

KATIE PORTER
47TH DISTRICT, CALIFORNIA

COMMITTEE ON NATURAL RESOURCES
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SUBCOMMITTEE ON NATIONAL SECURITY, THE
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June 27, 2023

The Honorable Joe Biden
The White House
600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Biden:

I write to express my deep concern with disparity in the Federal Bureau of Investigation's terrorism watchlist, which contains the names of individuals it suspects to be complicit in terrorist activities. This month, the Council on American-Islamic Relations (CAIR) released an analysis of a 2019 leaked version of the watchlist. Of the 1.5 million individuals listed, CAIR estimates that 98 percent of the names are in reference to Muslims.¹

According to the FBI's website, "no one can be added to the watchlist based on: race, ethnicity, religion, beliefs or activities protected by the First Amendment, [or] guesses or hunches."² To uphold this commitment, your Administration must take all necessary steps to prevent the watchlist from being managed or applied in a way that disproportionately harms Muslims.

Before becoming President, you committed to the American people that you would review "'watchlist' and 'no-fly list' processes to ensure that they do not have an adverse impact on individuals or groups based on national origin, race, religion or ethnicity, and improve the process to remove names, when justified, from these lists."³ Today, I ask for a status report on this commitment and answers to the following questions:

¹Joseph Stepansky, "'Reeks of profiling': US 'no-fly' list appears to target Muslims," *Al Jazeera*, June 21, 2023, <https://www.aljazeera.com/news/2023/6/21/reeks-of-profiling-us-no-fly-list-appears-to-target-muslims>.

²"Terrorist Screening Center," *Federal Bureau of Investigation*, <https://www.fbi.gov/investigate/terrorism/tsc>.

³"Biden's Plan to Roll Back Discriminatory Counterterrorism Policies," Brennan Center for Justice, September 30, 2020, <https://www.brennancenter.org/our-work/analysis-opinion/bidens-plan-roll-back-discriminatory-counterterrorism-policies>.

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1. Since you became President, what changes has the FBI made to the management and application of the watchlist to prevent the disproportionate listing of Muslims, including disproportionate listing of people of Arab and South Asian race and nationality?
2. What improvements has the FBI made during your Administration to the process to remove individuals from the watchlist when justified?
3. How many names have been removed from the watchlist pursuant to the review you promised the American people? How many total names have been removed since your Administration began?
4. According to the FBI's website, auditors "ensure all laws and policies are being followed and that the information on the watchlist is accurate."⁴ What processes, audits, and other measures have been used in the management and application of the watchlist to address the disproportionate listing of Muslims, including the disproportionate number of people on the list of Arab and South Asian race and nationality?

Please provide a response to this letter by July 15, 2023. Thank you for your time and attention and I look forward to hearing from you.

Sincerely,



Katie Porter
Member of Congress

cc: The Honorable Merrick Garland
The Honorable Christopher Wray

⁴ "Terrorist Screening Center," *Federal Bureau of Investigation*, <https://www.fbi.gov/investigate/terrorism/tsc>.