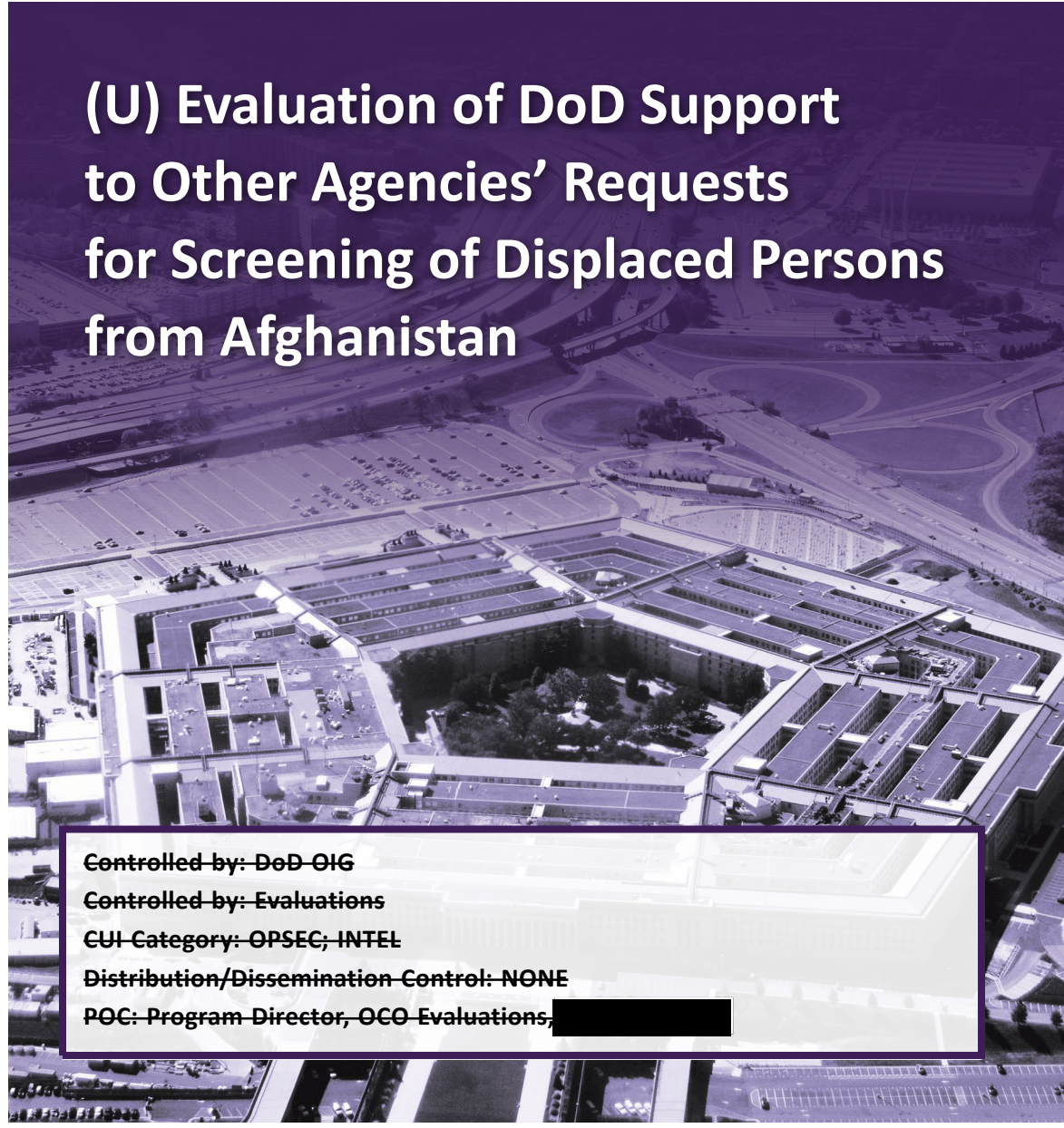


CUI

# INSPECTOR GENERAL

*U.S. Department of Defense*

JUNE 16, 2023



## (U) Evaluation of DoD Support to Other Agencies' Requests for Screening of Displaced Persons from Afghanistan

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INTEGRITY ★ INDEPENDENCE ★ EXCELLENCE

CUI





# (U) Results in Brief

## *(U) Evaluation of DoD Support to Other Agencies' Requests for Screening of Displaced Persons from Afghanistan*

June 16, 2023

### (U) Objective

(U) The objective of this evaluation was to determine the extent to which the DoD supported other agencies' requests for screening Afghan evacuees. In addition, we reviewed DoD guidance for deletion of biometrics information from DoD databases and removal of identities from the DoD Biometrically Enabled Watch List (BEWL) to determine the extent to which the DoD followed the guidance. The DoD OIG initiated this evaluation following receipt of a letter dated August 4, 2022, from two U.S. Senators expressing their concerns based on new allegations raised by a DoD whistleblower.

### (U) Background

(U) On July 14, 2021, the President announced Operation Allies Refuge (OAR) to initiate a Department of State-led interagency effort to evacuate and relocate vulnerable Afghans. This evacuation effort was accelerated on August 15, 2021, as the Kabul-based Afghan government fell to Taliban militants. On August 29, 2021, the President directed the Department of Homeland Security to lead Operation Allies Welcome (OAW), a coordinated effort to implement the ongoing U.S. Government initiatives to support displaced persons from Afghanistan. DoD personnel assisted the lead agencies with biometrics enrollments and screening support, as requested, to identify Afghan evacuees who may pose a threat to U.S. national security.

### (U) Findings

(U) DoD personnel supported other Federal agencies' requests for screening Afghan evacuees, conducting biometric enrollments of approximately two-thirds of all Afghans at intermediate staging bases overseas, and conducting counterintelligence screening interviews of Afghans who were identified as a match to the BEWL. In addition, National Ground Intelligence Center (NGIC) analysts conducted biometric assessments of all watch list encounters and biographic analysis of over 84,000 Afghan evacuee records, and sent out rapid notifications to a wide distribution list to identify evacuees who may pose a threat to national security.

(U) However, NGIC did not consistently follow the BEWL Guide and NGIC standard operating procedures (SOPs) when deciding to retain or remove some Afghan evacuees from the BEWL. For example, NGIC analysts:

- (U) incorrectly applied removal criteria for U.S. persons to Afghan evacuees who had not been confirmed to have U.S. person status;
- (U) removed Afghans from the BEWL for reasons not cited in their SOPs; and
- (U) inconsistently applied the BEWL Guide and SOPs requiring the use of detailed removal justifications that follow analytic tradecraft standards.

(U) These deviations and inconsistencies occurred for the following reasons:

- (U) Early in the evacuation, NGIC analysts incorrectly assumed that Afghan Special Immigrant Visa applicants should be accorded the same status as U.S. persons.
- (U) NGIC's BEWL Guide and SOPs did not include standards for removing Afghans from the BEWL based on theater-specific requirements.
- (U) NGIC senior analysts did not always thoroughly review subordinate analysts' removal justifications and ensure they followed the BEWL guide and SOPs.



# (U) Results in Brief

## (U) Evaluation of DoD Support to Other Agencies' Requests for Screening of Displaced Persons from Afghanistan

### (U) Findings (cont'd)

(U) As a result, NGIC might have removed from the BEWL some Afghan identities that should have been retained on the list. The Department of Homeland Security used the BEWL as at least one consideration for its screening and vetting analysis of whether Afghan evacuees should be allowed to travel onward and apply for parole into the United States.

### (U) Management Actions Taken

(CUI) [Redacted]

(U) The USD(I&S) initiated a program of actions and milestones for development and publication of new DoD policies by August, 2023. OUSD(I&S) officials drafted a DoD Directive on defense identity intelligence and a DoD Instruction on defense watch listing that collectively replace DoD Instruction O-3300.04 and designate the USD(I&S) as the Office of the Secretary of Defense Principal Staff Assistant for DoD identity intelligence and defense watch listing activities.

### (U) Recommendations

(U) We recommend that the NGIC Commander:

- (U) update BEWL guidance and SOPs to incorporate specific criteria for removal of theater-only requirements; and
- (U) review and correct all Afghan evacuee BEWL removal records based on updated criteria.

(U) We also recommend that the Under Secretary of Defense for Intelligence and Security:

- (U) revise or replace DoD policy to reflect the transition of responsibilities to the Under Secretary of Defense for Intelligence and Security for the management, support, and requirements of the BEWL; and
- (U) review and approve NGIC's BEWL guidance and SOPs.

### (U) Management Comments and Our Response

(CUI) The NGIC Commander agreed with the recommendations, and stated that NGIC has revised the BEWL guidance to establish more specific standards and will release it to the USD(I&S) for formal approval by July 31, 2023. [Redacted]

[Redacted] The Commander also stated that NGIC will review and correct all justifications related to BEWL removals to include all justifications that cited AR 381-10.



# (U) Results in Brief

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## *(U) Evaluation of DoD Support to Other Agencies' Requests for Screening of Displaced Persons from Afghanistan*

### ***(U) Comments (cont'd)***

(U) The Director for Defense Intelligence, Counterintelligence, Law Enforcement and Security, responding on behalf of the USD(I&S), agreed with the recommendations, and stated that the OUSD(I&S) is in the process of replacing current DoD policy to reflect the transition in responsibilities and provide guidance for the review, approval, and implementation of the Defense Watchlist Guide and related policies and procedures for nominating, removing, validating and sharing BEWL entries with interagency partners.

(U) Please see the Recommendations Table on the next page for the status of recommendations.

**(U) Recommendations Table**

(U) Management	Recommendations Unresolved	Recommendations Resolved	Recommendations Closed
National Ground Intelligence Commander	None	1.a., 1.b., 1.c., 1.d., 1.e., 1.f.	None
Under Secretary of Defense for Intelligence and Security	None	2.a., 2.b.	None

(U)

(U) Please provide Management Comments by September 14, 2023.

**(U) Note:** The following categories are used to describe agency management’s comments to individual recommendations.

- **(U) Unresolved** – Management has not agreed to implement the recommendation or has not proposed actions that will address the recommendation.
- **(U) Resolved** – Management agreed to implement the recommendation or has proposed actions that will address the underlying finding that generated the recommendation.
- **(U) Closed** – DoD OIG verified that the agreed upon corrective actions were implemented.



**OFFICE OF INSPECTOR GENERAL**  
**DEPARTMENT OF DEFENSE**  
 4800 MARK CENTER DRIVE  
 ALEXANDRIA, VIRGINIA 22350-1500

June 16, 2023

MEMORANDUM FOR SECRETARY OF THE ARMY  
 UNDER SECRETARY OF DEFENSE FOR INTELLIGENCE AND SECURITY  
 COMMANDER, INTELLIGENCE AND SECURITY COMMAND  
 COMMANDER, NATIONAL GROUND INTELLIGENCE CENTER

SUBJECT: (U) U.S. Evaluation of DoD Support to Other Agencies' Requests for Screening of Displaced Persons from Afghanistan (Report No. DODIG-2023-088)

(U) This final report provides the results of the DoD Office of Inspector General's evaluation. We previously provided copies of the draft report and requested written comments on the recommendations. We considered management's comments on the draft report when preparing the final report. These comments are included in the report.

(U) In addition, we provided a draft of this report to officials from the Department of Homeland Security and the National Counterterrorism Center. Officials from both organizations reviewed the draft report and provided technical comments and edits, which we included where appropriate.

(U) The Under Secretary of Defense for Intelligence and Security and the Commander, National Ground Intelligence Center agreed to address all the recommendations presented in the report; therefore, we consider the recommendations resolved and open. As described in the Recommendations, Management Comments, and Our Response section of this report, we will close the recommendations when you provide us documentation showing that all agreed-upon actions to implement the recommendations are completed. Therefore, please provide us within 90 days your response concerning specific actions in process or completed on the recommendations. Send your response to either [REDACTED] if unclassified or [REDACTED] if classified SECRET.

(U) If you have any questions, please contact [REDACTED]

FOR THE INSPECTOR GENERAL:

A handwritten signature in black ink that reads "Michael J. Roark".

Michael J. Roark  
 Deputy Inspector General for Evaluations

# (U) Contents

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## (U) Introduction

(U) Objective ..... 1

(U) Background ..... 1

## (U) Finding. The DoD Supported Other Agencies’ Requests for Screening Afghan Evacuees; However NGIC Did Not Consistently Follow Its Procedures for Removing Some Evacuees from the BEWL ..... 13

(U) The DoD Supported Federal Agencies’ Requests for Assistance in Screening Afghan Evacuees ..... 15

(U) NGIC Did Not Consistently Follow Its Procedures for Removing Some Evacuees from the BEWL ..... 17

(U) NGIC Analysts Made Incorrect Initial Assumptions About Afghan SIV Applicants’ U.S. Persons Status, and NGIC Procedures Did Not Address BEWL Removals for Theater-Only Requirements ..... 20

(U) NGIC’s BEWL Guide, Categories, and SOP Have Not Been Reviewed and Approved by a DoD Organization Responsible for BEWL Oversight ..... 21

(U) NGIC Might Have Removed from the BEWL Some Afghan Identities Who Should Have Been Retained ..... 22

(U) Management Actions Taken ..... 22

(U) Management Comments on the Finding and Our Response ..... 23

(U) Recommendations, Management Comments, and Our Response ..... 24

## (U) Appendix

(U) Scope and Methodology ..... 28

(U) Use of Computer-Processed Data ..... 30

(U) Prior Coverage ..... 31

## (U) Management Comments

(U) National Ground Intelligence Center ..... 33

(U) Under Secretary of Defense for Intelligence and Security ..... 38

## (U) Acronyms and Abbreviations ..... 39



## (U) Introduction

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### (U) Objective

(U) The objective of this evaluation was to determine the extent to which the DoD supported other agencies' requests for screening Afghan evacuees. In addition, we reviewed DoD guidance for deletion of biometrics information from DoD databases and removal of identities from the DoD Biometric Enabled Watch List (BEWL) to determine the extent to which the DoD followed the guidance. The DoD OIG initiated this evaluation following receipt of a letter dated August 4, 2022, from two U.S. Senators expressing their concerns based on new allegations raised by a DoD whistleblower.

### (U) Background

(U) On June 1, 2021, the U.S. Department of State (DOS) asked for DoD support in facilitating the processing of Afghans who had applied for Special Immigrant Visas (SIVs) by comparing the DOS list of applicants to relevant DoD data to assist in verifying the applicants' qualifying employment.<sup>1</sup> On July 14, 2021, the President announced Operation Allies Refuge (OAR) and initiated a DOS-led interagency effort, with DoD support, to evacuate and relocate up to 4,000 late-stage SIV applicants plus their immediate family members to the United States.

(U) On August 16, 2021, as the Kabul-based Afghan government fell to Taliban militants, the U.S. Embassy in Kabul announced a noncombatant evacuation (NEO). On August 29, 2021, the President directed the Department of Homeland Security (DHS) to lead Operation Allies Welcome (OAW), a coordinated effort to implement the ongoing U.S. Government initiatives to relocate persons from Afghanistan.

(U) During both OAR and OAW, DoD personnel assisted the DOS and the DHS with its enrollment, screening, and vetting effort. During coordination among senior interagency officials on the development of processes, procedures, and workflows for the evacuation, DHS officials approved an interagency Afghan evacuee screening and vetting process that would be accomplished by two primary organizations, the

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<sup>1</sup> (U) According to the DOS Bureau of Consular Affairs, Afghan nationals qualify for a SIV if they were employed in Afghanistan for a period of at least 1 year between October 7, 2001, and December 31, 2023 by, or on behalf of, the U.S. Government or the International Security Assistance Force (ISAF), or a successor mission.

(U) National Targeting Center (NTC) under DHS' U.S. Customs and Border Protection (CBP), and the National Counterterrorism Center (NCTC), with support from the FBI and Intelligence Community partners. DoD support to this stage of the effort was focused on the biometric enrollment activities overseas, as overseen by DHS, and secondary counterintelligence (CI) screening overseas, as required. The U.S. Army's National Ground Intelligence Center (NGIC) focused on the dissemination of flight manifests of Afghan evacuees cleared to fly by DHS to CONUS safe haven locations. NGIC was not part of DHS' official interagency screening and vetting process of Afghan evacuees because the DoD lead official to the interagency crisis action group did not want DoD to slow down the process.

~~(CUI)~~ [REDACTED]

(CUI)



**(U) LEGEND**

(U) A-SIV Afghan Special immigrant Visa

(U) NGIC National Ground Intelligence Center

(U) Source: The National Ground Intelligence Center, modified with multiple sources.

## ***(U) Biometrics Enrollment, Storage, and Management Processes and Systems***

(U) DoD Directive 8521.01E defines biometrics as “the process of recognizing an individual based on measurable anatomical, physiological, or behavioral characteristics.”<sup>2</sup> During a biometric “enrollment,” a biometric enroller collects an individual’s biometric data, and other associated information. Biometric data collected may include multiple modalities, such as facial photos, fingerprints, palm prints, iris scans, DNA, and voice. The DoD collects and maintains biometric data, along with biographic, behavioral, and other contextual data, to support warfighting, intelligence, law enforcement, counterterrorism, and other mission areas. The DoD uses the Automated Biometrics Identification System (ABIS) as its biometric repository database for enrolling and storing biometric and contextual data. The Defense Forensic Science Center’s Biometrics Operations Directorate (DFSC/BOD) maintains and operates ABIS. ABIS stores biometrics that are linked to the BEWL.

(U) In addition, ABIS stores and processes incoming biometric data from:

- (U) detainee, enemy combatant, and criminal files;
- (U) latent prints recovered from improvised explosive devices and other hostile actions;
- (U) 10-print fingerprints matched to prints from improvised explosive device components; and
- (U) reviews of, and documents received from, applicants requesting access to U.S. installations overseas.

(U) ABIS also matches new data to existing records and makes the data available to partner entities, such as NGIC. On behalf of the DoD and at the direction of the U.S. Army Deputy Chief of Staff, G-2 (Army G-2), NGIC maintains this identity intelligence information on the Biometric Identity Intelligence Resource (BI2R) system and its replacement, the Identity Intelligence Analytic Resource (I2AR) system, in which the BEWL operates.<sup>3</sup> The BEWL is a subset of biometrically based identities in ABIS, and the BI2R/I2AR databases that are categorized as persons of interest (POI) to DoD and who are identified by biometric data sample, instead of by name, date of birth, or other biographic identifiers. According to NGIC officials, biometrics of individuals on the BEWL are tagged in ABIS, so that when

<sup>2</sup> (U) DoD Directive 8521.01E, “DoD Biometrics,” January 13, 2016 (Incorporating Change 2, October 15, 2018).

<sup>3</sup> (CUI) [REDACTED]

(U) these individuals are encountered, the enroller may receive an unclassified report indicating the individual is on the BEWL, their derogatory information category, and any recommended actions for the enroller to take upon encountering each individual.<sup>4</sup>

(U) Through ABIS, DFSC/BOD coordinates, integrates, and synchronizes support for the operational use of biometrics to other U.S. Government agencies that maintain their own biometric-enabled watch lists to support national security screening and vetting activities. The DHS uses the Automated Biometric Identification System (referred to as “IDENT”) to centrally store and process biometric and associated biographic data used by DHS organizations, such as CBP and U.S. Citizenship and Immigration Services (USCIS). The Department of Justice uses its Next Generation Identification system for this same purpose. The DoD’s sharing of ABIS biometric files with the DHS Management Directorate Office of Biometric Identity Management’s IDENT and the Department of Justice’s Next Generation Identification system enables biometric and biographic comparison to BEWL data across agencies. See Figure 2 for an illustration of the three agencies’ biometrics databases.

(U) Figure 2. Interagency Biometrics Database Enterprise



**(U) LEGEND**

(U) NGI Next Generation Identification

(U) TIDE Terrorist Identities Datamart Environment

Source: NGIC.

<sup>4</sup> (U) NGIC defines “encounter” as when a unique identity is biometrically enrolled.

### ***(U) Limitations Between DoD ABIS and DHS IDENT***

(U) While IDENT includes ABIS data, IDENT does not include intelligence data collected during operations in deployed environments; some latent fingerprints that have not been biometrically matched (and therefore have not generated a BI2R/I2AR profile on the individual); or data provided by foreign partners that are prohibited from being shared outside of the DoD. For example, a non-DoD enroller would not receive notification of potential matches to some individuals whose unresolved latent fingerprints are only in DoD repositories and could not be shared from ABIS to IDENT.<sup>5</sup> During OAR and OAW approximately 10 percent of ABIS data was not shared with IDENT.

(U) There are other limitations with using IDENT rather than ABIS. According to DHS officials, a DHS enroller who is linked to IDENT when enrolling an individual would receive a BEWL encounter identity summary which includes, among other information, basic biographic data and one of three types of derogatory information (DoD Person of Interest, DoD Detainee, or DoD Lookout) which are mapped to BEWL categories in DoD's repository. A DHS enroller would not automatically receive additional data or intelligence specifying why the individual is on the BEWL. IDENT and ABIS maintain a one-way connection that allows ABIS to query and enroll into IDENT, but does not allow IDENT to query or enroll into ABIS. A non-DoD enroller would need to proactively solicit additional information from NGIC to understand why the enrollee was on the BEWL. During OAW, DHS officials collaborated with NGIC to obtain further details on the intelligence underlying the basis for the BEWL nomination. DHS officials also received accounts to NGIC's BI2R database and were able to access the information themselves.

### ***(U) Army National Ground Intelligence Center Roles and Responsibilities***

(U) NGIC developed the BEWL in early 2006 in response to warfighter requirements for "hold and release" decisions at the point of biometric encounters. The BEWL supports the full range of DoD tactical-to-strategic missions, functions, and operations as a common, enduring, and integrated capability that supports national security threat reviews. NGIC personnel manage and operate the BEWL under a mission that includes discovering threat identities, reviewing nominations to the BEWL, maintaining identity records, disseminating the BEWL, and managing encounters 24 hours a day, 7 days a week. The management and operations

<sup>5</sup> (CUI) [REDACTED]

(U) of the BEWL rely on a complex data architecture spanning multiple systems and numerous organizational interdependencies across the DoD and other Federal agencies.

~~(CUI)~~ According to NGIC officials, NGIC assigns one or more of the 52 watch list categories from the BEWL to each POI. [REDACTED]

(U) In accordance with DoD Instruction (DoDI) O-3300.04, the Defense Intelligence Agency (DIA) has multiple responsibilities with respect to biometrically enabled intelligence to include designating a DoD BEWL Manager. DIA designated the Army G2 as the DoD BEWL Manager and the Army G2 has further delegated to NGIC the responsibility to perform these duties. The BEWL Manager is responsible for developing and maintaining procedures for nominating, de-nominating, validating, and sharing BEWL entries in accordance with national, DoD, geographic combatant command, and U.S. Special Operations Command requirements.<sup>7</sup> All nominations come through B12R/I2AR. NGIC reviews and adjudicates all BEWL POI change requests, updates BEWL POI information and statuses as new information becomes available, and conducts ongoing and periodic maintenance reviews of POI-associated records.

(U) Multiple DoD Components and interagency partners, including the Central Intelligence Agency, the Federal Bureau of Investigation (FBI), the DOS, and the DHS, as well as some foreign partners, may nominate individuals for addition to the BEWL. An even wider list of interagency partners and over 50 partner nations may screen their biometric encounters against the BEWL.

(U) According to NGIC’s BEWL Guide, nominations of POIs to the BEWL must meet the following minimum criteria for the specific categories to which the individual is nominated.<sup>8</sup>

- (U) Probability of threat
- (U) Known or suspected intent

<sup>6</sup> ~~(CUI)~~ [REDACTED] According to NGIC officials, a “BEWL match” occurs when biometrics taken during an encounter match biometrics associated with the BEWL.

<sup>7</sup> (U) DoDI O-3300.04, “Defense Biometric Enabled Intelligence (BEI) and Forensic Enabled Intelligence (FEI),” May 25, 2012 (Incorporating Change 1, May 28, 2020).

<sup>8</sup> (U) NGIC, “Department of Defense Biometrically Enabled Watch List (BEWL) Guidance,” April 1, 2020.

- (U) Circumstantial factors
- (U) Medical reasons<sup>9</sup>
- (U) Suspicious activity

(U) Additionally, nominations must support a DoD operational need within the range of military operations and missions, a National Intelligence Priorities Framework topic, or another validated intelligence requirement. This includes the DoD requirement to identify individuals who may present a threat to national security, border security, homeland security, or public safety.

(U) NGIC's BEWL Guide requires that updates and removal change requests of BEWL records be supported with a detailed justification with source information. Removal requests must state why the nominating organization's criteria for placement on the BEWL no longer apply. Removal of a POI from the BEWL due to the death of an individual normally requires biometric confirmation or substantiation. Before removal, NGIC attempts to coordinate with and receive concurrence from the nominating agency and other BEWL stakeholders.

(U) According to NGIC officials, if a person of interest is removed from the BEWL, their information is not deleted from either BI2R/I2AR or ABIS. No biometric or biographic information on the individual is lost when a POI is removed from the BEWL. If an individual is confirmed to be a U.S. person and if the information does not meet specific exception and retention criteria outlined in DoD Manual (DoDM) 5240.01 and Army Regulation (AR) 381-10, which implements the policy requirements of DoDM 5240.01, NGIC purges that individual's profiles and all associated biographic and intelligence reports from the BI2R/I2AR holdings.<sup>10</sup> According to DoDM 5240.01, a Defense Intelligence Component may permanently retain U.S. person information if it determines that retention is reasonably believed to be necessary for the performance of an authorized intelligence mission or function. In addition, the policies also require that the information was lawfully collected by the Component or disseminated to the

<sup>9</sup> (CUI) [REDACTED]

<sup>10</sup> (U) DoDM 5240.01, "Procedures Governing the Conduct of DoD Intelligence Activities," August 8, 2016; AR 381-10, "U.S. Army Intelligence Activities," May 3, 2007. According to DoDM 5240.01, the definition of a U.S. person includes individuals who are a U.S. citizen, as well as an alien known by the Defense Intelligence Component concerned to be a permanent resident alien. A person in the United States is presumed to be a U.S. person unless specific information to the contrary is obtained.



(U) Component by another Component or element of the Intelligence Community and meets one of the authorized collection categories. Some examples of these collection categories include the following:

- (U) Publicly available information: the information is publicly available.
- (U) Consent: the information concerns a U.S. person who has consented to such collection.
- (U) Foreign intelligence: the information is reasonably believed to constitute foreign intelligence and includes U.S. persons reasonably believed to be engaged in or preparing to engage in international terrorist or international narcotics activities.
- (U) Counterintelligence (CI): the information is reasonably believed to constitute CI and includes a U.S. person reasonably believed to be engaged in or preparing to engage in international terrorist activities.
- (U) Physical security: the information is about U.S. persons reasonably believed to have a foreign connection and who pose a threat to the physical security of DoD personnel, installation operations, or visitors.
- (U) Threats to safety: the information that is needed to protect the safety of any person or organization including those who are targets, victims, or hostages of international terrorist organizations, when other criteria are met.

(U) NGIC can permanently retain information on U.S. persons when the specified criteria for permanent retention, as established in DoDM 5240.01, is met. NGIC policy requires its quality management team to perform a review of the U.S. person's information every 180 days to verify that information contained in the BEWL continues to serve a DoD intelligence mission; if not, NGIC purges the information from the BI2R/I2AR.

### ***(U) The National Counterterrorism Center's Role as the Central Repository for Known or Suspected Terrorists***

(U) The Intelligence Reform and Terrorism Prevention Act of 2004 established the NCTC with the responsibility of integrating analysis and coordinating information sharing across the U.S. Government and with international partners across the counterterrorism enterprise. One of the NCTC's statutory responsibilities is to serve as the central and shared knowledge bank on known or suspected terrorists (KSTs) and international terror groups. To fulfill this role, the NCTC maintains the Terrorist Identities Datamart Environment (TIDE) database, the U.S. Government's central classified repository for all international KSTs and their networks. TIDE includes biographic information, including names and dates of birth, biometric information, and derogatory information explaining

(U) a subject's link to terrorism. Federal agencies nominate individuals for inclusion in TIDE based on evaluations of intelligence and law enforcement information. The DIA develops and maintains procedures for DoD organizations to nominate KSTs to the NCTC for inclusion in TIDE.

### ***(U) Previous DoD Office of Inspector General Findings on DoD Support of the Screening of Displaced Persons from Afghanistan***

(U) As reported in a February 2022 DoD OIG report (DODIG-2022-065), the DoD had a supporting role during the biometric enrollment of Afghan evacuees in staging locations outside the continental United States (OCONUS) and assisted in screening Special Immigrant Visa (SIV) applicants, but did not have a role in enrolling or screening Afghan parolees at temporary housing facilities within the continental United States (CONUS).<sup>11</sup> CBP conducted approximately one-third of the enrollments of Afghan evacuees at the OCONUS staging bases and stored these data in the DHS IDENT. The DoD completed the remaining enrollments and screened this information against the ABIS database. Enrollment information from CBP and DoD screenings, which included both biometrics data and associated biographic data, was sent to the NTC for consolidation. The NTC conducted biometrics vetting and forwarded the biographic information to the NCTC, FBI, and other Intelligence Community partners for further vetting. The NCTC screened the biographic data against TIDE and other intelligence databases and transmitted the collective responses from the vetting support agencies to CBP.

(U) The formal screening and vetting process required both the NTC and the NCTC to approve each individual for clearance to fly to the United States. If either agency did not clear an individual to fly to the United States, that person remained overseas for further evaluation. NTC officials consolidated the two agencies' assessments within a "Red/Green list" that they continually updated based on inputs from FBI and other Intelligence Community partners, and subsequently passed to NGIC.<sup>12</sup> NGIC posted the revised lists to a shared portal for access by

<sup>11</sup> (U) DODIG-2022-065, "Evaluation of the Screening of Displaced Persons from Afghanistan," February 15, 2022.

(U) DHS OIG Report No. OIG-22-64, "DHS Encountered Obstacles to Screen, Vet, and Inspect All Evacuees during the Recent Afghanistan Crisis," September 6, 2022, defines parole as a discretionary immigration mechanism that grants foreign nationals, who are otherwise inadmissible, entry to the United States and permission to remain for a designated period. The Secretary of DHS may parole individuals applying for admission into the United States for urgent humanitarian reasons or significant public benefit on a case-by-case basis.

<sup>12</sup> (U) The Red/Green list consists of records of biographical information (for example, name, date of birth, gender, and other available personally identifiable information), with a notation as to whether the individual has cleared the official interagency vetting process for entry into CONUS. A "Green" status indicated clearance, while a "Red" status indicated that further evaluation was required.

(U) interagency officials for situational awareness and manifesting of Afghan evacuee passengers onto flights. See Figure 3 for an illustration of the DHS’s Afghan evacuee interagency screening and vetting process.



**(U) LEGEND**

- |         |                           |          |   |
|---------|---------------------------|----------|---|
| (U) ESP | Spain                     | (U) ITA  | Italy   |
| (U) IC  | Intelligence Community    | (U) OBIM | Office of Biometric Identity Management (DHS) |
| (U) LPR | Lawful permanent resident | (U) UAE  | United Arab Emirates                          |
| (U) QAT | Qatar                     |          |   |
| (U) GMT | Greenwich Mean Time       |          |   |
- (U) Source: CBP.

(U) In DODIG-2022-065, we also reported that Afghan evacuees were not vetted using all DoD derogatory data before arriving in CONUS. This occurred because CBP enrollments were compared to IDENT, which did not include all biometric data located in the DoD ABIS database. Additionally, according to NGIC officials, the NCTC compared biographic data from enrollments against national databases on the Top Secret/Sensitive Compartmented Information networks, such as TIDE, which did not include tactical data held in NGIC’s BI2R/I2AR database and other intelligence located on the SECRET Internet Protocol Router Network (SIPRNET). We determined that the NTC and NCTC assessed whether Afghan evacuees were cleared to travel to CONUS based on the individual’s risk under national security criteria, not solely on whether the individual was on the BEWL. According to DHS officials, they also reviewed the individual’s risk relevant to admissibility standards applicable to DHS determinations of grants of parole. Many Afghans on the BEWL did not constitute national security threats under U.S. immigration laws. According to DHS officials, not all of DoD’s criteria for placement on the BEWL align with

(U) admissibility standards used by DHS to determine whether or not to grant parole. For example, Afghan evacuees who had some derogatory information, such as Tier 4, 5, or 6 activities on the BEWL or who were not on the BEWL but had committed a crime, might not have been designated by the NTC as a national security threat. Such individuals might have been submitted for further adjudication before DHS officials made a final decision, but possessing derogatory information or being on the BEWL did not automatically preclude the individual from being cleared to travel to CONUS. Additionally, the DoD initially tasked NGIC only with screening SIV applicants, but in August 2021 expanded its analytic review to include all Afghan evacuees.

(U) On September 30, 2021, over a month after the Afghan noncombatant evacuation operation (NEO) began, DoD entered into an agreement with the DHS to access CBP enrollment records, which were ultimately used by NGIC to conduct analysis on all Afghan evacuees who were matched to the BEWL by DHS personnel and were not enrolled by DoD personnel. Additionally, NTC personnel began developing lists of individuals who were on the BEWL and provided those lists to NGIC for further analysis. According to NGIC officials, this process was informally called the wrap-back process.

(U) In addition, on August 27, 2021, NGIC analysts initiated analysis of all Afghan evacuees' biographic information contained within the NTC/NCTC Red/Green lists. As of December 13, 2021, NGIC had reviewed 58,455 of the 80,404 Afghan evacuee identities received from the DHS. During its analytic review, NGIC identified at least 50 Afghan personnel in the United States with information in DoD records that would indicate potentially significant security concerns but who were not on the BEWL at the time of their enrollment. At the conclusion of our fieldwork for the previous evaluation, NGIC was continuing to receive and analyze Afghan evacuee records for significant derogatory information and providing threat notification messages to a distribution list of over 40 DoD and interagency partners.

## (U) Finding

### (U) The DoD Supported Other Agencies' Requests for Screening Afghan Evacuees; However NGIC Did Not Consistently Follow Its Procedures for Removing Some Evacuees from the BEWL

(U) The DoD supported other Federal agencies' requests for screening Afghan evacuees against DoD databases to identify suspected terrorists or national security threats during Operations Allies Refuge (OAR) and Allies Welcome (OAW). Specifically, DoD personnel at intermediate staging bases overseas assisted DHS personnel by conducting approximately two-thirds of all biometric enrollments of Afghan evacuees and, according to DoD officials, assisted with CI screening interviews of Afghans who were identified as a match to the BEWL.

(U) Additionally, NGIC analysts processed, reviewed, maintained, and disseminated evacuee biometric watch list encounter notifications and determined whether the Afghan evacuee should be retained or removed from the BEWL. However, NGIC personnel did not consistently follow the BEWL Guide and NGIC standard operating procedures (SOPs) when they retained or removed select Afghan evacuees from the BEWL. For example:

- (U) NGIC analysts incorrectly cited Army Regulation 381-10 criteria as justification for removing 20 of 92 Afghan evacuees whose records we reviewed.
- (U) NGIC analysts removed some Afghan evacuees from the BEWL for reasons not cited in NGIC guidance or SOPs. For example, the Afghans removed included some who had criminal derogatory information of a nonviolent nature, and others who failed a Preliminary Credibility Assessment Screening System (PCASS) exam but passed a CI screening interview.<sup>13</sup>
- (U) Finally, NGIC analysts inconsistently applied the BEWL Guide and SOPs for BEWL removals. For example, the justification that NGIC personnel used for removals did not always meet required analytic integrity standards, outlined in Intelligence Community Directive (ICD) 203

<sup>13</sup> (CUI)



(U) and ICD 206 and the BEWL Guide, such as providing detailed justifications with an assessment of the insufficiency of previous source data or derogatory information.<sup>14</sup>

(U) These inconsistencies occurred because of the following.

- (U) NGIC analysts stated that they incorrectly assumed during the initial stages of OAR and OAW that Afghan evacuees, specifically SIV applicants, should be accorded U.S. person status. Although NGIC SOPs include the application of AR 381-10 criteria when determining whether a subject must be removed from the BEWL, these criteria apply only to subjects who are confirmed U.S. persons.
- (U) NGIC's BEWL Guide and SOPs did not include standards for removing Afghans who were on the BEWL as a result of Afghan theater-specific requirements or U.S. operational commanders' discretion, which caused NGIC analysts to dynamically adjust their procedures for OAR and OAW. According to NGIC officials, U.S. Forces-Afghanistan used a lower threshold for placing individuals on the BEWL, out of an abundance of caution. However, NGIC SOPs did not address standards for retention on the BEWL in furtherance of a DoD intelligence or operational mission once the Afghans were evacuated from the operations area.
- (U) Senior NGIC analysts who reviewed and approved removal nominations from subordinate analysts did not always ensure that justifications for removal followed the BEWL Guide or NGIC SOPs. NGIC officials stated that because of the large number of Afghan encounters during the NEO, NGIC's senior Government analyst responsible for approving removal nominations was unable to review every subordinate analyst's removal nomination or give each a thorough review.

(U) In addition, NGIC's BEWL Guide, Category Glossary, and Removal SOP have not been reviewed and approved either by the Office of the Under Secretary of Defense for Intelligence (OUSD[I&S]) or the Defense Intelligence Agency (DIA), the DoD organizations that were responsible for oversight of NGIC's BEWL management mission. This occurred because the Deputy Secretary of Defense redirected the responsibility for this oversight from the DIA to the OUSD(I&S) in 2020, while the DIA was in the process of reviewing these documents for approval. The OUSD(I&S) is developing new DoD policy that addresses standards and guidance for management of the BEWL.

<sup>14</sup> (U) Office of the Director of National Intelligence (ODNI), Intelligence Community Directive (ICD) 203, "Analytic Standards," January 2, 2015; ODNI ICD 206, "Sourcing Requirements for Disseminated Analytic Products," January 22, 2015.

(U) As a result, it is possible NGIC removed from the BEWL some Afghan identities that should have been retained on the list. This may have occurred because some removals were not consistent with NGIC’s SOPs, which had to be dynamically adjusted during OAR and OAW, and because some removals in the official BI2R/I2AR records lacked detailed justifications with source information stating why the original organization’s criteria for placing individuals on the BEWL no longer applies. The DHS, the lead Federal agency for OAW, used the BEWL as at least one consideration for its screening and vetting analysis of whether Afghan evacuees should be allowed to travel onward and apply for parole into the United States. In addition, the DHS cleared some Afghan evacuees to fly into the United States that NGIC identified as having potentially significant derogatory information. However, NGIC was not included in DHS’ formal interagency screening and vetting process overseas, and the derogatory information was not identified by NGIC until after the Afghans had already traveled.

### **(U) The DoD Supported Federal Agencies’ Requests for Assistance in Screening Afghan Evacuees**

(U) The DoD supported other Federal agencies’ requests for screening Afghan evacuees against DoD databases to identify suspected terrorists or national security threats during OAR and OAW. Specifically, DoD elements at intermediate staging bases overseas assisted DHS personnel by conducting approximately two-thirds of all biometric enrollments of Afghan evacuees. DoD biometrics personnel were deployed to Al Udeid Air Base, Qatar, as early as August 17, 2021, to support CBP officials with 24-hour biometric enrollments for NEO. Biometric enrollment support expanded to include military personnel from the U.S. Central Command, U.S. European Command, and U.S. Special Operations Command at several overseas installations.

(U) In addition, DoD personnel assisted with CI screening interviews of Afghans who were identified as a match to the BEWL. According to a DoD biometrics official, when screening operations were initially established at Al Udeid Air Base, the Air Force Office of Special Investigations interviewed Afghan evacuees identified by either CBP or DoD enrollers as BEWL matches. Later, when evacuee screening expanded to include Camp As Sayliyah, Qatar, Army special agents from the 525th Military Intelligence Brigade also assisted with CI screening interviews.

~~(CUI)~~ DFSC/BOD and NGIC personnel processed, reviewed, and maintained Afghan evacuee biometrics data entries to ABIS and the BEWL. [REDACTED]

[REDACTED]

(~~CUI~~) [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED] NGIC personnel analyzed this influx of BEWL-matched individuals and quickly determined whether each Afghan evacuee should be retained or removed from the BEWL.

(~~CUI~~) Finally, although not formally a part of DHS' formal interagency screening and vetting process, NGIC officials stated they also researched and reviewed all Afghan evacuees' biographic information within DoD and Intelligence Community databases to determine whether any individuals had derogatory information that would pose a potential security concern. NGIC performed this analysis as part of its normal force protection and national security mission in support of overseas contingency operations. [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

<sup>15</sup> (U) According to DFSC/BOD officials, an unresolved latent fingerprint occurs when an agency submits fingerprints to the DFSC to run through the DoD repositories and no match results. The DFSC places these unresolved latent fingerprints in an unresolved file in the event a fingerprint match is encountered during a future biometric enrollment. There are over a half-million unresolved latent fingerprints in DFSC files.



## **(U) NGIC Did Not Consistently Follow Its Procedures for Removing Some Evacuees from the BEWL**

(U) According to NGIC officials, they routinely conduct analysis whenever a subject on the BEWL is encountered during a biometric enrollment. However, NGIC officials did not consistently follow NGIC’s BEWL Guide and their Removal SOP when they reviewed Afghan evacuee BEWL encounters and decided to retain or remove select Afghan evacuees on the BEWL. NGIC analysts incorrectly applied AR 381-10 criteria to non-U.S. persons, used criteria that are not cited in their SOP, and inconsistently applied criteria for some removals.

(U) NGIC’s Removal SOP states that one of the following five criteria must apply for removing individuals from the BEWL:

- (U) a deceased person’s identity has been biometric confirmed;
- (U) original derogatory information that placed the subject on the BEWL has been mitigated;
- (U) original derogatory information that placed the subject on the BEWL has been identified as erroneous;
- (U) the subject has been identified as a U.S. person and does not meet retention criteria, as defined in AR 381-10 and DoDM 5240.01; and
- (U) the subject has been identified as a source.

(U) [REDACTED]

### ***(U) NGIC Analysts Incorrectly Cited AR 381-10 Criteria to Justify Removing Some Afghan Evacuees from the BEWL***

(U) NGIC analysts incorrectly cited AR 381-10 criteria to justify removing some Afghan evacuees, particularly Afghan SIV applicants. Although NGIC's Removal SOP includes AR 381-10 criteria, it did not apply to most Afghan evacuees because they had not been confirmed as U.S. persons. However, several NGIC analysts justified removal nominations by citing that the Afghan evacuee's derogatory information did not meet the criteria for retention specified in AR 381-10. Many of these nominations were approved by the senior analyst without a modification to this rationale.

(~~CUI~~)

NGIC analysts cited the failure of the Afghan's derogatory information to meet U.S. person retention criteria within AR 381-10 as the justification for their removals in 20 of the 92 records we reviewed. In the 92 records, NGIC analysts first cited AR 381-10 as a removal justification on August 24, 2021, and last used it on December 9, 2021. While the reference to AR 381-10 may have continued beyond that date, we also found that NGIC senior analysts started correcting junior analysts' use of this justification in their approvals of the removal nominations. NGIC officials stated that citing this policy as a reason for removals was a mistake and they corrected it when discovered. The last date for which we found an NGIC senior analyst removal approval with this justification in our selection of records was on November 17, 2021.

### ***(U) NGIC Analysts Removed Afghan Evacuees from the BEWL for Reasons Not Cited in NGIC Guidance or SOP***

(U) NGIC analysts removed Afghan evacuees from the BEWL for reasons not cited in NGIC's Removal SOP or BEWL Guide, including the following examples.

- (U) Analysts removed from the BEWL some Afghan evacuees who were put on the watch list due to corruption, fraud, or theft of U.S. property because their criminal activity was nonviolent; however, the BEWL Guide and Removal SOP did not include criteria for removing individuals with violent versus certain nonviolent criminal activity.
- (U) Analysts removed from the BEWL some Afghan evacuees who failed a PCASS examination because the analysts deemed failing a PCASS or polygraph examination was not a sufficient justification for retention. Analysts generally retained on the BEWL some Afghans who failed a CI screening interview. NGIC analysts also removed some Afghan evacuees from the BEWL because they passed a CI screening interview following

(U) their evacuation from Afghanistan. The BEWL Guide and Removal SOPs did not include removal and retention criteria pertaining to a PCASS or CI screening interview pass or failure.

- (CUI) [Redacted]

***(U) NGIC Analysts Inconsistently Applied Guidance and SOPs to Some Removal Decisions***

(U) NGIC analysts removed some Afghan evacuees from the BEWL because the derogatory records contained insufficient sourcing data or lacked the accuracy required to justify the retention of their biometrically enabled intelligence records. NGIC analysts stated that these records failed to meet analytic tradecraft standards, as delineated in ICD 203 and ICD 206. However, many of the analysts' justifications for removals in the records also did not meet analytic tradecraft standards or direction provided by the BEWL Guide.

(CUI) [Redacted]

## **(U) NGIC Analysts Made Incorrect Initial Assumptions About Afghan SIV Applicants' U.S. Persons Status, and NGIC Procedures Did Not Address BEWL Removals for Theater-Only Requirements**

(U) According to NGIC analysts, their incorrect application of AR 381-10 occurred, in part, because during the initial stages of OAR and NEO, they incorrectly assumed that Afghan SIV applicants should be accorded U.S. person status. NGIC officials stated that this issue was exacerbated because the initial biometric enrollments conducted in Qatar were inadvertently registered by biometric enrollment personnel on the enrollment devices as "DDASIV," the code for a SIV applicant. This caused NGIC analysts to misinterpret that many Afghan evacuees enrolled were SIV applicants when they were not.

(U) We found that NGIC analysts cited a special status for Afghan SIV applicants in several of the 92 Afghan BEWL removal justifications we reviewed, such as "Subject is a potential SIV applicant beneficiary and does not meet USPER retention standards." However, NGIC had not confirmed any of these Afghans as U.S. persons. According to NGIC officials, when the mistake was discovered, all encounters were re-sent with the appropriate personally identifiable information, quarantine records, and a retraction of the U.S. person status. However, NGIC officials stated that they did not remove anyone from the BEWL because of an assumption they were a U.S. person.

(U) In addition, the NGIC BEWL Guide and Removal SOP did not address the removal of Afghans who were on the BEWL due to Afghanistan theater-specific requirements or because of a commander's discretion but were no longer required to be on the BEWL for a DoD intelligence or operational mission. NGIC had not previously encountered the large volume of reviews necessary to support OAR and OAW, and its guidance and procedures did not address theater requirements that no longer applied. According to NGIC officials, when presented with this problem, the BEWL Branch initially decided to use AR 381-10 retention criteria because of analysts' familiarity with the criteria. The officials stated that analysts misunderstood the guidance and the analysts incorrectly cited that several Afghans were removed from the BEWL specifically because they did not meet the retention criteria in AR 381-10. According to NGIC officials, this reason gave the false appearance that removals were based solely on U.S. person retention criteria in the case of Afghans who were not confirmed U.S. persons. The lack

(U) of formal guidance regarding Afghans who were only on the BEWL for a theater requirement meant that NGIC analysts had to dynamically adjust procedures and make analytical judgments about whether derogatory information was sufficient to retain Afghans on the BEWL.

(U) Finally, when NGIC senior analysts reviewed contract analysts' nominations for removals, they did not always enforce the BEWL Guide requirement for detailed removal justifications and did not always apply NGIC guidance consistently. NGIC officials stated that because of the large number of Afghan encounters during the NEO, the senior Government analysts were unable to review every subordinate contract analyst's removal nomination or give each nomination a thorough review.

### **(U) NGIC's BEWL Guide, Categories, and SOP Have Not Been Reviewed and Approved by a DoD Organization Responsible for BEWL Oversight**

(U) The DoD lacks operational guidance describing BEWL mission requirements. DoDI O-3300.04 assigned the DIA the responsibility for developing and providing management, supervision, procedures, support, and requirements for a BEWL capability in support of counter-human threat network operations, information warfare, and other relevant intelligence-supported mission areas. These oversight responsibilities include the appointment of a BEWL Manager.

(U) In June 2012, the DIA directed the Army to continue performing the BEWL management mission—a mission NGIC had already been performing since it developed the BEWL in early 2006 in response to a warfighter requirement for “hold and release” decisions at the point of biometric encounters. According to an NGIC official, the DIA established the Identity Intelligence Project Office (I2PO) to execute its oversight of the BEWL, which included, among other responsibilities, ensuring that the BEWL Manager develops and maintains procedures to nominate, de-nominate, validate, and share BEWL entries.

(U) Additionally, the DIA should have reviewed and approved NGIC's BEWL Guide, concept of operations, SOPs, and Categorical Glossary to standardize terms and processes for maintaining the BEWL. However, according to an NGIC official, DIA did not formally approve these guidance documents. We assess this occurred because the Deputy Secretary of Defense transferred oversight responsibilities for the BEWL Manager while the DIA was reviewing these documents for approval. On January 10, 2020, the Deputy Secretary of Defense approved the transition of the responsibilities of the DIA/I2PO for identity intelligence functions to the Under Secretary of Defense for Intelligence and Security (USD[I&S]).

(U) The transition plan for the BEWL manager role was approved by the Office of the USD(I&S) Chief of Staff, the Director for Defense Intelligence (Counterintelligence, Law Enforcement and Security) (DDI[CL&S]), and the DIA Chief of Staff by a memorandum of agreement in August 2020. According to an NGIC official, the Office of the USD(I&S) established its Identity Intelligence Division (I2D) under the DDI(CL&S) to execute its identity intelligence responsibilities. However, an updated version of DoDI 3300.04 incorporating the transfer of responsibilities to the USD(I&S) has not been completed as of March 2023.

## **(U) NGIC Might Have Removed from the BEWL Some Afghan Identities Who Should Have Been Retained**

(U) NGIC might have removed from the BEWL some Afghan identities that should have been retained on the list. This may have occurred because some removals were not consistent with NGIC's SOPs, which had to be dynamically adjusted during OAR and OAW, and because some removals in the official BI2R/I2AR records lacked detailed justifications with source information stating why the original organization's criteria for placing individuals on the BEWL no longer applies. The DHS, the lead Federal agency for OAW, used the BEWL as at least one consideration for its screening and vetting analysis of whether Afghan evacuees should be allowed to travel onward and apply for parole into the United States. In addition, the DHS cleared other Afghan evacuees to fly into the United States that NGIC identified as having potentially significant derogatory information. However, NGIC was not included in DHS' formal interagency screening and vetting process overseas, and the derogatory information was not identified by NGIC until after the Afghans had already traveled.

## **(U) Management Actions Taken**

### **(U) National Ground Intelligence Center**

~~(U)~~ According to NGIC officials, they held an after-action review of their Afghan evacuee BEWL encounter assessments. NGIC officials determined they need to update their policy and procedures, modify some BI2R/I2AR records to correct justifications that reference AR 381-10, and ensure each removal record contains sufficient details. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] NGIC officials stated thus far they have not found an instance in which

(~~CUI~~) any of the removals were not justified. [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]

***(U) Under Secretary of Defense for Intelligence and Security***

(U) During our evaluation the USD(I&S) initiated a program of actions and milestones for development and publication of new DoD policies by August 2023. USD(I&S) officials drafted a DoDD on defense identity intelligence and a DoDI on defense watch listing that collectively replace DoDI O-3300.04 and designate the USD(I&S) as the Office of the Secretary of Defense Principal Staff Assistant for DoD identity intelligence and defense watch listing activities. The DoDD establishes DoD policy and assigns the mission, authorities, and responsibilities for management of DoD identity intelligence to support national defense. The DoDI establishes DoD policy and assigns the mission, authorities, and responsibility for management of the DoD watch list.

**(U) Management Comments on the Finding and Our Response**

***(U) Commander, National Ground Intelligence Center Comments***

(U) The NGIC Commander stated that additional context and input to the findings regarding NGIC’s roles and responsibilities in support of OAR and OAW may be required to clarify potential mischaracterizations. The Commander stated that NGIC did not have a role in deciding whether Afghan individuals were cleared to enter the United States. The Commander also stated that NGIC had to dynamically adapt the BEWL process in response to unprecedented circumstances and the operational environment during OAR and OAW, and that the findings are potentially misleading when stating that NGIC did not consistently follow the BEWL Guide or SOPs without also describing the context for this change. The Commander added that NGIC provided significant contributions, external to the BEWL operations, to the OAR and OAW whole-of-Government response, including 24/7 operational support, managing the “cleared to fly” lists, and coordinating with interagency officials to dynamically resolved Afghan hard case reviews.

### ***(U) Our Response***

(U) We agree that NGIC did not have a formal role in clearing Afghans to travel to the United States. Although NGIC provided analytic support to DHS and interagency partners relating to derogatory data that was available to the DoD, we repeatedly stated in the report that NGIC was not a part of the formal interagency screening and vetting process. We also stated in the report that NGIC had not previously encountered the large volume of reviews that became necessary to support OAR and OAW. We stated that NGIC analysts had to dynamically adjust their guidance and standard operating procedures for OAR and OAW, because the procedures did not address theater requirements that no longer applied. However, NGIC could have revised its procedures before OAR and OAW to reflect analytic standards that should apply to individuals on the BEWL when they depart a theater of operations. NGIC's dynamic application of new procedures led to some confusion by analysts regarding the treatment of Afghan evacuees as U.S. persons and the use of Army Regulation 381-10 criteria for some removal decisions, which did not apply to the vast majority of Afghans because they were not confirmed U.S. persons. Finally, we agree that NGIC provided significant contributions to the U.S. Government response. In addition to its BEWL operations, we described NGIC's significant analytic support mission, reviewing over 84,000 biographic records and its identification of identities who raised security concerns to interagency partners.

### ***(U) Recommendations, Management Comments, and Our Response***

#### ***(U) Recommendation 1***

**(U) We recommend that the National Ground Intelligence Center Commander:**

- a. **(U) Revise and issue Biometrically Enabled Watch List guidance and standard operating procedures to incorporate specific criteria for removal or retention of individuals with:**
  1. **(U) criminal derogatory information of a nonviolent nature.**
  2. **(U) a failed Preliminary Credibility Assessment Screening System or polygraph examination, or a failed counterintelligence screening interview.**
  3. **(U) confirmed Tier 1 or Tier 2 connections to nefarious individuals.**



- b. (U) Submit the revised guidance and procedures through the applicable chain of command for Under Secretary of Defense for Intelligence and Security approval.
- c. (U) Conduct a review of all Afghan evacuee identities removed from the Biometrically Enabled Watch List during Operations Allies Refuge and Allies Welcome and, as required, update each identity with a detailed removal justification that complies with the revised standard operating procedures.
- d. (U) Add back to the Biometrically Enabled Watch List those Afghan evacuees whose removals are not properly justified in accordance with the revised standard operating procedures.
- e. (U) Disseminate updated notifications to the Operation Allies Welcome notification distribution list for any Afghan evacuees added back to the Biometrically Enabled Watch List.
- f. (U) Correct the Biometrically Enabled Watch List removal justifications within the Biometric Identity Intelligence Resource/Identity Intelligence Analytic Resource that cite Army Regulation 381-10 criteria or a special standard for Afghan Special Immigrant Visa applicants who have not been confirmed as U.S. persons.

### ***(U) Commander, National Ground Intelligence Center Comments***

(U) The NGIC Commander agreed and stated that NGIC has revised the BEWL guidance to establish more specific standards and thresholds for BEWL nominations and removals in accordance with the recommendations. That guidance is currently under review in Army channels and, when finalized, will be released to the USD(I&S) for formal approval by July 31, 2023.

~~(CUI)~~ The Commander also stated that NGIC is reviewing all BEWL removals of Afghan evacuees using the revised BEWL SOP. [REDACTED]

[REDACTED] The Commander stated that a sampling of approximately 25 percent of the removal population demonstrated those removals were appropriate and justified. If NGIC discovers any individuals that were removed from the BEWL in a manner that was not in accordance with the revised SOP, then the Commander indicated that they will add the individuals back onto the BEWL and notify all relevant parties immediately. Finally, the Commander stated NGIC will review and correct all justifications related to BEWL removals to include all justifications that cited AR 381-10.

### ***(U) Our Response***

(U) Comments from the Commander fully addressed the recommendations; therefore, the recommendations are all resolved but will remain open. We will close the recommendations once NGIC verifies that all the Afghan evacuee removal records have been reviewed and corrected, or that Afghan evacuees have been added back onto the BEWL with accompanying notifications, as required.

### ***(U) Recommendation 2***

**(U) We recommend that the Under Secretary of Defense for Intelligence and Security:**

- a. **(U) Revise or replace DoD Instruction O-3300.04 to reflect the transition of responsibilities from the Defense Intelligence Agency to the Under Secretary of Defense for Intelligence and Security for the management, support, and requirements of the DoD Biometrically Enabled Watch List.**
- b. **(U) Review and approve the National Ground Intelligence Center’s “DoD Biometrically Enabled Watch List (BEWL) Guidance” and related policies and procedures for nominating, removing, validating, and sharing biometrically enabled watch list entries with interagency partners.**

### ***(U) Under Secretary of Defense for Intelligence and Security Comments***

(U) The Director for Defense Intelligence, Counterintelligence, Law Enforcement and Security, responding on behalf of the Under Secretary of Defense for Intelligence and Security, agreed with the recommendations. The Director stated that the Office of the Under Secretary of Defense for Intelligence and Security is in the process of replacing the current DoDI O-3300.04 with a DoD Directive for Defense Identity Intelligence and a DoDI for the Defense Watchlist, which will replace the term BEWL. These policies will reflect changes in oversight responsibilities and guidance for the review, approval, and implementation of the Defense Watchlist Guide and related policies and procedures for nominating, removing, validating, and sharing BEWL entries with interagency partners.

***(U) Our Response***

(U) Comments from the Director fully addressed the recommendations; therefore, the recommendations are resolved but will remain open. We will close the recommendations once the Under Secretary of Defense for Intelligence and Security provides us with the published policies and we verify that the new DoD policy documents reflect the changes in oversight responsibilities, and provide the appropriate guidance for the Defense Watchlist Guide and related policies and procedures.

## (U) Appendix

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### (U) Scope and Methodology

(U) We conducted this evaluation from September 2022 through May 2023 in accordance with the “Quality Standards for Inspection and Evaluation,” published in December 2020 by the Council of the Inspectors General on Integrity and Efficiency. Those standards require that we adequately plan the evaluation to ensure that we meet objectives and that we perform the evaluation to obtain sufficient, competent, and relevant evidence to support the findings, conclusions, and recommendations. We believe that the evidence obtained was sufficient, competent, and relevant to lead a reasonable person to sustain the findings, conclusions, and recommendations.

(U) We identified and reviewed policies, directives, and orders related to the DoD’s limited role in supporting the screening and vetting of Afghan evacuees. Specifically, we reviewed the following criteria.

- (U) DoD Directive 8521.01E
- (U) DoD Manual 5240.01
- (U) DoD Instruction O-3300.04
- (U) Army Regulation 381-10
- (U) Intelligence Community Directive 203
- (U) Intelligence Community Directive 206
- (U) National Security Presidential Directive/NSPD-59
- (U) National Security Presidential Memorandum-7, “Integration, Sharing, and Use of National Security Threat Actor Information to Protect Americans”
- (U) National Security Presidential Memorandum-9, “Presidential Memorandum on Optimizing the Use of Federal Government Information in Support of the National Vetting Enterprise”

(U) We conducted an entrance conference with personnel from the National Ground Intelligence Center (NGIC), the U.S. Army Intelligence and Security Command (INSCOM), Headquarters Department of the Army G-2, the Defense Forensic and Biometrics Agency, the Defense Forensic Science Center, the Department of the Army Office of Inspector General, Headquarters Army Office of the Provost Marshal, and the Office of the Under Secretary of Defense for Intelligence and Security (OUSD[I&S]) to determine their respective roles for supporting other agencies’ requests for screening Afghan evacuees.

(U) We submitted the initial request for information in September 2022 and received continuously updated responses from NGIC. In January 2023, the OUSD(I&S) provided a consolidated interim response to the initial request for information that included NGIC, DFSC/BOD, and OUSD(I&S) inputs.

(U) We conducted two site visits at NGIC: one on October 19, 2022, and the second on November 15, 2022, in Charlottesville, Virginia. We conducted virtual followup interviews with NGIC throughout our fieldwork. In addition, we conducted interviews with the Department of Homeland Security Office of the Inspector General, and the Department of the Army Office of Inspector General, Special Assistant IG for Intelligence Oversight (SAIG-IO). We also interviewed multiple DoD personnel deployed to Qatar during OAR and OAW, including personnel from the 379th Air Expeditionary Wing at Al Udeid Air Base, Qatar, and a DoD biometrics team member, to determine the extent to which the DoD supported other agencies' requests for enrolling and screening Afghan evacuees.

(~~CUI~~) We requested access to NGIC's BEWL encounter notification messages and threat notification messages, which NGIC analysts distributed broadly to over 50 interagency addressees during OAR and OAW. NGIC officials posted their OCONUS and CONUS BEWL encounter messages, and threat notification messages on an Inteldocs site for our access. [REDACTED]

[REDACTED]

[REDACTED] First, we identified the reasons NGIC analysts cited for removing Afghan evacuees from the BEWL to determine whether the justifications were detailed and in accordance with criteria cited in NGIC's BEWL Guide or SOPs. This review included first-line analysts' use of AR 381-10 as a justification, senior analysts' retention of this justification in their final approval, and the time frame during which AR 381-10 criteria were incorrectly applied. [REDACTED]

[REDACTED]

[REDACTED] Second, we reviewed BI2R records for Afghans who were a match to the BEWL in CONUS to determine if any of them had no record of a biometrics enrollment in an overseas location.

(U) Finally, we reviewed a DHS/NTC consolidated list of Afghan evacuee BEWL matches that was provided to NGIC. We researched BI2R BEWL and enrollment histories to determine whether any of the Afghans identified by NGIC to the NTC as national security threats were later matched to the BEWL in CONUS.

(U) We determined that DHS officials cleared some Afghans to fly to the United States who had previously been assessed by NGIC as national security threats. We also identified that some Afghans whom the NTC asked NGIC to review were already in the United States at the time of the request.

(U) We considered management's comments on the draft report when preparing the final report. In addition, the draft report was reviewed by the Department of Homeland Security and the National Counterterrorism Center. They provided technical comments to this report and we included their edits where appropriate.

(U) This report was reviewed by the DoD Component(s) associated with this oversight project to identify whether any of their reported information, including legacy FOUO information, should be safeguarded and marked in accordance with the DoD CUI Program. In preparing and marking this report, we considered any comments submitted by the DoD Component(s) about the CUI treatment of their information. If the DoD Component(s) failed to provide any or sufficient comments about the CUI treatment of their information, we marked the report based on our assessment of the available information.

### **(U) Use of Computer-Processed Data**

(U) We used computer-processed data from NGIC's BI2R system to obtain records on our non-statistical sample of Afghan evacuees who were on the BEWL. We reviewed the derogatory information listed in the records along with the justifications NGIC analysts cited for removing Afghans from the BEWL to determine if the justifications were detailed and followed NGIC's BEWL Guide and SOPs. We also reviewed BI2R enrollment history records to determine if any Afghans who matched to the BEWL in CONUS did not also have a record of a biometrics enrollment at an OCONUS lily pad location during OAR or OAW. We concluded that the data was sufficiently reliable for developing our findings and conclusions.

## **(U) Prior Coverage**

(U) During the last 5 years, the DoD Office of Inspector General (DoD OIG) and the DHS OIG issued two reports discussing the biometric enrollment, screening, and vetting process.

(U) Unrestricted DoD OIG report can be accessed at <http://www.dodig.mil/reports.html/>.

### **(U) DoD OIG**

(U) Report No. DODIG-2022-065, “Evaluation of the Screening of Displaced Persons from Afghanistan,” February 15, 2022

(U) The objective of this evaluation was to determine the extent to which the DoD managed and tracked displaced persons from Afghanistan through the biometric enrollment, screening, and vetting process. We determined that the DoD had a supporting role during the biometric enrollment of Afghan evacuees in staging locations outside the continental United States and assisted in screening Special Immigrant Visa applicants. However, the DoD did not have a role in enrolling, screening, or overseeing the departure of Afghan parolees at temporary housing facilities (safe havens) within the continental United States. This report contains two recommendations. The first recommendation, to the Under Secretary of Defense for Policy, the Director of the Defense Forensics and Biometrics Agency, and the Commander of NGIC, was to extend the data-sharing agreement with the DHS. They completed the extension on December 10, 2021, extending the agreement until June 27, 2022. The second recommendation, resolved but open, was to the USD(I&S), to develop procedures for sharing derogatory information on Afghan evacuees with the DoD and interagency stakeholders.

### **(U) Department of Homeland Security OIG**

(U) Report No. OIG-22-64, “DHS Encountered Obstacles to Screen, Vet, and Inspect All Evacuees during the Recent Afghanistan Crisis,” September 6, 2022

(U) The objective of the audit was to determine the extent to which the DHS screened, vetted, and inspected evacuees arriving as part of OAR and OAW. The CBP did not always have critical data to properly screen, vet, or inspect the evacuees. In addition, some information used to vet evacuees through U.S. Government databases, such as name, date of birth, identification number, and travel document data, was inaccurate, incomplete, or missing. In addition, CBP admitted into the United States or paroled evacuees who were not fully

(U) vetted. The DHS' challenges were attributed to a lack of: (1) a list of Afghan evacuees who were unable to provide sufficient identification documents; (2) a contingency plan to support similar emergency situations; and (3) standardized policies. As a result, the DHS may have admitted into the United States or paroled individuals who pose a risk to national security and the safety of local communities.

(U) This report contains two recommendations that are considered open and unresolved. The first recommendation was that the CBP Commissioner: (a) immediately identify evacuees from Afghanistan who are in the United States and provide evidence of full screening and vetting based on confirmed identification—especially for those who did not have documentation; and (b) ensure that recurrent vetting processes established for all paroled evacuees are carried out for the duration of their parole period. The second recommendation was that the Secretary of Homeland Security develop a comprehensive contingency plan to support similar emergency situations in the future and account for, screen, vet, and inspect all individuals during unprecedented events when limited biographic data are available. Specifically: (a) the plan should include, at a minimum, lessons learned from departmental after-action reports that can be incorporated into the plan for future events, lead roles and responsibilities, points of contact, established processes, and expected time frames; and (b) the policies and procedures should ensure accountability, standard practices, and quality assurance across DHS components involved in screening, vetting, and inspecting individuals in emergency situations.



# (U) Management Comments

## (U) National Ground Intelligence Center

CUI



DEPARTMENT OF THE ARMY  
NATIONAL GROUND INTELLIGENCE CENTER  
2055 BOULDERS ROAD  
CHARLOTTESVILLE, VIRGINIA 22911-8318

IANG-OC (300D)

18 May 2023

MEMORANDUM THRU

Commanding General, United States Army Intelligence and Security Command, 8825  
Beulah Street, Fort Belvoir, VA 22060-5246  
Deputy Chief of Staff, G-2, 1000 Army Pentagon, Washington, DC 20310-1000

FOR Department of Defense, Office of the Inspector General, 400 Army Navy Drive,  
Arlington, VA 22202-4704

SUBJECT: (U) Review of the Department of Defense Inspector General (IG) Draft  
Report, "Evaluation of DoD Support to Other Agencies' Requests for Screening  
Displaced Persons from Afghanistan" (Project No. D2022-DEVOPD-173.000)

1. (U) References:

a. (U) Department of Defense Office of the Inspector General report, (Evaluation of the Screening of Displaced Persons from Afghanistan (Project # DoDIG-D2022-065)), 15 February 2022.

b. (U) Department of Homeland Security Office of the Inspector General (DHS) report (Encountered Obstacles to Screen, Vet, and Inspect All Evacuees during the Recent Afghanistan Crisis), 06 September 2022.

c. (U) Department of Defense Inspector General report (Evaluation of DoD Support to Other Agencies' Requests for the Screening of Displaced Persons from Afghanistan (Project # D2022-DEVOPD-0173.000)), 05 May 2023.

2. (U) NGIC agrees with all six specified recommendations in reference c and in paragraph four we have outlined actions taken to address those recommendations and the planned completion dates for each recommendation.

3. (U) NGIC also appreciates the opportunity to provide some additional context and input to the overall findings in the DOD IG report in order to clarify some potential mischaracterizations. Each of the points below is articulated or inferred throughout the findings in the report; however, we request the following points be clearly stated to give the appropriate context of NGIC's roles and responsibilities in support of Operation Allies Refuge (OAR) and Allies Welcome (OAW).

Controlled by: IANG-OC  
Categories: Intel, OPSEC  
Limited Dissemination Controls: NONE  
POC: Commander, NGIC

CUI

## (U) National Ground Intelligence Center (cont'd)

CUI

IANG-OC (300D)

SUBJECT: (U) Review of the Department of Defense Inspector General (IG) Draft Report, "Evaluation of DoD Support to Other Agencies' Requests for Screening Displaced Persons from Afghanistan" (Project No. D2022-DEVOPD-173.000)

- (U) **NGIC did not have a role in deciding whether Afghan individuals were cleared and allowed to enter the United States.** As outlined in Reference c, the screening and vetting of Afghan personnel was accomplished by the Department of Homeland Security (DHS) and the National Counterterrorism Center who assessed whether Afghan evacuees were cleared to travel to the Continental United States (CONUS).

- (U) **NGIC dynamically adapted the Biometrically Enabled Watchlist (BEWL) in a fluid and unprecedented operational environment during OAR/OAW in direct collaboration with interagency and Intelligence Community partners.** The DoD IG report describes NGIC's adaptation of existing standard operating procedures (SOPs) to address changed circumstances as, "did not consistently follow BEWL Guide and NGIC standard operating procedures." While it may be factually accurate to describe changing procedures as "not consistently" following SOPs, it is potentially misleading to do so without providing the context for the change. In every case, NGIC applied established intelligence community analytic integrity standards and worked with the interagency to discuss derogatory information to determine whether or not an individual should remain on the BEWL. The DHS used the BEWL as one of many, but not the only, source of information for determining whether Afghan evacuees were cleared to travel to CONUS.

- (U) **NGIC provided significant contributions, external to BEWL operations, to the whole of government response to OAR/OAW to include: executing sustained 24/7 operational support, delivering "cleared to fly" lists across DoD and the IC and working daily with our interagency and Intelligence Community colleagues to solve dynamic hard problems which surfaced throughout the operation.**

4. (U) NGIC is fully committed to strengthening processes, procedures, and tradecraft associated with the six DoD IG evaluation recommendations. Below, we have included actions taken to date and the planned completion dates for each recommendation.

a. (U) Revise and issue Biometrically Enabled Watch List (BEWL) guidance and standard operating procedures to incorporate specific criteria for removal or retention of individuals with:

(1) (U) Criminal derogatory information of a nonviolent nature.

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CUI

## (U) National Ground Intelligence Center (cont'd)

CUI

IANG-OC (300D)

SUBJECT: (U) Review of the Department of Defense Inspector General (IG) Draft Report, "Evaluation of DoD Support to Other Agencies' Requests for Screening Displaced Persons from Afghanistan" (Project No. D2022-DEVOPD-173.000)

(2) (U) A failed Preliminary Credibility Assessment Screening System or polygraph examination, or a failed counterintelligence screening interview.

(3) (CUI) [REDACTED]

- (U) The command has revised the BEWL guidance to establish more specific standards and thresholds for BEWL nominations and removals. Specific emphasis is being placed on the conditions of a1, a2 and a3 to ensure identified gaps in the adjudication process are closed. The revised guidance is being staffed internally within the Army among subject matter experts and senior leaders in preparation for release to the Under Secretary of Defense for Intelligence and Security (USD(I&S)) for formal approval.

- (U) Status: Open / Working. NGIC has revised the BEWL guidance and SOP in accordance with the recommendations. This task will be formally closed upon USD(I&S) approval of the updated BEWL guidance and procedures.

b. (U) Submit the revised guidance and procedures through the applicable chain of command for USD(I&S) approval.

- (U) The command will submit the revised guidance to USD(I&S) for review and approval promptly, when finalized. NGIC anticipates review and approval in conjunction with the USD(I&S) release of the DoDD on Defense Identity Intelligence and the DoDI on Defense Watchlisting.

- (U) Status: Open / Working. The revised guidance will be submitted to USD(I&S) for approval NLT 31 July 2023.

c. (U) Conduct a review of all Afghan evacuee identities removed from the BEWL during OAR and OAW and, as required, update each identity with a detailed removal justification that complies with the revised standard operating procedures.

- (CUI) [REDACTED]

[REDACTED]

- (U) Status: Open / Working. Review and revision will be complete NLT 31 July 2023.

CUI

## (U) National Ground Intelligence Center (cont'd)

CUI

IANG-OC (300D)

SUBJECT: (U) Review of the Department of Defense Inspector General (IG) Draft Report, "Evaluation of DoD Support to Other Agencies' Requests for Screening Displaced Persons from Afghanistan" (Project No. D2022-DEVOPD-173.000)

d. (U) Add back to the BEWL those Afghan evacuees whose removals are not properly justified in accordance with the revised standard operating procedures.

- (U) Using the revised SOP, if any of the Afghan evacuees were improperly removed from the BEWL, those individuals will be added back to the BEWL. In a sampling of approximately 25% of this population, all removals reviewed were appropriate and justified.

- (U) Status: Open / Working. If any individuals were removed from the BEWL not in accordance with the revised SOP, they will be added back to the BEWL immediately.

e. (U) Disseminate updated notifications to the OAW notification distribution list for any Afghan evacuees added back to the BEWL.

- (U) If any individuals were removed from the BEWL not in accordance with the revised SOP, they will be added back to the BEWL, and the command will notify all relevant parties via official email and serialized message traffic immediately. As stated in response to recommendation "d," in a sampling of approximately 25% of this population, all removals reviewed were appropriate and justified.

- (U) Status: Open / Working.

f. (U) Correct the BEWL removal justifications within the Biometric Identity Intelligence Resource/Identity Intelligence Analytic Resource that cite Army Regulation 381-10 criteria or a special standard for Afghan Special Immigrant Visa applicants who have not been confirmed as U.S. persons.

- (U) The command will review and correct all justifications related to BEWL removals to include all justifications which cited AR 381-10. The revised removal justifications will replace the old justifications in database of record.

- (U) Status: Open / Working. Review and revision will be complete NLT 31 July 2023.

5. (U) Thank you for providing the NGIC an opportunity to review and respond to the subject draft report dated 5 May 2023 as well as your willingness to work with my staff. We also appreciate and value your office's recommendations for improving policies

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CUI

## (U) National Ground Intelligence Center (cont'd)

CUI

IANG-OC (300D)

SUBJECT: (U) Review of the Department of Defense Inspector General (IG) Draft Report, "Evaluation of DoD Support to Other Agencies' Requests for Screening Displaced Persons from Afghanistan" (Project No. D2022-DEVOPD-173.000)

related to the BEWL management based on the experience gained during OAR and OAW.

6. (U) POC for these actions is [REDACTED]

[REDACTED]

CUI

# (U) Under Secretary of Defense for Intelligence and Security



INTELLIGENCE AND SECURITY

OFFICE OF THE UNDER SECRETARY OF DEFENSE  
5000 DEFENSE PENTAGON  
WASHINGTON, DC 20301-5000

JUN - 7 2023

MEMORANDUM FOR Bryan T. Clark, Program Director for Overseas Contingency Operations Evaluation, Office of the Department of Defense Inspector General

SUBJECT: Response to Evaluation of DoD Support to Other Agencies' Requests for the Screening of Displaced Persons from Afghanistan (Proj. No. D2022-DEV0PD-0173.000)

This memorandum provides responses to your request for review by the Office of the Secretary of Defense for Intelligence and Security (OUSDI&S) of the subject draft report. The Department greatly appreciates the opportunity to participate in this important effort.

OUSDI&S concurs with Recommendation #2a and #2b, noting that OUSDI&S is in the process of replacing the current Department of Defense Instruction (DoDI) O-3300.04 with a DoD Directive for Defense Identity Intelligence and a DoDI for the Defense Watchlist, formerly known as the Biometric Enabled Watch List (BEWL). Both issuances are set to be complete by the end of 2023. The updated policies reflect changes in oversight responsibilities and guidance for the review, approval, and implementation of the Defense Watchlist Guide and related policies and procedures for nominating, removing, validating, and sharing BEWL entries with interagency partners.

It is noteworthy that the decision to transfer the Principal Staff Assistant designation to the USD(I&S) from the Under Secretary of Defense for Research and Engineering is a staff recommended action which has not yet been staffed through USD(I&S) to the Deputy Secretary of Defense.

Please feel free to reach out directly to my staff if you have any additional questions. The point of contact is [REDACTED]

John P. Dixon  
Director for Defense Intelligence  
Counterintelligence, Law Enforcement,  
& Security

## (U) Acronyms and Abbreviations

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<b>ABIS</b>	DoD Automated Biometrics Identification System
<b>BEWL</b>	Biometric Enabled Watch List
<b>BIZR</b>	Biometric Identity Intelligence Resource
<b>CBP</b>	U.S. Customs and Border Protection
<b>DFSC/BOD</b>	Defense Forensic Science Center Biometrics Operations Directorate
<b>DHS</b>	U.S. Department of Homeland Security
<b>DIA</b>	Defense Intelligence Agency
<b>DOS</b>	U.S. Department of State
<b>FBI</b>	Federal Bureau of Investigation
<b>IZAR</b>	Identity Intelligence Analytic Resource
<b>IDENT</b>	DHS Automated Biometric Identification System
<b>KST</b>	Known or suspected terrorist
<b>NCTC</b>	National Counterterrorism Center
<b>NGIC</b>	National Ground Intelligence Center
<b>NEO</b>	Noncombatant evacuation operation
<b>NTC</b>	National Targeting Center
<b>OAR</b>	Operation Allies Refuge
<b>OAW</b>	Operation Allies Welcome
<b>PCASS</b>	Preliminary Credibility Assessment Screening System
<b>POI</b>	Person of interest
<b>SIV</b>	Special Immigrant Visa
<b>TIDE</b>	Terrorist Identities Datamart Environment
<b>USCIS</b>	U.S. Citizenship and Immigration Services
<b>USD(I&amp;S)</b>	Under Secretary of Defense for Intelligence and Security





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