

United States Senate  
WASHINGTON, DC 20510

October 19, 2024

**VIA ELECTRONIC TRANSMISSION**

The Honorable Michael Horowitz  
Inspector General  
Department of Justice

Dear Inspector General Horowitz:

On October 10, 2024, I wrote to the Federal Bureau of Investigation (FBI) regarding Nasir Ahmad Tawhedi, an Afghan national with ties to the Islamic State of Iraq and Syria (ISIS).<sup>1</sup> Tawhedi was arrested on October 7, 2024, after law enforcement discovered his plans to carry out an Election Day terrorist attack on behalf of ISIS.<sup>2</sup> According to the Department of Justice (DOJ), prior to his arrest, on September 9, 2021, Tawhedi arrived in the United States as part of Operation Allies Refuge (OAR) and Operation Allies Welcome (OAW).<sup>3</sup> I've raised serious concerns about the Biden-Harris Administration's failure to properly vet Afghan evacuees and the FBI's improper classification of the data relating to the assessments and investigation of these individuals—concerns which have unfortunately gone unanswered and still remain.<sup>4</sup>

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<sup>1</sup> Letter from Sen. Charles E. Grassley, Ranking Member, Senate Budget Committee, to the Honorable Christopher Wray, Director, Federal Bureau of Investigation (Oct. 10, 2024), [https://www.grassley.senate.gov/imo/media/doc/grassley\\_to\\_fbi\\_-\\_tawhedi.pdf](https://www.grassley.senate.gov/imo/media/doc/grassley_to_fbi_-_tawhedi.pdf).

<sup>2</sup> *United States v. Tawhedi*, M-27-760-SM (W.D. Okla. 2024) at 1, <https://www.documentcloud.org/documents/25196610-usa-v-tawhedi>; Louis Casiano, David Spunt, *Afghan man in Oklahoma plotted Election Day terror attack in US on behalf of ISIS*, Justice Department says, FOX NEWS (Oct. 8, 2024), <https://www.foxnews.com/us/afghan-man-oklahoma-plotted-election-day-terror-attack-us-isis-justice-department-says>.

<sup>3</sup> *United States v. Tawhedi*, *supra* note 2 at 6; Casiano and Spunt, *supra* note 2; John Solomon and Misty Severi, *Biden-Harris team was flagged for weak vetting of Afghan refugees, now one is charged in terror plot*, JUSTTHENEWS (Oct. 8, 2024), <https://justthenews.com/government/security/biden-harris-team-was-flagged-weak-vetting-afghan-refugees-now-one-charged>.

<sup>4</sup> Letter from Sen. Charles E. Grassley, *supra* note 1; Senator Charles E. Grassley, *Watchdog Report Corroborates Grassley Oversight of DHS, FBI Failures to Properly Vet Afghan Evacuees*, NEWS RELEASES (July 1, 2024), <https://www.grassley.senate.gov/news/news-releases/watchdog-report-corroborates-grassley-oversight-of-dhs-fbi-failures-to-properly-vet-afghan-evacuees#:~:text=Watchdog%20Report%20Corroborates%20Grassley%20Oversight%20of%20DHS,%20FBI>; Senator Charles E. Grassley, *Grassley & Judiciary Committee Colleagues Introduce Bill to Protect Afghan Allies*, NEWS RELEASES (July 21, 2023), <https://www.grassley.senate.gov/news/news-releases/grassley-and-judiciary-committee-colleagues-introduce-bill-to-protect-afghan-allies>; Senator Charles E. Grassley, *Grassley Joins Thune, Risch, Colleagues to Introduce Bill to Release Afghanistan Dissent Cable*, NEWS RELEASES (May 12, 2023), <https://www.grassley.senate.gov/news/news-releases/grassley-joins-thune-risch-colleagues-to-introduce-bill-to-release-afghanistan-dissent-cable>; Senator Charles E. Grassley, *Grassley: Americans Deserve to Know How FBI Is Addressing Afghan Evacuee Vetting Failures*, NEWS RELEASES (Sep. 21, 2022), <https://www.grassley.senate.gov/news/news-releases/grassley-americans-deserve-to-know-how-fbi-is-addressing-afghan-evacuee-vetting-failures>; Senator Charles E. Grassley, *Grassley Statement on DHS Inspector General Finding Deficiencies with Vetting of Afghan Parolees*, NEWS RELEASES (Sep. 7, 2022), <https://www.grassley.senate.gov/news/news-releases/grassley-statement-on-dhs-inspector-general-finding-deficiencies-with-vetting-of-afghan-parolees>; Senator Charles E. Grassley, *Senators Seek Transparency on Flagged Afghan Evacuees Amid Ongoing Concerns of Vetting, Security Failures*, NEWS RELEASES (Aug. 22, 2022), <https://www.grassley.senate.gov/news/news-releases/senators-seek-transparency-on-flagged-afghan-evacuees-amid-ongoing-concerns-of-vetting-security-failures>; Oversight of the Federal Bureau of Investigation: Hearing before the U.S. Senate

During an August 4, 2022, Senate Judiciary Committee FBI oversight hearing, I asked Director Wray whether the FBI knows where certain flagged evacuees are located.<sup>5</sup> He responded:

We have a lot of information about where people are located. I can't sit here right now and tell you that we know where all are located at any given time. That's probably true.<sup>6</sup>

As I noted in my August 22, 2022, letter to the FBI, the response during the hearing failed to inspire trust that the FBI knows the exact location of at least 50 Afghan evacuees identified by the National Ground Intelligence Center (NGIC) with potentially significant security concerns.<sup>7</sup> To date, the FBI and Director Wray have failed to provide any meaningful update with respect to his testimony.

Additionally, on June 25, 2024, I wrote another letter to Director Wray, which also remains unanswered, noting that the FBI, on July 14, 2022, participated in a classified multi-agency briefing to congressional staff regarding Afghans evacuated and resettled in the United States.<sup>8</sup> The FBI shared new information beyond the 50 individuals who were initially flagged

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Committee on the Judiciary, 117th Cong. (2022), <https://www.judiciary.senate.gov/committee-activity/hearings/08/04/2022/oversight-of-the-federal-bureau-of-investigation>; Senator Charles E. Grassley, *Grassley Statement at FBI Oversight Hearing – Prepared Opening Statement by Senator Chuck Grassley of Iowa*, REMARKS (Aug. 4, 2022), <https://www.grassley.senate.gov/news/remarks/grassley-statement-at-fbi-oversight-hearing>; Senator Charles E. Grassley, *Grassley, Portman, Inhofe Demand Update from FBI on Afghan Evacuees Flagged for Security Concerns, Denounce DHS' Continued Failure to Use All Vetting Tools*, NEWS RELEASES (May 27, 2022), <https://www.grassley.senate.gov/news/news-releases/grassley-portman-inhofe-demand-update-from-fbi-on-afghan-evacuees-flagged-for-security-concerns-denounce-dhs-continued-failure-to-use-all-vetting-tools>; Senator Charles E. Grassley, *Grassley Statement on Watchdog Warnings about Deficient Vetting of Afghan Evacuees*, NEWS RELEASES (Feb. 17, 2022), <https://www.grassley.senate.gov/news/news-releases/grassley-statement-on-watchdog-warnings-about-deficient-vetting-of-afghan-evacuees>; Senator Charles E. Grassley, *Portman, Grassley, Shelby, Risch, Inhofe & Capito Request Biden Administration Provide Overdue Report on Composition & Vetting of Afghan Evacuees*, NEWS RELEASES (Dec. 22, 2021), [https://www.grassley.senate.gov/news/news-releases/portman-grassley-shelby-risch-inhofe-and-capito-request-biden-administration-provide-overdue-report-on-composition vetting-of-afghan-evacuees](https://www.grassley.senate.gov/news/news-releases/portman-grassley-shelby-risch-inhofe-and-capito-request-biden-administration-provide-overdue-report-on-composition- vetting-of-afghan-evacuees); Senator Charles E. Grassley, *State Dept. AWOL as Americans, Allies Remain Stranded in Afghanistan*, REMARKS (Oct. 28, 2021), <https://www.grassley.senate.gov/news/remarks/state-dept-awol-as-americans-allies-remain-stranded-in-afghanistan>; Senator Charles E. Grassley, *Grassley on Afghanistan Collapse through the Lens of the Inspector General – Prepared Floors Remarks by U.S. Senator Chuck Grassley of Iowa*, REMARKS (Sep. 27, 2021), <https://www.grassley.senate.gov/news/remarks/grassley-on-afghanistan-collapse-through-the-lens-of-the-inspector-general>; Senator Charles E. Grassley, *Grassley Presses Justice Dept., FBI on Terrorist Travel after Afghanistan Withdrawal*, NEWS RELEASES (Sep. 27, 2021), <https://www.grassley.senate.gov/news/news-releases/grassley-presses-justice-dept-fbi-on-terrorist-travel-after-afghanistan-withdrawal>; Senator Charles E. Grassley, *Grassley on President Biden's Afghanistan Failures – Prepared Floor Remarks by U.S. Senator Chuck Grassley of Iowa*, REMARKS (Sep. 15, 2021), <https://www.grassley.senate.gov/news/remarks/grassley-on-president-bidens-afghanistan-failures>; Senator Charles E. Grassley, *Grassley to Biden Admin: Don't Let Bad Actors Take Advantage of Chaotic Afghanistan Withdrawal*, NEWS RELEASES (Aug. 31, 2021), <https://www.grassley.senate.gov/news/news-releases/grassley-to-biden-admin-dont-let-bad-actors-take-advantage-of-chaotic-afghanistan-withdrawal>; Senator Charles E. Grassley, *Grassley Statement on Afghanistan*, NEWS RELEASES (Aug. 26, 2021), <https://www.grassley.senate.gov/news/news-releases/grassley-statement-on-afghanistan>.

<sup>5</sup> Oversight of the Federal Bureau of Investigation: Hearing before the U.S. Senate Committee on the Judiciary, 117th Cong. (2022), <https://www.judiciary.senate.gov/committee-activity/hearings/08/04/2022/oversight-of-the-federal-bureau-of-investigation>; see also *Does the FBI Know Where all These Flagged Evacuees Are?*, Grassley Grills Wray on Afghan Refugees, FORBES BREAKING NEWS (Aug. 9, 2022), <https://www.youtube.com/watch?v=SBm4qHn2hJA>, at 3:19.

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

<sup>7</sup> Aug. 22, 2024 letter, *supra* note 4.

<sup>8</sup> July 1, 2024 letter, *supra* note 4.

by NGIC. Further, in my June 25 letter, I highlighted a May 2024 Department of Homeland Security (DHS) Office of Inspector General (OIG) report titled, *DHS Has a Fragmented Process for Identifying and Resolving Derogatory Information for Operation Allies Welcome Parolees*, which corroborated my concerns that the Biden-Harris administration has failed to properly vet and investigate Afghan evacuees.<sup>9</sup> Specifically, the report found the FBI had refused to provide DHS full access to the National Crime Information Center Interstate Identification Index (Triple I) System.<sup>10</sup> The FBI refused access to the Triple I system because, “the FBI does not consider [U.S. Citizenship and Immigration Services] USCIS a criminal justice agency and deems immigration and naturalization issues as noncriminal justice matters.”<sup>11</sup>

More recently, in my October 10, 2024, letter to the FBI, I asked questions related to the investigative steps FBI, DHS, and any other government agencies, took to vet and investigate Tawhedi.<sup>12</sup> Specifically, I asked:

Did any U.S. government agency, to include FBI and DHS, vet and investigate Nasir Ahmed Tawhedi before his entry into the United States? Provide a detailed description, including all dates of contact, entry, and review, and all records. In your answer, list each database the government used to vet and investigate Tawhedi prior to his entry into the United States.<sup>13</sup>

Recently, my office obtained a version of Tawhedi’s unclassified I-94 Arrival/Departure Record.<sup>14</sup> The document notes that Tawhedi “populated the Operation Allies Welcome (OAW) arrival hotlist” on August 26, 2024. The document notes that derogatory information on Tawhedi was referred to Homeland Security Investigations (HSI) around that time.<sup>15</sup> The document also notes that Tawhedi’s visa class is “OPERATION ALLIES REFUGE (PORT OF ENTRY PAROLE – (OAR)) (OAR).”<sup>16</sup> Recent reporting also states that Tawhedi was never approved for a special immigrant visa and was “not well known” to the United States at the time of his entry.<sup>17</sup> The sworn FBI affidavit in support of the DOJ complaint stated, “Tawhedi

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<sup>9</sup> DHS, Office of Inspector General, OIG-24-24, *DHS Has a Fragmented Process for Identifying and Resolving Derogatory Information for Operation Allies Welcome Parolees* (May 6, 2024), <https://www.oig.dhs.gov/sites/default/files/assets/2024-05/OIG-24-24-May24.pdf>.

<sup>10</sup> *Id.* at 12.

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

<sup>12</sup> Letter from Sen. Charles E. Grassley, *supra* note 1.

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

<sup>14</sup> I-94 Arrival/Departure Record, on File with Committee Staff.

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

<sup>16</sup> *Id.*

<sup>17</sup> Jacqui Heinrich, Bill Melugin, & Chris Pandolfo, *Afghan National Accused in Terror Plot Was Not Vetted for SIV Status, Despite Past Biden Admin Claims*, FOX NEWS (Oct. 16, 2024), <https://www.foxnews.com/politics/afghan-national-accused-terror-plot-not-vetted-siv-status-despite-past-biden-admin-claims>. (“Officials now acknowledge Tawhedi was never vetted or approved for special immigrant (SIV) status, a thorough State Department process which can take years to complete. The State Department has maintained all along it had no role in Tawhedi’s refugee status, despite what a DHS case agent told investigators – leading to its inaccurate mention in the DOJ criminal complaint. Last week, Biden administration officials defended the error, explaining that Tawhedi first entered the country on DHS humanitarian parole – which had its own vetting process – but later applied for SIV status, subjecting him to another round of vetting which he also cleared. Those same officials now admit that claim was wrong, and Tawhedi was never vetted or approved for SIV.”)

entered the United States on September 9, 2021, on a special immigrant visa and is currently on parole status pending adjudication of his immigration proceedings.”<sup>18</sup>

Accordingly, I am requesting the DOJ OIG open a review into the DOJ and FBI’s assessment, investigation, and tracking of Afghan evacuees allowed entry into the United States as part of OAR and OAW.<sup>19</sup> As part of the review, I request that you include an analysis with respect to whether Tawhedi was subject to those actions.

Thank you for your prompt review. If you have any questions, please contact Tucker Akin on my Committee staff at (202) 224-0642.

Sincerely,



Charles E. Grassley  
Ranking Member  
Committee on the Budget

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<sup>18</sup> *United States v. Tawehdi*, *supra* note 2 at 6.

<sup>19</sup> Your review should include data regarding whether any investigations proceeded to prosecution.