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# United States Senate

October 27, 2022

COMMITTEES  
ARMED SERVICES  
AGRICULTURE, NUTRITION  
AND FORESTRY  
ENVIRONMENT  
AND PUBLIC WORKS  
SMALL BUSINESS  
AND ENTREPRENEURSHIP

The Honorable Alejandro Mayorkas  
Secretary  
United States Department of Homeland Security  
3801 Nebraska Avenue NW  
Washington, D.C. 20016

Dear Secretary Mayorkas:

Last month, the Department of Homeland Security (DHS) Office of Inspector General (OIG) released a report detailing DHS' failures with respect to screening and vetting Afghan evacuees arriving in the United States as part of Operation Allies Refuge/Operations Allies Welcome.<sup>1</sup>

Alarming, the report found DHS did a wholly inadequate job to properly screen, vet, or inspect thousands of evacuees. According to the OIG, "DHS may have admitted or paroled individuals into the United States who pose a risk to national security and the safety of local communities."<sup>2</sup> The disturbing nature of this statement is compounded by the Department's failure to take any action to remedy the situation.

This is unacceptable. The mission of your Department is public security. DHS must rectify the situation immediately.

According to the OIG's findings, DHS lacked "critical data to properly screen, vet and inspect" Afghan evacuees after the Taliban takeover of Afghanistan in August 2021.<sup>3</sup> Consequently, the OIG found that U.S. Customs and Border Protection (CBP) admitted or paroled evacuees who were not fully vetted into the United States. From July 2021 to January 2022, the United States welcomed more than 79,000 Afghan evacuees after our military withdrawal from Afghanistan.<sup>4</sup> According to DHS data, the Biden Administration granted parole to almost 72,550 of those evacuees.<sup>5</sup>

The 34-page report highlights glaring deficiencies in the Department's screening and vetting processes, leaving our country vulnerable to potential threats. Specifically, CBP admitted or paroled evacuees who had questionable names and dates of birth (DOB).<sup>6</sup> As part of its review, OIG found missing, incomplete, or inaccurate names, travel document numbers and types, DOBs, and visa data related to Afghan evacuees in CBP's principal screening system. These inaccuracies include 417 records with first name unknown, 242 records with last name unknown, and 11,110 records that had a DOB as January 1.<sup>7</sup> The report also concluded that CBP allowed 35 Afghan evacuees to board a flight to the United States even though they had not received a

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<sup>1</sup> U.S. Department of Homeland Security Office of Inspector Gen., DHS Encountered Obstacles to Screen, Vet, and Inspect All Evacuees during the Recent Afghanistan Crisis, 8 OIG-22-64 (Sep. 6, 2022).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> *Id.* at 4.

<sup>5</sup> *Id.*

<sup>6</sup> *Id.* at 9.

<sup>7</sup> *Id.*

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green status to clear them for travel.<sup>8</sup> CBP later asserted these 35 evacuees received green status when they arrived, but this failure to adhere to U.S. vetting procedures and guidelines is intolerable.

CBP also paroled an evacuee into the U.S. who had been recently liberated from prison in Afghanistan by the Taliban.<sup>9</sup> This individual cleared lily pad screening and vetting processes.<sup>10</sup> At the U.S. Port of Entry, CBP officers identified derogatory information during the primary inspection.<sup>11</sup> However, the individual was still paroled *into* our country without a secondary inspection.<sup>12</sup> Approximately three weeks after this evacuee's parole, the FBI obtained the derogatory information, and subsequently, ICE removed the individual from the United States.<sup>13</sup>

Following the review, OIG recommended the CBP Commissioner “immediately identify evacuees from Afghanistan who are in the United States and provide evidence of full screening and vetting based on confirmed identification—especially for those who did not have documentation” and “ensure recurrent vetting processes established for all paroled evacuees are carried out for the duration of their parole period.”<sup>14</sup> Furthermore, the Inspector General recommended that DHS should “develop a comprehensive contingency plan to support similar emergency situations in the future and account for, screen, vet, and inspect all individuals during unprecedented events when limited biographic data is available.”<sup>15</sup> The Department has to date not heeded these recommendations. DHS must change course; the security of our communities demands it.

As you know, I've been very supportive of the resettlement of Afghans who fought on the frontlines alongside U.S. soldiers and aided our military's efforts in country. Their sacrifices do not go unnoticed. That is evidenced by my sponsorship of the Afghan Allies Protection Act of 2021, which increased the number of Special Immigrant Visas (SIV) for Afghans to 8,000 and broadened the eligibility of Afghans eligible to receive those visas.<sup>16</sup>

What the administration did by allowing thousands of unknown, unvetted, and unchecked Afghan evacuees—some who are a national security threat—into the interior of our country is wholly different. It is an injustice not only to the American people, but also to those Afghan allies who fought alongside our soldiers, for DHS to continually fail to properly screen and vet evacuees from a Taliban-controlled Afghanistan. I expect a detailed response to the following questions:

1. Given that the status quo is unacceptable, what is DHS' plan to:
  - a. Immediately identify and fully screen and vet all Afghan evacuees within the United States; and

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<sup>8</sup> *Id.* at 11.

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

<sup>14</sup> *Id.* at 14.

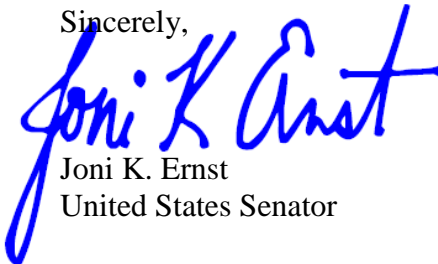
<sup>15</sup> *Id.*

<sup>16</sup> Emergency Security Supplemental Appropriations Act, Pub. L. No. 177-31 (2021).

- b. Implement OIG's recommendations to prepare for future humanitarian events?
2. While DHS has dismissed the findings of the OIG report, have you identified weaknesses within your Department that can be remedied to improve future screening and vetting processes?
3. CBP's latest reports show there have been 78 encounters with individuals on the Terrorist Screening Dataset (TSDS)—also known as the “watchlist.”<sup>17</sup> Are any of the apprehended terrorists affiliated with al-Qaeda or the Taliban?

Thank you for your prompt attention to this matter. I look forward to hearing from you by November 28, 2022, about how you plan to uphold DHS' mission to protect the security of the United States and remedy the situation your Department's created by importing and giving parole status to individuals posing a threat to the national security of this country.

Sincerely,



Joni K. Ernst  
United States Senator

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<sup>17</sup> CBP Enforcement Statistics Fiscal Year 2022, U.S. CUSTOMS AND BORDER PROTECTION, <https://www.cbp.gov/newsroom/stats/cbp-enforcement-statistics>.