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United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

March 11, 2025

VIA ELECTRONIC TRANSMISSION

The Honorable Kash Patel
Director
Federal Bureau of Investigation

Dear Director Patel:

On October 10 and October 21, 2024, I wrote to the Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI) regarding Nasir Ahmad Tawhedi, an Afghan national who was arrested in Oklahoma after allegedly planning an Election Day terrorist attack in the United States on behalf of ISIS.¹ In my October 21 letter, I raised concerns and questions related to Tawhedi's entry into the United States through Operation Allies Refuge (OAR) and Operation Allies Welcome (OAW).² As you are likely aware, I've consistently raised concerns about the Biden administration's failure to vet Afghan evacuees and the FBI's improper classification of data relating to the assessments and investigations of these individuals.³ Recently, on

¹ 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>; Letter from Sen. Charles E. Grassley, Ranking Member, Senate Budget Committee, to the Honorable Christopher Wray, Director, Federal Bureau of Investigation (Oct. 21, 2024), <https://www.grassley.senate.gov/news/news-releases/grassley-demands-explanation-from-biden-harris-admin-on-failure-to-vet-afghan-terrorist-requests-watchdog-review>; I-94 Arrival/Departure Record, Exhibit 1.

² *Id.*

³ 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 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>; 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),

January 30, 2025, the FBI provided a response to my October 2024 letters.⁴ The FBI failed to fully and completely respond to either letter and failed to provide any of the requested records.⁵

On May 26, 2022, August 22, 2022, and June 25, 2024, I wrote to the FBI requesting information regarding the screening and vetting of individuals that were evacuated from Afghanistan through OAW and OAR.⁶ Specifically, my May 26, 2022, letter to then-FBI Director Wray highlighted that Department of Defense (DOD) officials told my office that they provided the FBI a spreadsheet of information regarding Afghan evacuees that were flagged as potentially significant security concerns, at least 50 of which were paroled into the United States by the Department of Homeland Security (DHS).⁷ That letter requested the FBI provide the steps it had taken to adjudicate the derogatory information of those flagged evacuees, including the location of those individuals.⁸ Further, I requested the FBI provide information on how it had addressed threats posed by Afghan evacuees that DHS paroled into the United States despite failing to screen them via DOD's tactical database.⁹ Former FBI Director Wray failed to respond.

Further, I've questioned the FBI's rationale behind its classification of information provided to congressional staff during a July 14, 2022, briefing.¹⁰ During this briefing, the FBI, along with other government agencies, shared additional information beyond the 50 Afghan evacuees initially flagged by the National Ground Intelligence Center (NGIC).¹¹ FBI officials claimed the information provided during the briefing was classified despite similar information being unclassified in the past.

Additionally, in my June 25, 2024, letter to the FBI, I highlighted a DHS Office of Inspector General (OIG) report titled, *DHS Has a Fragmented Process for Identifying and Resolving Derogatory Information for Operation Allies Welcome Parolees*.¹² This report confirmed the concerns I've had for years—that the Biden administration failed to properly vet Afghan evacuees and the FBI failed to provide the necessary law enforcement mechanisms needed to properly ensure Americans' safety.¹³ That report noted the FBI's refusal to provide the U.S. Citizenship and Immigrations Services (USCIS) with full access to its National Crime Information Center Interstate Identification Index (Triple I) System—a refusal I questioned.¹⁴ Former FBI Director Wray failed to respond to my letter.

<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>.

⁴ Letter from Patrick N. Findlay, Assistant Director, Federal Bureau of Investigation, to Senator Charles Grassley, Ranking Member, Senate Judiciary Committee (Jan. 30, 2025), on File with Committee Staff.

⁵ *Id.*

⁶ News Releases (May 27, 2022), News Releases (Aug. 22, 2022), and News Releases (July 1, 2024), *supra* note 3.

⁷ News Releases (May 27, 2022), *supra* note 3.

⁸ *Id.*

⁹ *Id.*

¹⁰ News Releases (Aug. 22, 2022), *supra* note 3.

¹¹ *Id.*

¹² News Releases (July 1, 2024), *supra* note 3; Department of Homeland Security, 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>.

¹³ News Releases (July 1, 2024), *supra* note 3; Department of Homeland Security, *supra* note 12.

¹⁴ News Releases (July 1, 2024), *supra* note 3; Department of Homeland Security, *supra* note 12 (According to the DHS OIG report, the FBI refused to provide U.S. Citizenship and Immigration Services full access to its National Crime Information Center Interstate Index (Triple I) System because “the FBI does not consider USCIS a criminal justice agency and deems immigration and naturalization issues as noncriminal justice matters.” However, the OIG found that OAW parolees “were later convicted of committing crimes such as abusive sexual contact with a minor, indecent exposure, sexual assault, auto grand larceny, assault, and battery.”).

I welcome any additional explanation from the FBI to better understand what steps the FBI has taken to vet, investigate, and track Afghan evacuees, like Tawhedi, who have derogatory information on their file or potentially raise security concerns. For Congress to conduct independent oversight, provide a response to the following requests in an unclassified form no later than March 25, 2025:

1. Did any U.S. government agency, to include the FBI, 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.¹⁵
2. Provide the dates Tawhedi was subject to any assessment, preliminary investigation, or full investigation.
3. Describe, in detail, actions the FBI has taken to monitor Afghan evacuees deemed a national security concern.
4. How many Afghan evacuees deemed a national security concern are located in the United States? Is the FBI aware of their location?
5. How many Afghan evacuees deemed a national security concern have since been cleared and are no longer a security concern?
6. How many Afghan evacuees deemed a national security concern are currently subject to an assessment, preliminary investigation, or full investigation? Does the FBI know where each is located?
7. What steps has the FBI taken to address the counterterrorism threat posed by Afghan parolees who have not been screened by DHS against the DOD's tactical database? Provide all records.
8. Will the FBI provide USCIS full access to its Triple I system? If not, why not?
9. From August 8, 2024, the date in which Tawhedi populated the OAW hotlist, to the date of his arrest on October 7, 2024, did the FBI receive any information requests from DHS regarding Tawhedi? Did DHS notify the FBI that Tawhedi had populated the hotlist? Provide all records.

Thank you for your prompt review and response. If you have any questions, please contact Tucker Akin with my Committee staff at (202) 224-5225.

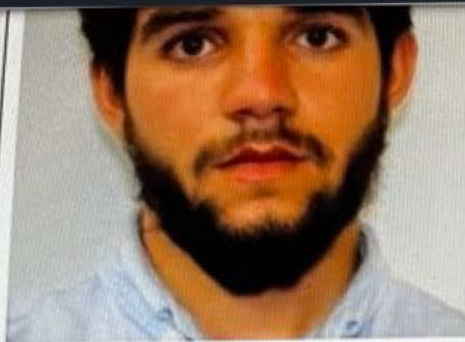
Sincerely,



Charles E. Grassley
Chairman
Committee on the Judiciary

¹⁵ "Records" include any written, recorded, or graphic material of any kind, including letters, memoranda, reports, notes, electronic data (e-mails, email attachments, and any other electronically-created or stored information), calendar entries, inter-office communications, meeting minutes, phone/voice mail or recordings/records of verbal communications, and drafts (whether or not they resulted in final documents).

EXHIBIT 1



COC	POB	DOB	PP#	Occupation
Afghanistan (AF)	Afghanistan (AF)	11 August 1997	[REDACTED] (AF)	Unknown
A#	SSN	FIN	Visa	ESTA
[REDACTED]	[REDACTED]	[REDACTED]	N/A	N/A

Synopsis

SYNOPSIS: On 09 Sept 2021, Nasir Ahmad TAWHEDI, a citizen of Afghanistan (AF) born in AF, arrived at the Washington Dulles International Airport (IAD) Port of Entry as part of Operation Allies Refuge. TAWHEDI negative for any derogatory information at that time and was admitted under the Port Parole Operation Allies Refuge. On 08/26/2024 TAWHEDI populated the Operation Allies Welcome (OAW) arrival hotlist. TAWHEDI is the subject of a silent hit entered by the Oklahoma Federal Bureau of Investigation to be notified if the subject is encountered. At this time there is no pending travel for TAWHEDI. (NTC Event [REDACTED])

US Nexus / Immigration Status

- Operation Allies Refuge Port Parole (OAR)

Travel History

INBOUND

- 09/09/2021 RMS - IAD

GLOBAL APIS

- N/A

OUTBOUND

- N/A



I-94 Arrival/Departure Record

Mission Number:

TECS ID:



Arrival Record

Last Name: TAWHEDI

First Name: NASIR AHMAD

Birth Date: 08/11/1997

Citizenship: AFGHANISTAN (AFG)

Sex: Male

Passport: [REDACTED] - AFGHANISTAN (AFG)

Country of Residence: AFGHANISTAN (AFG)

Nationality: AFGHANISTAN (AFG)

City Boarded From: —

Admission
Number:

SAVI Indicator: None

Visa Class: OPERATION ALLIES REFUGE (PORT OF
ENTRY PAROLE – (OAR)) (OAR)

Visa Issue City: —

Date Issued: 09/08/2021

Date Admission: 09/08/2025

Expires:

Conveyance:

Arrival Date: 09/09/2021

Arrival Port: WASHINGTON DULLES INTERNATIONAL
AIRPORT, VA (IAD)

Disposition: OAW ARRIVALS: DEROG FOUND - REFERRED TO HSI

Created: 08/29/2024 14:39 by [REDACTED]

Last Updated: 08/29/2024 14:39 by [REDACTED]

Remarks: DEROG FOUND REFERRED TO HSI