September 20, 2023

The Honorable Alejandro N. Mayorkas
Secretary of Homeland Security
2707 Martin Luther King Jr. Ave SE
Washington, D.C. 20529

Dear Secretary Mayorkas,

We write to you with concern that over 18,000 Chinese nationals have illegally crossed the southern border in Fiscal Year 2023[1], with some of these individuals having ties to the Chinese Communist Party (CCP)'s People's Liberation Army (PLA).[2] July set the record for nationwide encounters with Chinese nationals with just over 6,100. 94.8 percent of Chinese national encounters in FY23 have been single adults. This trend poses a significant threat to our national security and warrants immediate attention and action from the Department of Homeland Security (DHS).

Furthermore, it is our understanding that not a single one of these individuals encountered has been detained for any length of time but rather benefitted from this administration's policy of catch and release. CBP is releasing busloads of these individuals into the U.S. interior.[3]

According to testimony by John A. Cassara before the House Committee on Financial Services Subcommittee on National Security, Illicit Finance, and International Financial Institutions in March 2023, "Chinese organized crime groups increasingly traffic in international markets… China is a major source of NPS and other synthetic drugs, including fentanyl and methamphetamine that are flooding into the U.S., Canada, and increasingly other Western countries."[4]

Equally concerning, Chinese nationals crossing the border may include individuals who could engage in espionage activities or cyber-attacks against our critical infrastructure, government agencies, or private sector entities. There have been numerous documented instances of Chinese nationals, at the direction of the CCP, engaging in espionage, stealing military and economic secrets.[5]

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[1] https://www.cbp.gov/newsroom/stats/nationwide-encounters

[2] https://homeland.house.gov/2023/06/22/chairman-green-on-fox-news-secretary-mayorkas-is-using-the-cbp-one-app-to-mask-the-real-crisis-at-the-border/

[3] https://www.foxnews.com/politics/fox-footage-shows-release-chinese-nationals-us-amid-massive-spike-encounters

[4] https://www.congress.gov/118/meeting/house/115542/witnesses/HHRG-118-BA10-Wstate-CassaraJ-20230323.pdf

[5] https://www.fairus.org/blog/2023/06/22/ccp-killing-americans-and-laundering-profits-our-help

I urge the Department of Homeland Security to take immediate steps to address these pressing issues. Furthermore, we request answers to the following questions regarding these issues by October 11, 2023:

- How does Customs and Border Protection identify the nationality of those from China and whether or not they have ties to the CCP or PLA?
- What occurs when an individual is found to have ties to the CCP or PLA?
- Have any individuals identified as Chinese nationals have been found to be in possession of illegal drugs?
- Has CBP identified any instances of Chinese nationals apprehended at the border being suspected of intending to engage in foreign espionage?
- Has CBP identified any Chinese nationals apprehended at the border who are on the Terrorist Screening Database?
- Where have Chinese nationals apprehended at the border been released into the United States?
- How does DHS determine where to release these individuals?
- How many Chinese nationals has the department released into the U.S.?
- How does DHS monitor those nationals released into the country?
- How many Chinese nationals have been removed to China each year for the last five years?
- How many Chinese nationals has China refused to accept?
- What actions have you taken to address this growing threat, including talks or negotiations with China and Mexico?

Sincerely,

Roger Marshall, M.D.
United States Senator

Mike Braun
United States Senator

Pete Ricketts
United States Senator

Marco Rubio
United States Senator

Thom Tillis
United States Senator