

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051
MINORITY (202) 225-5074
<https://oversight.house.gov>

October 6, 2021

The Honorable Joseph V. Cuffari
Inspector General
U.S. Department of Homeland Security
MAIL STOP 0305
245 Murray Lane, S.W.
Washington, DC 20528-0305

Dear Inspector General Cuffari:

The Committee on Oversight and Reform Republicans write to request that the Office of Inspector General (OIG) investigate the Department of Homeland Security's (DHS) actions and decisions related to Operation Allies Welcome and the tens of thousands of Afghans being resettled in the United States.

The Taliban's consolidation of power in Afghanistan caused thousands to flee, many relying on their ability to seek refuge in the United States.¹ Tens of thousands of evacuated Afghans are currently being hosted at military bases in the United States and around the globe.² President Biden directed DHS to be the lead agency responsible for resettling evacuated Afghans in an effort dubbed "Operation Allies Welcome."³

Most of the Afghans the Biden Administration brought to the United States fall within a nebulous category of "vulnerable Afghans" who have simply been paroled into the country for an initial period of two years.⁴ They fall outside all the recognized lawful status categories: Special Immigrant Visas (SIVs), refugee resettlement, or even through family-based immigration benefits. "Parole" is an important statutory authority to be used "only on a case-by-case basis for urgent humanitarian reasons or significant public

¹ Hookway, James & Saeed Shah, *What's Happening in Afghanistan? Taliban Form New Government After U.S. Withdrawal*, WALL STREET JOURNAL (Sept. 10, 2021), available at https://www.wsj.com/articles/whats-happening-in-afghanistan-kabul-airport-11629138516?mod=article_inline.

² Sgana, Nicole, et. al., *Over 50,000 Afghan evacuees expected to resettle in U.S., says DHS Secretary Alejandro Mayorkas*, CBS NEWS (Sept. 3, 2021), available at <https://www.cbsnews.com/news/50000-afghan-evacuees-expected-resettle-us/>.

³ Dep't. of Homeland Security, *Fact Sheet: Operation Allies Welcome* (Sept. 3, 2021), available at https://www.dhs.gov/sites/default/files/publications/21_0903_oaw-fact-sheet_508.pdf.

⁴ *Id.*

benefit,” but does not lead to any permanent immigration status in the United States.⁵ Moreover, humanitarian parolees are not eligible for refugee resettlement benefits to assist with their transition into American communities.⁶

Recognizing the legal limitations after the evacuation, the Biden Administration has asked Congress to provide a path to citizenship for those who have been or will be paroled into the country as well as extend refugee resettlement benefits to vulnerable Afghans to the same extent afforded actual refugees.⁷ The Administration made this request after the evacuation—further evidence that the chaotic withdrawal from Afghanistan was not well planned or executed.

To assist the Republicans on the Oversight Committee in understanding DHS’ process for vetting and resettling of Afghans in the United States and ensuring their safe integration into American communities, we request that the OIG conduct an investigation. The OIG should, at a minimum, include and consider the following questions as part of its investigation:

1. What are the total numbers of Afghans being resettled in the United States, disaggregated by those who are SIV holders, SIV applicants, P1 or P2 refugees, or “vulnerable Afghans”/parolees?
2. What is the definition for “vulnerable Afghans” as used by the Biden Administration? Is this definition consistent across DHS and other federal agencies?
3. Will all “vulnerable Afghans” who do not qualify for permanent legal immigration status be paroled into the United States?
4. Is parole into the United States granted before or after screening and vetting procedures are complete?
5. Are the screening and vetting procedures adequate to ensure bad actors do not make it into the United States?

⁵ See 8 U.S.C. § 212(d)(5) (“but such parole of such alien shall not be regarded as an admission of the alien and when the purposes of such parole shall... have been served the alien shall forthwith return or be returned to the custody from which he was paroled...”).

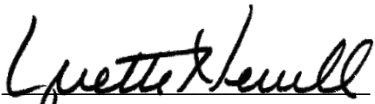
⁶ U.S. Dep’t. of Health and Human Services, Administration for Children & Families, Office of Refugee Resettlement, *Status and Documentation Requirements for the ORR Refugee Resettlement Program* (Oct. 2, 2015), n. 5, available at <https://www.acf.hhs.gov/orr/policy-guidance/status-and-documentation-requirements-orr-refugee-resettlement-program>. (“These types of parolees [such as ‘humanitarian’ or ‘public interest parole’] under § 212(d)(5) are NOT eligible for ORR benefits.”) (emphasis in original).

⁷ See The White House, *FY 2022 Continuing Resolution (CR) Appropriations Issues (anomalies required for a short-term CR)* (Sept. 7, 2021), available at https://www.whitehouse.gov/wp-content/uploads/2021/09/CR_Package_9-7-21.pdf.

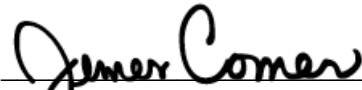
6. What access does DHS have to criminal backgrounds and security related databases covering Afghanistan?
7. In the event an Afghan national is determined to be a security threat and eligible for removal from the United States, what is DHS's plan to remove that alien and to what country would they be removed?
8. Where refugee resettlement benefits are not available to parolees, what other sources of funds or government programs are being used by the Biden Administration to provide transitional assistance?
9. In the event that Congress does not act to extend refugee resettlement benefits or permanent legal status to those vulnerable Afghans who are paroled into the United States for humanitarian reasons, what is the Biden Administration's plan to care for and resettle those individuals safely within the United States?

Thank you for your consideration of this important issue. The Committee on Oversight and Reform is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate "any matter" at "any time" under House Rule X. Thank you in advance for your cooperation with this inquiry.

Sincerely,



Yvette Herrell
Member of Congress



James Comer
Ranking Member
Committee on Oversight and Reform

cc: The Honorable Carolyn Maloney, Chairwoman
Committee on Oversight and Reform