

SIGAR

**Special Inspector General for
Afghanistan Reconstruction**

OFFICE OF SPECIAL PROJECTS

**U.S.-BASED TRAINING FOR AFGHANISTAN
SECURITY PERSONNEL: TRAINEES WHO
GO ABSENT WITHOUT LEAVE HURT
READINESS AND MORALE, AND MAY
CREATE SECURITY RISKS**



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SIGAR

Office of the Special Inspector General
for Afghanistan Reconstruction

October 16, 2017

The Honorable Rex W. Tillerson
Secretary of State

The Honorable Jim Mattis
Secretary of Defense

The Honorable Elaine Duke
Acting Secretary of Homeland Security

This report discusses the results of SIGAR's review of Afghan security personnel going Absent Without Leave (AWOL) while training within the United States. The report determines (1) the extent to which Afghan security personnel went AWOL while training in the United States, and why; (2) the processes for vetting and selecting Afghans for training in the United States and for investigating their disappearance once they have gone AWOL; and (3) the impact AWOLs have on the United States and Afghan training and reconstruction efforts.

We found that nearly half of all foreign military trainees that went AWOL while training in the United States since 2005 were from Afghanistan (152 of 320). Of the 152 AWOL Afghan trainees, 83 either fled the United States after going AWOL or remain unaccounted for. We also found that these instances of AWOL may have negative consequences, both for Afghanistan and the United States. For example, we found that the increasing instances of AWOL since 2015 may have had a negative impact on operational readiness of Afghan National Defense and Security Forces (ANDSF) units and the morale of fellow trainees and home units, and posed security risks to the United States.

To help prevent Afghans trainees in the United States from going AWOL in the future, we suggest that Department of Defense (DOD) mentors in Afghanistan work closely with the Ministry of Defense (MOD) and Ministry of Interior (MOI) to develop processes and procedures that increase the likelihood that ANDSF personnel returning from training in the United States will be placed in positions that take advantage of their newly acquired skills. Additionally, to improve coordination between U.S. Citizenship and Immigration Services (USCIS) and U.S. Immigration and Customs Enforcement's (ICE), and to help prevent AWOL trainees who may pose a threat to U.S. national security from remaining in the United States, we suggest that USCIS and ICE develop policies or procedures that will ensure improved communication between the two agencies throughout the investigatory and potential asylum processes, such as requiring ICE to include important case information in the TECS system immediately upon initiating an investigation into AWOL Afghan trainees. Finally, given the demonstrated propensity of Afghan trainees to go AWOL while training in the United States, when compared to trainees of other nations, we suggest that State, in coordination with DOD and the Department of Homeland Security (DHS), (a) determine whether requiring all Afghan trainees to complete an in-person interview prior to being granted an A-2 visa would help to mitigate AWOL occurrences or assist in ICE investigations when AWOLs occur, and (b) review the policy of exempting Afghan military trainees from provisions pertaining to registration as alien residents in the United States, as outlined in 8 U.S.C. § 1201, and evaluate the benefits of providing greater granularity on biographical and background information for all Afghan security trainees in the United States.

We provided a draft of this report to DOD, State, and DHS on August 29, 2017, we received both written and technical comments on a draft of this report from State and DHS. We incorporated their technical comments, as appropriate, and their written comments are reproduced in Appendix I and Appendix II, respectively. We also

received technical comments from multiple DOD entities, including the Office of the Secretary of Defense, the Combined Security Transition Command-Afghanistan (CSTC-A), the Navy Internal Programs Office, and the Office of the Secretary of the Air Force Internal Affairs, which we incorporated as appropriate.

In its comments, State did not concur with one of our suggested actions and neither agreed nor disagreed with another. The Department disagreed with our suggestion to determine whether requiring all Afghan trainees to complete an in-person interview prior to being granted a visa would help mitigate AWOL occurrences or assist in ICE investigations. However, we maintain that in-person interviews may provide valuable information regarding the likelihood of a trainee to abscond from training in the United States, and additional information (e.g. the names and addresses of friends and family members living in the United States) that, if shared with ICE, may be helpful in their investigative work. Regarding our suggestion that the Department review the policy of exempting Afghan military trainees from provisions pertaining to registration as alien residents in the United States and evaluate the benefits of providing greater granularity on biographical and background information for all Afghan security trainees in the United States, the Department neither agreed nor disagreed. Nevertheless, it is clear that Afghan trainees go AWOL while in the United States at a far higher rate than do trainees from any other country, and we believe that the State Department (as well as other government agencies) should use all the tools at their disposal to reduce these occurrences and ensure that Afghan trainees return to Afghanistan and make use of the substantial U.S. taxpayer investment in training. Finally, the State Department disagreed with the phrasing used in our draft report related to improving coordination between USCIS and ICE. Accordingly, we revised the suggested action.

In its comments, DHS stated that it “has a number of mechanisms in place to identify and remove aliens who overstay their period of lawful admission in the United States,” and that ICE’s Counterterrorism and Criminal Exploitation Unit (CTCEU) “focuses on preventing criminals and terrorists from exploiting our immigration system by proactively developing cases for investigation on individuals who violate the conditions of their status or overstay their period of admission.” Although the Department acknowledged the need for close cooperation between USCIS and ICE, it did not agree with the language contained in a draft of our suggested action because of the implications that such an action could have on the asylum process. We revised the language in response to the Department’s concern.

We conducted our work in Kabul, Afghanistan; Joint Base San Antonio and Washington, D.C. from May 2016 to August 2017, in accordance with SIGAR’s quality control standards. These standards require that we carry out work with integrity, objectivity, and independence, and provide information that is factually accurate and reliable. For more information on the policies and procedures and quality control standards for conducting special project work, please see SIGAR’s website (www.SIGAR.mil). SIGAR performed this special project under the authority of Public Law No. 110-181 and the Inspector General Act of 1978, as amended. Should you or your staff have any questions about this project, please contact Mr. Matthew Dove, Director of Special Projects, at (703) 545-6051 or matthew.d.dove.civ@mail.mil

Sincerely,



John F. Sopko
Special Inspector General
for Afghanistan Reconstruction

Since 2001 the United States has sought to promote a stable and prosperous Afghan government that “contributes to the global dialogue on security, respects human rights and the rule of law, possesses the ability to plan, train, and operate with the United States and its allies, and contributes to regional international stability through the training of a professional armed force.”¹ A major objective of U.S. reconstruction efforts in Afghanistan is to build the Afghan government’s capacity to provide for its own security by equipping and training the Afghan National Defense and Security Forces (ANDSF). The ANDSF is mainly comprised of the Afghan National Army (ANA) and Afghan National Police (ANP). As of July 30, 2017, Congress has appropriated \$68.27 billion to the Department of Defense (DOD) to train and equip the ANDSF.²

The U.S. government supports ANDSF training in a “deliberate effort to shape the Afghan military and police establishments by: (1) providing basic and advanced training in tactics and leadership fundamentals to ANDSF officers with potential to be senior leaders; (2) providing senior level staff training and education to selected ANDSF officers who have potential for sustained or future prominence, and (3) supporting an increase in Afghanistan’s aviation capabilities through the development of the Afghan Air Force and Special Operations Forces.”³ As part of U.S. government training efforts to improve the capacity of the ANDSF and enhance its ability to participate in missions alongside the United States and NATO, the U.S. government (through both DOD and the Department of State) sponsors a number of military training programs that have sent ANDSF personnel to the United States for training. These programs include the following: Aviation Leadership Program, Regional Defense Combating Terrorism Fellowship Program, Foreign Military Sales, International Military Education and Training, DOD Regional Centers for Security Studies, and Counter-Drug Training Support. Appendix III provides a more detailed description of each of these training programs.

For several years, U.S.-based training of ANDSF personnel has been a topic of public concern as individuals and groups of trainees went absent without Leave (AWOL), which occurs when a trainee is absent from scheduled activities for more than 24 hours without proper authority.⁴ For example, in June 2010, Fox News reported that the Naval Criminal Investigative Service had issued a nationwide alert to local and federal law enforcement officials for 17 members of the ANDSF who went AWOL from the Defense Language Institute at Lackland Air Force Base, Texas.⁵ In September 2014, USA Today reported that three AWOL Afghan military officers who failed to return to training in Massachusetts were taken in to custody while trying to cross the border in to Canada.⁶ Also, in September 2014, CBS News reported that two Afghan police officers disappeared from a “five-week intensive DEA (Drug Enforcement Agency) training program” held in Quantico, Virginia—both officers allegedly disappeared while visiting Washington, DC as part of a “day of sightseeing” for trainees in the course.⁷ Since then, similar stories have continued to surface.⁸ According to the Combined Security Transition Command – Afghanistan (CSTC-A), between January 1, 2015 and October 3, 2016, 44 Afghan trainees went AWOL, with eight personnel going AWOL in September 2016 alone. In October 2016, the Commander of the Combined Security Transition Command – Afghanistan (CSTC-A) raised concerns that the “MOD [Ministry of Defense] does not have a comprehensive policy for preventing its members from going

¹ DOD, *Combined Education and Training Program Plan for Afghanistan Budget Year 2018*, December 9, 2016, p. 3.

² SIGAR, *Quarterly Report to the United States Congress*, July 30, 2017, p. 70.

³ DOD, *Combined Education and Training Program Plan for Afghanistan Budget Year 2018*, December 9, 2016, p. 3.

⁴ While AWOL is a legal term that refers to a violation of the United States’ Code of Military Justice, we use the general term throughout this report to refer broadly to period of prolonged unexcused absence by Afghan trainees.

⁵ “EXCLUSIVE: Alert Issued for 17 Afghan Military Members AWOL from U.S. Air Force Base,” *FoxNews.com*. June 17, 2010.

⁶ “3 Missing Afghan Officers Detained at Canadian Border,” *USA Today*, September 22, 2014.

⁷ Patricia Alulema, “Afghan Nationals Training Under DEA Disappear,” *CBS News*, September 18, 2014.

⁸ Idrees Ali, “Exclusive: Dozens of Afghan troops AWOL from military training in U.S.,” *Reuters* October 6, 2016; Geneva Sands and Luis Martinez, “Afghan Airman Missing in US Located, 1 Still Accounted For,” *ABC News*, January 14, 2016.

AWOL while enrolled in U.S.-funded training or addressing what happens when AWOLs occur.”⁹ The CSTC-A Commander added that ANDSF trainees who go AWOL while training in the United States cost “the U.S. government millions of dollars in cancelled course and per diem costs, while wasting training opportunities that could have gone to other students.”¹⁰ In response, CSTC-A cancelled several fiscal year 2017 training slots for the following U.S.-based courses: Logistics Captains Career Course, Ordnance Basic Officer Leadership, Engineer Captains Career, Field Artillery Captains Career, Infantry Basic Officer Leadership, Engineer Basic Officer Leadership, Quartermaster Basic Officer Leadership, Field Artillery Basic Officer Leadership, and Signal Basic Officer Leadership.

The objectives of this review were to (1) determine the extent to which Afghan trainees went AWOL while training in the United States, and why; (2) examine the processes for vetting and selecting Afghans for training in the United States and for investigating their disappearance once they have gone AWOL; and (3) assess any impact that AWOL trainees have on the United States and Afghan training and reconstruction efforts.

To accomplish these objectives, we reviewed relevant documents, including DOD, State, U.S. Immigration and Customs Enforcement’s (ICE), and Afghan government policies, correspondence and memorandums, reports to Congressional committees and performance work statements. We obtained documents and emails, and interviewed officials from DOD, including officials at CSTC-A; the Defense Security Cooperation Agency (DSCA); the Air Force Security Assistance Training Squadron; Train, Advise, Assist Command-Air; and the Afghanistan Student Management Office. We also obtained documents and emails, and interviewed officials from DHS, including officials at ICE’s Counterterrorism and Criminal Exploitation Unit (CTCEU) and the U.S. Citizenship and Immigration Services (USCIS). We also interviewed State representatives, including personnel at the U.S. Embassy in Kabul familiar with the Afghan trainee vetting process. We interviewed Afghan military trainees that had gone AWOL as well as current U.S.-based Afghan military trainees. We conducted our work in Kabul, Afghanistan; San Antonio, Texas; and, Washington, D.C. from April 2016 to August 2017, in accordance with SIGAR’s quality control standards. These standards require that we carry out work with integrity, objectivity, and independence, and provide information that is factually accurate and reliable.

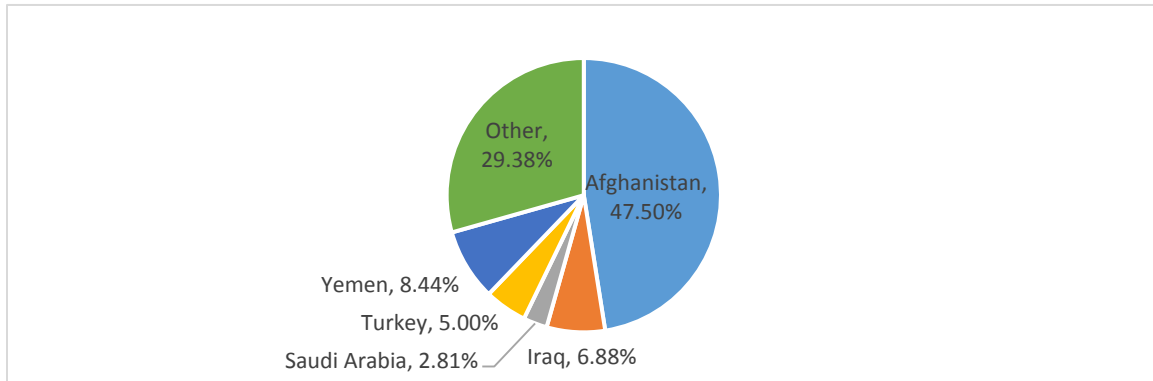
NEARLY HALF OF ALL FOREIGN MILITARY TRAINEES THAT WENT AWOL WHILE TRAINING IN THE US SINCE AUGUST 2005 WERE FROM AFGHANISTAN

Our analysis showed that between 2005 and 2017 253,977 foreign trainees came to the United States for training, 2,537 of these trainees were from Afghanistan. During this time 320 foreign trainees went AWOL while training in the United States. Of the 320, 152 (47.5 percent) of the AWOL trainees were from Afghanistan. The 152 Afghan trainees who went AWOL in the United States represents approximately 6 percent of all Afghans who received training in the United States. Conversely, only 0.07 percent of trainees from other countries went AWOL in the United States. Figure 1 shows the country of origin of foreign trainees who went AWOL while training in the United States.

⁹ MG Richard G. Kaiser, CSTC-A Commander, letter to GEN Qadam Sha, MOD Chief of Staff, October 3, 2016.

¹⁰ *Ibid.*

Figure 1 - Country of Origin of Foreign Trainees Who Went AWOL While Training in the United States.



Source: SIGAR analysis of DSCA data.

Note: Numbers in pie chart are rounded, making the total 100.01 percent. All countries making up two percent or more of the total number foreign trainees who went AWOL while training in the United States are individually included in the pie chart above; those countries making up less than two percent of the total are included in the pie chart under "Other." Of the countries in the "Other" category, those with the greatest numbers of AWOL trainees include Burundi, Ethiopia, and Tunisia, each of which had 6 AWOLs (1.88 percent of the total).

We interviewed seven Afghan trainees who went AWOL and subsequently obtained asylum in the United States, as well as 35 current Afghan trainees at Lackland Air Force Base in San Antonio, Texas.¹¹ According to the current and former trainees we interviewed, there are several reasons why Afghan trainees may decide to go AWOL while training in the United States. The reasons most often cited were personal/family safety concerns and perceived job insecurity in Afghanistan following training.

Six of the seven Afghan trainees we interviewed who went AWOL in the United States indicated that personal/family safety concerns contributed to their decision to go AWOL. One of those trainees stated that after she left for training, the Taliban visited her home and threatened her family because of her involvement with the United States, and two others stated that their families had received threatening letters or phone calls from the Taliban. Another trainee claimed that his family had been attacked due to his training in the United States and that they eventually had to change residences. Five claimed that their lives in Afghanistan were in danger if they returned to Afghanistan as a result of their being in United States for training.

Perceived job insecurity was another factor contributing to trainees' decision to go AWOL. One C-130 electrician school trainee claimed that he did not expect to have a job upon his return to Afghanistan. He stated that a number of his colleagues who had already completed their training returned home to find that their billets had been given to those willing to pay a bribe. Similarly, according to CSTC-A, MOD sent five senior Afghan enlisted soldiers to the United States for a yearlong Command Sergeant course. After they returned to Afghanistan, four left the ANA after they were reportedly asked to pay to get their jobs back. The lack of job security is compounded by Afghan government policy that requires Afghan trainees that are in training longer than one year (many U.S.-based trainings are longer than one year) be taken off active duty and moved to

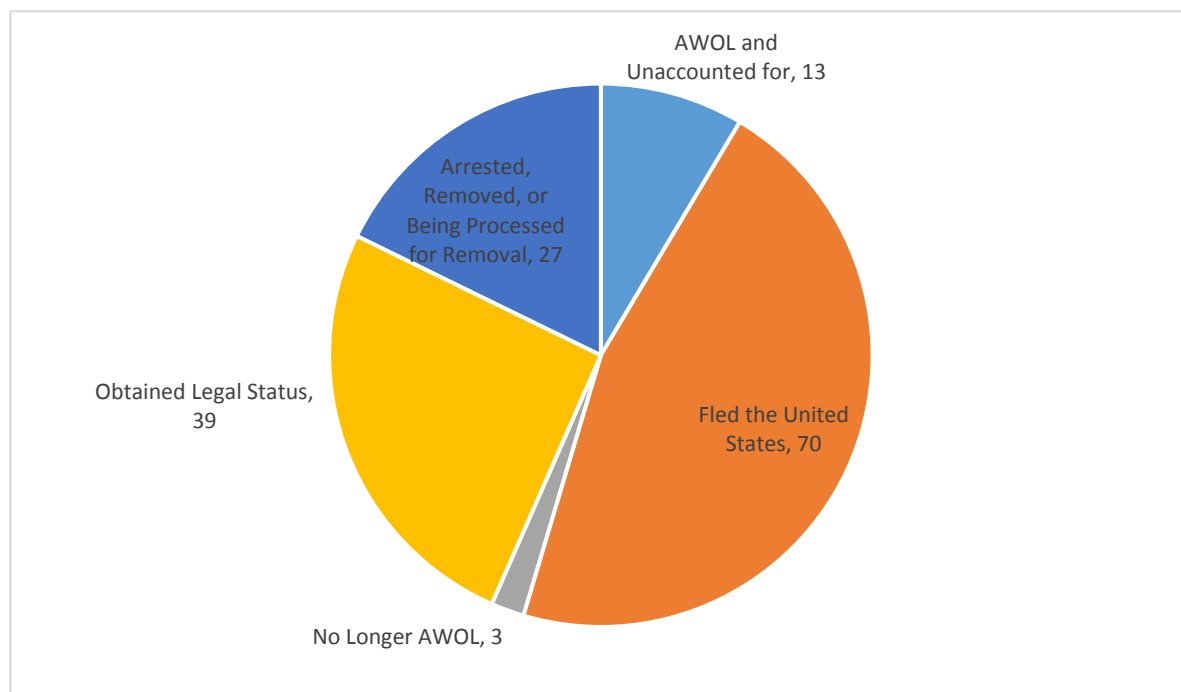
¹¹ According to DHS, Under 8 USC § 1158(b), DHS and the Attorney General have the authority to grant asylum to aliens physically present in the U.S. or who arrive in the U.S. who meet the definition of a refugee, as defined in 8 USC § 1101(42)(A). Afghans can gain asylum through one of two processes: the affirmative process, which requires asylum seekers to submit an application to USCIS, meet certain vetting criteria, establish eligibility for asylum, and participate in an in-person interview; and the defensive process, in which those slated for removal proceedings before an immigration judge can apply for asylum as a defense to removal from the United States.

reserve status.¹² While in reserve status, trainees' pay is cut in half and various benefits are forfeited. When trainees return to Afghanistan, it can take months to get back on active duty with no guarantee the trainee will be placed back with their original unit. One Afghan trainee we interviewed stated that while Air Force and Commando trainees often get their same job upon return to Afghanistan due to influence from assigned U.S. mentors, infantry trainees (for whom CSTC-A does not have an assigned mentor) do not. According to DOD, trainees generally do not know what job they will return to once they return to Afghanistan. This is in part because Afghan policy does not require units to either return trainees to their previous position or provide them a position that may utilize the training received in the United States.¹³

83 of the 152 AWOL Afghan Trainees Fled the United States after going AWOL or Remain Unaccounted For

As of March 7, 2017, the status of the 152 Afghan trainees who went AWOL included: 70 who fled the United States; 39 who gained legal status in the United States; 27 who were arrested, removed, or being processed for removal from the United States; 13 who were still AWOL or remained unaccounted for; and 3 who were no longer AWOL or returned to their U.S.-based training. Figure 2 shows the status of Afghan trainees who went AWOL while training in the United States.

Figure 2 - Status of Afghan Trainees Who Went AWOL While Training in the United States by AWOL Status



Source: SIGAR analysis of DSCA data.

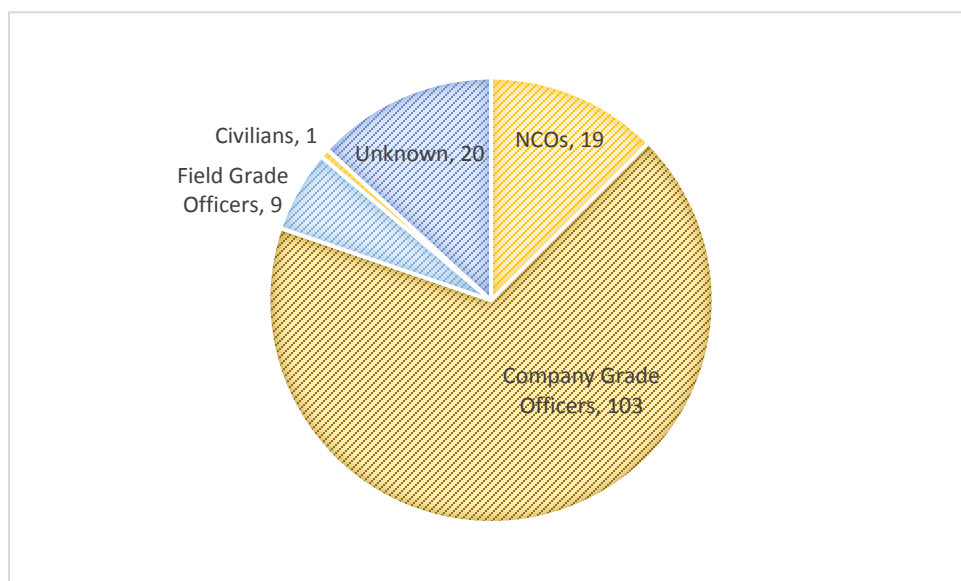
¹² DOD, *Combined Education and Training Plan for Afghanistan Budget Year 2018*, 2016, p 3, 20.

¹³ *Ibid*, p 20.

103 of 152 AWOL Trainees were Lieutenants or Captains

Afghan trainees who went AWOL while training in the United States included military and civilian personnel. Of the military personnel, there were 103 company grade officers (46 second lieutenants, 40 first lieutenants, and 17 captains); 20 personnel for which a rank is unknown;¹⁴ 19 non-commissioned officers; and 9 field grade officers (4 majors, 3 lieutenant colonels, and 2 colonels). The prevalence of company grade officers is particularly alarming given the critical role these officers play in maintaining the overall operational readiness of the force. According to a U.S. Army report on leadership, company grade officers provide direct leadership to their subordinates through one-on-one relationships, and are close enough with soldiers to be able to address and recognize problems.¹⁵ Figure 3 provides the distribution of Afghan trainees who went AWOL while training in the United States by rank.

Figure 3 - Distribution of Afghan Trainees Who Went AWOL While Training in the United States by Rank



Source: SIGAR analysis of DSCA data.

Note: We define Non-Commissioned Officers as ranks E-4 – E9; Company Grade Officers as ranks O-1 – O-3; and Field Grade Officers as ranks O-4 – O-7.

Most of the 152 AWOLs Occurred in 2009, 2015, and 2016

Most of the Afghan trainees that went AWOL between August 2005 and March 2017 did so in 2009, 2015, and 2016—years that coincided with higher reported levels of violence in Afghanistan.¹⁶ In October 2009, for example, DOD reported that the total ANA and ANP killed in action between April and October 2009 increased by approximately 50 percent over the same period in 2008.¹⁷ Similarly, DOD reported that between January 1 and November 15, 2015, ANDSF casualties increased 27 percent compared to the same period the year

¹⁴ The rank of these individuals is unknown because the DSCA database for tracking instances of AWOL international military trainees was created after these AWOLs occurred, making only limited information available.

¹⁵ U.S. Army, *ADRP 6-22, Army Leadership*, August 2012.

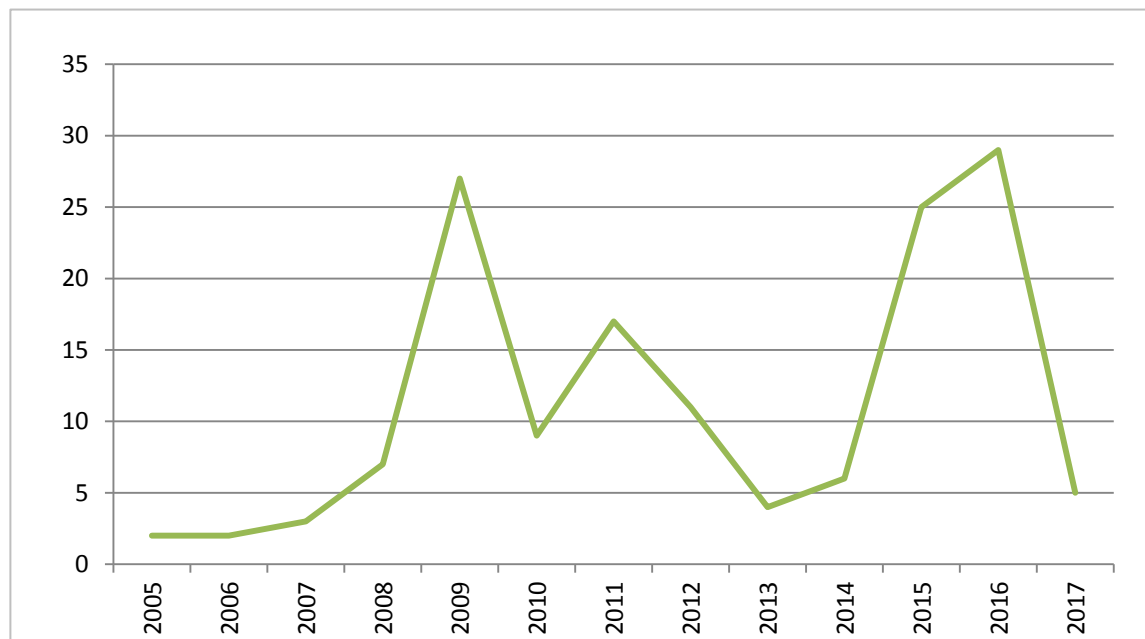
¹⁶ According to CSTC-A, “the organization of established routes to Canada to claim asylum through Buffalo, New York (2009) and Blaine, Washington (2016)” resulted in increased numbers of Afghan trainees going AWOL in those years.

¹⁷ DOD, *Report on Progress toward Security and Stability in Afghanistan*, October 2009, p14.

before.¹⁸ DOD also reported that “overall levels of violence increased during the traditional 2016 spring and summer fighting season,” and “Reported casualties for both the ANDSF and the Taliban continued their upward trend from the previous two reporting periods.”¹⁹ As stated previously, concern for personal safety was one of the primary reasons Afghan trainees cited for deciding to go AWOL while training in the United States

Figure 4, provides the distribution of Afghan trainees who went AWOL while training in the United States by year.

Figure 4 - Number of Afghan Security Trainees Who Went AWOL While Training in the United States by Year^a



Source: SIGAR analysis of DSCA data.

Note: There were five Afghan trainees who went AWOL for which the year was unavailable in the source data.

^a Data for 2017 only includes instances through March. In DOD’s technical comments, it stated, “there has actually been a significant up-tick in absconders for the Air Force programs” in calendar year 2017.

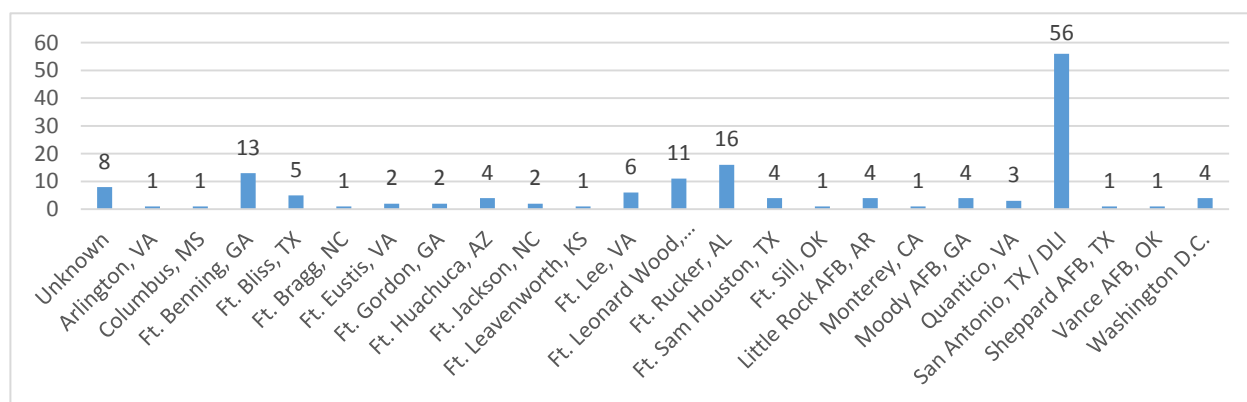
56 of the 152 Trainees Went AWOL from Lackland Air Force Base in San Antonio, Texas

According to DSCA-provided data, Afghan trainees went AWOL from 23 different locations while training in the United States. The largest number of trainees (56) absconded from Lackland Air Force Base in San Antonio, Texas, where Afghan trainees are required to attend English-language training. Sixteen trainees absconded from Ft. Rucker, Alabama; 13 from Ft. Benning, Georgia; and 11 from Ft. Leonard Wood, Missouri. Figure 5 provides the numbers and locations of Afghan trainees who went AWOL while training in the United States.

¹⁸ DOD, *Enhancing Security and Stability in Afghanistan*, December 2015, p 25.

¹⁹ DOD, *Enhancing Security and Stability in Afghanistan*, December 2016, p 2.

Figure 5 - Distribution of Afghan Security Trainees Who Went AWOL by Training Location



Source: SIGAR analysis of DSCA data for the period from August 2005 through March 2017.

THE U.S. GOVERNMENT HAS A MULTI-AGENCY PROCESS FOR SELECTING AND VETTING AFGHANS FOR U.S.-BASED TRAINING, AS WELL AS FOR INVESTIGATING AWOL TRAINEES

The U.S. government has established a multi-agency process for selecting and vetting ANDSF personnel prior to training in the United States, monitoring trainees while they are in the United States, and investigating instances where trainees go AWOL. Specifically, DOD (in conjunction with the Afghan government) selects and vets all ANDSF personnel for training in the United States, while State conducts security and background visa screening of each trainee to include Leahy law human rights vetting.²⁰ While in the United States, trainees are monitored by training administrators and contractors to ensure program participation and completion. This responsibility falls to the Command that sponsors a particular training.²¹ For example, the Defense Language Institute English Language Center, oversees Afghans attending the required English-language training at Lackland Air Force Base in San Antonio, Texas. Once a trainee goes AWOL, ICE is responsible for investigating the trainee's whereabouts. While the roles of executive agencies have been clearly defined, issues with interagency coordination have hindered investigatory efforts to locate AWOL trainees.

²⁰ Under the Leahy Laws, DOD (see 10 U.S.C. § 2249e) and State (see 22 U.S.C. § 2378d) are generally prohibited from using appropriated funds to assist any unit of the security forces of a foreign country if the Secretary of Defense or State has credible information that the unit has committed a gross violation of human rights. Gross violations of human rights include torture, extrajudicial killing, enforced disappearance, and rape under color of law as gross violations of human rights. When an individual security force member is nominated for U.S. assistance, State conducts consular, political, and other security and human rights checks of the individual as well as his or her unit. State evaluates and assesses information about the human rights record of the unit and the individual, reviewing a full spectrum of open source and classified records.

²¹ In 2011, the Air Force Security Assistance Training Office formed the contractor supported Afghanistan Student Management Office in response to the high rates of absconson at the Defense Language Institute English Language Center and to establish control measures to mitigate the potential for disciplinary issues and incidence of Afghan students going AWOL from training programs at Lackland Air Force Base, in San Antonio, Texas. The Air Force also established an Afghanistan Student Management Office at Moody Air Force Base, Georgia in early 2015 to provide oversight of Afghans training to operate and maintain the A-29 airframe.

Selection and Vetting Process for Afghan Trainees

The process for selecting ANDSF personnel to train in the United States begins when the U.S. Security Assistance Office (SAO)²² finalizes its fiscal-year training plan and sends training invitation letters outlining prerequisite qualifications to the Afghan Ministry of Foreign Affairs (MOFA). The MOFA then sends invitations to the MOD and MOI, and the ministries nominate candidates for available training slots and provide those names to SAO.

According to the Afghan government's *Policy for International Training and Education*, candidates selected for military training abroad should meet professional and educational qualifications, pass relevant exams, complete medical and drug screenings, and be knowledgeable of Afghanistan (in order to brief a conference if required).²³ The Afghan policy gives priority to candidates who are family members of a disabled or "martyred" soldier, and soldiers assigned to combat units. The Afghan policy also stipulates that candidates obtain guarantors, who provide surety that the candidate will not abscond or participate in illegal activities while training abroad, and will pay an absconding student's incurred expenses.²⁴ Additionally, ANA personnel must commit to three months of additional service for every month of training outside of Afghanistan.

Once candidate nominations are submitted, SAO officials administer an English comprehension test to ensure that candidates meet the minimum training eligibility requirements.²⁵ Then, SAO formally selects candidates for training in official correspondence to MOFA. This initiates the internal Afghan vetting process, resulting in a completed visa application package and trainee passport.

When the visa packages are completed, SAO submits them to the Consular section of the U.S. Embassy in Kabul. The Consular section then processes the visa packages, and sends relevant information to Washington D.C. for Leahy vetting. Completion of the visa and Leahy law vetting takes about 1-2 months.²⁶ In addition, DOD guidance requires biometric enrollment (all 10 digits, both irises, one DNA capture, and one full front face picture) for all Afghan trainees prior to attending U.S.-based training. If the candidate passes the vetting processes, State issues a single-entry A-2 visa.²⁷ If necessary, SAO re-administers the English comprehension test to Afghan trainees whose visa packages are completed (English comprehension tests must be done within 105 days of the class start date). SAO has final approval authority for all candidates, and candidates can be denied if SAO has credible evidence that a candidate is unqualified or a high AWOL/asylum risk.

Procedures for Notification of AWOL Afghan Trainees

The command sponsoring a U.S.-based training for ANDSF personnel determines that an Afghan trainee is AWOL once he/she is absent from scheduled activities for more than 24 hours without proper authorization,

²² Security Assistance Organizations are military and civilian personnel stationed in foreign countries to manage security assistance and other military programs. SAOs are closest to these programs' operation and have the closest contact with host-country militaries.

²³ MOD, *Policy for International Training and Education*, 1394 (2015), p 2.

²⁴ MOD, *Policy for International Training and Education*, 1394 (2015). According to SAO, the MOD policy has not been approved by the Ministry of Justice, the Afghan government is not enforcing it, and the mechanism for how they would enforce it is unclear.

²⁵ According to CSTC-A, candidates for U.S.-based training must complete language training in Afghanistan and obtain a minimum competency before they can attend training in the United States.

²⁶ According to the State Department, Leahy vetting and visa adjudication are separate processes. Leahy vetting helps the Department ensure that no assistance is furnished to any unit of the security forces of a foreign country if the Secretary of State has credible information that such unit has committed a gross violation of human rights. The State Department also stated that Leahy vetting helps determine whether an individual is eligible to receive foreign assistance funded-training, both in the United States and abroad, and is a separate consideration from whether that individual is eligible for a visa.

²⁷ A-2 Visas are issued to diplomats and other foreign government officials traveling to the United States to engage in official duties or activities on behalf of their national governments. U.S. Embassies and consulates generally do not require interviews for those applying for A-2 visas, although a consular officer can request an interview.

and a check is made to determine that the unauthorized absence was not due to a misunderstanding, illness, detention, or any other excusable circumstance. Once the sponsoring command determines an Afghan trainee has gone AWOL, the individuals and organizations listed below take the following actions:

International Military Student Officer (IMSO)²⁸: The IMSO notifies ICE, the appropriate military service, Defense Security Cooperation Agency (DSCA), and the base Staff Judge Advocate that an Afghan trainee has gone AWOL.²⁹ The IMSO then makes arrangements to cancel the trainee's ID card, salary or other payments (such as allowances for meals), and lodging services.³⁰

Military Service (Service Sponsoring Training): The military service (e.g. Department of the Air Force or Department of the Army) forwards all information received from the IMSO to the relevant Security Cooperation Office, Combatant Command, and DSCA. Both the IMSO and military service notify DSCA to ensure information is received. The military service also notifies the relevant military criminal investigative organization (e.g. Naval Criminal Investigation Service, Air Force Office of Investigative Service, Criminal Investigation Command, etc.).

Security Cooperation Office: The Security Cooperation Office amends the AWOL Afghan trainees Invitational Travel Order to cancel all training, all authorizations including any dependents, and DOD sponsorship. The office also notifies the consular section of U.S. Embassy - Kabul, and the Afghan MOD or MOI.

Defense Security Cooperation Agency: DSCA notifies and provides AWOL information to ICE, the Defense Intelligence Agency, the Federal Bureau of Investigation, Northern Command, and the Afghan Defense Attaché. DSCA is also responsible for forming a working group to maintain a list of all international military trainees who are AWOL. The list is the primary source for status information for DOD.

AWOL AFGHAN TRAINEES IN THE UNITED STATES HAVE A NEGATIVE IMPACT ON THE OPERATIONAL READINESS OF ANDSF UNITS AND MORALE, AND MAY POSE SECURITY RISKS TO THE UNITED STATES

We found that Afghan trainees who go AWOL while training in the United States have hindered the operational readiness of home units, because the large number of Afghan trainees who go AWOL from U.S.-based training has contributed to a reduction in the number of courses being offered to ANDSF personnel. As previously mentioned, the U.S. military has determined that the training of Afghans in the United States is necessary to build the capacity of the ANDSF. Similarly, restrictions put on Afghans trainees due to the perceived risk of going AWOL appears to have negatively impacted the morale of fellow trainees. Finally, the limited vetting of

²⁸ International Military Student Officers (IMSOs) reside under the sponsoring command and are the primary point of contact for international students training in the United States. IMSOs receive the trainees when they first report, explain the rules of student life and processing, help trainee's adjust to cultural shock, assist trainees with personal problems, and see them off when trainees return to their home countries.

²⁹ According to DHS, the IMSO should also notify U.S. Customs and Boarder Protection because it has the potential to encounter the trainees within 48 hours of being AWOL, while in route to a destination such as Canada.

³⁰ According to the IMSO Handbook, notification should include, but is not limited to the following: trainee's full name and country of origin, passport and visa information, effective date and time of absence, date and place of birth, last known location and address, mobile telephone number, case identification/work control number, type of training and any follow-on training for which the trainee is programmed, travel itinerary, information pertaining to events that may have contributed to trainees absence, known variations in name spelling or alias, known relatives in the United States, U.S. driver's license information, information and copy of all DOD identification cards.

Afghan trainees, and the restrictions of the investigatory and asylum processes, may pose a security risk to the United States when trainees go AWOL.

Increasing Instances of AWOL by Afghan Trainees May Hinder Operational Readiness of Home Units

In 2016, the percentage of Afghan trainees who went AWOL from U.S.-based training doubled from the historical average of 6-7 percent to 13 percent. Further, given the deteriorating security situation in Afghanistan and the fact that Afghan trainees who violate the terms of their visas suffer virtually no consequences for going AWOL (except for the possible return to Afghanistan), DOD believes, and we agree, that the AWOL rate is likely to either remain steady or increase. The increasing frequency of AWOL Afghan trainees has resulted in fewer opportunities for ANDSF personnel to participate in trainings deemed necessary for building operational readiness and ANDSF capabilities. According to the *Combined Education and Training Program Plan for Afghanistan, Budget Year 2018*, for example, “Afghanistan cannot teach their own Basic Officer Leadership or Career Captain’s Leadership courses; since we have stopped sending Afghan students to the United States as a result of the AWOL issue, Afghans will not learn these skills in-country.” The proficiency of these company grade officers, however, is critical to the overall operational readiness of the ANDSF because these officers provide direct leadership to subordinates through one-on-one relationships, and are close enough with soldiers to be able to address and recognize problems.³¹ Similarly, courses available for fiscal year 2018 will only include senior graduate courses, Ranger and Special Forces training, and courses to build the Afghan Air Force. All other courses offered in the past will not be offered in fiscal year 2018 because of the historically high rate of unfilled slots, and the upward-trending AWOL rate.³²

Morale of Fellow Trainees and Home Units Affected by Instances of AWOL

As part of our field work, we interviewed 35 Afghan trainees at Lackland Air Force Base in San Antonio, Texas, including 11 Afghan Air Force pilots and 24 other ANDSF personnel. Trainees we spoke with indicated that recent AWOL cases had a negative impact on morale, and the negative publicity that resulted from these incidents was generally seen as bringing shame to Afghanistan and made life more difficult for the Afghan trainees who had no intention of going AWOL. According to one Second Lieutenant in the Afghan Air Force, recent instances of Afghan trainees going AWOL had resulted in several new restrictions. “[Afghan] students are not allowed to visit their families [in Afghanistan] on special occasions, but other students from the Czech Republic and Dubai are allowed to visit their families for twenty days.” He added that new Afghan trainees are paying the price for those who have gone AWOL because they are required to carry an identification card that restricts the privileges they have compared to other international trainees (e.g. the freedom to travel off base). Similarly, according to the *Combined Education and Training Program Plan for Afghanistan Budget Year 2018*, the “Minister of Defense requested the U.S. Embassy cease issuance of dependent visas for students attending U.S. training, due to the greatly increased risk that a student will go AWOL, or their family will refuse to return to Afghanistan.”³³

Several other trainees we interviewed indicated that cases of Afghan trainees going AWOL limit the opportunities others have to attend training in the United States. One Afghan Captain we interviewed stated that “if a student absconds, it affects his unit and the commander will not allow his soldiers to get into future trainings. Scholarship and other training would be restricted for soldiers.” Another First Lieutenant echoed this

³¹ U.S. Army, *ADRP 6-22, Army Leadership*, August 2012.

³² Combined Education and Training Program Plan for Afghanistan, Budget Year 2018, p. 5.

³³ Combined Education and Training Program Plan for Afghanistan, Budget Year 2018, p. 9.

sentiment by stating that “AWOL students left a negative impact on their units and commanders do not support their soldiers if selected for the trainings.”

Process and Coordination Issues may Heighten Security Concerns within the United States as a Result of AWOL Trainees

Afghan trainees travel to the United States on A-2 visas. As noted above, A-2 visas are issued to diplomats and other foreign government officials traveling to the United States to engage solely in official duties or activities on behalf of their national governments.³⁴ A-2 visa applicants may have their personal appearance (i.e., interview) waived by State Department consular officials.³⁵ Moreover, even if consular officials require prospective Afghan trainees to appear in person, they are not allowed to require that the candidate demonstrate an intent to return to Afghanistan following the completion of training as is the case for B1/B2 type visa applicants. According to ICE’s Counterterrorism and Criminal Exploitation Unit (CTCEU),³⁶ the limited vetting of the A-2 applicants creates potential national security vulnerabilities for the United States. According to ICE, the CTCEU has no visibility on IMS’s [International Military Student] military records. This can pose a potential heightened risk to national security and public safety because it limits the information available to investigating agents searching for AWOL Afghan trainees. Additionally, all international military students in the United States on valid international training orders, including all Afghan trainees (who are far more likely than trainees from other countries to go AWOL) may be exempt from the provisions pertaining to registration and reporting of address as outlined in 8 U.S.C. § 1201. According to ICE, limited biographical and background information can make it difficult to locate the Afghan trainees once they have gone AWOL.

In addition, ICE cannot take any action to locate an Afghan trainee that has gone AWOL before the Department of State determines that the trainee is no longer in the United States in an official status. The revocation of the AWOL trainee’s official status begins when DOD officially declares the trainee AWOL by issuing an “AWOL Notification Letter” to ICE. ICE then must submit that letter to State and request a “No Status Letter,” which revokes the trainee’s official status and reason for being in the United States. Original copies of both the “AWOL Notification Letter” and the “No Status Letter” must be included in the Afghan trainee’s investigative file to demonstrate that the trainee’s official status has been revoked before ICE can open an investigation into the trainee’s whereabouts. The process for revoking an Afghan trainee’s official status can take several days to complete, delaying the start of an ICE investigation where time is a particularly critical factor.

According to ICE, investigatory efforts to detain, or deport AWOL trainees may also be hampered by the asylum process administered by the U.S. Citizenship and Immigration Services (USCIS) and the Department of Justice, Executive Office for Immigration Review and ICE and USCIS’s inability to coordinate in a way that mitigates the risks associated with the asylum process.³⁷ If, for example, ICE learns during the course of its investigation that an AWOL trainee has submitted an application for asylum, ICE places its ongoing investigation concerning that individual on hold, even if ICE has found evidence that may be relevant to a decision to grant asylum. Moreover, according to DHS, “USCIS and ICE generally do not affirmatively communicate about individuals before the individuals apply for an immigration benefit,” such as asylum status. USCIS representatives we interviewed stated that USCIS relies on several databases to vet asylum applicants, including the TECS

³⁴ 9 FAM 402.3-2.

³⁵ 9 FAM 402.3-4(E).

³⁶ In 2010, ICE established the International Military Student AWOL Program to investigate members of foreign militaries who go AWOL within the United States during DOD sponsored training. The CTCEU has established partnerships with several government agencies to investigate these subjects. These agencies include the following: DSCA, the National Ground Intelligence Center, State, and each of the branches of the U.S. military.

³⁷ Obtaining asylum status includes multiple benefits to the petitioner including the following: work authorization, a Social Security number, the ability to petition to bring dependents into the country, and Green-Card eligibility after one year.

database,³⁸ which enables law enforcement personnel, including ICE, to input specific information and notifications regarding any AWOL Afghan trainee under investigation. While ICE is required to use the TECS system, the amount of detail included in a given entry is heavily dependent on the individual entering information, and may not be included in the system until after an AWOL trainee applies for asylum. Although ICE has the authority to issue a “Notice to Appear” and initiate removal proceedings before an immigration judge at any time, even while an asylum application is pending with USCIS, ICE officials we spoke with expressed concern that USCIS does not consult with investigating ICE agents throughout the asylum process. Those officials were also concerned that, aside from a check of the TECS database, the first direct opportunity ICE has to present any derogatory information concerning an AWOL Afghan trainee is at the immigration hearing presided over by an administrative law judge (immigration judge) employed the Department of Justice’s Executive Office for Immigration Review—a process that can take up to two years after a trainee first went AWOL or applied for asylum.³⁹ During that period, if ICE does not administratively detain the individual, the AWOL trainee is essentially free to live and sometimes work in the United States whether or not ICE uncovered suspicious or malicious activities in the course of its initial investigation.⁴⁰

Although we are not aware of any acts of terrorism or similarly serious acts involving Afghan trainees who have gone AWOL, such cases are considered by the CTCEU to be high risk because they involve militarily trained individuals of a fighting age who have demonstrated a “flight risk,” and have little or no risk of arrest and detention for absconding from training. According to DSCA data, law enforcement arrested, or removed only 27 of the 152 (approximately 18 percent) AWOL Afghan trainees since 2005. The remainder successfully fled the United States after going AWOL, obtained legal status, remain unaccounted for, or are no longer AWOL.

CONCLUSION

Since 2001, the U.S. government has spent billions of taxpayer dollars as part of its continuing effort to train the ANDSF. One part of this effort has been the attempt to train certain ANDSF personnel in the United States, based on the determination that comparable training could not be provided elsewhere, such as Afghanistan. However, since 2005, far more Afghan trainees have gone AWOL in the United States than trainees from any other nation, and the likelihood of Afghan trainees to go AWOL has increased in recent years as the security situation in Afghanistan has continued to deteriorate. The issue of Afghan trainees going AWOL continues to be a problem. According to State representatives, as recently as August 2017 four AWOL Afghan trainees were caught by Customs and Border Protection in the state of Washington. According to Afghan trainees we interviewed who had gone AWOL, personal/family safety and perceived job insecurity were the primary motivating factors for going AWOL. The tendency of Afghan trainees in the United States to go AWOL may hinder the operational readiness of their home units, negatively impact the morale of fellow trainees and home units, and pose security risks to the United States.

³⁸ TECS is U.S. Customs and Border Protection’s primary law enforcement and anti-terrorism database. It contains enforcement, inspection, and intelligence records, and allows access to the Federal Bureau of Investigation’s National Crime Information Center database and the National Law Enforcement Telecommunications System. In addition to TECS, USCIS vets asylum applicants’ information through the USCIS Central Index System, FBI National Name Check Program, FBI Next Generation Identification biometric system, National Counterterrorism Center, ICE ENFORCE Alien Removal Module, Department of State Consular Consolidated Database, DHS IDENT database through the USCIS Customer Profile Management System – Identify Verification Tool, and DOD’s Automated Biometric Identification System.

³⁹ According to the Syracuse University Immigration Court Backlog Tool, the average current wait for in immigration courts is 672 days. Between fiscal year 2005 and fiscal year 2017, Afghans applying for asylum in the United States increased from 19 to 112 (a 589 percent increase), peaking in fiscal year 2015 with 305 Afghans having applied for asylum. During the same period, the approval rate of Afghan affirmative asylum cases ranged from 50-86 percent. In fiscal year 2016, the approval rate for Afghan asylum cases was 61 percent.

⁴⁰ Asylum seekers, who have had an application with USCIS for 150 days or more and have not requested a delay for their interviews, may apply for a work permit.

Although the United States and Afghan governments have established processes for selecting and vetting ANDSF personnel for training, and for investigating instances of AWOL trainees, these processes appear flawed. If corrected, these processes could help improve the likelihood that Afghan trainees will complete their training, return to Afghanistan, and put to use the knowledge, skills, and ability garnered through advanced U.S.-based training.

To help prevent Afghans trainees in the United States from going AWOL in the future, we encourage that DOD mentors in Afghanistan to work closely with the MOD and MOI to develop processes and procedures that increase the likelihood that ANDSF personnel returning from training in the United States will be placed in positions that take advantage of their newly acquired skills. Additionally, to improve coordination between USCIS and ICE, and to help prevent AWOL trainees who may pose a threat to U.S. national security from remaining in the United States, we suggest that USCIS and ICE develop policies or procedures that will ensure improved communication between the two agencies throughout the investigatory and potential asylum processes, such as requiring ICE to include important case information in the TECS system immediately upon initiating an investigation into AWOL Afghan trainees. Finally, given the demonstrated propensity of Afghan trainees to go AWOL while training in the United States, when compared to trainees of other nations, we suggest that State, in coordination with DOD and DHS, (a) determine whether requiring all Afghan trainees to complete an in-person interview prior to being granted a visa would help to mitigate AWOL occurrences or assist in ICE investigations when AWOLs occur, and (b) review the policy of exempting Afghan military trainees from provisions pertaining to registration as alien residents in the United States, as outlined in 8 U.S.C § 1201, and evaluate the benefits of providing greater granularity on biographical and background information for all Afghan security trainees in the United States.

AGENCY COMMENTS

U.S. Department of State Comments

State provided both technical and written comments. We incorporated their technical comments, as appropriate, and their written comments are reproduced, in full, in Appendix I. The Department agreed “that the number of trainees who go Absent Without Leave (AWOL) in association with these programs is unacceptably high,” and acknowledged that “all trainees should return to Afghanistan to implement their U.S.-provided training in service to their nation.” However, the Department did not concur with one of our suggested actions and neither agreed nor disagreed with another. The Department disagreed with our suggested action to determine whether requiring all Afghan trainees to complete an in-person interview prior to being granted a visa would help mitigate AWOL occurrences when AWOLs occur because “in-person interviews would not add new information.” However, we maintain that in-person interviews may provide valuable information regarding the likelihood of a trainee to abscond from training in the United States, and additional information that, if shared with ICE, may be helpful in their investigative work.⁴¹ In addition, the Department regularly requires in-person interviews prior to issuing other types of visas, thus demonstrating that there is a utility in conducting in-person interviews to obtain information not otherwise available.

Regarding our suggestion that State review the policy of exempting Afghan military trainees from provisions pertaining to registration as alien residents in the United States and evaluate the benefits of providing greater granularity on biographical and background information for all Afghan security trainees in the United States, the Department neither agreed nor disagreed because it did not believe that there was enough information to suggest that a lack of screening is a factor leading to individuals choosing to go AWOL once inside the United States. However, it is clear that Afghan trainees go AWOL while in the United States at a far higher rate than do

⁴¹ The Department also raised concerns regarding fingerprinting requirements contained in a draft of this report. We agreed with their comments and revised the draft accordingly.

trainees from any other country, and we believe that the State Department (as well as other government agencies) should use all the tools at their disposal to reduce these occurrences and ensure that Afghan trainees return to Afghanistan and make use of the substantial U.S. taxpayer investment in training.

Finally, State disagreed with the phrasing used in our draft report related to improving coordination between USCIS and ICE. Accordingly, we revised the suggested action.

U.S. Department of Defense Comments

Multiple DOD entities, including the Office of the Secretary of Defense, CSTC-A, the Navy Internal Programs Office, and the Office of the Secretary of the Air Force Internal Affairs, provided technical comments on a draft of this report, which we incorporated as appropriate. In addition to suggesting technical changes to the draft report, the Navy Internal Programs Office and the Office of the Secretary of the Air Force Internal Affairs suggested additional actions that DOD could take to reduce the number of AWOLs and improve the effectiveness of U.S. government efforts to provide critical training to Afghan soldiers and police in the United States.

According to the Navy Internal Programs Office, DOD should:

- Ensure lodging staff at training locations notify the IMSO if a trainee checks out early or if staff notice that a student has not been sleeping in his/her bed.
- Require trainees to pay their total lodging bill at time of check-in or require military departments responsible for training to pay lodging costs directly.
- Consider not deploying single, non-married students to the United States for training.
- Obtain contact information for any U.S.-based relatives that the trainee has prior to students departing Afghanistan.
- Require students to share rooms with other trainees.
- Ensure that trainee photographs provided to the IMSO (including Visa and passport photos) are clear and legible (without scarves).
- Provide verifiable contact data for social media accounts, email addresses, and cell phones before trainees leave Afghanistan.
- Limit the number of connecting flights trainees take before returning to Afghanistan.

According to Office of the Secretary of the Air Force Internal Affairs, DOD should:

- Research establishing an Afghan Liaison Officer at Joint Base San Antonio for a period of 2-3 years to ensure accountability, address student needs and quality of life issues, and work with the training facility leadership to solve any other issues that may arise. This officer should be of the requisite rank, social stature, and in good standing with the ANDSF to serve in this billet. The Liaison Officer would help ensure cultural or societal issues are appropriately handled. Finally, and most importantly, this position would serve as the primary conduit for student complaints, worries, or issues with military pay, job positions, and other problems with the ANDSF in Afghanistan. As job insecurities upon return to Afghanistan has been frequently cited as one of the main reasons students abscond, a Liaison Officer that can directly address these issues may very well serve to reduce student fears.
- Research methods to improve the physical security of ANDSF members and families in Afghanistan. Afghan Air Force (AAF) members are specifically targeted by the Taliban and other terrorist organizations. Options that should be examined are (1) recommending DOD mentors in Afghanistan work closely with the MOD and MOI to research the viability of secure housing for highly threatened AAF members and their families (this measure has already been implemented for Afghan special operation forces), and (2) Recommending DOD research the viability of a bonus for U.S.-based training graduation for highly threatened AAF members. This bonus, which will be paid upon returning to

country following training graduation, could serve as a monetary incentive to complete training and provide the capability for the member to obtain more secure housing in Afghanistan.

- Encourage mentors in Afghanistan to work closely with the MOD and MOI to research ways to ensure the Afghan students who train in the United States for longer than one-year continue to receive their full salary.
- Work with the Department of State to open a dialogue with Canadian counterparts to determine the proper response to Afghans illegally crossing the border. Currently, the perception amongst Afghan students is that Canada is a sanctuary for absconders. Anecdotally, mayors of sanctuary cities have actually made public statements encouraging Afghan students to abscond to Canada. A more robust policy that corrects that perception could reduce the likelihood of absconders.

While we did not evaluate these recommended actions, we commend the Navy Internal Programs Office and the Office of the Secretary of the Air Force Internal Affairs for identifying those additional actions and encourage DOD to carefully review them and take appropriate action.

U.S. Department of Homeland Security Comments

DHS provided both technical and written comments. We incorporated their technical comments, as appropriate, and their written comments are reproduced, in full, in Appendix II. In its written comments, DHS stated that it “has a number of mechanisms in place to identify and remove aliens who overstay their period of lawful admission in the United States,” and that ICE’s CTCEU “focuses on preventing criminals and terrorists from exploiting our immigration system by proactively developing cases for investigation on individuals who violate the conditions of their status or overstay their period of admission.” Although DHS acknowledged the need for close cooperation between USCIS and ICE, it did not agree with the language contained in a draft suggested action to improve coordination because of the implications that such an action (as previously worded) could have on the asylum process. Accordingly, we revised the suggested action in response to the Department’s concern.

APPENDIX I - COMMENTS FROM THE DEPARTMENT OF STATE

September 28, 2017

Matthew Dove
Director, Special Projects Office of the Special Inspector General
for Afghanistan Reconstruction (SIGAR)
1550 Crystal Drive, Suite 900
Arlington, VA 22202

Dear Mr. Dove:

The Department of State welcomes the opportunity to comment on this draft Special Inspector General for Afghanistan Reconstruction (SIGAR) report entitled, “U.S.-Based Training for Afghan Security Personnel: Trainees Who Go Absent without Leave Hurt Readiness and Morale, and May Create Security Risks” (dated October 2017). The Department welcomes SIGAR’s role in monitoring U.S. programming and investments in Afghanistan, and we share your goal of ensuring the highest degree of oversight of U.S. taxpayer dollars.

As part of the U.S. government’s training efforts for the Afghan National Defense and Security Forces (ANDSF), and in order to improve force capacity and enhance troops’ ability to participate in military missions both independently and alongside the United States and NATO, the Department of Defense and Department of State sponsor a number of training programs that involve sending ANDSF personnel to the United States. We agree that the number of trainees who go Absent Without Leave (AWOL) in association with these programs is unacceptably high, and acknowledge that all trainees should return to Afghanistan to implement their U.S.-provided training in service to their nation. However, we respectfully non-concur with SIGAR’s two recommendations to the Department of State on this matter, as outlined below.

Recommendation 1: Determine whether requiring all Afghan trainees to complete an in-person interview prior to being granted an A-2 visa would help mitigate AWOL occurrences or assist in ICE investigations when AWOLs occur.

Response: The State Department disagrees with this recommendation, as in-person interviews would not add new information. All applicants for A-2 visa programs for military training from Afghanistan are extensively screened against interagency databases as well as initial Leahy vetting protocols prior to their consideration for a visa. Additionally, while Section 303 of the Enhanced Security and Visa Entry Reform Act of 2002 and 22 CFR 41.105 mandates the fingerprint requirements to which most U.S. visa applicants are subject, A-2 visa applicants are exempt from the fingerprinting requirement pursuant to Public Notice 7047, 75 FR 39323.

Recommendation 2: Review the policy of exempting Afghan military trainees from provisions pertaining to registration as alien residents in the United States, [...] and evaluate the benefits of providing greater granularity on biographical and background information for all Afghan security trainees in the United States.

Response: The State Department neither agrees nor disagrees with this recommendation, as the draft report does not provide information to suggest that a lack of screening on the part of the State Department, Department of Defense, or Department of Homeland Security is the factor leading to individuals choosing to go AWOL once inside the United States. Additionally, the Department notes that when a foreign national applies for a U.S. visa, the application is subject to database checks and other security screening which involve partners across the U.S. interagency community, including entities within the Department of Homeland Security. Furthermore, pursuant to Executive Order 13780, additional information may be collected from visa applicants when a consular officer determines that such information is required to confirm identity, or needed to conduct more rigorous national security vetting.

The State Department disagrees, however, with SIGAR's recommendation that United States Citizenship and Immigration Services (USCIS) and Immigration and Customs Enforcement (ICE) develop policies or procedures that will ensure communication between the two agencies before AWOL Afghan trainees are accepted into the asylum process. This recommendation is written so ambiguously as to potentially be at odds with our international commitments. The United States is a party to the 1967 United Nations Protocol relating to the Status of Refugees, which incorporates the substantive provisions of the 1951 Refugee Convention. As such, it has obligations to, inter alia, provide certain protections to people determined to meet the definition of refugee, and to apply the provisions of the Convention to refugees "without discrimination as to race, religion or country of origin." These obligations have been incorporated into U.S. domestic law primarily through the Immigration and Nationality Act (INA) and related regulations. In general, a foreign national who is physically present in the United States may apply for asylum and bears the burden of demonstrating that he or she meets the definition of a refugee in the INA. Actions that would prevent an individual from seeking asylum, or treat asylum seekers differently based on their national origin, could be viewed as inconsistent with U.S. international obligations.

National security is the State Department's top priority. Every prospective traveler to the United States undergoes extensive security screening, and the Department is constantly working to find mechanisms to improve our screening processes and to support legitimate travel to the United States while protecting U.S. citizens. The Department and U.S. Embassy Kabul appreciate SIGAR's efforts to review Afghan security personnel going AWOL while training within the United States.

Sincerely,



Howard Van Vranken

Acting Principal Deputy Assistant Secretary
for South and Central Asian Affairs

APPENDIX II - COMMENTS FROM THE DEPARTMENT OF HOMELAND SECURITY

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



**Homeland
Security**

October 3, 2017

John F. Sopko
Special Inspector General for Afghanistan Reconstruction
2530 Crystal Drive
Arlington, VA 22202-3940

Re: Management's Response to Draft Report, "U.S.-Based Training for Afghan Security Personnel: Trainees Who Go Absent Without Leave Hurt Readiness and Morale, and May Create Security Risks" (Project No. SP-126)

Dear Mr. Sopko:

Thank you for the opportunity to review and comment on this draft report. The U.S. Department of Homeland Security (DHS) appreciates the Special Inspector General for Afghanistan Reconstruction's (SIGAR) work in planning and conducting its review and issuing this report.

DHS is focused on smart and effective enforcement of U.S. immigration laws while streamlining and facilitating the legal immigration process. The Department has fundamentally reformed immigration enforcement, prioritizing the identification and removal of criminal aliens who pose a threat to public safety and targeting employers who knowingly and repeatedly break the law.

DHS has a number of mechanisms in place to identify and remove aliens who overstay their period of lawful admission in the United States, including the Office of Biometric Identity Management (formerly US-VISIT) which identifies aliens who have overstayed their visa and refers these individuals to the U.S. Immigration and Customs Enforcement (ICE) for investigation. Additionally, ICE's Counterterrorism Criminal Exploitation Unit (CTCEU) focuses on preventing criminals and terrorists from exploiting our immigration system by proactively developing cases for investigation on individuals who violate the conditions of their status or overstay their period of admission. In fiscal year 2016, the CTCEU initiated 4,116 investigations on status violators and overstays, leading to the arrest of 1,261 subjects.

Immigration enforcement is the largest single area of responsibility for ICE and requires close cooperation with U.S. Customs and Border Protection (CBP), U.S. Citizenship and Immigration Services (USCIS), and others including interagency partners such as the

Department of State, as appropriate. DHS remains committed to immigration enforcement activities that help achieve its vision of ensuring a homeland that is safe, secure, and resilient against terrorism and other hazards.

The draft report contained three suggestions, one each to the Departments of Defense, Homeland Security, and State. We do not concur with the suggestion to DHS. Attached find our detailed response to this suggestion.

Again, thank you for the opportunity to review and comment on this draft report. Technical comments were previously provided under separate cover. Please feel free to contact me if you have any questions. We look forward to working with you in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim H. Crumacker", written over a horizontal line.

JIM H. CRUMPACKER, CIA, CFE
Director
Departmental GAO-OIG Liaison Office

Attachment

**DHS Management Response to Suggestion Contained in SIGAR Draft Report:
“U.S.-Based Training for Afghan Security Personnel: Trainees Who Go Absent
Without Leave Hurt Readiness and Morale, and May Create Security Risks”
(SIGAR Project No. SP-126)**

Suggestion: USCIS and ICE should develop policies or procedures that will ensure communication between the two agencies before AWOL Afghan trainees are accepted into the asylum process.

Response: Non-concur. We appreciate SIGAR’s suggestion and agree it is important for USCIS and ICE to communicate among themselves. However, such communications before accepting a properly filed I-589 application for asylum and withholding of removal from the United States could be viewed as an attempt to hinder the process and run counter to law and international obligations. For example, under 8 USC § 1158, any alien physically present in the United States and irrespective of his/her status may apply for asylum. USCIS and ICE generally do not affirmatively communicate about individuals before the individuals apply for an immigration benefit. Communication more appropriately occurs during case vetting and adjudication and prior to issuance of a decision. A process and procedure already exists to facilitate this communication, requiring that ICE create a TECS System (not an acronym) lookout, which may occur before the filing of an I-589 application.

TECS is an information-sharing platform, which allows users to access different databases that may be maintained on the platform or accessed through the platform, and the name of a system of records that include temporary and permanent enforcement, inspection, and operational records relevant to the anti-terrorism and law enforcement mission of CBP and numerous other federal agencies that it supports. TECS not only provides a platform for interaction between these databases and defined TECS users, but also serves as a data repository to support law enforcement “lookouts,” border screening, and reporting for CBP’s primary and secondary inspection processes. USCIS adjudicators must review this information while processing and making determinations on more than 50 immigration forms adjudicated by USCIS, including I-589 applications.

We request that SIGAR consider this suggestion resolved and closed.

APPENDIX III – FOREIGN MILITARY TRAINING PROGRAMS

Aviation Leadership Program (ALP)

The ALP is a U.S. Air Force-funded program to provide pilot training to 15-20 select international trainees per year from friendly, less-developed nations. ALP consists of English-language training, introduction to flight training, undergraduate pilot training, as well as programs to promote increased awareness and understanding of U.S. domestic institutions and society. The duration of the ALP is one to two years, depending on the amount of English-language training required to bring the student to the required proficiency and the student's progression through the pilot training curriculum.

Regional Defense Terrorism Fellowship Program (CTFP)

CTFP is a DOD security cooperation program that was established to build partnerships through targeted, non-lethal, combating terrorism education, training, and other activities. The CTFP directly supports U.S. goals in Afghanistan (and other nations) by providing combating terrorism education and training for mid- to senior-level military officers and government officials whose current or future responsibilities involve combating terrorism.⁴² The goals of the CTFP are to build and strengthen a global network of combating terrorism practitioners at the operational and strategic-levels; build and reinforce the combating terrorism capabilities of partner nations through operational and strategic-level education; contribute to the effort to counter the ideological support to terrorism; and provide DOD with a flexible and proactive program that can respond to emerging combating terrorism requirements and that is capable of filling identified gaps/seams in partnership strategies.⁴³

Foreign Military Sales (FMS)

FMS involves government-to-government sales of U.S. defense articles, services, and training. Through the FMS program, security cooperation education and training, including professional military education and technical training related to equipment purchases, is sold to foreign countries.⁴⁴ FMS also includes grants of U.S. defense articles authorized by the United States Congress. This yearly allocation makes up a significant portion of U.S. government aid to the Afghan government.

International Military Education and Training (IMET)

IMET is funded by the U.S. Department of State. Its programs expose foreign trainees to U.S. professional military organizations, as well as to the concepts and procedures related to civilian control of the military. The IMET program's mandatory English-language proficiency requirement establishes an essential baseline of communication skills necessary for trainees to attend courses. The IMET program introduces military and civilian participants to institutions and elements of U.S. democracy, and assists U.S. allies and friendly nations in professionalizing their militaries through participation in U.S. military educational programs.⁴⁵

DOD Regional Centers for Security Studies (Regional Centers)

DOD-funded Regional Centers are designed to support the National Defense Strategy and DOD security cooperation priorities with U.S.-based academic programs. These programs aim to deepen understanding of

⁴² Department of Defense and Department of State, *Foreign Military Training Fiscal Year 2015 and 2016, Joint Report to Congress*. II5-II6.

⁴³ *Ibid.* II-6.

⁴⁴ *Ibid.* II1.

⁴⁵ *Ibid.* II1-II3.

international security challenges and trends, and strengthen cooperation among U.S. and regional military and civilian leaders.⁴⁶

Section 1004 – Drug Interdiction and Counter-Drug Activities: Counter-Drug Training Support (Section 1004)

Section 1004 programs include U.S.-based training of foreign forces at the request of an appropriate law enforcement agency official, as defined in Section 1004 of the National Defense Authorization Act (NDAA) for fiscal year 1991, as amended. “The purpose of the programs is to conduct counter narcotics-related training of foreign military and law enforcement personnel. U.S. Special Operations Forces and conventional forces conduct the counter-drug training for light infantry, aviation, coastal, riverine, and rotary-wing operations, as well as staffs associated with counter-drug operations.”⁴⁷

⁴⁶ Department of Defense and Department of State, *Foreign Military Training Fiscal Year 2015 and 2016, Joint Report to Congress*. II4.

⁴⁷ Department of Defense and Department of State, *Foreign Military Training Fiscal Year 2015 and 2016, Joint Report to Congress*. II4.

This performance audit
was conducted
under project code
SIGAR-SP-126.

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The mission of the Special Inspector General for Afghanistan Reconstruction (SIGAR) is to enhance oversight of programs for the reconstruction of Afghanistan by conducting independent and objective audits, inspections, and investigations on the use of taxpayer dollars and related funds. SIGAR works to provide accurate and balanced information, evaluations, analysis, and recommendations to help the U.S. Congress, U.S. agencies, and other decision-makers to make informed oversight, policy, and funding decisions to:

- improve effectiveness of the overall reconstruction strategy and its component programs;
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- prevent fraud, waste, and abuse; and
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Public Affairs Officer

- Phone: 703-545-5974
- Email: sigar.pentagon.ccr.mbx.public-affairs@mail.mil
- Mail: SIGAR Public Affairs
2530 Crystal Drive
Arlington, VA 22202