

RON JOHNSON, WISCONSIN, CHAIRMAN

JOHN McCAIN, ARIZONA
ROB PORTMAN, OHIO
RAND PAUL, KENTUCKY
JAMES LANKFORD, OKLAHOMA
MICHAEL B. ENZI, WYOMING
JOHN HOEVEN, NORTH DAKOTA
STEVE DAINES, MONTANA

CLAIRE McCASKILL, MISSOURI
THOMAS R. CARPER, DELAWARE
HEIDI HEITKAMP, NORTH DAKOTA
GARY C. PETERS, MICHIGAN
MARGARET WOOD HASSAN, NEW HAMPSHIRE
KAMALA D. HARRIS, CALIFORNIA
DOUG JONES, ALABAMA

United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

WASHINGTON, DC 20510-6250

April 23, 2018

Thomas D. Homan
Deputy Director
Immigration and Customs Enforcement
500 12th Street, SW
Washington, DC 20536

Dear Mr. Homan:

I am writing to request additional information regarding the response Immigration and Customs Enforcement (ICE) sent concerning my letter on the agency's efforts to locate missing Afghan military trainees inside the United States.

My original letter was sent in response to a Special Inspector General for Afghanistan Reconstruction (SIGAR) report indicating that more than 150 Afghan students have gone absent without leave (AWOL) from U.S.-based training; including some from my home state of Missouri.¹ In February 2018, DoD stated that it had accounted for all Afghan trainees that had gone AWOL from Ft. Leonard Wood, Missouri.² SIGAR found that Afghan trainees going AWOL creates coordination challenges that heighten risks to our national security and public safety. In the case of AWOL Afghan trainees, ICE has the primary responsibility for locating the AWOL trainee. ICE indicated in the report that the limited vetting of visas for Afghan trainees hampers its ability to locate AWOL Afghan trainees.

Additionally, ICE must go through a cumbersome process with the State Department (DOS) and the Department of Defense (DoD) to determine if an Afghan trainee is, in fact, AWOL and then a separate process to revoke the official status of the trainee. Afghan trainees come to the United States on A-2 visas which denote a trainee's official status and reason for being in the United States. SIGAR also found that ICE's efforts to detain or deport Afghan trainees may be impacted by a lack of coordination with United States Citizenship and Immigration Services (USCIS) and the Department of Justice (DOJ) Executive Officer for Immigration Review (EOIR).³ SIGAR also wrote:

¹ Special Inspector General for Afghanistan Reconstruction, *U.S.-Based Training for Afghanistan Security Personnel: Trainees Who Go Absent Without Leave Hurt Readiness and Morale, And May Create Security Risks* (SIGAR 18-03-SP) (Oct. 19, 2017).

² Letter from Randall G. Schriver, Assistant Secretary of Defense for Asian and Pacific Security Affairs, Department of Defense, to Ranking Member Claire McCaskill (Feb. 12, 2018).

³ Special Inspector General for Afghanistan Reconstruction, *U.S.-Based Training for Afghanistan Security Personnel: Trainees Who Go Absent Without Leave Hurt Readiness and Morale, And May Create Security Risks* (SIGAR 18-03-SP) (Oct. 19, 2017).

According to ICE, the Counterterrorism and Criminal Exploitation Unit (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.⁴

In the letter I sent on December 1, 2017, I requested additional details regarding the response ICE sent to SIGAR and I requested that ICE provide information concerning what might be done to improve the data the department had on current and future AWOL Afghans.⁵ On January 9, 2018, ICE sent a letter responding to my request for additional information in which it addressed the issue of lack of visibility into IMS's military records. I thank you for your response, which stated that ICE was working with other relevant executive branch components including DOD and DOS to better share information on IMS who are reported as AWOL.⁶

In order to better understand the progress of such an effort, I ask that you provide information or documentation responsive to the following requests on or before May 14, 2018:

1. How has information sharing between CTCEU, DOS, and DoD improved since January?
 - a. Does ICE now have access to data such as foreign military service records; military recommendation letters; information on family members, associates, and business partners; biographical data to include passports and visas; or educational data to include education history, language training, and technical training, professional licenses and certifications?
2. How does improved information sharing between CTCEU, DOS, and DoD assist in the execution of law enforcement actions?
3. Does information sharing provide DHS awareness of the current number of IMS in the United States, and the current number of those whom are AWOL?
 - a. If so, how many are there?
 - b. If not, what prevents DHS from accessing this data from DOD?

⁴ *Id.*

⁵ Letter from Ranking Member Claire McCaskill to Acting Secretary Elaine Duke, Department of Homeland Security (Dec. 1, 2017).

⁶ Letter from Deputy Director Thomas Homan, U.S. Immigration and Customs Enforcement, to Ranking Member Claire McCaskill (Jan. 9, 2018).

Thomas D. Homan
April 23, 2018
Page 3

If you have any questions, please contact Hannah Berner of my staff at (202) 224-5065. Please send any official correspondence related to this request to Rina Patel at Rina_Patel@hsgac.senate.gov. Thank you for your prompt attention to this matter.

Sincerely,



Claire McCaskill
Ranking Member

cc: Ron Johnson
Chairman