

Congress of the United States
Washington, DC 20515

June 27, 2019

The Honorable Mike Pompeo
U.S. Department of State
2201 C Street N.W.
Washington, D.C., 20520

Dear Mr. Secretary:

We write to request information about the dissemination of data from the Terrorist Screening Database (TSDB), also known as the terrorist watchlist, to foreign countries through information sharing agreements facilitated by the Department of State.

Homeland Security Presidential Directive-6 (HSPD-6), issued September 16, 2003, directs the executive branch's many agencies to work in concert to disseminate watchlist information to foreign governments. In response, the federal government has not only given dozens of foreign governments access to watchlist information but also has acknowledged that the United States places individuals on the watchlist at the request of foreign governments. It is significant to note that the evidentiary standard for being placed on the TSDB is very low: the government need only have "reasonable suspicion" that someone is involved in terrorism, which is not enough to charge someone with a crime. It is also significant that individuals added to the TSDB are not informed of their placement, and have suffered preventable harms as a result.

It is our understanding that the TSDB is shared with over 60 foreign countries. In addition to the 38 Visa Waiver countries, the State Department has disclosed information sharing agreements with Slovenia and Albania; India has trumpeted having a similar arrangement with the United States; and the State Department has issued reports suggesting Brazil, Mexico, Ghana, Kenya, Mali, Niger, Nigeria, Tunisia, and Israel also have some sort of information sharing arrangements.

In our oversight role as Members of Congress, we are entitled to information as to which countries receive this sensitive and classified information about American citizens, many of whom have never been charged, arrested, or convicted of a crime.

We are also extremely concerned that the federal government is sharing watchlist information with countries with dubious human rights records, including Saudi Arabia and China. An FBI official has acknowledged in sworn testimony that it has never stopped disseminating watchlist information to a foreign government as a result of that government's human rights abuses. Giving the same people who violently murdered Jamal Khashoggi access to the watchlist puts lives in danger. We have also received credible reports that Uyghur activists have been added to the watchlist at the behest of the Chinese government. It is unacceptable for U.S. resources to contribute to the brutal repression of political dissidents abroad.

The FBI has also acknowledged in sworn testimony that it takes no responsibility for, nor does it oversee, how foreign governments actually use U.S. watchlist information. We are concerned that appropriate accountability and oversight measures for monitoring how foreign partners use and share watchlist information do not exist.

Given these concerns, we request that you provide us with the following information no more than 90 days after receipt of this letter:

- A list of all countries that receive TSDB data, including any subset of data from the TSDB
- A list of all countries that have successfully petitioned to add individuals to the TSDB
- Copies of any agreements signed with foreign countries to grant access to the TSDB
- The individuals or entities who have primary responsibility for ensuring that foreign partners abide by any agreement governing the sharing of information
- Whether any standards exist for determining whether the United States should agree to share TSDB information to a foreign partner, and if so, what those standards are.
- To what extent, if any, the United States considers a country's human rights record in determining whether to share TSDB information with that country.
- Whether any standards or procedures exist to remove TSDB access to a country that has been granted that access.

Sincerely,



Ilhan Omar
Member of Congress



Ayanna Pressley
Member of Congress



Tim Ryan
Member of Congress



Earl Blumenauer
Member of Congress



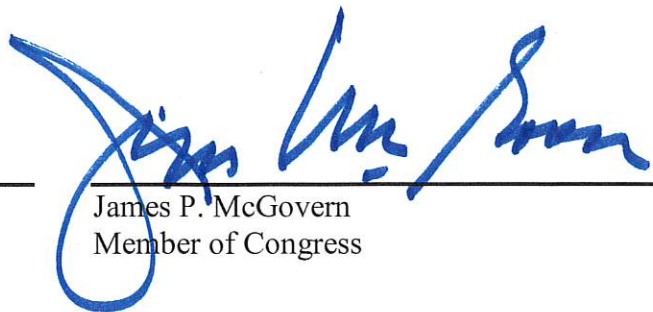
Jared Huffman
Member of Congress



Mark Pocan
Member of Congress



Rashida Tlaib
Member of Congress



James P. McGovern
Member of Congress



Al Green
Member of Congress



Jesús G. "Chuy" García
Member of Congress



Jan Schakowsky
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