continue to build a wall on the Southern Border that started with democratic President Clinton, God knows how many years ago, 20 years ago. We will probably start doing the same thing in the Northern Border. You talk to the Canadians and they are pissed off with all the stuff that is going north from Fentanyl, guns. So hopefully we can sit down and rationally think through this. OK?

What we have right now are refugees at the border. What we have working, feeding our community in this country are farm workers that have been here in this country 20, 30 years that don't have a way to get a green card. The challenge that we have, which would be No. 1 here, is terrorism. Three buckets that are always mixed into 1, and if we don't figure out the facts, we are not going to be accurately taking care of these challenges.

Thank you, Mr. Chair, and I yield.

Mr. PFLUGER. Gentleman's time has expired. The Chair now recognizes the gentleman from Louisiana, Mr. Higgins, for his questions.

Mr. HIGGINS. Thank you, Mr. Chairman.

I appreciate the witnesses for being here. I am going to attempt to drill down into the so-called gotaways, called runners on the borders, gotaways. I am going to ask each of you to clarify.

Dr. Brown, you had stated in your opening statement that of more concern is the upwards of 2 million gotaways and unknown number of undetected aliens that have entered the United States since 2021. Is that part of your opening statement, ma'am?

Ms. BROWN. Yes, sir.

Mr. HIGGINS. OK. So you stand by that number, upwards of 2 million?

Ms. BROWN. Yes.

Mr. HIGGINS. Yes, ma'am. Thank you.

Mr. Healy, you stated in your opening statement gotaways for fiscal years 2021 through 2024 year-to-date total over 2 million. Former chief of Border Patrol testified this figure is underreported by at least 20 percent, so you conclude it is closer to 2.5 million?

Mr. HEALY. Two-point-four million.

Mr. HIGGINS. OK. Appreciate you being specific. It seems to be a concurrence between 2 experts that there is well over 2 million gotaways have come into our country across the Southern Border.

Mr. HEALY. Yes, if you take—

Mr. HIGGINS. You think that is a reasonable assessment?

Mr. HEALY. Yes.

Ms. BROWN. Yes, sir.

The Chairman. Mr. Nowrasteh, do you concur that is probably a reasonable assessment?

Mr. NOWRASTEH. It is a reasonable assessment.

Mr. HIGGINS. OK. Thank you very much. So real fascinating gentleman, Dr. Nowrasteh, Mr. Nowrasteh. I will just ask you, you feel like it is all cool at the border?

Mr. NOWRASTEH. Absolutely not. It is a chaotic and out of control—

Mr. HIGGINS. That was my question. I appreciate you clarifying it was chaotic and out of control. So clearly you don't support open-border policies?

Mr. NOWRASTEH. An open border with no checks? No. No, I don't.

Mr. HIGGINS. Do you support a border that is controlled by the cartels?

Mr. NOWRASTEH. No, I do not.

Mr. HIGGINS. OK. Well, you recognize that criminal cartels control 100 percent of the Mexican side of our Southern Border, correct?

Mr. NOWRASTEH. They have a lot of control down there.

Mr. HIGGINS. They certainly do. So let's talk about the gotaways, because America is fascinated by your perspective here. We see it and feel the impact. I mean America has suffered generational trauma since January 2021. One hundred percent because of policy changes, not because—you still have the same 1,954 miles of border.

You have the same vehicles and equipment capabilities and assets, the same all-weather roads installed, the same physical barriers, the same Border Patrol agents, the same men and women working the same border, and yet a drastic change in illegal crossings already in 2021.

One of the most concerning demographics amongst that wave upon human wave of illegal immigrants coming into our country to me as—because of my background is the people that run from the law.

So given the fact that our Border Patrol, law enforcement agents were transitioned from their national security role, their law enforcement role, repelling illegal entry and capturing those that crossed illegally as much as possible, that transitioned to sort-of reception roles and came forward transporting and feeding, et cetera, the gotaways, that demographic that would be highly motivated to

avoid American law enforcement, we are talking about them paying more money to cartels to suffer to dangerous double-time pace, very rough terrain land, to avoid law enforcement, doesn't it stand to reason, Mr. Nowrasteh, that those would likely be the most dangerous people of the totality coming into our country?

Mr. NOWRASTEH. It is certainly possible. We don't have a good sense of that, but—

Mr. HIGGINS. What else would drive someone to do that? If you can turn yourself in and comfortably be processed into the country, given money, food, medical check, et cetera, transported to wherever you want to go, why would you pay thousands of dollars more and go through very dangerous sometimes deadly transit into the country in order to avoid law enforcement? Clearly, it is because you are a bad guy.

Mr. NOWRASTEH. It is because a lot of them won't also be let in through that means. They want to come to the United States to work. The best predictor of illegal immigration is the U.S. labor market—

Mr. HIGGINS. You are claiming my time.

Dr. Brown, my last question, ma'am, just tell America a little bit what was it like in the spring of 2021 as you saw things begin to unravel?

Mr. PFLUGER. Limit this to about 20 seconds.

Ms. BROWN. It was demoralizing, heartbreaking, and unnecessary.

Mr. HIGGINS. Thank you for that summary, Doctor. We appreciate you all.

Thank you, Mr. Chairman.

Mr. PFLUGER. Gentleman's time has expired. Chair now recognizes the gentlelady from Illinois, Ms. Ramirez.

Mrs. RAMIREZ. Thank you, Mr. Chairman, and I want to thank the witnesses that are here today. I also want to recognize that just last week we recognized the anniversary of the heinous 9/11 terrorist attacks that took the lives of 2,977 people. Futures stolen for 2,977 individuals. Actually, Congress created this committee, Homeland Security, to ensure that we would protect the American people from terrorist attacks.

Unfortunately, my Republican colleagues choose to use our committee time to spew false narratives, conspiracy theories, and racist tropes that point as immigrants as terrorists. Immigrants like my mother and my husband as terrorists. Just to score cheap political points.

So look, we should be using this committee to actually discuss how we strengthen the Federal Government's ability to prevent and respond to terrorist threats by digging into the data and digging into the evidence. So for the next few minutes, I actually want to do just that. I want to ensure that data in this committee is used accurately and portrayed accurately and I want to talk about Donald Trump's favorite chart here, which we used yesterday.

In this chart, titled "Illegal Immigration into the U.S.: Biden's World Record Illegal Immigrants, Many From Prison and Mental Institutions, Also Terrorists." Donald Trump has said this chart saved his life. Yesterday, in our full committee hearing, Repub-

licans, my colleagues here repeatedly used this chart to allege that the Biden administration has an open-border policy, but this life-saving chart says, well, not what Republicans think it says. First of all, I don't know where the Trumpsters and Republicans of the world who like to trot out this chart get the idea that immigration into the United States is a "world record," because recorded history is full of mass migration, due to war, due to famine, to disease, and opportunity in numbers so high, folks, it wouldn't even fit into this chart. So it is not a world record.

Second, and it is almost embarrassing that I have to educate and explain to Members of Congress and a former President, but when someone says that they are seeking asylum and they are coming to the United States seeking asylum, that doesn't mean that they are literally coming from a mental institution.

Third, as my friend, Congressman Garcia, pointed out yesterday, Republicans and former President Trump, they don't even know when Trump left office. This chart says that he left April 2020. Trump actually left office in January 2021 when the numbers were rising and higher, actually, even higher than during Obama's second term.

Fourth, let's just keep going on this chart; the chart itself shows that, when Trump came into office, the numbers actually began rising. The dip in numbers where Trump claims he left office is actually April 2020 at the height of the early COVID-19 pandemic when, folks, migration numbers were dropped globally. I know it is hard for you to see because you have been reading this, and now you are finally realizing, "Oh, my God, I have been saying lies." Trump was in office for another 9 months, and those numbers actually are climbing.

Last, this month, the month that they are talking about is not even the lowest during Trump's time in office or even in recorded history.

Folks, facts matter, we have to stop with the disinformation. But I guess when it comes to making charts for the former President, that doesn't apply. I am going to tell you: This committee is a serious committee. We have to use facts.

So I want to use a last minute here; I want to come back to Mr. Nowrasteh. Can you help us understand, because actually I think some of my colleagues don't understand, why are people coming to the United States and risking their lives the way that they are? How does this help us economically?

Mr. NOWRASTEH. The primary reason why immigrants come to the United States historically and today, legally and illegally, is because of job and labor market opportunities. If you want to do a regression analysis, you can see very closely that the job openings in the United States is closely correlated with the number of little immigrant apprehensions along the border and with people who were trying to come here legally. The best pull to come into the United States has always been the economy; it is still the economy. That is what is pulling people in, and the rapid economic recovery after COVID can explain more than any other factor, although some of the other ones do matter, so it can explain more than any other change in policy why there is such a rapid and large increase in illegal immigration.

Mrs. RAMIREZ. Thank you so much.  
Chairman, I yield back.

Mr. PFLUGER. The gentlelady's time has expired.

The Chair now recognizes the gentleman from Texas, who represents the longest stretch of border on the Southwest Border and my neighbor, Mr. Gonzales.

Mr. GONZALES. Thank you, Chairman.

You know, I love charts and PowerPoints just as much as the next person. You know a lot of people talk about the border, I happen to represent 823 miles of it. Anyone—you cannot dispute that there have been hundreds of people coming over on the terrorist watch list. Anyone on the terrorist watch list is on that list for a reason and poses a threat. I don't even want to talk about those people. I want to talk about the people not on the terrorist watch list that terrorize us.

I represent a district that stretches from San Antonio to El Paso. Eagle Pass, Del Rio, Uvalde, El Paso is all in my district. One of my concerns that I have is a rise in Venezuelan gangs, Tren de Aragua, TDA. This is a real threat, right? A lot of times they don't make a list, and they are terrorizing people more than everyone else.

My first question is to you, Mr. Healy, given your experience in the FBI during MS-13's reign on terror in the early 2000's do you believe TDA poses a threat on a similar scale or greater scale?

Mr. HEALY. The same. What I didn't include was is that not only terrorists were coming across the country but criminals. The problem is that this—and it wasn't in my oral testimony but it was in my written testimony that this involved—this invasion that we are having right now has involved every single FBI field office, it has involved the vast majority of their squads, criminal squads, counterterrorism squads, counter intelligence squads, intelligence squads, the rest of it. So this is a serious problem and a concern.

In my district, we see it first-hand. I mean, I visited a facility out in Pecos out in west Texas, where these criminal aliens get housed, right, ones that have committed heinous crimes. You try walking through a prison—that is not a fun experience—try walking through a prison where some of the worst of the worst illegal aliens are there waiting to be—either their time incarcerated or be deported. I would argue that TDA makes MS-13 look like Boy Scouts. The reason I say that is because each criminal organization that comes always tries to one up the one before it. They are more ruthless. They do more murders. They do more rapes. They do more human smuggling. They do more drugs, more guns. They are more ruthless than the person before is why you should fear them, is why they should grow. I see them growing tentacles in places well beyond the border, larger cities, not only in Texas but throughout the country. This is the danger. We are barely now just talking about TDA as if they are similar to MS-13. They are worse, and they are going to get a whole lot worse.

My second question here for Mr. Healy is: what strategies can we implement to better equip law enforcement to address this threat?

Mr. HEALY. Centering it toward the border, we have got to go back to what we did to keep them out. We have to start there. I understand the fact that there is challenges all over the world. I

understand the fact that there is domestic terrorism around, but the bottom line is, is that this threat didn't have to happen. This threat could have been fixed; it could have been adjusted. The drastic differences between 2021 and now is unmanageable.

Mr. GONZALES. One of the biggest challenges I see with TDA in particular is they don't have specific tattoos to represent membership. They have a variety of different identifiers. Venezuela does not share its criminal records with Interpol. So, oftentimes, that makes it challenging in identifying them in the first place. So a lot of times the information that we are getting now is a TDA member that has already committed a crime in the United States. That is a disjustice to all the Americans that are here that are being terrorized by these folks that should have been caught on the front end. The other part is, I look at it through the lens of, how you do solve the problem. We know why it was created. I don't even want to argue how we got here. I don't want to see any more charts. All I care about is, how does this go away? How do we fix this? I think one of the ways we fix this is we come together, Federal, State, and local law enforcement all pool their resources and go after these people, go after these Venezuelan gangs that are terrorizing us. They may not be on the terrorist watch list. They may not be on an encounter that we have. When I spoke to the director of ICE, he told me there are over 10,000 known criminal aliens loose in the United States right now. That is, in my eyes, where we need to start, and then we go from there.

I am out of time, Chairman. With that, I yield back.

Mr. HIGGINS [presiding]. The gentleman yields.

The gentleman from California, Mr. Garcia, is recognized for 5 minutes.

Mr. GARCIA. Thank you very much, Mr. Chairman. Thank you to our witnesses.

Counterterrorism, of course, is critical to the Department of Homeland Security. It is important, I know, to everybody that is here. We know that border security is an important part of that tool. Our security professionals are hard at work, which we have seen of course in recent arrests, and our committees should also support that work.

I also know that we shouldn't distort national security threats to score political points. Hopefully, no one is interested in that. There are so many other types of extremism and other types of major security threats that should be focused on, whether it is mass shootings, domestic extremism, which should be looked at by this committee.

We often, over and over again, including in this committee, continue to demonize immigrants, continue to somehow put all of our criminal issues on the backs of immigrants, folks like my family, folks like myself. We should be very clear about what actually is happening in this country and actually looking at the data as it relates to immigrants and crime. If we are being honest with each other, we can see that immigrants are contributing to this country and not causing these kinds of exaggerations that my colleagues here on this committee are saying.

I want to start with an important data point over here, if I can just share this really quickly. So, Mr. Nowrasteh, here we have a

chart of the annual homicide rate going back for the last few decades. You can see it pretty clear. This is all the way from the 1960's all the way until today. Now, looking at this—and this is data collected by police departments and the FBI and others—you agree the country is safer today as it relates to homicides than in the seventies, eighties, and nineties?

Mr. NOWRASTEH. Yes, absolutely. I want to point out the immigrant population is substantially higher today too.

Mr. GARCIA. Thank you. I want to point out that, if you look at this clearly, we are safer today than we have ever been over the last few decades.

I do want to point out, though, in the year 2020, we do see a dramatic spike. Do you see the spike there over here right around the year 2020?

Mr. NOWRASTEH. Yes.

Mr. GARCIA. Great. Who was actually the President in 2020?

Mr. NOWRASTEH. Donald Trump was the President of the United States in 2020.

Mr. GARCIA. So the largest spike that we see in actual homicides over the last few decades is the year that Donald Trump was actually the President of the United States. Is that correct?

Mr. NOWRASTEH. That is correct.

Mr. GARCIA. Is it true that, under Donald Trump, murder rates surged by 30 percent to the highest rates since the nineties?

Mr. NOWRASTEH. There was a very large surge in the last year of his administration.

Mr. GARCIA. Right. So here we have crime rates are going down; homicide rates are up here. In the seventies, eighties, and nineties, they start to decrease, and then we see the one spike when Donald Trump was President. Then, of course, as we go into 2021, who then got elected President then?

Mr. NOWRASTEH. Joe Biden was elected.

Mr. GARCIA. Since that time, if you look at this chart, is violent crime starting then to decrease or increase once Joe Biden became President?

Mr. NOWRASTEH. It started to decrease from the elevated level that it was.

Mr. GARCIA. Thank you. So it is important to note here that now crime is beginning to decrease. Now the Major City Chiefs Association, which represents 60 major city police departments in the America, including Long Beach, where I was mayor, honored to have served and to help lead—we had over 700 police officers, which was an incredible group of men and women. Through this period of time in 2024 and 2023, we had actually seen a drop in murders and killings, not just back home in California but across the country. So, as we can see in this chart, homicides have plummeted. We know they continue to plummet.

I think it is important that we take the word of our police officers and their data, what they are presenting, over what Donald Trump is saying.

I want to show you one other chart that is important. Now, again, sir, is it true that the incarceration rate for both documented and even undocumented immigrants is far below the rate for native-born citizen Americans?

Mr. NOWRASTEH. Yes, it is.

Mr. GARCIA. So, today, immigrants are 60 percent less likely to be incarcerated than all other U.S.-born individuals. Is that correct?

Mr. NOWRASTEH. That is correct.

Mr. GARCIA. Now, I only say this because you can see, native-born Americans are actually committing crimes and then going to jail at a higher rate than the immigrant population. I see that not because we should want folks in jail. Everyone should be accountable to the law. But this idea that immigrants are somehow doing or causing more crime or filling up prisons more or committing and creating more chaos across this country is actually not true when you look at the data. So I think it is very important that we call out the lies and the untruths that are happening from folks that are running for President and quite frankly also for folks that are on this committee.

We know that undocumented people, people that are here that legal immigrants are actually committing less crime if you look at the total number. So I want it make those points and make sure we are talking about facts.

With that, I yield back.

Mr. PFLUGER [presiding]. Thank you, Mr. Garcia.

Ms. Greene, you are recognized for 5 minutes.

Ms. GREENE. Thank you. This is such an important hearing today talking about terrorism. The definition of “terror” is a feeling of extreme fear. It is a very sad day that we live in that many Americans are living with the feeling of extreme fear.

Currently as it stands right now, the Biden administration does not make known the number of special-interest aliens on the Department of Homeland Security website. This is a very concerning figure and statistic that they are hiding from the American people.

There have been at least—at least—73,000 special-interest aliens arrested at or border. That is a number we know because it was leaked to the media. The number is likely far higher now, but we don’t know that information because it does not exist and is not provided to the American people, who, by the way, fund the Department of Homeland Security through their taxes.

Special-interest aliens are from a nation that promotes terrorist activity, harbors terrorists, or poses a security threat to the United States. This does not include the potential special-interest aliens among the 2 million, over 2 million known gotaways. So, while we have caught at least 73,000 or more at the border, there are another over 2 million we have no idea who they are, where they are, and what they are planning to do in our country?

This comes along with the statistic that we have been provided that there have been 388 illegal aliens on the terrorist watch list caught crossing between ports of entry since fiscal year 2021. This compares to only 14 that were caught between fiscal year 2017 and 2020 under the Trump administration.

I have a very important bill that, if passed and signed into law, this bill would make the number of special-interest aliens and countries of origin publicly available on the Department of Homeland Security website for the American people.

Dr. Brown, do you agree that the American people deserve to know that number?

Ms. BROWN. Yes.

Ms. GREENE. Mr. Healy, do you agree they deserve to know?

Mr. HEALY. Absolutely, yes.

Ms. GREENE. Mr. Nowrasteh, do you agree that the American people deserve to know how many special-interest aliens are crossing into our country?

Mr. NOWRASTEH. The American people deserve to know that and any other number you can get out of them.

Ms. GREENE. Thank you. I appreciate that.

I would also like to take just a few minutes to talk about terror and the extreme feeling of fear, that is extreme fear. The American people are living with fear from the amount of people that have come across our border, and they have good reason to do so. There are approximately an average of 300 Americans that are killed every single day from fentanyl poisoning. That is certainly something to fear. There are Americans that die daily from illegal alien crime and murder. Just in the past 2 weeks, there was a mother of 3 children and a passenger in her car were killed in car wreck from an illegal alien that struck them at over 100 miles per hour. These are also credible reasons to fear the illegal alien immigration coming across our border.

However, I was quite concerned, Mr. Nowrasteh, to hear you talk about over 3,000 Americans that have been murdered in the past decades, and you called that a small and manageable statistic. I would argue that every single one of those lives should not—never have been killed. I know that you call yourself, self-described, radical advocate for open borders. That is on your Wikipedia page; that maybe Wikipedia is not always right.

Mr. NOWRASTEH. I didn't say that.

Ms. GREENE. However, I would self-describe myself as a radical advocate for safe and secure borders. I think it is extremely important to make sure that all of us are on the same page for that because not one life that has been murdered by a terrorist can be considered small and manageable.

I would also like to talk for just a minute, if you will, and ask you, will you consider when you are talking about jobs, and we agree jobs are important, the economy's important. Now the cartels are making over \$13 billion a year with their jobs coming into our country, selling drugs, making money off of human trafficking. Would you argue that those jobs are important in our economy, cartels jobs?

Mr. NOWRASTEH. No and I think the Federal Government should stop subsidizing them. They should stop subsidizing them by radically expanding legal immigration so you can kill those cartels. In the same way that Congress killed the Mafia when it ended prohibition.

Ms. GREENE. So you are advocating for wide-open borders so that cartels can come in and sell drugs into our country.

Mr. NOWRASTEH. I am advocating for legalizing immigration.

Ms. GREENE. Mr. Nowrasteh, legalized immigration.

Mr. Nowrasteh, you are wanting to open the borders and legalize cartels selling drugs. In Georgia, we have a serious issue of cartels

putting drugs inside our food supply. Therefore, when things like lettuce and watermelons come across the U.S.-Mexican border and make their way to the farmers' market in Georgia, they are finding gigantic shipments of methamphetamines, cocaine actually stuffed in shipments of things like watermelon, lettuce, and celery. This is extremely dangerous for people, restaurant owners, people that consume this. This is extremely dangerous. So you are wanting to open and legalize these jobs in the United States?

Mr. NOWRASTEH. No, those are consequence of black markets.

Mr. PFLUGER. I am sorry. Ms. Greene's time is up.

Ms. GREENE. Thank you, Mr. Chair.

Mr. PFLUGER. Mr. Goldman is recognized for 5 minutes.

Mr. GOLDMAN. Thank you. Well, I finally found something I agree with my colleague from Georgia; she is certainly radical.

I want to focus on the subject of terrorism that is of this hearing. For this fiscal year to date, CBP reports encountering 96 watch-listed individuals between the Southern Border ports of entry. Let's put that in perspective: That is .007 percent of all Border Patrol encounters in fiscal year 2024. We know that being on the watch list is not equivalent to being a known terrorist. There are many ways you get on that watch list and it is certainly not determinative.

But there is no question that there is a problem at the border. Our system cannot withstand the number of people who are trying to get into this country. I would completely agree with you, Mr. Nowrasteh, part of that is because the quotas for lawful visas have not been increased in 25 to 30 years, even though of course our population has dramatically increased, our economy has dramatically grown. We need people to fill jobs in this country up and down the spectrum.

I want to also just focus on a couple of things. Mr. Healy, I will ask you, do you think that it would be helpful to address our problems at the border if the Department of Justice received \$440 million to hire additional immigration judge teams?

Mr. HEALY. Yes.

Mr. GOLDMAN. Do you think it would be helpful if CBP received \$3.8 billion to fund operational costs to manage and enhance security at our Nation's borders?

Mr. HEALY. Yes.

Mr. GOLDMAN. Do you think would be helpful if CBP received \$723 million to hire additional officers and Border Patrol agents?

Mr. HEALY. Yes.

Mr. GOLDMAN. Do you think it would be helpful if DHS received \$424 million to combat the entry of fentanyl and other illegal narcotics from entering the United States?

Mr. HEALY. Yes.

Mr. GOLDMAN. Do you think it would be helpful if the Immigration and Customs Enforcement received \$2.55 billion to fund transportation costs, including increased flights and staging facilities?

Mr. HEALY. Yes.

Mr. GOLDMAN. Do you think it would be helpful if ICE received \$1.29 billion to fund an expansion of the Alternatives to Detention Program, which would allow for immediate enrollment at the

Southwest Border to fulfill nonmandatory detention mandates while keeping track of those who come in?

Mr. HEALY. I am not sure of that direct—

Mr. GOLDMAN. What about \$4 billion for U.S. Citizens and Immigration Services for personnel, facilities, and related costs to meet new operational requirements, including adding 4,338 asylum officers.

Mr. HEALY. I am not familiar with that either.

Mr. GOLDMAN. Well, you are aware, of course, that asylum applications take up to 10 years to get through. Is that right?

Mr. HEALY. Yes.

Mr. GOLDMAN. So you don't think that adding more than 4,000 asylum officers would help streamline that process and stop the incentive for people to try to get asylum here?

Mr. HEALY. With CBP, I understand the support they have, but the reality is that, if we close the borders, we have—even President Biden issued an Executive Order that stopped the flow.

Mr. GOLDMAN. Right. So all those things I just asked you about were in the bipartisan border security bill that the Senate had agreed to in a bipartisan way, the administration had supported. Do you know who killed that bill?

Mr. HEALY. No, I don't, but the frustration for the—

Mr. GOLDMAN. OK, I will tell you who killed that bill; Donald Trump killed that bill, and he was open about it. He said he killed it because he didn't want to solve the problems at the border that all of those things you just agreed would help do so because he wanted to use it as a political weapon in his campaign. So, when we are talking about immigration reform, we can all agree that it cannot only be done by Executive Order. President Biden had no choice but to implement an Executive Order that forced people to come through ports of entry if they sought asylum, which has dramatically lowered by more than 50 percent the border crossings and encounters since he implemented it in June. But that is not a solution. The solution is legislation. There was legislation that the Republicans killed.

So please do not lecture me about all of our problems at the border when it is the Republican Party and Donald Trump who are the ones who refuse to solve the problem.

I yield back.

Mr. PFLUGER. Thank you, Mr. Goldman.

Mr. Nowrasteh. Sorry, forgive me. I apologize, sir.

Mr. NOWRASTEH. Nowrasteh.

Mr. PFLUGER. Nowrasteh. I am sorry. I almost really can't see that far anymore.

So the Boston Marathon bombing, the bombing of the Twin Towers in the 1990's, 1993, February, if I am correct, 9/11. I consider those terrorists attacks through terrorist organizations. I have heard some statistics from my colleagues that that is not considered a foreign-born terrorist attack because they were documented or registered in the United States. Can you clarify that for me?

Mr. NOWRASTEH. So, in the data that I have and have presented in my testimony, those were all conducted by foreign-born terrorists. So they would count under that umbrella of terrorism committed by foreigners.

Mr. PFLUGER. That have been committed in the United States.

Mr. NOWRASTEH. Yes. I have a list of it 230 foreign-born terrorists who have either committed or attempted to commit and were convicted.

Mr. PFLUGER. Because I need clarification on that, because the challenging part for myself—who is going to speak for Morgan here—is that I can't go home on to my folks when we are talking about—so I am very laser-focused on the terrorist watch list and those folks that are coming across that meet that category, OK, because I can't say they were foreign-born terrorists, but they were legalized in America so we can't count that.

Mr. NOWRASTEH. So they are definitely foreign-born if they were born outside of the United States. Even if somebody is a legal immigrant and a terrorist and becomes an American citizen, I count them as foreign-born, just like the U.S. Government does.

Mr. PFLUGER. So, when I speak about the terrorist watch list and those individuals that are listed on it, have you ever been to Iraq, Afghanistan, Africa? Have you ever been to a theater of war?

Mr. NOWRASTEH. No.

Mr. PFLUGER. Have you ever experienced anything catastrophic? Have you ever been engaged in a gun fight? That may be a silly question, but I need to know these answers.

Mr. NOWRASTEH. I have had a gun pointed at me, but I have not been involved—

Mr. PFLUGER. It is an amazing experience. Isn't it?

Mr. NOWRASTEH. That is a nice euphemism for it.

Mr. PFLUGER. Yes, it is. I am trying to be genuine in here; I am trying to be simple in here, I guess is the best way to say that. So have you ever read the book or seen the documentary "The Terror of Beslan, the School Siege in Russia"?

Mr. NOWRASTEH. I have not seen the documentary, but I have seen footage of that attack.

Mr. PFLUGER. So that was a terrorist organization came in and took over a school; it was a massacre, right? When I see this list, the terror list, this is what I am talking about here: My concern is it only takes 1; it only takes 1 terrorist to perform an extreme act of violence.

Man, me and that man right there, Mr. Crane, have been in multiple gun fights. Multiple VBIED explosions, multiple suicide bombs, overseas in a theater of war. A lot of times it was 1 person, 1. If we can do anything and everything we can to prevent, capture, kill any terrorist that is coming in to this country, that is what needed to happen. I walked shoulder to shoulder with Mr. Goldman in New York City 2 weeks ago on 9/11. The 9/11 museum is beyond humbling. I don't want anything like that to ever happen again in this country. It seems like we—I hate to say this, but we are getting caught into political jargon right now. That should not happen when we are trying to protect American citizens, period. So I am glad you clarified the fact that we have had attacks on our country from foreign-born entities. Moving forward, paying close attention to getting away from the jargon that we don't need makes it easier on us. The numbers that you rattled off, I understand you are a statistician; they are great. But even if we are talking about 0.07 percent, that is still one person. Is that clear?

Mr. NOWRASTEH. Yes, sir, it is. I am not saying do nothing. All I am saying is don't do everything. You have lots of different security threats. You have to allocate scarce resources to save the greatest number of lives.

Mr. PFLUGER. If we don't do everything, that one thing we don't do is going to get us killed.

Mr. NOWRASTEH. Well, I hate to be the bearer of bad news, but it is impossible to do everything. You want to spend 100 percent of U.S. GDP on counterterrorism?

Mr. PFLUGER. I don't know if you know my background or not of that man sitting over there, but our job was to do everything, period. That is why we were 99.9 percent successful. Thank you for your time, sir.

Mr. Magaziner, you are recognized for 5 minutes.

Mr. MAGAZINER. Thank you, Chairman.

Listen, I agree; we should do everything we can to secure the border and protect the American people. Everything should have included passing the bipartisan border plan that Senate Republicans, Senate Democrats, and the Harris-Biden administration agreed to that Donald Trump and his Republican allies killed.

Mr. Nowrasteh, are you familiar with the bipartisan border plan that Donald Trump and the Republicans killed?

Mr. NOWRASTEH. Yes, I am.

Mr. MAGAZINER. Is it accurate that that bipartisan border plan that President Trump killed would have added about 1,500 Border Patrol agents?

Mr. NOWRASTEH. Yes, as I understand it.

Mr. MAGAZINER. Is it accurate that it would have expanded the authorities of the President to secure the border, including by changing asylum policies, et cetera?

Mr. NOWRASTEH. Yes, it would have.

Mr. MAGAZINER. Is it true that it would have added over 100 high-tech machines at points of entry along the border to detect fentanyl coming into the country?

Mr. NOWRASTEH. Yes, it would have.

Mr. MAGAZINER. Is it true that the bipartisan plan that President Trump killed to secure the border had the endorsement of the Border Patrol union?

Mr. NOWRASTEH. As I understand it, yes.

Mr. MAGAZINER. Now the lead Republican negotiator of the bipartisan border security plan that President Trump killed was Senator Lankford from Oklahoma. Is that right?

Mr. NOWRASTEH. Yes.

Mr. MAGAZINER. In your opinion, and I don't know the Senator personally, but would you characterize him as a liberal Republican, a moderate, or does he have a reputation of being a Conservative who is serious about border security?

Mr. NOWRASTEH. I have met the Senator on numerous occasions; he is a serious and thoughtful Conservative, very conservative, and I think represents the positions and opinions of the people of his home State of Oklahoma very well.

Mr. MAGAZINER. Yes. So had you a bipartisan plan to secure the border, negotiated by one of the most conservative Senators in the

U.S. Senate, supported by Republicans and Democrats on its way to passage to secure the border, doing everything. What happened?

Mr. NOWRASTEH. So I was not privy to any secret phone calls, but as I understand it, candidate Trump asked both publicly but also mostly privately to delay that and to not have a vote on that bill so that it would preserve a political talking point for him.

Mr. MAGAZINER. That is exactly right. President Trump wanted to have a problem he could campaign on instead of having us doing everything that we can to keep the American people safe. That is putting politics ahead of what is good for the country. That is putting partisanship ahead of keeping the American people safe, and it is despicable. It wasn't just President Trump. It was his allies as well. I want to read a quote from Senator Lankford, the Republican Senator from Oklahoma who said, "A popular commentator threatened to destroy me if I negotiated the deal during the Presidential election year regardless of what was in it." So, even if you disagreed with some of the things that were in that bipartisan plan, what Senator Lankford was being told was it doesn't even matter what is in the bill, kill it. The commentator said to Senator Lankford, quote—this is from the Senator—"I will do whatever I can to destroy you because I do not want you to solve this during the Presidential election." I mean, my God. What are the American people supposed to make of that? The American people want us working together in a bipartisan way. They tried to do that in the Senate. Joe Biden and Kamala Harris tried to work with Senator Lankford and other Republicans and Democrats to come up with a plan to secure the border.

That is very different from what has been happening in this Chamber. In this Chamber, when our House Republican colleagues came out with their border bill, they didn't accept a single Democrat amendment. They dropped the language of the bill the night before the markup. They didn't take a single Democratic amendment in committee or on the floor. They passed a bad bill that had all kinds of things in it that didn't have anything to do with securing the border, things to ban electric vehicles at Federal sites and denying funding to nonprofit organizations unless they conducted citizenship tests to people that they were serving, like crazy stuff. Rather than working together across the aisle on a real bipartisan plan like they did in the Senate, like the Biden-Harris administration tried to do before President Trump came in and killed it.

So understand what is happening here. There are people in this Congress who are serious about solving the crisis at the border, who are serious about governing; and, unfortunately, there are others who just take their marching orders from Donald Trump and put his political interests ahead of what is good for the country.

With that, I yield back.

Mr. PFLUGER. Thank you, Mr. Magaziner.

Mr. Crane is recognized for 5 minutes.

Mr. CRANE. Thank you, Mr. Chairman.

I want to clear something up. The reason that we were so intent on killing that bill was because, in case you guys don't remember, it would have allowed about 4,000 people in per day. That is a problem. It would have continued to fund the NGO's I believe that were also flying people, bussing people all over the country. So

there were a couple major nonstarters right there for us. I know there has been a lot of talk on the other side about that bill and how fantastic it was. I just want to clear that up.

Now I want to turn to Mr. Nowrasteh. Did I say that correctly, sir?

Mr. NOWRASTEH. Nowrasteh.

Mr. CRANE. Nowrasteh, OK.

You said, sir, regarding foreign-born terrorist threats in the United States, it is a small and manageable threat. Is that correct?

Mr. NOWRASTEH. Yes.

Mr. CRANE. Mr. Nowrasteh, do you know what a sleeper cell is, sir?

Mr. NOWRASTEH. Yes.

Mr. CRANE. Can you give a definition of a what “sleeper cell” is?

Mr. NOWRASTEH. So it is a group of terrorists working together who are laying low for a long period of time in preparation for an attack that will be committed at some point in the future.

Mr. CRANE. Yes, that is actually pretty close. Good job, sir.

You are a numbers guy. Is that correct?

Mr. NOWRASTEH. Yes.

Mr. CRANE. OK. Now that we have covered what sleeper cells are, a group of terrorists or spies that are remaining inactive within a target population until ordered to act. Mr. Healy gave us some great numbers earlier. Under the Trump administration, we had 14 individuals encountered at the Southern Border on the terror watch list. Under this administration, that number exceeds 380 at this point. Does that make you still stand by your statement that it is a small and manageable threat?

Mr. NOWRASTEH. It is a threat above zero. It is definitely a threat, but it is still small and manageable, yes.

Mr. CRANE. OK. How about gotaways? How many gotaways have we had since this administration took office, people that didn't get encountered, didn't get arrested at the Southern Border?

Mr. NOWRASTEH. So the estimates range we talked earlier about 2 million. I believe Mr. Healy's estimate was up to 2.4. I have seen estimates as low as 1.9, 1.8. It depends on the method. I think it is fair to say about 1.7 to 2.4 range is fair.

Mr. CRANE. Yes. Mr. Nowrasteh, is there a possibility that any of those, let's say, 1.5 to 2.5 million people that didn't get arrested, didn't get caught, snuck in through that Southern Border, could have been either on the terrorist watch list or terrorists who aren't on a watch list?

Mr. NOWRASTEH. It is certainly possible; the chance is absolutely above zero.

Mr. CRANE. Are you aware that we have over 100 tunnels that CBP knows of going from Mexico into the United States of America?

Mr. NOWRASTEH. I bet there are a lot more than that.

Mr. CRANE. Yes. We know of about 140 of them, but there is probably a lot more that we don't know about. Is that correct?

Mr. NOWRASTEH. Absolutely—absolutely it is a consequence of black markets.

Mr. CRANE. Do you think those tunnels could be used as avenues to bring terrorists into this country?

Mr. NOWRASTEH. It is certainly possible. We have never seen that. We have no evidence of that, but that is certainly possible that something like that could happen.

Mr. CRANE. OK.

Mr. Healy, do you concur, do you agree with Mr. Nowrasteh's claim that it is a small and manageable threat?

Mr. HEALY. No.

Mr. CRANE. No?

Mr. HEALY. No.

Mr. CRANE. You were in the Marine Corps, and then you were an FBI agent for a very long time. Is that correct?

Mr. HEALY. I was in the Marine Corps. I flew Harrier jump jets for 7 years, and I was an FBI agent for 27. I worked it. I was an undercover agent in. I helped build the Terrorist Screening Center initially. I was their first deputy director, and I was the director for 5 years, and I lived it every day.

Mr. CRANE. How many terrorists does it take to cause a mass casualty event?

Mr. HEALY. One.

Mr. CRANE. One?

Mr. NOWRASTEH. One.

Mr. CRANE. How important do you think it is that we do everything possible to stop any attacks on U.S. soil?

Mr. CRANE. We don't have the choice. We don't have the choice. That is not an option, period.

Mr. CRANE. Do you think this administration is taking it seriously at all?

Mr. HEALY. I have a problem when numbers go crazy from 2021 to 2024. It is unmanageable. I worked with a team, and I actually attended the Terrorist Screening Center memorial a couple days, a week ago for 9/11. Those people work every single day, 24 hours a day. They can't leave, and it is unmanageable.

Mr. CRANE. Thank you.

Mr. Chairman, I yield back.

Mr. PFLUGER. Thank you, Mr. Crane.

Mr. Suozzi, sir, you are recognized for 5 minutes.

Mr. SUOZZI. Thank you, Mr. Chairman.

First, let me thank the witnesses for your time. We really appreciate you guys being here, Dr. Brown, Mr. Healy, Mr. Nowrasteh.

Mr. NOWRASTEH. Nowrasteh.

Mr. SUOZZI. Nowrasteh.

Thanks so much for your time. I know this can be frustrating for you guys, because this is serious stuff to you as well like it is for the American public. It is difficult to listen to the back-and-forth sometimes, and it seems like, you know, what are you guys doing? You are just fighting with each other. Why can't we just, like, work together in trying to address this problem?

I want to associate myself with Mr. Crane's remarks, because he is right; we have got a serious problem with terrorists that we have to worry about, we should be worried about it, and we should do everything possible. I mean, that is—I don't think there is any argument with that. I don't think there is anybody that could disagree. I mean, with both sides, I agree with a lot of stuff that has been said on both sides here. The crisis that we have in our coun-

try is not just the Southern Border. It is a crisis of Washington, DC, that we are not actually putting aside the rhetoric and doing the work that is necessary to find common ground to get this done.

So I don't want to talk about former President Trump or President Biden or Kamala Harris or all that stuff.

We have got to do a few things. We have got to secure the border. We have—there were a lot of things in the Senate bill that were great. Mr. Crane didn't like the idea of the 4,000 a day or something, that we shouldn't have anybody who should apply for asylum at the ports of entry. No number, just no asylum applications into the ports of entry. The President's Executive Order lowered the number from 4,000 down to 1,500, but maybe it should be zero so people can apply for asylum. Asylum is an important part of America's history. Apply for asylum at safe mobility offices, which they are trying to do right now, but do it so you could apply in Guatemala; you could apply in Colombia; you could apply somewhere in Europe or in Asia, apply in those places, don't come to the Southern Border. Why subject these people to pay \$10,000 to some criminal entity, subject themselves to this awful trek, subject themselves to rape or murder or pillaging, awful experiences, parents and children. Why not just have people apply in other places? Don't put the pressure on the Southern Border and let's do all the other stuff that was good in the Senate bipartisan compromise, more judges, more border security, build some more wall, more technology, do all that stuff. But let's—we have got to stop this back and forth and back and forth and back and forth. The people in America are like, "What are you guys doing? This is real, stop. Just work together and fix it."

So we have got to secure the border. We have got to fix the asylum system that still respects the concept of asylum. You know, we used to applaud asylum in America. When someone defected from Russia or from Soviet Union, I should say, we were like, "Yes, they are defecting. They are with us; they are not with them. They are being persecuted; we are going to help them." Well, there are still people being persecuted in the world. Asylum is the magnificent thing about America, but let's not make it so that the people who are using asylum because they have been coached by a coyote and abuse the system because they are just doing it for economic reasons, which we understand that—we have compassion for people doing it for a number of reasons, but that is not the purpose of asylum. The purpose of asylum is you are being tortured or persecuted in your country for your political beliefs or something else about you, and you have nowhere else to go, and America is the beacon of light for the rest of the world. So let's keep asylum, but let's fix it from being abused right now. So secure the border, fix asylum, and then let's treat people like human beings.

Let's find the areas that make sense, like a lot of things that Mr. Nowrasteh was talking about that will improve our economy. The farm workers, let's—there was a bipartisan farm workers bill; we have got to get that back. Let's help the Dreamers that have been here for 30 years, these kids that came here. They graduated from college. They are now in the military. I mean, they are now in college, or they are working a full-time—give them a break. We are not going to send them back to a country they never knew since

they came here. We invited people here because they had an earthquake, or they had a civil war. We said, TPS, temporary protective—“Come to America; we will take you in. We will help you because of how awful it is.” Help those people; they have been here 20 or 30 years. Afghan readjustment, the people that Mr. Luttrell served with, help them to come here. So let’s stop the BS—and I am not suggesting that you guys are doing BS at all. Let’s figure out how can we do the things to secure our border, fix the asylum system while still respecting its history, and treat people like human beings? Let’s give the American people what they want, because they don’t want what I hear a lot of these hearings that we have, which is just the back and forth. “You are one of those, and you are one of those,” and blah, blah, blah. Let’s work together and let’s actually make the world a better place to live in.

So I am sorry that I did all the talking and didn’t ask any questions. But I appreciate your service, all of you, for spending the time, not only today but, you know, devoting your lives to these public policy issues and helping to educate. I took the time to read your testimony, and I am grateful to you for the work that you have all done. Let’s work together and make things better.

I yield back, Mr. Chairman.

Mr. PFLUGER. Thank you, Mr. Suozzi.

Mr. D’Esposito, you are recognized, sir, for 5 minutes.

Mr. D’ESPOSITO. Thank you, Mr. Chairman. Thank you all for being here this morning.

Homeland Security stated in their 2024 homeland threat assessment that, “Terrorists and criminal actors may exploit the elevated flow an increasingly complex security environment to enter the United States.” So let me put it another way, the Biden-Harris administration failed border policies have without a doubt caused a crisis at our Southern Border that allows, unfortunately, terrorists and criminals to slip into our Nation and wreak havoc on American streets.

From fiscal year 2021 to date, 378 individuals whose names appear on the known terror watch list were stopped trying to cross our Southern Border illegally. These are just the ones that we know about. Just 24 hours ago, we had a hearing in this room where a former chief of the Border Patrol, I asked him how much information do we have on the millions of known gotaways that have entered this country. His answer: Zero. We have zero information on millions of people who have crossed into this country illegally. We don’t know where they are. We don’t know what they are doing. We don’t know who they are associating with, and we don’t know what they want to do to this country. You would honestly have to be blind not to see the crisis that we are experiencing as a Nation and the danger that this administration is putting every American in, and it is absolutely unacceptable.

Mr. Healy, in your testimony, you stated, “In my experience, the numbers matter.” I agree they do. Quote: 19 al-Qaeda terrorists on 4 commercial jetliners fundamentally altered our world, forever changing our mindset in the aftermath of 9/11. In this landscape a single terrorist act has the potential to impact millions of lives.

Just last week, we commemorated the 23rd anniversary of the September 11 attacks. Communities that I represent on Long Is-

land in New York lost hundreds of individuals that day. Unfortunately, we continue to lose people related to 9/11 illness. Both the NYPD and the FDNY, the numbers have nearly doubled of those that have died since 9/11 than on the actual day.

When you hear some of the numbers that I mentioned related to our border, what are your initial thoughts?

Mr. HEALY. Extreme concern, and it is outrageous because we didn't have to get here. This was preventable. This was preventable.

Mr. D'ESPOSITO. What sort of threats do numbers like this pose to the United States of America?

Mr. HEALY. An unknown—a known or suspected terrorist, unknown to the FBI entering into the United States is a threat beyond I can comprehend. I—when you talk about 1 or 2, it doesn't matter. The issue is, is that when you have 1, that 1 everybody knows about, and the fear and possibilities of what they can do is incredible.

Mr. D'ESPOSITO. Mr. Healy, you use the word you pretty much can't comprehend it, and that is coming from someone who has spent his entire adult life in this world, in this business, protecting the United States of America.

Would you agree that the large number of known gotaways, along the large number of individuals on the terrorist watch list trying to enter our Nation poses a threat to every State, every city, and every community in this country?

Mr. HEALY. Absolutely, absolutely 100 percent.

Mr. D'ESPOSITO. Would you say that it poses an even bigger threat to people who live in communities like the surrounding communities or right in New York City, especially those with sanctuary city laws that incentivize people to come to their city?

Mr. HEALY. I think it is a problem throughout our country right now, period.

Mr. D'ESPOSITO. With that, Mr. Chairman, my time has almost expired.

Mr. HIGGINS [presiding]. Will the gentleman yield the balance of his time to the Chair?

Mr. D'ESPOSITO. Absolutely.

Mr. HIGGINS. Mr. Nowrasteh commented regarding possession for hiring and Border Patrol. Are you familiar with the number of positions that are currently open because of morale and change of mission the Biden administration, Secretary Mayorkas has been unable to fill? They can't get people to go work for that man. Are you aware? I could give you 100,000 more agents, but if you can't hire 100 air and marine agents, 1,300 CBP officers, and 1,700 Border Patrol agents—these are positions open right now. For years, they can't fill these slots. So, go ahead, I will give permission to hire 100,000 more; you can't fill these slots.

The gentleman's time has expired.

Mr. Brecheen is recognized for 5 minutes of questioning.

Mr. BRECHEEN. Thank you, Mr. Chairman.

I—2 different times, 2 different days in a row, Congressman Tom Suozzi from New York has said some things, and I am excited where he is coming from in terms of him talking about the need to secure the border. I told him privately yesterday; I caught him

on the floor. He is a Democrat; I am a Republican. I said, thank you. Because I see—he represents New York. He just came through an election, and his constituency, just like Mr. D’Esposito, who also is a Republican represents New York. My assumption is the reason why he is having these positions is he just went through a campaign, and he is hearing from enough New Yorkers who experienced 9/11 who are saying to him, “This position that the Democrat Party has, you can’t—you will not get elected if you don’t see my concern.” The average American knows we are danger because of policies that are not securing our border is. It reminds me how we have changed in the last 10 or 15 years when we had United States Senator Joe Biden say, “The reason I believe in physical barriers,” in 2006, “is because of the drugs that they are shipping between the ports of entries,” and then he gets elected President and says “not another foot” and shuts down Congressionally-authorized, Congressionally-voted-upon, signed-into-law 200 miles of border wall construction. What is happening?

It reminds me of the story of the husband and wife driving down the road sitting on 2 opposite sides of the vehicle, seeing this 16-year-old couple maybe coming past them on the highway, and they are sitting together, maybe holding hands. The wife looks over at the husband and says, “Sweetie, why don’t we sit like that together anymore,” and he looks at her on the opposite end of vehicle and says, “Well, I didn’t go anywhere.”

I am astounded that there are organizations that are advocating such amazing ideologies that say we don’t need to have a secure border with physical barriers when the current President said that as a United States Senator when Barack Obama had a 100-mile of border wall built. When you have, in the course of an administration 3½ years, this administration, 250—I am sorry—north of 350 people on the terrorist watch list that have come into this country, 100 of which they did not catch and release them because there are so many people coming across the Southern Border; we don’t have the ability to vet them. One hundred people released into this country on the terrorist watch list. In the entirety of Trump’s time, you only had 15 or less in 4 years. I mention that, Mr. Healy—you said a while ago you had a 20-plus year career with the FBI, and you were involved with the Terrorist Screening Center. You helped build that. So I am going to ask you a question. Have you seen, because Director Wray under the Biden administration said he has never—we are at a whole ’nother level of threat. That is under this administration. I commended him a few weeks ago, months ago saying, “Thank you for at least sharing,” because he works with us under this administration. He has been courageous enough to step up his game and say, “This is a threat because of what is happening.” Have you ever seen this heightened threat level in 30 years in working for the FBI that we are today because of insane policies?

Mr. HEALY. Never, never.

Mr. BRECHEEN. So, to the gentlemen, I wrote it down, Mr. Nowrasteh from the Cato Institute. Thank you, this long down the line in the order of those who have get a chance to speak, I have heard you pronounce it a number of times this morning. Look, I have read some Cato things that I like. There are times in the past

before I started watching you all on your border positions; I was a fan at times of Cato positions. I am astounded where Cato is trying to take this narrative. Why have you all moved so far to the position that you are at where you don't see that the woman yesterday, daughter raped, was before this committee. Rape after rape, after murder after murder, and we don't understand we have to do all the above to secure that Southern Border. To what Trump is talking about, there are criminals being released. If you are a country and you want to get rid of a criminal population, "Go north, young man, go north," is the mantra coming from many of these countries, and we are—the policies that are allowing this. Do you think we are safer than we were 3 years ago?

Mr. NOWRASTEH. There has never been a terrorist attack committed by an illegal immigrant who entered illegally on U.S. soil in U.S. history. It has not happened. I think I you should focus on real threats that have actually manifested—

Mr. BRECHEEN. Can I interrupt you? You say it is never happened. You say it is never happened.

Mr. NOWRASTEH. Yes—

Mr. BRECHEEN. What will you say when Director Wray is proved right, and this threat has never happened, and it does happen?

Mr. NOWRASTEH. I have a long list, 50 pages of predictions made about fear of terrorism happening made going back decades, all of them have turned out to be wrong. I am sick and tired of this threat hyperinflation—

Mr. BRECHEEN. I am going to wrap up, Mr. Chairman. Let me ask this, if it was a family member of yours that was raped and murdered or murdered by Tren de Aragua, would that statement be different? Would you say it's never happened?

Mr. NOWRASTEH. We should focus 100 percent of our resources on security threats. We should take Border Patrol away from trying to stop workers trying to come in. We should legalize the flow of labor so we can focus on these. Of course, there are individuals who—

Mr. BRECHEEN. I yield, Mr. Chairman.

Mr. NOWRASTEH [continuing]. Are illegal immigrants. They should be punished, removed, incarcerated, and stopped, and we should focus on them?

Mr. HIGGINS. The gentleman yields. I will let the witness finish because he is sick and tired.

All right. Fascinating interactions here today, both sides of the aisle. What you have participated in today, ladies and gentlemen, and what America has witnessed is silent American men and women on both sides of the aisle are grappling with this issue. Clearly what is happening is injurious to our country at the Southern Border by any measure, less of a measure from one witness, more of a measure from another. It is our job to determine, what can we do to work together to mitigate against injury to our country. So I appreciate the Ranking Members of both subcommittees joining us today. I appreciate the staff that have worked to assemble this and the panelists because, ultimately, regardless of our political affiliation, we are Americans, and we love and respect each other, and we are dedicated to serve our country.

So I thank the witnesses for the valuable testimony and the Members for their questions.

The Members of the subcommittee may have some additional questions for the witnesses, and we would ask that the witnesses respond to these in writing. Pursuant to committee rule VII(D), the hearing record will be held open for 10 days.

Without objection, this hearing stands adjourned.

[Whereupon, at 12:01 p.m., the subcommittees were adjourned.]

