

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515-0603**

July 26, 2022

The Honorable Alejandro Mayorkas  
Secretary  
U.S. Department of Homeland Security  
245 Murray Lane, SW  
Washington, D.C. 20528

The Honorable Antony J. Blinken  
Secretary  
U.S. Department of State  
2201 C Street NW  
Washington, D.C. 20520

Dear Secretaries Mayorkas and Blinken:

We write to express our grave concern regarding the Biden regime's decision to utilize 8 U.S.C. 1182(d)(3)(B)(i)<sup>1</sup>, a narrow exemption in immigration law, to excuse certain foreign nationals from terrorism related grounds of inadmissibility (TRIG). The Immigration and Nationality Act explicitly renders inadmissible any alien who has engaged in terrorist activity, to include the provision of financial assistance and other forms of support for terrorism;<sup>2</sup> however, with wanton disregard for US national security interests, this regime has utilized a small exemption to provide a reprieve to untold numbers of foreign nationals who have had various levels of affiliation with known terrorist organizations.

As written, this notice may apply to affiliates of any number of foreign terrorist organizations (FTOs), including ISIS, Al-Qaeda, Hezbollah, and even the Islamic Revolutionary Guard Corps (IRGC).<sup>3</sup> In the case of IRGC conscripts, provided that those conscripts received military training prior to April 15, 2019 – the date in which the Trump Administration designated the IRGC as an FTO – there is no reason why they would be inadmissible on the basis of that military training. Indeed, this public notice even appears to make IRGC conscripts eligible for immigration relief if those conscripts received other forms of training aside from military, to include financial and intelligence training, *following* the IRGC's 2019 FTO designation.<sup>4</sup> Quite frankly, the United States does not need an outpost of Iran's gangster Islamist theocracy within our borders.

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<sup>1</sup> Mayorkas, A. N., & Blinken, A. J. (2022, June 23). *Exercise of Authority Under Section 212(d)(3)(B)(i) of the Immigration and Nationality Act*. Federal Register. Retrieved July 5, 2022, from <https://www.federalregister.gov/documents/2022/06/23/2022-13472/exercise-of-authority-under-section-212d3bi-of-the-immigration-and-nationality-act>

<sup>2</sup> Section 212(a)(3)(B) of the Immigration and Nationality Act of 1965

<sup>3</sup> Kliegman, A. (n.d.). *Biden to allow some migrants with terrorist ties into country, raising security concerns*. Just The News. Retrieved July 5, 2022, from <https://justthenews.com/government/security/why-terrorists-will-now-have-easier-time-entering-us-legally>

<sup>4</sup> Noronha, G. (2022, June 30). *Iranian Terrorism Concerns Surround New Biden Immigration Regulation*. The Jewish Institute for National Security of America (JINSA). Retrieved July 5, 2022, from [https://jinsa.org/wp-content/uploads/2022/06/JINSA\\_20220630\\_FTO\\_v1-2-1.pdf](https://jinsa.org/wp-content/uploads/2022/06/JINSA_20220630_FTO_v1-2-1.pdf)

Since January 20, 2021, the State Department has stopped at nothing to enter into a nuclear agreement with the Islamic Republic of Iran, a State Sponsor of Terrorism. True to form, the Iranians have insisted on our Government's willingness to de-list the IRGC as a foreign terrorist organization. As an overwhelming bipartisan coalition of Republican and Democrat senators have rejected the Biden regime's efforts to de-list the IRGC,<sup>5</sup> this public notice appears to be a way to circumvent the will of the American people in service of a nuclear deal that no one outside of Washington, D.C. believes is a good idea.

The vague, non-descript nature of this public notice provides zero clarity to the American people as to the policy objective the Biden regime is hoping to achieve. As a result, we request answers to the following inquiries by **August 4, 2022**:

1). The public notice provides potential relief to individuals – regardless of nationality – who have provided terrorist organizations with “insignificant material support,” “routine commercial interactions,” “certain humanitarian assistance,” and “substantial pressure that does not rise to the level of duress.”<sup>6</sup> This provides career bureaucrats with broad discretion over who may be admissible or inadmissible into the United States. Pursuant to our constitutional oversight responsibilities, we request copies of any field guidance, policy manual updates, training materials, and all other documents related to the implementation of this notice.

2). Given that elements of the Iranian Revolutionary Guard Corps (IRGC) could benefit from the public notice in its current iteration, was this public notice drafted to incentivize the Iranian regime to continue nuclear negotiations in Vienna? To this point, we request copies of any and all records, including reviews, reports, memoranda, or emails (including from personal email accounts), regarding this public notice and the ongoing Iranian nuclear negotiations from the following individuals:

- a). Secretary Mayorkas
- b). Secretary Blinken
- c). Special Envoy for Iran Robert Malley

3). Is it possible that a conscript or affiliate of the Iranian Revolutionary Guard Corps may be granted admission into the United States as the public notice is currently written? If not, please cite a specific provision in the notice that would forestall any such scenario.

4). Is there any willingness on the part of the government to edit the notice and pare down the enormous flexibility this latest action gives to career bureaucrats as to whether to admit those with ties to terrorist organizations or terrorist activity? Better still, would this regime be willing to rescind this sorely misguided and harmful public notice?

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<sup>5</sup> Samuels, B. (2022, May 5). *U.S. Senate passes non-binding motion barring Biden from removing IRGC as Terror Group*. Haaretz.com. Retrieved July 5, 2022, from <https://www.haaretz.com/us-news/2022-05-05/ty-article/premium/u-s-senate-passes-non-binding-motion-barring-biden-from-moving-irgc-off-terror-list/00000180-9e49-d9e1-a9c0-bf5d283b0000>

<sup>6</sup> See footnote 3, *Biden to allow some migrants with terrorist ties into country, raising security concerns*.

Americans have endured a dearth of leadership for a year and a half. This bumbling, incompetent regime has subjected the citizens of this great country to trial after trial. In Fiscal Year 2022 alone, border encounters have exceeded 1.5 million<sup>7</sup> – and that’s just through May 31<sup>st</sup>. We’ve seen 50 arrests of illegal aliens on the Terrorist Screening Database, and more will surely come to this country because of this disingenuous public notice. This regime is failing in its most essential obligation; the safety and security of the American people is not a bargaining chip with which to advance your totalitarian leftist notions.

Your cooperation in facilitating answers to these inquiries is appreciated and expected.

Sincerely,



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Lauren Boebert  
Member of Congress



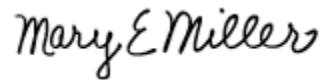
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Andy Biggs  
Member of Congress



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Paul A. Gosar, D.D.S.  
Member of Congress



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Mary E. Miller  
Member of Congress



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Louie Gohmert  
Member of Congress



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Troy E. Nehls  
Member of Congress

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<sup>7</sup> *Southwest Land Border Encounters*. U.S. Customs and Border Protection. (n.d.). Retrieved July 6, 2022, from [https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters?language\\_content\\_entity=en](https://www.cbp.gov/newsroom/stats/southwest-land-border-encounters?language_content_entity=en)



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Scott Perry  
Member of Congress



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Clay Higgins  
Member of Congress



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W. Gregory Steube  
Member of Congress



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Lance Gooden  
Member of Congress



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Ralph Norman  
Member of Congress