

United States Senate

WASHINGTON, DC 20510-0908

July 24, 2024

The Honorable Alejandro Mayorkas
Secretary
U.S. Department of Homeland Security
2707 Martin Luther King Jr. Avenue SE
Washington, D.C. 20528-0525

Dear Secretary Mayorkas:

On May 27, 2024, the Government of Canada announced its intent to increase the number of Gazans who will be allowed into their country under temporary special measures. We are deeply concerned and request heightened scrutiny by the U.S. Department of Homeland Security should any of them attempt to enter the United States at ports of entry as well as between ports of entry.

Canada's measures to apply for a temporary resident visa (TRV) will reportedly be offered to Palestinians living in the Palestinian Territories.¹ Currently, once the foreign national is granted entry by Canada via a TRV, they are given a "Refugee Travel Document," which replaces their origin-country passport while they apply for Canadian citizenship and wait to receive a Canadian passport.² After arriving in Canada and being issued this travel document, Palestinians can then travel outside Canada since the Refugee Travel Document becomes a valid form of identification, which is recognized in 146 countries for the purposes of filling out paperwork and applying for visas. For example, the U.S. Citizenship and Immigration Services (USCIS) accepts a Refugee Travel Document as a valid form of documentation for traveling purposes in place of a passport. However, with little to no reliable records or background checks of these individuals from the Palestinian Territories, these policies unlock opportunities for individuals with ties to terrorist groups to enter Canada, receive new forms of identification, and then try to enter the U.S. along the porous north border.

Irrespective of Canada's immigration policies, the U.S. should not waive common-sense terrorist screening and vetting for any individual entering the U.S. through other countries. While the Biden Administration claims that all foreign nationals are inspected pursuant to the Immigration and Nationality Act, this administration's lax border enforcement is increasingly apparent, as terrorists and known criminals continue to stream across U.S. land borders, including from Canada. Unfortunately, so far in FY24, U.S. Customs and Border Protection's Office of Field Operations has encountered more than 233 suspected terrorists at our northern border, with many more likely going undetected. This is already higher than totals in previous years.³

¹ <https://www.canada.ca/en/immigration-refugees-citizenship/services/israel-west-bank-gaza-2023/gaza-tr-measures.html>

² <https://ccrweb.ca/en/travel-outside-canada-refugees>

³ <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics>

As such, the possibility of terrorists crossing the U.S.-Canada border is deeply concerning given the deep penetration of Gazan society by Hamas. It would be irresponsible for the U.S. to not take necessary heightened precautions when foreigners attempt to enter the United States. Further, we urge you to coordinate with the U.S. Department of State to ensure that the U.S. is informed by the Government of Canada if particularly high-risk individuals are allowed to enter Canada from Gaza, and request answers to the following questions by August 8, 2024:

- When a Palestinian national, or Canadian TRV holder, attempts to enter and/or claim asylum at a U.S. port of entry, what is the U.S. Department of Homeland Security's protocol to either permit or deny their entry?
- Have there been instances of Palestinian nationals entering the United States through our southern and/or northern borders? If so, how many have been released into the U.S. despite the U.S. not accepting Gazan refugees? How many have been denied entry? For those that are denied, what is the process for removal?
- If a Gazan claims asylum at the southern or northern border, under what circumstance would the Department of Homeland Security release the individual into the U.S.? Have Gazans been permitted entry into the country via the southern or northern border? If so, how many and under what status?

Thank you for your attention to this important matter.

Sincerely,



Marco Rubio
U.S. Senator



Tom Cotton
U.S. Senator



Ted Cruz
U.S. Senator



Mike Braun
U.S. Senator



Joni Ernst
U.S. Senator



Josh Hawley
U.S. Senator