

Congress of the United States
Washington, DC 20515

June 15, 2023

The Honorable Alejandro Mayorkas
Secretary of Homeland Security
U.S. Department of Homeland Security
300 7th Street SW
Washington, D.C. 20024

CC: Secretary of State Antony Blinken, Director of National Intelligence Avril Haines

Dear Secretary Mayorkas:

We write to you to express our disappointment with the lack of enforcement of passenger vetting requirements for Chilean nationals seeking entry into the U.S. through the Department of State's (DOS) Visa Waiver Program (VWP). Chile is currently the only South American country participating in the program. Countries that participate in the VWP must execute a Memorandum of Understanding (MOU) with the U.S. in which they agree to share background information of applicants, including warrants and criminal histories. The Chilean government has failed to meet these requirements and properly vet individuals coming to the U.S., especially given the steep rise in commercial and residential burglaries and increase in arrests of Chilean nationals who are members of South American Theft Groups in Orange County, CA¹. South American Theft Groups are elaborate operations in the U.S. that burglarize homes and engage in organized retail crime. SATGs sell stolen goods online and launder money through Chinese crime syndicates. We believe that these activities pose a direct threat to our national security.

The statute authorizing the VWP allows for the Secretary of Homeland Security to designate a country or area of concern, in consultation with the Secretary of State and the Director of National Intelligence. Such designation would affect a country's eligibility for participation in the VWP. Given the immediate threat to public safety posed by Chilean members of SATGs traveling freely into the United States, we urge you to immediately consider this designation and communicate with Chilean authorities that noncompliance with passenger vetting requirements will result in Chile's termination from the VWP. We request a written response from you by July 1, 2023, and that you also send your response to the House Committee on the Judiciary.

¹ <https://orangecountyda.org/press/orange-county-district-attorney-law-enforcement-officials-announce-more-than-140-defendants-charged-in-last-year-with-committing-o-c-home-invasion-robberies-and-burglaries-commercial-burglaries-an/>

Sincerely,

A handwritten signature in blue ink, appearing to read 'Y Kim', written over a horizontal line.

Young Kim
Member of Congress

A handwritten signature in blue ink, appearing to read 'J. Luis Correa', written over a horizontal line.

J. Luis Correa
Member of Congress

A handwritten signature in blue ink, appearing to read 'Mike Levin', written over a horizontal line.

Mike Levin
Member of Congress