

United States Senate

WASHINGTON, DC 20510

October 21, 2021

The Honorable Diana Shaw
Acting Inspector General
U.S. Department of State
Office of Inspector General
SA-39, 1700 North Moore Street Arlington, VA 22209

The Honorable Sean O'Donnell
Acting Inspector General
U.S. Department of Defense
Office of Inspector General
4800 Mark Center Drive Alexandria, VA 22350

The Honorable Joseph Cuffari
Inspector General
U.S. Department of Homeland Security
Office of Inspector General
3801 Nebraska Ave N.W., Washington, DC 20016

The Honorable Thomas Ullom
Acting Inspector General
U.S. Agency for International Development
Office of Inspector General
1300 Pennsylvania Avenue N.W. Washington, DC 20523

Dear Ms. Shaw, Mr. O'Donnell, Mr. Cuffari, and Mr. Ullom:

We write to request the U.S. Department of State Office of Inspector General, U.S. Department of Defense Office of Inspector General, U.S. Department of Homeland Security Office of Inspector General, and the U.S. Agency for International Development Office of Inspector General launch a comprehensive joint review and audit of the Afghan Special Immigrant Visa (SIV) program. While we appreciate the U.S. Department of State Office of Inspector General's commitment to carry out a review of the SIV program, we feel any audit must be comprehensive in scope and consider the role of other key agencies, notably the Department of Homeland Security and the Department of Defense.

For the past 20 years, the U.S. mission in Afghanistan has relied heavily on brave Afghans who put their lives on the line and knowingly risked Taliban retribution to serve our soldiers and diplomats. Without their support, our mission would not have been possible. Now, in the aftermath of the chaotic and haphazard U.S. withdrawal, in which thousands of SIV applicants were

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shamefully left behind, these same Afghans are at grave risk, vulnerable to retaliation from the Taliban due to their association with the United States.

Under the Afghan Allies Protection Act of 2009, the SIV program was expanded to grant Afghan interpreters, translators, and others access to U.S. visas in cases of imminent risk. In an effort to safeguard the security of our partners on the ground, the law mandates a maximum nine-month processing window for each principal applicant. However, the Afghan SIV program, much like its Iraqi counterpart, has long been plagued by lengthy processing delays. It is estimated that the resource intensive 14-step, inter-agency, process takes an average three and half years to complete, resulting in a backlog of well over 20,000 principle applicants before the U.S. military withdrawal on August 31, 2021. Since then, the number of credible threats against our partners and their families in Afghanistan continues to increase by the day, as the Taliban continues to solidify its violent grip over the country.

The United States pledged to support those who served our mission in Afghanistan. This is vital if we are to uphold our commitment to those who helped defend core U.S. national security interests. Failing to do so would lead allies and adversaries alike to call into question our reliability and credibility as a partner in future conflicts.

This investigation should thoroughly review each individual executive department that holds responsibilities in the SIV process, as well as their respective bureaus, offices, and missions, and the interagency processes in place to help facilitate communication and coordination between them. We request all responses be provided in an unclassified form, to the extent possible, with a classified annex where necessary. At a minimum, the review should include:

- 1) A detailed step-by-step description of the SIV process together with the number of days allotted by the U.S. government for the completion of each step;
- 2) The numbers of SIV applications received, approved, and denied, by year, since enactment of the Afghan Allies Protection Act of 2009;
- 3) The specific number of applications approved between April 2021 and August 2021;
- 4) An assessment of the average length of time required to process an SIV application from the date of submission to final disposition;
- 5) An accounting of how many SIV applicants remain in the pipeline;

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- 6) The extent to each participating department or agency of the U.S. government, including the Department of State and the Department of Homeland Security, adjusted SIV processing practices and procedures to vet applicants and expand processing capacity since the February 29, 2020, Doha Agreement between the United States and the Taliban;
- 7) A list of the specific steps, if any, taken between January 20, 2021 and August 31, 2021, to streamline Afghan SIV applicant processing and address longstanding bureaucratic hurdles, while improving security protocols;
- 8) An assessment of the continuing viability of the current SIV process in light of the recent Taliban takeover;
- 9) Recommendations to strengthen and streamline the SIV process going forward, in light of the Taliban takeover, particularly with respect to the timeline for granting Chief of Mission approval;
- 10) Factors under consideration with respect to efforts to relocate processing capabilities away from Kabul, including obstacles, barriers, and limitations to doing so;
- 11) The degree to which the Department of State implemented recommendations made by the Department of State Office of Inspector General in its June 2020 reports on Review of the Afghan Special Immigrant Visa Program (AUD-MERO-20-35) and Management Assistance Report: Quarterly Reporting on Afghan Special Immigrant Visa Program Needs Improvement (AUD-MERO-20-34);
- 12) An assessment of the extent to which challenges in verifying applicants' employment with the Department of Defense contributed to delays in the SIV process, and an accounting of the specific steps taken since February 29, 2020 to address issues surrounding employment verification;
- 13) An assessment of efforts to develop contingency plans for the safe evacuation of SIV holders from Afghanistan to the United States before August 31, 2021, and an accounting of the number of SIV holders remaining in Afghanistan after August 31, 2021;
- 14) The resettlement outcomes for SIV recipients as compared to like outcomes for participants in the U.S. Refugee Admissions Program. Among the outcomes to be assessed are: location of resettlement, school enrollment, employment status, and housing placement during the Reception and Placement phases of each program, as well as the number of participants who became naturalized U.S. citizens;

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15) The lessons learned from the Afghan SIV program that could be applied to enhance SIV programs in other countries with ongoing U.S. military involvement; and

16) Any additional matters deemed appropriate by the participating Inspectors General.

As you carry out your investigation, we request that you draw on past audits, investigations, assessments, and other relevant oversight documents from across the inter-agency to inform the direction of your work. I request that the completed report of your review and audit be provided to the Ranking Members of the Senate Foreign Relations Committee, Senate Armed Services Committee, and Senate Homeland Security and Governmental Affairs Committee in an unclassified form, to the extent possible, with a classified annex as necessary.

Sincerely,



JAMES E. RISCH
Ranking Member
Senate Foreign Relations Committee



JAMES M. INHOFE
Ranking Member
Senate Armed Services Committee



ROB PORTMAN
Ranking Member
Senate Homeland Security and
Governmental Affairs Committee