

# United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

August 31, 2021

## **VIA ELECTRONIC SUBMISSION**

The Honorable Alejandro Mayorkas  
Secretary  
U.S. Department of Homeland Security

The Honorable Antony J. Blinken  
Secretary  
U.S. Department of State

The Honorable Lloyd J. Austin III  
Secretary  
U.S. Department of Defense

Dear Secretaries Mayorkas, Blinken, and Austin:

As you well know, the United States recently concluded a complex withdrawal of military forces, American citizens, Afghan Special Immigrant Visa (SIV) applicants, and other individuals from Afghanistan. I appreciate the work that our military, Department of Defense personnel, Department of State personnel, and Department of Homeland Security (DHS) personnel on the ground have done to try and ensure as safe and orderly a withdrawal as possible.

That being said, it has been clear for some time that the withdrawal efforts were plagued by chaos, confusion, inadequate planning from political leaders in Washington and, most recently, appalling violence that claimed the lives of 13 brave U.S. military personnel.

There have also been numerous media reports highlighting substantial national security risks that are inherent in our withdrawal from Afghanistan. On August 24<sup>th</sup>, *Bloomberg* reported on comments from the United Kingdom's Minister for the Armed Forces indicating that individuals on the U.K.'s no-fly list attempted to get on British evacuation flights out of Kabul.<sup>1</sup> That same day, another report surfaced that an individual with suspected links to the Taliban had been placed in custody in Paris after being flown out of Kabul on a French evacuation flight.<sup>2</sup> Finally, also on August 24<sup>th</sup>, another report cited a U.S. official who claimed that security screeners at Al Udeid Air Base in Qatar had flagged at least one Afghan evacuee as having potential ties to ISIS.<sup>3</sup>

On August 26<sup>th</sup>, Swedish media reported that law enforcement had detained two Afghans who had previously been deported from Sweden after serving sentences for crimes but had, nonetheless, been able to gain access to an evacuation flight out of Kabul.<sup>4</sup> Over the weekend, German Interior Minister

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<sup>1</sup> Chris Strohm, *U.S. Races to Vet Afghans for Security Risks as Evacuations Rise*, BLOOMBERG (August 24, 2021), <https://www.bloomberg.com/news/articles/2021-08-24/u-s-races-to-vet-afghans-for-security-risks-as-evacuations-rise>.

<sup>2</sup> Liv Klingert, *Afghan refugee with suspected links to the Taliban in custody in France*, POLITICO EUROPE (August 24, 2021), <https://www.politico.eu/article/afghan-refugee-with-suspected-links-to-the-taliban-in-custody-in-france/>.

<sup>3</sup> Tara Copp, *Kabul Evacuee With Potential ISIS Ties Detained at Qatar Base*, DEFENSE ONE (August 24, 2021), <https://www.defenseone.com/threats/2021/08/kabul-evacuee-potential-isis-ties-detained-qatar-base/184811/>.

<sup>4</sup> Nordic News (@Nordic\_News), Twitter (August 26, 2021, 8:23 AM), [https://twitter.com/Nordic\\_News/status/1430868403393372160](https://twitter.com/Nordic_News/status/1430868403393372160).

Horst Seehofer told a German newspaper that seven Afghan evacuees had been detained in Germany.<sup>5</sup> According to Seehofer, three of them had forged documents and four had previously been deported from Germany to Afghanistan as criminals.<sup>6</sup>

These reports underscore the importance of ensuring that a complete and thorough vetting and screening process is in place for individuals evacuated as part of operations in Afghanistan. The same *Bloomberg* report that discussed comments from British government officials also highlighted the fact that the “massive, rushed and chaotic evacuation effort from the airport in Kabul means that thousands of people are being put on planes before their background vetting is complete.”<sup>7</sup> It also said that U.S. agencies were conducting security screenings “while flights are in the air” and in temporary locations in third countries.<sup>8</sup>

Given that the security screening process for Afghan SIV applicants, or even just regular refugee applicants, normally can take months, or in some cases even years, I have serious concerns that a security screening process conducted in only a matter of hours or days in the midst of a chaotic evacuation and unstable security situation poses grave risks to our national security and the security of the American people. While it is vitally important to evacuate Afghans who have genuinely assisted U.S. forces during the last 20 years, it is just as important that the vetting and screening process being utilized by our government effectively prevents bad actors from exploiting the chaos of recent weeks and gaining access to the United States.

Accordingly, I ask that you please provide answers to the following questions on or before September 7, 2021:

1. How were the identities of SIV applicants, their derivatives, and other Afghans verified at Hamid Karzai International Airport (HKIA) before allowing them to board evacuation flights?
2. Please provide and describe in detail the criteria used to determine whether an Afghan evacuee is sent directly to the United States or a third country for completion of their processing.
3. Please provide a full description of the security screening and vetting process for Afghan evacuees, describing in particular the differences, if any, between such process and the normal screening and vetting process for refugee and SIV applicants.<sup>9</sup>
4. Can you please describe how the U.S. government is handling cases of Afghan evacuees who are unable to clear the security screening and/or SIV process after being evacuated? What process has been established to deal with such cases?
5. Please provide a detailed description of the terms and conditions of the parole being granted to Afghan evacuees who are brought to the United States, including, in particular, whether such paroled evacuees are eligible to receive refugee resettlement assistance.
6. How many individuals on the U.S. no-fly list attempted to board evacuation flights out of Afghanistan? How many successfully gained access to an evacuation flight?
7. How many evacuees have been flagged during the vetting and security screening process as potential security concerns or risks? How many evacuees is the U.S. government currently detaining as potential security concerns or risks?
8. What was the rationale for the State Department’s apparent decision to transmit a generic visa document to thousands of American citizens and SIV applicants in Afghanistan? Can you please provide a thorough explanation of what specific groups of individuals actually received it and

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<sup>5</sup> DW News (@dwnews), Twitter (August 29, 2021, 9:43 AM), <https://twitter.com/dwnews/status/1431975674336530434?s=27>.

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

<sup>7</sup> Strohm, *supra* note 1.

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

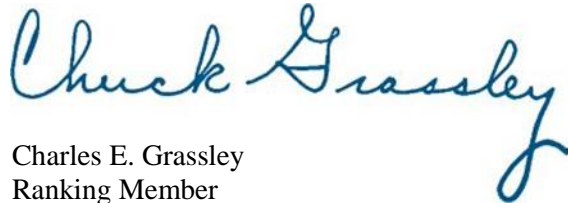
<sup>9</sup> See Refugee Security Screening Fact Sheet, U.S. Citizenship and Immigration Services, June 3, 2020, [https://www.uscis.gov/sites/default/files/document/fact-sheets/Refugee\\_Screening\\_and\\_Vetting\\_Fact\\_Sheet.pdf](https://www.uscis.gov/sites/default/files/document/fact-sheets/Refugee_Screening_and_Vetting_Fact_Sheet.pdf).

what procedures were put in place to ensure that bad actors were not able to utilize the document to gain access to HKIA or evacuation flights?

9. In addition to American citizens, Afghan SIV holders and applicants, and Afghans who are eligible for the P-1 and P-2 refugee programs, various administration briefings and statements related to the evacuation have also referred to “partial SIVs,” “vulnerable Afghans,” and Afghans “who are otherwise at risk because of who they are, or what they do, or what they believe.” Can you please explain, in detail, what each of those phrases means?
10. The *Bloomberg* piece referenced above also stated that the FBI and state and local law enforcement might be required to keep tabs on resettled evacuees who present “ongoing security concerns.” Does the Administration, in fact, intend to resettle evacuees in the United States who present any form of “ongoing security concern?”

Should you have any questions, please contact Drew Robinson of my Judiciary Committee staff at (202) 224-5225. Thank you for your attention to this letter.

Sincerely,

A handwritten signature in blue ink that reads "Chuck Grassley". The signature is written in a cursive, flowing style.

Charles E. Grassley  
Ranking Member  
Senate Committee on the Judiciary