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OFFICE OF INSPECTOR GENERAL

DHS Encountered Obstacles to Screen, Vet, and Inspect All Evacuees during the Recent Afghanistan Crisis (REDACTED)

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September 6, 2022

OIG-22-64



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OFFICE OF INSPECTOR GENERAL
Department of Homeland Security

Washington, DC 20528 / www.oig.dhs.gov

September 6, 2022

MEMORANDUM FOR: The Honorable Alejandro Mayorkas
Secretary
Department of Homeland Security

FROM: Joseph V. Cuffari, Ph.D. JOSEPH V
Inspector General CUFFARI

SUBJECT: *DHS Encountered Obstacles to Screen, Vet, and Inspect
All Evacuees during the Recent Afghanistan Crisis –
~~Law Enforcement Sensitive~~*

Digitally signed by JOSEPH V
CUFFARI
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Attached for your action is our final report, *DHS Encountered Obstacles to Screen, Vet, and Inspect All Evacuees during the Recent Afghanistan Crisis – ~~Law Enforcement Sensitive~~*. We incorporated the formal comments provided by your office.

The report contains two recommendations to improve the Department's screening and vetting of Afghan evacuees and coordination and planning efforts for future similar emergency situations. The Department did not concur with either recommendation. Based on information provided in your response to the draft report, we consider recommendations 1 and 2 open and unresolved. As prescribed by Department of Homeland Security Directive 077-01, *Follow-Up, and Resolutions for Office of Inspector General Report Recommendations*, within 90 days of the date of this memorandum, please provide our office with a written response that includes your (1) agreement or disagreement, (2) corrective action plan, and (3) target completion date for each recommendation. Also, please include responsible parties and any other supporting documentation necessary to inform us about the status of the recommendations. Until your response is received and evaluated, the recommendations will be considered open and unresolved. Please send your response or closure request to OIGAuditsFollowup@oig.dhs.gov.

Consistent with our responsibility under the *Inspector General Act of 1978, as amended*, we will provide copies of our report to congressional committees with oversight and appropriation responsibility over the Department of Homeland Security. We will post a redacted version of the report on our website.

Please call me with any questions, or your staff may contact Bruce Miller, Deputy Inspector General for Audits, at (202) 981-6000.

Attachment

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DHS OIG HIGHLIGHTS

DHS Encountered Obstacles to Screen, Vet, and Inspect All Evacuees during the Recent Afghanistan Crisis

September 6, 2022

Why We Did This Audit

The United States welcomed more than 79,000 Afghan evacuees between July 2021 and January 2022, as part of OAR/OAW. The President directed the Secretary of Homeland Security to lead the coordination across the Federal Government to resettle vulnerable Afghans arriving as part of OAW. We conducted this audit to determine the extent to which DHS screened, vetted, and inspected evacuees arriving as part of OAR/OAW.

What We Recommend

We made two recommendations to improve the Department's screening and vetting of Afghan evacuees and coordination and planning efforts for future similar emergency situations.

For Further Information:

Contact our Office of Public Affairs at (202) 981-6000, or email us at DHS-OIG.OfficePublicAffairs@oig.dhs.gov

What We Found

After meeting with more than 130 individuals from the Department of Homeland Security, we determined DHS encountered obstacles to screen, vet, and inspect all Afghan evacuees arriving as part of Operation Allies Refuge (OAR)/Operation Allies Welcome (OAW). Specifically, U.S. Customs and Border Protection (CBP) did not always have critical data to properly screen, vet, or inspect the evacuees. We determined some information used to vet evacuees through U.S. Government databases, such as name, date of birth, identification number, and travel document data, was inaccurate, incomplete, or missing. We also determined CBP admitted or paroled evacuees who were not fully vetted into the United States.

We attribute DHS' challenges to not having: (1) a list of Afghan evacuees who were unable to provide sufficient identification documents; (2) a contingency plan to support similar emergency situations; and (3) standardized policies. As a result, DHS may have admitted or paroled individuals into the United States who pose a risk to national security and the safety of local communities.

DHS Response

The Department did not concur with the recommendations. Appendix B contains the Department's comments in their entirety.



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Abbreviations

CBP	U.S. Customs and Border Protection	
DOB	date of birth	
DOD	Department of Defense	
DOS	Department of State	
FBI	Federal Bureau of Investigation	
IC	Intelligence Community	
ICE	U.S. Immigration and Customs Enforcement	
INA	Immigration and Nationality Act	
LPR	lawful permanent resident	
OAR	Operation Allies Refuge	
OAW	Operation Allies Welcome	
POE	port of entry	
SIV	Special Immigrant Visa	
SIGAR	Special Inspector General for Afghanistan Reconstruction	
UCG	Unified Coordination Group	
USCIS	U.S. Citizenship and Immigration Services	



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Background

In the summer of 2021, the United States withdrew its military and diplomatic personnel from Afghanistan. The White House launched Operation Allies Refuge (OAR) with the Department of State (DOS) as the lead to help relocate interested Afghan nationals and their immediate family members in the Special Immigrant Visa (SIV) application pipeline.¹ DOS activated the Afghanistan Coordination Task Force on July 19, 2021 to coordinate the U.S. Government's efforts to bring qualified SIV applicants to the United States once their security vetting was complete.

On August 15, 2021, the Kabul-based Afghan government fell to Taliban militants. Some individuals fled without their belongings, including identification documents. The Department of Defense (DOD) accelerated its efforts to evacuate individuals from Afghanistan to facilities in other countries known as "lily pads." These countries included Qatar, the United Arab Emirates, Spain, Italy, Bahrain, and Germany. The lily pads served as transit points to screen and vet evacuees prior to their arrival into the United States. DOD provided temporary housing, sustenance, and other support at the lily pads. On the same day the Afghan government fell to Taliban militants, DHS personnel² began supporting operations overseas.

On August 29, 2021, the President directed the Secretary of Homeland Security to lead the coordination across the Federal Government to resettle vulnerable Afghans, known as Operation Allies Welcome (OAW). The Secretary established the Unified Coordination Group (UCG)³ to ensure Federal resources, authorities, and expertise were used in a unified and synchronized manner to support the goals of OAW. See Figure 1 for a timeline of the Afghanistan evacuation. The U.S. military and diplomatic withdrawal and evacuation operation concluded on August 30, 2021, with the departure of U.S. forces from Afghanistan.

¹ For this report, we used the definition of an Afghan evacuee from Public Law 117-43 as a person whose evacuation from Afghanistan to the United States, or a U.S.-controlled location overseas, was facilitated by the United States as part of OAR.

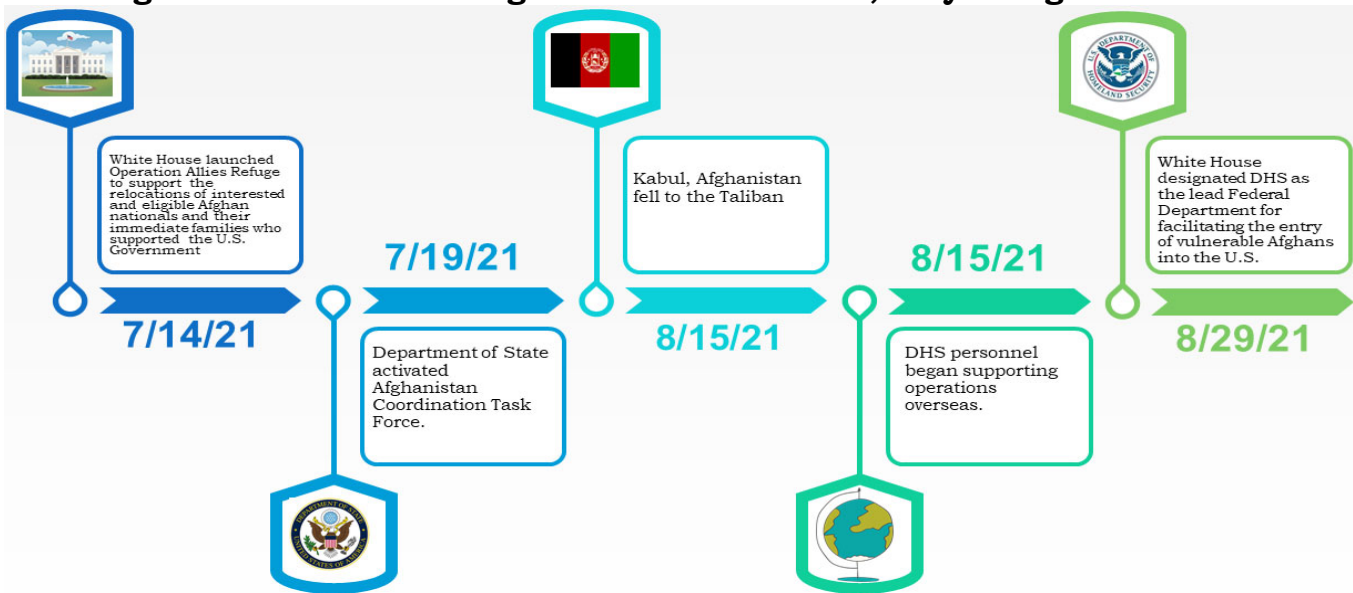
² Approximately 400 DHS personnel supported operations at overseas locations; these personnel were from U.S. Customs and Border Protection, Transportation Security Administration, United States Coast Guard, U.S. Immigration and Customs Enforcement, United States Secret Service, and DHS Headquarters.

³ According to DHS' *National Response Framework*, a UCG is made up of senior leaders representing various interests including state, tribal, territorial, and Federal, and in some instances local jurisdictions, private sector, and non-governmental organizations. UCG responsibilities include coordinating staff based on incident requirements, operations, planning, and logistics to integrate personnel for unity of government effort.



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Figure 1. Timeline of Afghanistan Evacuation, July – August 2021



Source: DHS Office of Inspector General analysis of DOD IG reports, DOS IG reports, and press releases

During OAW, DHS paroled Afghan evacuees into the country. Parole is a discretionary immigration mechanism that grants foreign nationals, who are otherwise inadmissible, entry to the United States and permission to remain for a designated period, during which they are eligible to apply for temporary employment authorization.⁴ The *Immigration and Nationality Act* (INA) authorizes the Secretary of Homeland Security⁵ to temporarily parole individuals applying for admission into the United States for urgent humanitarian reasons or significant public benefit on a case-by-case basis.⁶ DHS may revoke parole at any time if it is no longer warranted or the individual violates the conditions of the parole.⁷ See Table 1 for a comparison of three different pathways for individuals to enter the country.

⁴ INA § 212(d)(5), 8 U.S.C. § 1182(d)(5); see also 8 C.F.R. § 274a.12(c)(11).

⁵ The *Homeland Security Act of 2002*, Public Law No. 107-296 (codified as 6 U.S.C. § 251), transferred authority from the Attorney General and the Immigration and Naturalization Service to the DHS Secretary.

⁶ There is no statutory or regulatory definition of “urgent humanitarian reasons” or “significant public benefit.” However, “urgent humanitarian reasons” call for immediate or other time-sensitive action, such as critical medical treatment. “Significant public benefit” parole includes, but is not limited to, law enforcement and national security reasons or foreign or domestic policy considerations.

⁷ The conditions for this parole under OAW/OAR included medical screening, reporting requirements, and compliance with Federal, state, and local laws and ordinances.



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Table 1. Comparison of Pathways to Enter the United States

Process Attribute	Parole of OAR/OAW Afghan Evacuees	Afghan SIV	U.S. Refugee ⁸ Admissions Program
Application Processing Time	Upon determination by U.S. Customs and Border Protection (CBP) after successfully clearing screening, vetting, and inspection	Years	Varies from less than 1 year to more than 2 years
Applicant's Location	At U.S. Port of Entry (POE)	Outside the United States	Generally, outside the individual's country of nationality
Discretionary/Adjudicative Decision and Deciding Entity	Discretionary decision made by CBP	Adjudicative decisions by U.S. Citizenship and Immigration Services (USCIS) and DOS ⁹	Adjudicative decision by USCIS
Path to Lawful Permanent Resident (LPR)	No path to LPR	Grants LPR upon admission	Gives a path to LPR after 1 year in the country
Interview Requirements	None until December 2021	Requires in-person interview	Requires in-person interview
Screening and Vetting Layers in Place	Lily pads: Biometric and biographic screening and vetting by [REDACTED] [REDACTED] Biometric checks in [REDACTED] [REDACTED] CBP vetted those on flight manifests using the [REDACTED] [REDACTED] U.S. POE: CBP inspection.	USCIS reviews background checks and DOS or DOD screening. USCIS conducts biographic queries in [REDACTED] [REDACTED] [REDACTED] DOS reviews immigrant visa applications and interviews the applicants, as well as conducts internal checks and coordinates interagency security checks. U.S. POE: CBP inspection.	Biometric and biographic screening occurs throughout. USCIS reviews the biographic checks, conducts biometric checks [REDACTED] [REDACTED] [REDACTED] and interviews applicants for eligibility. U.S. POE: CBP inspection.

Source: DHS OIG analysis of DHS Office of Strategy, Policy, and Plans (DHS Policy), USCIS, and other publicly available documents.

⁸ A refugee is a person outside his or her country of nationality who is unable or unwilling to return to his or her country of nationality because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion. An asylee is a person who meets the definition of refugee and is already present in the United States or is seeking admission at a POE. Refugees are required to apply for LPR ("green card") status 1 year after being admitted, and asylees may apply for green card status 1 year after their grant of asylum.

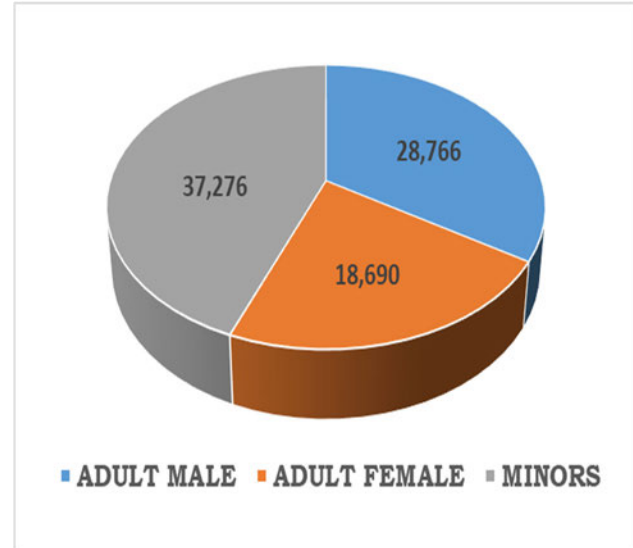
⁹ Starting July 20, 2022, most new applicants no longer need to file the previously required Form I 360 with USCIS but must file Form DS-157 with DOS.



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On August 23, 2021, pursuant to INA Section 212(d)(5), the DHS Secretary issued *Guidance for the Immigration Processing of Afghan Citizens During Operation Allies Refuge* to CBP’s Acting Commissioner directing CBP officers to parole certain Afghan nationals into the United States, on a case-by-case basis, for a period of 2 years and subsequent to appropriate vetting.¹⁰ According to the *Department of Homeland Security Operation Allies Welcome Afghan Evacuee Quarterly Status Update 1, Fiscal Year 2022 Report to Congress* (April 21, 2022), CBP paroled about 72,550 of the more than 79,000 Afghan evacuees who arrived between July 2021 and January 2022. Figure 2 provides a breakdown of arrivals by demographic. The remaining evacuees included LPRs, SIV holders and applicants, and individuals who had valid nonimmigrant visas to enter the country. See Appendix C for the Afghan evacuee OAW travel process.

Figure 2. Demographics of U.S. Arrivals from Afghanistan as of April 19, 2022



Source: UCG OAW Daily Report April 19, 2022

The U.S. Government established a multi-layered process to screen, vet, and inspect evacuees from Afghanistan. These individuals were supposed to undergo the following:

- **Screening** is an initial examination or review of evacuees and their belongings to identify individuals who may pose a threat and/or were ineligible for access to the United States. During screening at the lily pads, DOD and CBP collected biometric data (facial images and fingerprints) for individuals ages 14 to 79¹¹ who were not LPRs or U.S. citizens, as well as biographic data (name, date of birth (DOB), identification number, and phone number) for all travelers. DOD and CBP used devices to collect this information and submitted it to [REDACTED]

¹⁰ According to a DHS Policy official, the White House’s National Security Council was involved in discussions to use immigration parole as a means to bring Afghan evacuees into the country.

¹¹ CBP may require certain individuals to provide biometric identifiers to determine their admissibility, pursuant to 8 C.F.R. § 235.1(f)(ii).



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[REDACTED]

- **Vetting** is an analysis of evacuees' biometric and biographic data by the [REDACTED] to ensure individuals do not have derogatory information in U.S. Government databases. Evacuees who cleared both biometric and biographic vetting were placed on flight manifests to U.S. POEs. CBP used [REDACTED] to vet traveler information on each manifest. CBP also conducted preflight vetting of the flight manifests. Individuals who cleared manifest vetting were approved for onward travel to the United States. The [REDACTED] supported additional security vetting of OAW parolees for the duration of their parole to supplement their initial overseas vetting.
- **Inspecting** is a routine inspection conducted at all U.S. POEs to verify an evacuee's identity and admissibility. At primary inspection, CBP officers compared facial features of travelers to documents presented and asked additional questions to determine citizenship and admissibility.¹³ They also captured and verified biometric data through fingerprints, which are run against [REDACTED] and other holdings, including the [REDACTED]. CBP officers vetted Afghan evacuees against [REDACTED]. As they would under normal primary inspection procedures, CBP officers referred any evacuees with unresolved issues, including potential matches to derogatory information, to secondary inspection, during which officers conduct interviews and additional research to determine the individual's admissibility. Evacuees who did not clear secondary inspection were found to be inadmissible and detained by U.S. Immigration and Customs Enforcement (ICE), pending removal proceedings.

See Figure 3 for a flowchart of the interagency screening, vetting, and inspecting process.

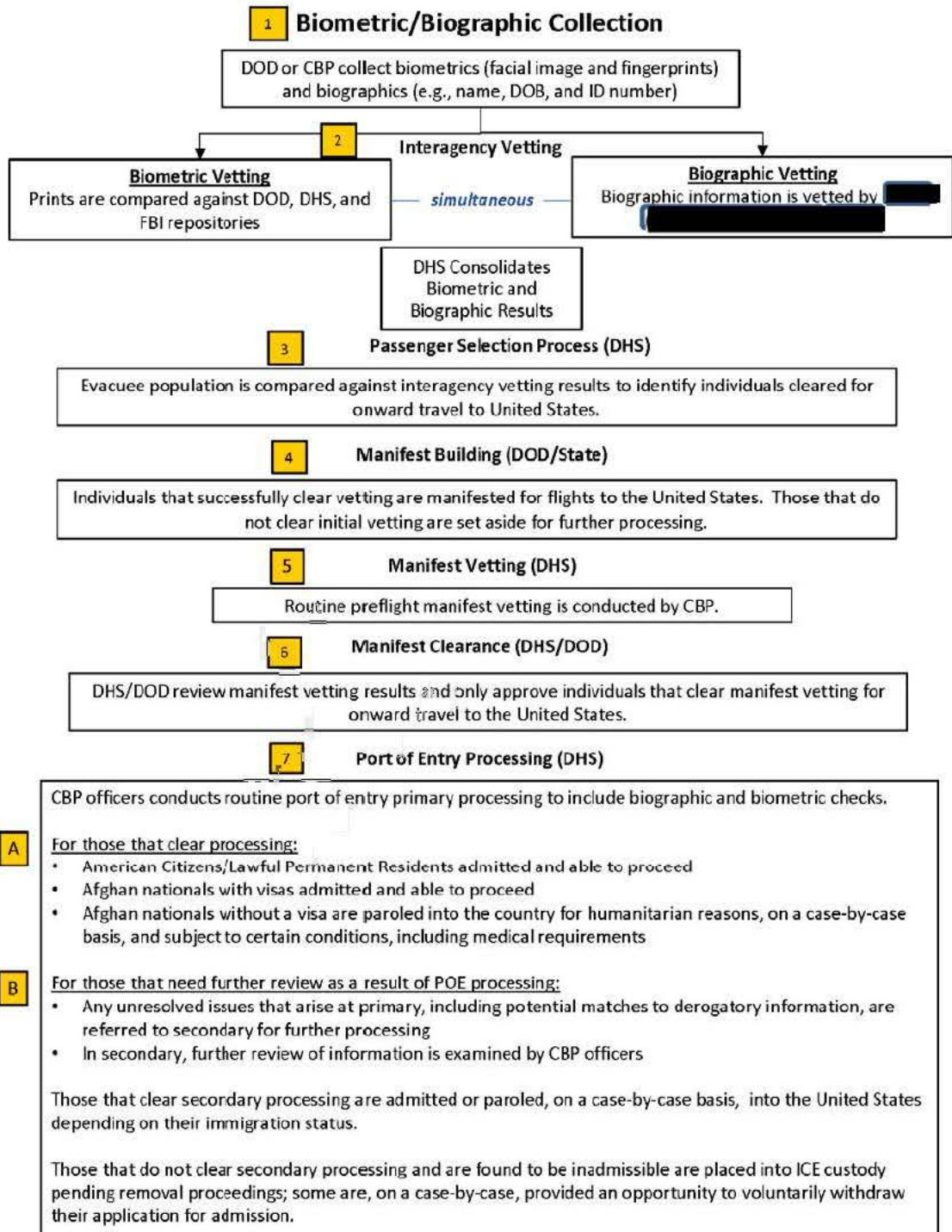
¹² [REDACTED]

¹³ CBP Directive No. 3340-052A, *Primary Processing at Airports*, August 24, 2016.



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Figure 3. OAW Interagency Screening, Vetting, and Inspecting Process¹⁴



Source: DHS Policy official sent via e-mail

¹⁴ In addition to DOD and DOS, DHS (Transportation Security Administration) participated in Step 4, above.



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Afghan evacuees who cleared inspection at U.S. POEs independently departed the airports¹⁵ or went to a military base known as a safe haven to receive additional resettlement assistance from DHS, DOS, or other non-governmental agencies.¹⁶ At safe havens, U.S. Citizenship and Immigration Services (USCIS) conducted immigration processing by verifying the identity of individuals applying for a work authorization and performing additional security vetting.

Months after the evacuation operations began, the UCG issued additional guidance modifying some activities. For example:

- On December 4, 2021, the UCG Senior Response Official issued OAW guidance, *Implementing Deputies Small Group Guidance for Operation Allies Welcome CONUS Parole Eligibility*, to ensure all Afghan evacuees traveling from an overseas location to a U.S. POE under OAW met the eligibility criteria determined by the Deputies Small Group. According to an official from DHS Policy, the National Security Council leads this group to discuss, evaluate, and decide policy issues.
- The UCG issued superseding and subsequent guidance in a March 28, 2022 memorandum titled, *Implementing Deputies Small Group Guidance for Operation Allies Welcome CONUS Eligibility*. According to the memo, the U.S. Refugee Admissions Program would be explored as an option for Afghans without an existing SIV and Immigrant Visa pathway, including certain SIV/Immigrant Visa-eligible Afghans for whom a visa was not immediately available. This audit did not cover these new processes established in this memorandum. DHS and CBP did not provide formal policies and procedures governing the screening and vetting processes for Afghan evacuees when OAR and OAW initially began.

We conducted this audit to determine the extent to which DHS screened, vetted, and inspected evacuees arriving as part of OAR/OAW. To obtain an understanding of overall processes established for OAR/OAW and dispositions of travelers who arrived in the United States, we met with more than 130 personnel from the UCG; DHS-level offices such as the Screening and Vetting Office in DHS Policy; the Office of Biometric Identity Management; USCIS' Refugee, Asylum and International Operations Directorate, Fraud Detection

¹⁵ According to a February 18, 2022 *Operation Allies Welcome Daily Report*, 8,576 evacuees departed independently from U.S. POEs and did not receive resettlement assistance. A National Vetting Center official noted in April 2022 these individuals will be captured in a future recurrent vetting effort.

¹⁶ Safe havens were eight military bases and facilities in the United States set up to house and provide resettlement support to evacuees. These bases included Marine Corps Base Quantico, VA; Fort Pickett, VA; Fort Lee, VA; Holloman Air Force Base, NM; Fort McCoy, WI; Fort Bliss, TX; Joint Base McGuire-Dix-Lakehurst, NJ; and Camp Atterbury, IN.



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and National Security Directorate and Field Operations Directorate; ICE Homeland Security Investigations and Enforcement Removal Operations; and CBP's Emergency Operations Center, the Office of Information Technology, the National Targeting Center, the National Vetting Center, and other CBP Office of Field Operations offices. We also interviewed representatives from DOD and FBI to understand their roles in OAR/OAW.

In January 2022, we issued DHS a Notice of Findings and Recommendations document notifying the Department of the urgent need to take action to address security risks of evacuees from Afghanistan who were admitted or paroled into the United States without sufficient identification documents to ensure proper screening and vetting. Additionally, DHS OIG currently has multiple ongoing reviews, as well as one completed review related to DHS' resettlement of Afghan nationals in the United States.¹⁷ We coordinated with the broader Inspector General community conducting reviews related to these issues, including the IC, DOD, and DOS. Appendix D provides a list of the reports resulting from these reviews to date.

Results of Audit

DHS Encountered Obstacles to Screen, Vet, and Inspect All Afghan Evacuees Admitted or Paroled into the United States

CBP did not always have critical data to properly screen, vet, or inspect Afghan evacuees arriving as part of OAR/OAW. We determined some of the information used to vet evacuees through U.S. Government databases, such as name, DOB, identification number, and travel document data, was inaccurate, incomplete, or missing. CBP also admitted or paroled evacuees who were not fully vetted into the United States. We attribute the challenges to DHS not having: (1) a list of Afghan evacuees who were unable to provide sufficient identification documents; (2) a contingency plan to support similar emergency situations; and (3) standardized policies. As a result, DHS paroled at least two individuals into the United States who posed a risk to national security and the safety of local communities and may have admitted or paroled more individuals of concern.

¹⁷ DHS OIG reviews include UCG's role in Afghan resettlement; independent departures of Afghan evacuees from safe havens; DHS' preparations to provide long-term legal status to paroled Afghan evacuees; and *DHS Did Not Adequately or Efficiently Deploy Its Employees to U.S. Military Installations in Support of Operation Allies Welcome* (OIG-22-54, July 27, 2022).



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CBP Did Not Always Have Critical Data to Properly Screen, Vet, and Inspect Afghan Evacuees at U.S. POEs

At all U.S. POEs, CBP is required to verify that traveler information in identity documents is correct. To do so, according to CBP Directive No. 3340-052A, *Primary Processing at Airports* (August 24, 2016), CBP officers compare the facial features of the traveler with the document presented and ask questions to determine citizenship and admissibility, such as the purpose of the visit, where the traveler will stay, means to support oneself during the visit to the United States, and whether the document is compatible with the purpose/intent of the travel. CBP scans the machine-readable document into a CBP system of record, TECS, or manually enters the travel document information into TECS. The traveler's information is then vetted against various U.S. Government databases to determine whether there is derogatory information, such as known or suspected terrorists, criminals, or immigration violators. According to CBP and FBI officials, IC vetting databases are founded on biographic data. However, we identified discrepancies with the CBP data used to vet Afghan evacuees against U.S. Government databases.

CBP admitted or paroled evacuees who had questionable names and dates of birth partly due to cultural differences. It is customary in Afghanistan for some individuals to have only one name. It is not always part of the Afghan culture to record or know exact DOBs. In Afghanistan, even though national legislation requires registration of children at birth, years of conflict decimated the administrative mechanisms and the social institutions supporting them.¹⁸ One CBP official discussed how evacuees at the lily pads did not always know their DOB, and without a verification document to cross-check against, the official simply entered the evacuee's biographic information as told by the individual. For example, if an evacuee stated he/she was 20 years old, the DOB most likely assigned was January 1, 2001. Several CBP officials said they often had to rely on translators or interpreters to identify evacuees' names and DOBs. Based on the cultural differences and questionable data in the biographic fields, it was challenging for DHS to fully screen and vet the evacuees. The Federal Government provides guidance on how to nominate and screen travelers with incomplete names. However, it also identifies the inherent limitations that exist in any primarily name-based system such as two of the systems described in the guidance.

The records we refer to below include adults, as well as minors, but due to challenges with the DOB field, we could not separate adults from minors. During our meetings, CBP officials estimated that half the evacuation

¹⁸ *Innocenti Insight Birth Registration and Armed Conflict* by the United Nations Children's Fund Innocenti Research Centre (2007).



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population were children. We found missing, incomplete, or inaccurate first and last names, DOBs, travel document numbers, travel document types, and visa data in TECS. We questioned data in many of the 88,977 TECS records,¹⁹ including:

Biographic Data

- 417 records had first name unknown or “FNU.”²⁰
- 242 records had last name unknown or “LNU.”
- 11,110 records had the DOB recorded as “January 1.”

Travel Document Data

- 36,400 records had “facilitation document” as the document type. However, during the audit, CBP could not define or provide an explanation for this document type, indicating potential inaccuracies.
- 7,800 records had invalid or missing document numbers.

Additionally, CBP could not provide reliable data on evacuees admitted or paroled into the United States. Specifically, we could not rely on the visa class code in CBP’s data to determine the number of evacuees paroled into the United States or the document type code to determine the individuals admitted or paroled into the United States without proper identification. CBP’s *Concept of Operations for Operation Allies Refuge*²¹ allowed its officers to admit or parole evacuees into the country without presenting proper identification documents at a POE if they had no derogatory information. However, during the audit, when we requested a list of individuals admitted or paroled without proper identification, CBP officials responded that they did not maintain such a list. Biometric screening and vetting processes may help to mitigate the risk of limited biographic data.

CBP Allowed Some Evacuees Who Were Not Fully Vetted to Travel from the Lily Pads or Enter the United States with Derogatory Information

According to the CBP’s vetting process, evacuees who passed both biometric and biographic vetting processes would receive a “green status” clearing them to travel to the United States from a lily pad. Additionally, individuals with a potential match to derogatory information who could not be cleared, would

¹⁹ These 88,977 records represent the number of records in reports provided by CBP to identify OAR/OAW travelers; the figure includes travelers of all ages.

²⁰ DOS SIV guidelines state SIV applicants should enter their names as they appear on their passports. If there is only one name, applicants should put “FNU” in the SIV application.

²¹ *Concept of Operations: Operation Refuge* issued for Houston Field Office Area Port of Houston – Airports (August 25, 2021), Philadelphia International Airport (August 26, 2021), Chicago Field Office – Area Port of Chicago (August 25, 2021), and Washington-Dulles International Airport (August 26, 2021).



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receive a “red status,” meaning they should not have boarded a plane to the United States. Green versus red status is dynamic as it changes frequently based on the information circulating and the databases used for screening and vetting. This state of flux, along with the challenges with obtaining complete and accurate data among different agencies, such as DOD OIG, contributed to a variance in numbers reported for OAR/OAW. However, we found some evacuees traveled to the United States without undergoing established vetting processes. According to CBP’s data extracted in March 2022:

- CBP allowed 35 Afghan evacuees to board a flight to the United States although they had not received a green status clearing them to travel.
- CBP did not collect biometrics (fingerprints) for 1,299 evacuees prior to travel to the United States.

In August 2022, CBP provided additional information asserting all 35 Afghan evacuees noted above received a green status when they arrived in the United States. At the same time, CBP provided additional information related to the 1,299 Afghan evacuees noted above, in which CBP asserted: 120 were biometrically enrolled prior to departing the lily pad; 1,127 were enrolled at the U.S. POE; 22 were enrolled after arrival; 23 were not enrolled; and 7 were out of scope due to data inaccuracies in the original data set provided.

CBP also allowed some evacuees to enter into the United States who may not have been fully vetted. According to internal DHS reports, CBP admitted or paroled dozens of evacuees with derogatory information into the country. We confirmed two such cases:

- CBP paroled one evacuee into the United States who had been liberated from prison in Afghanistan by the Taliban in August 2021. The individual cleared lily pad screening and vetting processes and flew to the United States. At the U.S. POE, CBP officers identified derogatory information during the primary inspection. However, a supervisor “unreferred” the individual and paroled the individual into the country without a secondary inspection. Although the supervisor acted within policy, we could not determine whether the supervisor was aware of the evacuee’s prior incarceration. Approximately 3 weeks after this evacuee’s parole, the FBI obtained derogatory information. Subsequently, ICE removed this individual from the United States.
- CBP paroled another evacuee into the United States who posed national security concerns. The evacuee initially cleared vetting at the lily pad and 3 months after being paroled into the United States, CBP obtained



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derogatory information from the FBI. According to ICE, at the time of our audit, the individual was undergoing removal proceedings.

DHS Did Not Have a List of Evacuees Who Were Unable To Provide Sufficient Identification Documents, a Contingency Plan to Support Similar Emergency Situations, and Standardized Policies

DHS officials attributed screening and vetting issues to the time constraints at lily pads. According to DHS, the timeframes were limited to just days or weeks, and DHS needed to expedite screening and vetting to meet these time constraints. For example, we reviewed DOS agreements with four of at least six lily pad host countries and confirmed the expedited vetting timeframes, as shown in Table 2.

Table 2. Lily Pad Time Constraints

Host Country	Time Constraint (# days)	Number of Evacuees who Arrived in the United States
GERMANY	10	41,195
ITALY	14	3,945
KUWAIT	14	4,122
QATAR	30	10,233

Source: DHS OIG analysis of DOS documents and a CBP report

CBP officials also attributed screening and vetting issues to the language barrier, Afghans not knowing their personal data, and the lack of automated systems. According to officials, due to the lack of automated systems, CBP sometimes deviated from its automated preflight manifest vetting processes at the lily pads. In some cases, staff had to manually enter evacuees' data from photographs of handwritten flight manifests, which could cause delays receiving vetting results as well as errors in the information collected. See Figure 4 for an example of a handwritten manifest.



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Figure 4. Handwritten Flight Manifest

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Mission Number	Nationality/Green Card	Airline/call sign	Passport issue date	Passport expiration date	Date of Birth	Gender
1	AFG		05 JAN 2017	05 JAN 2027	06 01 1994	F
2	USA		07 JAN 21	07 JAN 26	05 NOV 20	F
3	AFG		07 AUG 17	07 AUG 24	12 DEC 1993	M
4	AFGHAN AFG		00 MAY 21	10 MAY 21	12 JUN 1979	M
5	AFG		21 JAN 19	04 JAN 24	07 JAN 97	F
6	AFG		21 OCT 17	21 OCT 24	07 JUN 97	M
7	AFG		28 OCT 17	22 OCT 24	07 MAY 17	M
8	AFG		07 AUG 21	07 AUG 26	22 AUG 1971	F
9	AFG		17 SEP 2017	17 SEP 2024	23 AUG 1994	M
10	AFG		27 SEP 2020	27 SEP 2025	23 AUG 1977	F
11	AFG		19 FEB 20	17 FEB 25	23 AUG 2005	F
12	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
13	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
14	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
15	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
16	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
17	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
18	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
19	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
20	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
21	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
22	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
23	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
24	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
25	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
26	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
27	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
28	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
29	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
30	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
31	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
32	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
33	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
34	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
35	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
36	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
37	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
38	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
39	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
40	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
41	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
42	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
43	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
44	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
45	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
46	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
47	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
48	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
49	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
50	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
51	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
52	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
53	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
54	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
55	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
56	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
57	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
58	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
59	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
60	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
61	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
62	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
63	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
64	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
65	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
66	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
67	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
68	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
69	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
70	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
71	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
72	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
73	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
74	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
75	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
76	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
77	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
78	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
79	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
80	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
81	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
82	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
83	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
84	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
85	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
86	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
87	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
88	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
89	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
90	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
91	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
92	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
93	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
94	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
95	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
96	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
97	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
98	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
99	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M
100	AFG		19 FEB 20	17 FEB 25	23 AUG 1999	M

Handwritten notes at the bottom of the manifest include:
 - "USA" written in red ink.
 - "09-10-17" and "04-04-17" written in red ink.
 - "09-19-27" and "01 JAN 95" written in red ink.
 - "Total pax" written in black ink.
 - "04-04-27" written in red ink.

Source: CBP official sent by email

We attribute the challenges to DHS not having: (1) a list of Afghan evacuees who were unable to provide sufficient identification documents; (2) a contingency plan to support similar emergency situations; and (3) standardized policies. Although CBP followed its established processes by admitting or paroling evacuees without sufficient identity documents, neither DHS nor CBP developed a contingency plan for U.S. POEs to verify an evacuee’s identity. Although this was an unprecedented humanitarian event, CBP was aware that evacuees might arrive without sufficient documentation. Yet, CBP did not develop a backup plan for validating the identity of Afghan evacuees entering the United States at the POEs.

Additionally, DHS did not have formal screening and vetting policies to support OAW. Instead, during the initial months of OAW, DHS officials said screening and vetting requirements were decided on an ad hoc basis. DHS and CBP did not have standardized formal policy documents and instead could only provide informal flowcharts, meeting minutes, and draft documents.



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Conclusion

The safety and the security of the American people is the highest priority for the U.S. Government. Preventing criminals, suspected terrorists, or other nefarious actors from entering the United States requires thorough screening and vetting. CBP's use of incomplete or inaccurate data would not have yielded positive matches from intelligence databases if the individuals had derogatory records under a different name or DOB. Therefore, DHS and CBP cannot be sure they properly screened, vetted, and inspected all evacuees. We found they paroled at least two individuals into the United States who may have posed a risk to national security and the safety of local communities and may have admitted or paroled more individuals of concern.

Recommendations

Recommendation 1: We recommend the U.S. Customs and Border Protection Commissioner:

- a. 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
- b. Ensure recurrent vetting processes established for all paroled evacuees are carried out for the duration of their parole period.

Recommendation 2: We recommend the Secretary of Homeland Security 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. Specifically:

- a. The plan should include, at a minimum, lessons learned from departmental after-action reports that can be incorporated into the plan for future events, lead roles and responsibilities, points of contact, established processes, and expected timeframes.
- b. The policies and procedures should ensure accountability, standard practices, and quality assurance across DHS components involved in screening, vetting, and inspecting individuals in emergency situations.



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DHS Management Comments and OIG Analysis

DHS responded that it was proud of its OAW efforts and highlighted multiple agencies involved in the screening and vetting of the Afghan evacuees. The OIG acknowledges the interagency efforts supporting this unprecedented event to screen and vet all evacuees. However, DHS's response does not address the concerns of this audit and the recommendations which are aimed at reviewing the execution of OAW's efforts and improving future, similar OAW efforts.

DHS did not concur with our recommendations and did not provide an action plan to address them or better prepare for similar future events. Appendix B contains DHS' management comments in their entirety. On August 15, 2022, DHS provided technical comments on our draft report, and we revised the report as appropriate. We consider both recommendations unresolved and open. A summary of DHS' management response and our analysis follows.

DHS Response to Recommendation #1: DHS did not concur. According to DHS, CBP provided evidence to the OIG that all individuals were screened, vetted, and inspected. Additionally, DHS indicated CBP provided documentation and evidence that it (1) established recurrent vetting processes for all paroled Afghan nationals, and (2) will carry out vetting for the duration of their parole period. DHS requested the OIG consider this recommendation resolved and closed.

OIG Analysis of DHS' comments: We do not consider DHS' actions responsive to the recommendation, which is unresolved and open. OIG acknowledges CBP's role in supporting interagency efforts throughout this unique emergency. The OIG also understands CBP is responsible for verifying an individual's identity and admissibility at U.S. ports of entry (POEs). However, CBP did not always have critical data to properly screen, vet, and inspect Afghan evacuees at the POEs. Although the Department asserted it provided sufficient evidence that all individuals were properly screened, vetted, and inspected, we could not confirm this assertion and reported data inaccuracies. DHS explained that recurrent vetting processes were established for all paroled Afghan evacuees for the duration of their parole period. However, we did not receive supporting data or other evidence to validate these assertions. The OIG recognizes the continued security risks to our Nation, and we will close the recommendation when CBP provides evidence the Department confirmed the identification of all evacuees and screened and vetted them accordingly. Further, CBP must show proof that every evacuee paroled into the United States during OAR/OAW went through recurrent vetting throughout their parole period.



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DHS Response to Recommendation #2: DHS did not concur. According to DHS, this emergency situation was a rare and extraordinary evacuation effort, which involved multiple agencies. DHS also asserted it will work with interagency partners, as appropriate, to tailor existing procedures to the unique facts and circumstances in any future event. DHS requested the OIG consider this recommendation resolved and closed.

OIG Analysis of DHS' comments: The OIG recognizes and appreciates the interagency efforts supporting this unprecedented event to screen and vet all evacuees. The OIG also understands the designation of DHS as the OAW lead and, therefore, recognizes the importance of accounting for the Department's efforts and to better prepare for future similar efforts. Throughout the audit process, the OIG worked closely with the Department to obtain policies and procedures governing this emergency situation. Although we received explanations, flowcharts, meeting minutes, and draft documents related to the event, no formal policies were issued until months after DHS' involvement. Additionally, the recommendation does not exclude DHS' collaboration with other interagency partners. In fact, the OIG worked with the Department repeatedly to revise the recommendation to allow the Department flexibility in developing plans to support similar future emergency situations. DHS' response does not acknowledge the need for improvement in the specific aspects for which it is responsible. We will close the recommendation once DHS develops a contingency plan to better prepare for future similar emergency situations.



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Appendix A

Objective, Scope, and Methodology

The Department of Homeland Security Office of Inspector General was established by the *Homeland Security Act of 2002* (Public Law 107-296) by amendment to the *Inspector General Act of 1978*.

We conducted this audit to determine the extent to which DHS screened, vetted, and inspected evacuees arriving as part of OAR/OAW. Our audit scope was April 2021 through June 2022. To answer our objective, we reviewed applicable laws; regulations; DHS reports to Congress; Department and component guidance; policies; and screening, vetting, and inspecting procedures for Afghan evacuees who were part of OAR/OAW. We also reviewed prior OIG, U.S. Government Accountability Office, and other related reports; media articles; congressional activity and testimony; and DOS agreements with other countries that agreed to temporarily house Afghan nationals during OAR/OAW. We did a comparative analysis of immigration pathways to enter the United States. After we completed our fieldwork, DHS Policy and CBP provided additional documentation.

To obtain an understanding of overall processes established for OAR/OAW and dispositions of travelers who arrived in the United States, we met with more than 130 personnel from the UCG; DHS-level offices such as the Screening and Vetting Office in DHS Policy; the Office of Biometric Identity Management; USCIS' Refugee, Asylum and International Operations Directorate, Fraud Detection and National Security Directorate and Field Operations Directorate; ICE Homeland Security Investigations and Enforcement Removal Operations; and CBP's Emergency Operations Center, the Office of Information Technology, the National Targeting Center, the National Vetting Center, and other CBP Office of Field Operations offices. We interviewed representatives from DOD and FBI to understand their roles in OAR/OAW.

We conducted site visits and met with DHS officials at the Philadelphia International Airport and the safe havens at Joint Base McGuire-Dix-Lakehurst and Fort McCoy. We observed CBP processing an inbound flight of Afghan evacuees. We also observed USCIS staff at one safe haven verifying and collecting biometric information from Afghan nationals.

To obtain insight into lily pad operations, we interviewed 55 CBP officers, analyzed their responses to 41 questions to confirm most of the common themes and trends we identified, and reviewed any documentation provided to support their responses. We also identified the personnel who supported OAR/OAW overseas from the Transportation Security Administration, Coast Guard, ICE, the Secret Service, and DHS Headquarters. We opted not to



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interview additional DHS personnel for a few reasons, one of which was because CBP represented the majority of DHS personnel supporting OAR/OAW.

Additionally, we reviewed biographic and biometric enrollment results at the lily pads from [REDACTED] to determine how many Afghan evacuees had a red status or lacked a complete green status at the time CBP ran the report from [REDACTED] (March 2022). We also reviewed a report on Afghan evacuees who did not have a complete green status, as they had results from one or none of the two required entities — the National Targeting Center and the IC prior to flying to the United States. We compared these evacuees against TECS' primary inspection and secondary inspection data to determine what happened to these individuals at a U.S. POE. Due to audit time constraints, we did not conduct a data reliability assessment on [REDACTED] from which CBP obtained the biographic and biometric enrollments and vetting results. In August 2022, CBP provided additional data related to the evacuees who did not have a complete green status. We relied solely on the data CBP provided to us and attributed it accordingly in the report.

We obtained and analyzed TECS encounter, referral, and refusal records of OAR/OAW travelers who arrived in the United States from July 2021 through December 2021. We conducted a data reliability assessment on the TECS data and determined we could not rely on all of the data due to completeness and accuracy issues that we reported. Because we were unable to rely on the accuracy of some of the data fields in the list of OAR/OAW travelers, we did not test a statistical sample. Due to the unreliability of the data and the lengthy timeframes to obtain supporting documentation from CBP, we did not test a larger judgmental sample.

We also reviewed a CBP report with data on Afghan evacuees without biometric enrollments provided by CBP in March 2022. In August 2022, we received additional information related to this report and analyzed it. We did not conduct a data reliability assessment of either data set. CBP provided a report of the number of passengers by foreign site code. We used this data to identify how many passengers came from lily pads in countries that had agreements with the United States specifying the amount of time evacuees could remain in that specific country. We did not assess data reliability of this information.

We assessed the internal controls significant to the audit objective throughout the audit. We identified control weaknesses in the control activities and monitoring control components. However, because we limited our review to the control activities and monitoring components, other internal control deficiencies may have existed at the time of our audit.



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We conducted this performance audit between September 2021 and June 2022 pursuant to the *Inspector General Act of 1978, as amended*, and according to generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based upon our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based upon our audit objectives.



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Appendix B
DHS Comments to the Draft Report

U.S. Department of Homeland Security
Washington, DC 20528



**Homeland
Security**

August 24, 2022

MEMORANDUM FOR: Joseph V. Cuffari, Ph.D.
Inspector General

FROM: Jim H. Crumacker, CIA, CFE
Director
Departmental GAO-OIG Liaison Office

SUBJECT: Management Response to Draft Report: "DHS Encountered
Obstacles to Screen, Vet, and Inspect all Evacuees during the
Recent Afghanistan Crisis"
(Project No. 21-057-AUD-DHS)

JIM H
CRUMPACKER

Digitally signed by JIM H
CRUMPACKER
Date: 2022.08.24 16:46:22
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Thank you for the opportunity to comment on this draft report. The U.S. Department of Homeland Security (DHS or the Department) appreciates the work of the Office of Inspector General (OIG) in planning and conducting its review and issuing this report.

DHS is proud to have supported Operation Allies Welcome (OAW), an unprecedented whole-of-government effort, during which the United States government facilitated the relocation of Afghans whose lives were at risk while maintaining national security and public safety of the United States as our priority. The Department worked with intelligence, law enforcement, and counterterrorism professionals from the Department of Defense (DOD), Federal Bureau of Investigation (FBI), National Counterterrorism Center (NCTC), Department of State (DOS), and other Intelligence Community partners to screen, vet, and inspect all Afghan nationals prior to parole into the United States.

As relayed to the OIG as recently as August 10, 2022, senior DHS leadership is concerned with the conclusions reached in this draft report. For example, the report does not reflect the *interagency* nature of the vetting process, despite significant efforts and multiple attempts by DHS program officials, subject matter experts, and others to provide the OIG a comprehensive understanding of the extensive details related to the numerous facts and nuances of the unprecedented OAW vetting process. Specifically, the OIG's report creates confusion with regard to terminology and roles, such as conflating the phases of Operation Allies Refuge with OAW, despite the Department's providing definitions to the audit team.



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In addition, the draft report does not adequately acknowledge, and account for, the *interagency* and *multilayered* vetting process that started overseas, continued at the U.S. Port of Entry (POE), and is currently ongoing with recurrent vetting. For example, the report highlights a claim that U.S. Customs and Border Protection (CBP) was unable to appropriately “screen, vet, and inspect” all Afghan nationals during the recent operation, when CBP was only one part of an interagency screening and vetting process and did, in fact, screen, vet and inspect all Afghan nationals at the POE. The presence of a record in CBP systems of parole indicates that the individual underwent this final screening and inspection. In this context, parole into the United States cannot be granted without the process of presenting to a CBP officer for screening and inspection, pursuant to Section 235 of the Immigration and Nationality Act (INA), which defines the requirement for inspection. Although DHS provided information to the OIG on multiple occasions to clarify the end-to-end screening and vetting processes, as well as to identify the multiple other agencies that are involved in these processes, this information is regrettably not evidenced in the report.

As far back as November 2021, and multiple times thereafter, various DHS program officials, subject matter experts, and others briefed the audit team and provided documentation on the interagency vetting process and procedures to vet biometric and biographic data of Afghans prior to their travel to the United States. This included details on how biographic information was submitted to multiple agencies for vetting, and it is important to clarify that any Afghan nationals with sufficient derogatory information to preclude travel while overseas were not cleared for travel to the United States. DHS also provided briefings to the OIG team describing the recurrent vetting process, including details on how vetting continues after an individual’s arrival into the United States.

Upon evacuation from Afghanistan and before being cleared to travel to the United States, Afghan nationals were brought to international transit points where the U.S. government collected and reviewed biometric (i.e., facial images and fingerprints) and biographic information (e.g., name, date of birth, identity document information, etc.) on all Afghans between the ages of 14 and 79. Biometric data was compared against DOD, DHS, and FBI repositories, while biographic information that was collected was vetted by NCTC, the FBI, and other Intelligence Community partners. Additionally, all Afghans, regardless of age, had their biographic information submitted for flight manifest vetting consistent with standard vetting procedures for all other foreign populations traveling to the United States. Only those Afghan nationals who cleared these comprehensive checks were approved for onward travel to the United States. Those who did not clear these checks remained outside the United States.

As with other arrivals to U.S. POEs, Afghan evacuees must complete a primary inspection upon arriving at a U.S. airport as defined by Section 235 of the INA, which is conducted by CBP officers and includes additional biometric and biographic checks. Those Afghan nationals who are identified by CBP as requiring further review are then



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referred to secondary inspection, where additional vetting is conducted by CBP and other Federal partners, as appropriate. Only those Afghan nationals who clear POE processing are permitted to enter the United States. Those who do not clear this processing are given an opportunity to voluntarily withdraw their application for admission to the United States and return to a third country transit site for further vetting, and those who do not choose voluntary withdrawal are placed into removal proceedings. Senior DHS leadership is concerned that the OIG's draft report erroneously maintains that DHS could not demonstrate it screened, vetted, and inspected all Afghan nationals, despite the fact that all of these screening and vetting procedures were in place for the Afghan population.

Of additional concern, the OIG's draft report does not clarify the DOS's role in the adjudication of unclassified and classified records that are received from multiple interagency partners as part of the vetting of Special Immigrant Visa (SIV) applications. Importantly, DOS, not DHS, oversees the vetting and adjudication of SIV applications overseas. Although U.S. Citizenship and Immigration Services is responsible for vetting information in the Form I-130, "Petition for Alien Relative," DOS is now the overall adjudicator of the SIV program.

The draft report also confuses terms such as "asylee" and "refugee," which will likely create confusion for readers regarding the OIG's findings. Section 101(a)(42) of the INA establishes that a refugee is "any person who is outside any country of such person's nationality or, in the case of a person having no nationality, is outside any country in which such person last habitually resided, and who is unable or unwilling to return to, and is unable or unwilling to avail himself or herself of the protection of, that country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion." Refugees who meet certain other eligibility requirements, including vetting requirements, may be granted refugee status as an exercise of discretion. Likewise, asylum may be granted to a person who meets the definition of refugee and is already present in the United States or is seeking admission at a port of entry and who meets other eligibility requirements, including vetting requirements. However, a person is not an asylee until granted asylum, which is discretionary. Refugees are *required* by law to apply for lawful permanent resident (LPR) status one year after being admitted to the United States, *see* INA § 209(a), 8 C.F.R. § 209.1(a)(1); and asylees *may* apply for LPR status one year after their grant of asylum, *see* INA § 209(b), 8 C.F.R. § 209.2(a)(1).

The draft report further states that CBP admitted or paroled individuals into the United States without proper identification or documentation. DHS believes the OIG reached this erroneous conclusion because the OIG misunderstood the procedures that are administered for parole. Specifically, the report appears to assume that all individuals must travel on a valid *travel* document (such as a passport) in order to be inspected and granted parole into the U.S. However, when CBP personnel process individuals for



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parole they may accept an *identification* document, such as traveler’s birth certificate, foreign driver’s license, or other national identity document to establish identity pursuant to Section 212(d)(5)(A) of the INA, which authorizes the Secretary of the Department of Homeland Security to exercise his/her discretion to parole into the United States temporarily under such conditions as he may prescribe only on a case-by-case basis for urgent humanitarian reasons or significant public benefit any alien applying for admission into the United States. On November 2, 2021, CBP provided OIG with a copy of the Secretary’s “Guidance for the Immigration Processing of Afghan Citizens During Operation Allies Refuge,” dated August 23, 2021, which notes that Secretary of Homeland Security Alejandro N. Mayorkas found it an appropriate exercise of discretionary authority for CBP officers to parole certain Afghan national into the U.S., on a case-by-case basis, for a period of two years and subsequent to appropriate vetting.

It is also important to clarify that parole is an extraordinary measure, used to meet urgent humanitarian needs or to support a significant public benefit, including in emergency circumstances. Parole was not used by CBP to circumvent normal visa processes and timelines; rather, evacuation of Afghans was an urgent and exigent circumstance, and the Secretary used his authority accordingly. Per Section 212(d)(5) of the INA and Title 8, Section 212.5 of the Code of Federal Regulations (C.F.R.), CBP may consider parole requests of individuals of any nationality, who present a range of documents and evidence to verify their identity. CBP officers are trained to use all available information including documents and interviews to establish identities.

The draft report also claimed that data within CBP systems - where the ‘document type’ field for 36,000 records was labeled as “facilitation document” - was evidence that there was insufficient documentation. It appears as if OIG misinterpreted the ‘document type’ data field, which CBP used to document that over 36,000 individuals presented some type of acceptable document that was used to verify identity and conduct proper vetting. Specifically, this field was used to record any document that the Afghans had with them that was not a passport, but nevertheless served as other acceptable identification (e.g., driver’s licenses, national ID, etc.). The use of the ‘document type’ field means that these individuals presented an acceptable form of identification at the time of processing, and CBP briefed the OIG team several times between November 2021 and July 2022 to confirm these facts. However, the report still inaccurately asserts that some Afghan nationals arriving through OAW were admitted or paroled to the United States lacked credible documentation.

The draft report also uses specific examples to allege how the vetting system does not work, when in fact those examples highlight how the process worked as intended. Specifically, the draft report states that two individuals were paroled into the United States with derogatory information in their vetting records, which is incorrect. In March 2022, DHS provided the OIG with information on these two individuals, clarifying that they were cleared by the interagency vetting process at the time of travel, and no



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derogatory information was reported prior to their parole into the United States. At times, DHS may be alerted to new derogatory information after individuals are admitted or paroled. This is what occurred in these two cases. That information was provided to the OIG audit team. As expected, DHS and our interagency partners immediately acted upon this new derogatory information; this is indicative of a vetting system that works as designed.

These examples highlight the importance and value of recurrent vetting, which is in place for the OAW parolees and leverages the multitude of partnerships DHS has across law enforcement, intelligence community and counterterrorism agencies to identify national security and public safety concerns as new information becomes available and to act accordingly. Importantly, the National Vetting Center (NVC) also supports recurrent vetting of OAW parolees for the duration of their parole. But it should be noted that this is not a supplemental process as stated in the OIG's draft report. Rather, the NVC recurrent vetting is ongoing and active for all OAW parolees, as the Department has explained to the audit team.

DHS acknowledges that the unprecedented nature of the OAW effort, out of necessity, resulted in rapidly built processes to enable the vetting of individuals prior to parole into the United States. However, it also is critical to acknowledge that DHS was not and is not solely responsible for the vetting of all Afghan nationals, and that interagency vetting partners worked collaboratively to develop and implement a whole-of-government vetting process that was designed based on current best practices and quickly deployed out of necessity given the urgency of the situation. As a result, all Afghan nationals were screened, vetted and inspected prior to parole into the United States.

The draft report contains two recommendations, with which the Department non-concurs. DHS previously submitted technical comments addressing accuracy, contextual, and other issues under a separate cover for OIG's consideration.

Again, thank you for the opportunity to review and comment on this draft report. Please feel free to contact me if you have any questions.

Enclosure



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**Enclosure: Management Response to Recommendations
Contained in 21-057-AUD-DHS**

OIG recommended that the U.S CBP Commissioner:

Recommendation 1:

- a. 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
- b. Ensure recurrent vetting processes established for all paroled evacuees are carried out for the duration of their parole period.

Response: Non-concur. As far back as November 2021, CBP provided evidence to the OIG that all individuals were screened, vetted, and inspected, to include information regarding those without documentation – which is permissible as parole determinations are discretionary per § 212(d)(5) of the INA and 8 C.F.R. § 212.5. Additionally, CBP provided documentation and evidence to the OIG multiple times, as recently as August 12, 2022, corroborating that recurrent vetting processes established for all paroled Afghan nationals are carried out for the duration of their parole period.

During OAW, the DOS and DOD presented individuals to CBP for processing by collecting biometrics and biographic information to submit for vetting through the interagency vetting process, as previously described in this letter. Accordingly, CBP personnel deployed at intermediary sites (i.e., lily pads) and CBP Officers at POEs reviewed available identity documentation, and gathered further biographic/biometric information, when applicable, with the exception for individuals younger than 14 or over 79, which is aligned with required legal processes across other immigration pathways pursuant to 8 C.F.R. § 235.1(f)(1)(iv)(A), for all evacuated individuals.

We request that the OIG consider this recommendation resolved and closed.

OIG recommended that the Secretary of Homeland Security:

Recommendation 2: Develop a comprehensive contingency plan to handle similar evacuation efforts in the future and account for, screen, vet, and inspect all individuals during unprecedented evacuation events when limited biographic data is available. Specifically:

- a. The plan should include, at a minimum, lessons learned from departmental after-action reports that can be incorporated into the plan for future events, lead roles



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and responsibilities, points of contact, established processes, and expected timeframes.

- b. The policies and procedures should ensure accountability, standard practices, and quality assurance across DHS components involved in screening, vetting, and inspecting individuals in emergency situations.

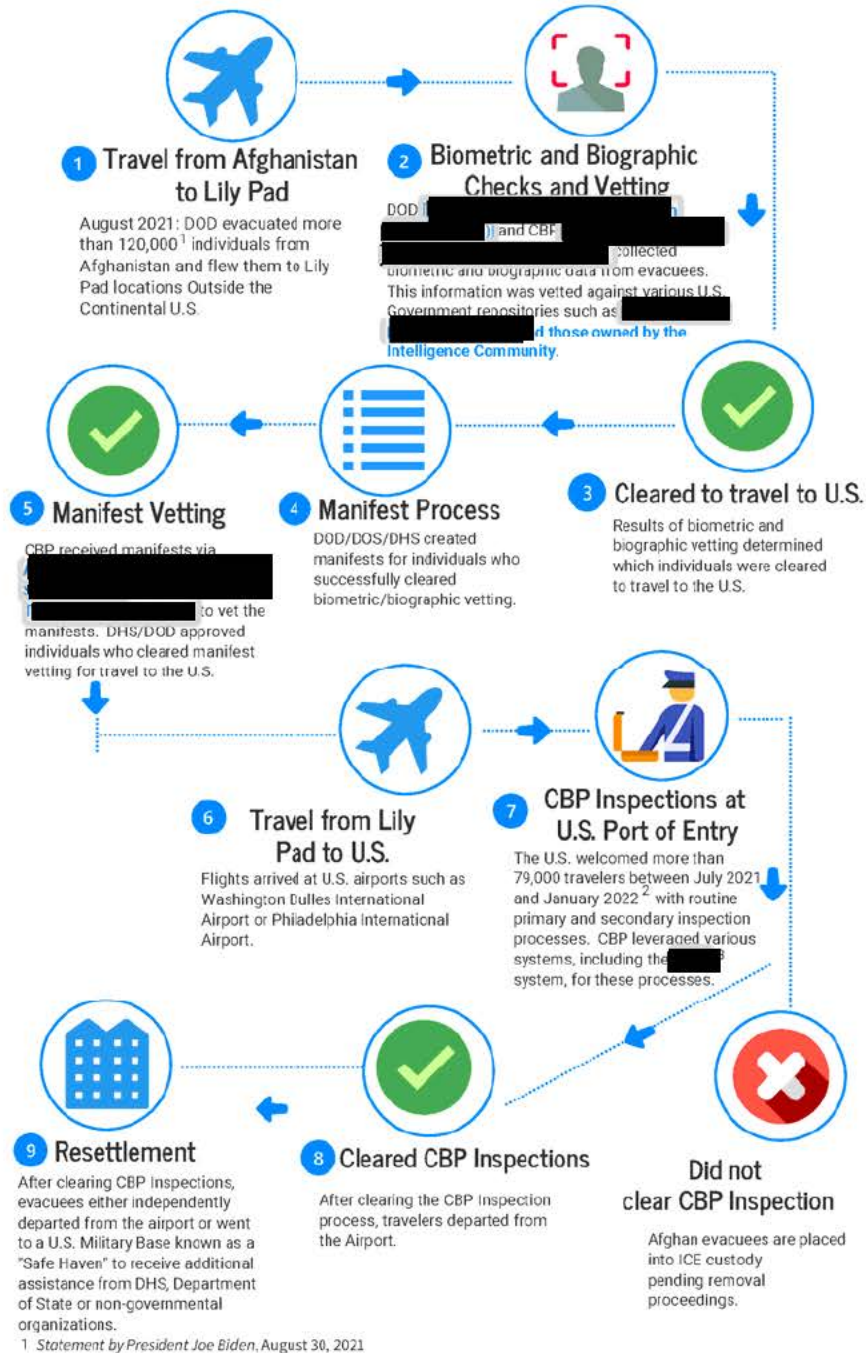
Response: Non-concur. As previously discussed in this management response letter, OAW's rare and extraordinary evacuation effort, to include the vetting process, was an interagency effort that included facts and nuances specific to the circumstances of OAW, and this effort included U.S. government professionals from DOD, DOS, DHS, FBI, NCTC, and other Intelligence Community partners. Ultimately, a recommendation that DHS develop an internal contingency plan based on DHS after-action reports fails to account for the interagency nature of the vetting effort—a point Department officials have raised throughout the OIG audit process—and because the vetting process used in OAW was built upon existing interagency procedures, DHS will work with interagency partners, as appropriate, to tailor these existing procedures to the unique facts and circumstances in any future event. DHS will do so with the unique facts and nuances of that event at the forefront. Further, any applicable OAW lessons learned will be considered.

We request that the OIG consider this recommendation closed.



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Appendix C
Afghan Evacuee OAW Travel Process



¹ Statement by President Joe Biden, August 30, 2021

² Department of Homeland Security Operation Allies Welcome Afghan Evacuee, Quarterly Status Update 1, Fiscal Year 2022 Report to Congress (April 21, 2022) This report included data of Afghan evacuees who entered the U.S. between July 2021 and January 2022 based on DHS Office of Immigration Statistics' analysis of data provided by CBP, USCIS, DOS, and other departments and agencies.

³ [redacted]

Source: DHS OIG analysis of press releases, DOD Inspector General reports, DHS and CBP reports and documents.



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Appendix D
Reports from DOD and DOS Inspectors General and Special
Inspector General for Afghanistan Reconstruction (SIGAR)
Related to OAR/OAW

Report Title	Report Date
DOD	
Special Report: Lessons Learned From the Audit of DoD Support for the Relocation of Afghan Nationals (DODIG-2022-114)	8/5/2022
Management Advisory: DoD Support for the Relocation of Afghan Nationals at Camp Atterbury, Indiana (DODIG-2022-070)	3/9/2022
Management Advisory: DoD Support for the Relocation of Afghan Nationals at Holloman Air Force Base, New Mexico (DODIG-2022-067)	3/3/2022
Management Advisory on the Lack of Memorandums of Agreement for DoD Support for the Relocation of Afghan Nationals (DODIG-2022-066)	3/1/2022
Management Advisory: DoD Support for the Relocation of Afghan Nationals at Fort Bliss, Texas (DODIG-2022-064)	2/16/2022
Evaluation of the Screening of Displaced Persons from Afghanistan (DODIG-2022-065)	2/15/2022
Management Advisory: DoD Support for the Relocation of Afghan Nationals at Fort McCoy, Wisconsin (DODIG-2022-063)	2/15/2022
Management Advisory: DoD Support for the Relocation of Afghan Nationals at Joint Base McGuire-Dix-Lakehurst, New Jersey (DODIG-2022-059)	2/2/2022
Management Advisory: DoD Support for the Relocation of Afghan Nationals at Fort Pickett, Virginia (DODIG-2022-055)	1/20/2022
Management Advisory: DoD Support for the Relocation of Afghan Nationals at Fort Lee, Virginia (DODIG-2022-051)	1/5/2022
Management Advisory: DoD Support for the Relocation of Afghan Nationals at Marine Corps Base Quantico, Virginia (DODIG-2022-050)	1/5/2022
Management Advisory: DoD Support for the Relocation of Afghan Nationals at Rhine Ordnance Barracks (DODIG-2022-045)	12/17/2021
Management Advisory: DoD Support for the Relocation of Afghan Nationals at Ramstein Air Base (DODIG-2022-040)	11/29/2021
DOS	
Information Report: Office of Inspector General’s Analysis of Open Recommendations Specific to U.S. Embassy Kabul, Afghanistan (AUD-MERO-22-18)	1/2022
SIGAR	
Interim Report, Collapse of the Afghan National Defense and Security Forces: An Assessment of the Factors That Led to Its Demise (SIGAR 22-22-IP)	5/2022
Status of U.S. Funding and Activities for Afghanistan Reconstruction: On-budget Assistance Has Ended, Off-budget Assistance Continues, and Opportunities May Exist for U.S. Agencies to Recover Some Unliquidated Funds (SIGAR 22-20)	4/2022

Source: DOD, DOS, and SIGAR



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Appendix E
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