

# United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

October 18, 2024

The Honorable Alejandro Mayorkas  
Secretary  
U.S. Department of Homeland Security  
3801 Nebraska Ave N.W.  
Washington D.C. 20016

Dear Secretary Mayorkas:

We write today to request more information about the immigration status of Nasir Ahmad Tawhedi, the Afghan national who was recently arrested in connection with a plot to commit a violent attack on behalf of ISIS in the United States on Election Day. According to the criminal complaint filed by the Department of Justice, Tawhedi “entered the United States on September 9, 2021, on a special immigrant visa and is currently on parole status pending adjudication of his immigration proceedings.”<sup>1</sup> However, according to reporting from *Fox News*, Tawhedi was never approved for a special immigrant visa and was not “well known to the US government” when he was brought to the United States.<sup>2</sup>

We remain deeply troubled by the increasing likelihood that foreign extremists may successfully exploit the weaknesses of our immigration system or our southern border to commit an act of political violence or an act of terror here on U.S. soil, and the policies of the Biden-Harris administration have only made matters worse. It was President Biden and Vice President Harris’ disastrous withdrawal from Afghanistan that led to Tawhedi being in the United States in the first place. In the chaos following the withdrawal, the Biden-Harris administration paroled into the U.S. over 77,000 Afghans with no or significantly incomplete security checks done on them prior to their arrival.<sup>3</sup> In the three years since, the Department of Homeland Security (DHS) has failed to conduct proper vetting of these parole recipients. A DHS Office of Inspector General report from May 2024 found that DHS has no established process or dedicated component for monitoring parole expiration for the Afghan parolee population, and that there are significant gaps in how DHS responds to potential derogatory information discovered in the recurrent vetting process.<sup>4</sup>

This ongoing failure to protect Americans from potential terroristic threats is unacceptable and it is only a matter of time before it yields deadly results. As part of our ongoing oversight of DHS’s

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<sup>1</sup> Complaint at 6, *United States v. Tawhedi*, No. 5:24-mj-00760-SM (W.D. Okla. Oct. 8, 2024).

<sup>2</sup> Jacqui Heinrich, Bill Melugin, & Chris Pandolfo, *Afghan National Accused in Terror Plot Was Not Vetted for SIV Status, Despite Past Biden Admin Claims*, FOX NEWS (Oct. 16, 2024), <https://www.foxnews.com/politics/afghan-national-accused-terror-plot-not-vetted-siv-status-despite-past-biden-admin-claims>.

<sup>3</sup> Office of the Inspector General of the Department of Homeland Security, *DHS Encountered Obstacles to Screen, Vet, and Inspect all Evacuees During the Recent Afghanistan Crisis* (OIG-22-64) (Sept. 6, 2022), <https://www.oig.dhs.gov/sites/default/files/assets/2022-09/OIG-22-64-Sep22-Redacted.pdf>.

<sup>4</sup> Office of the Inspector General of the Department of Homeland Security, *DHS Has a Fragmented Process for Identifying and Resolving Derogatory Information for Operation Allies Welcome Parolees* (OIG-24-24) (May 6, 2024), <https://www.oig.dhs.gov/sites/default/files/assets/2024-05/OIG-24-24-May24.pdf>.

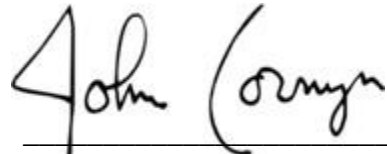
use of immigration parole and its response to the heightened threat environment the U.S. finds itself in, we are requesting that you provide to us for review a copy Nasir Ahmad Tawhedi's alien file (a-file) and any other records related to his parole and vetting he received prior to his arrest, no later than November 1, 2024.

Thank you for your prompt attention and cooperation in this matter.

Sincerely,




Lindsey O. Graham



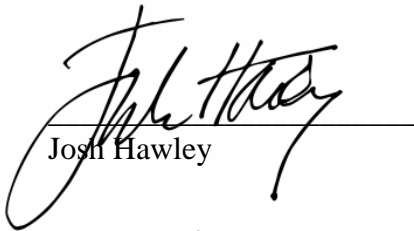
John Cornyn




Mike Lee




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