

Controlled Application Review and Resolution Program (CARRP)

National Security Division

Version 2.3.1

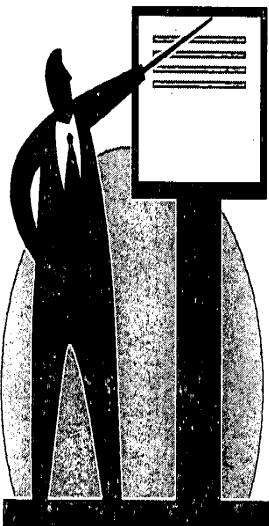
Fraud Detection & National Security Directorate

Updated 01/12

January 2012

Course Overview

- Section I: CARRP Overview
- Section II: Handling/Protecting Classified Information
- Section III: CARRP Stages and Request For Assistance
- Section IV: Summary



*Each section will have a practical exercise



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Terminal Performance Objective

At the end of this training session, the USCIS Officer will have an understanding of the CARRP process.



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I. CARRP Overview

- Identify the relevant terms of reference relating to cases involving national security concerns.
- Identify USCIS policies in adjudicating applications or petitions in cases involving national security concerns.
- Identify CARRP duties and responsibilities for: FOD, SISO, FDNS-SIO, FDNS-IO, and CARRP-ISO for Domestic Field Offices.



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Identify Terms of Reference

Review of CARRP Policy Memo Terms:

- National Security (NS) Concern
- Known or Suspected Terrorist (KST)
- Non-Known or Suspected Terrorist (Non-KST)
- Security Checks
- Internal Vetting
- External Vetting
- Deconfliction
- Designated Officer



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CARRP Policy

- "Policy for Vetting and Adjudicating Cases with National Security Concerns" Signed April 11, 2008

- KST vs. Non-KST
- Defined CARRP terms
- FDNS-DS



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Identify CARRP duties and responsibilities

The purpose of delineation memo was to clearly delineate Domestic Field Office policy regarding CARRP case processing responsibilities of:

- Field Office Directors (FOD)
- FDNS Supervisory Immigration Officers (FDNS-SIO)
- Supervisory Immigration Services Officers (SISO)
- FDNS Immigration Officers (FDNS-IO)
- CARRP Immigration Services Officers (CARRP-ISO)



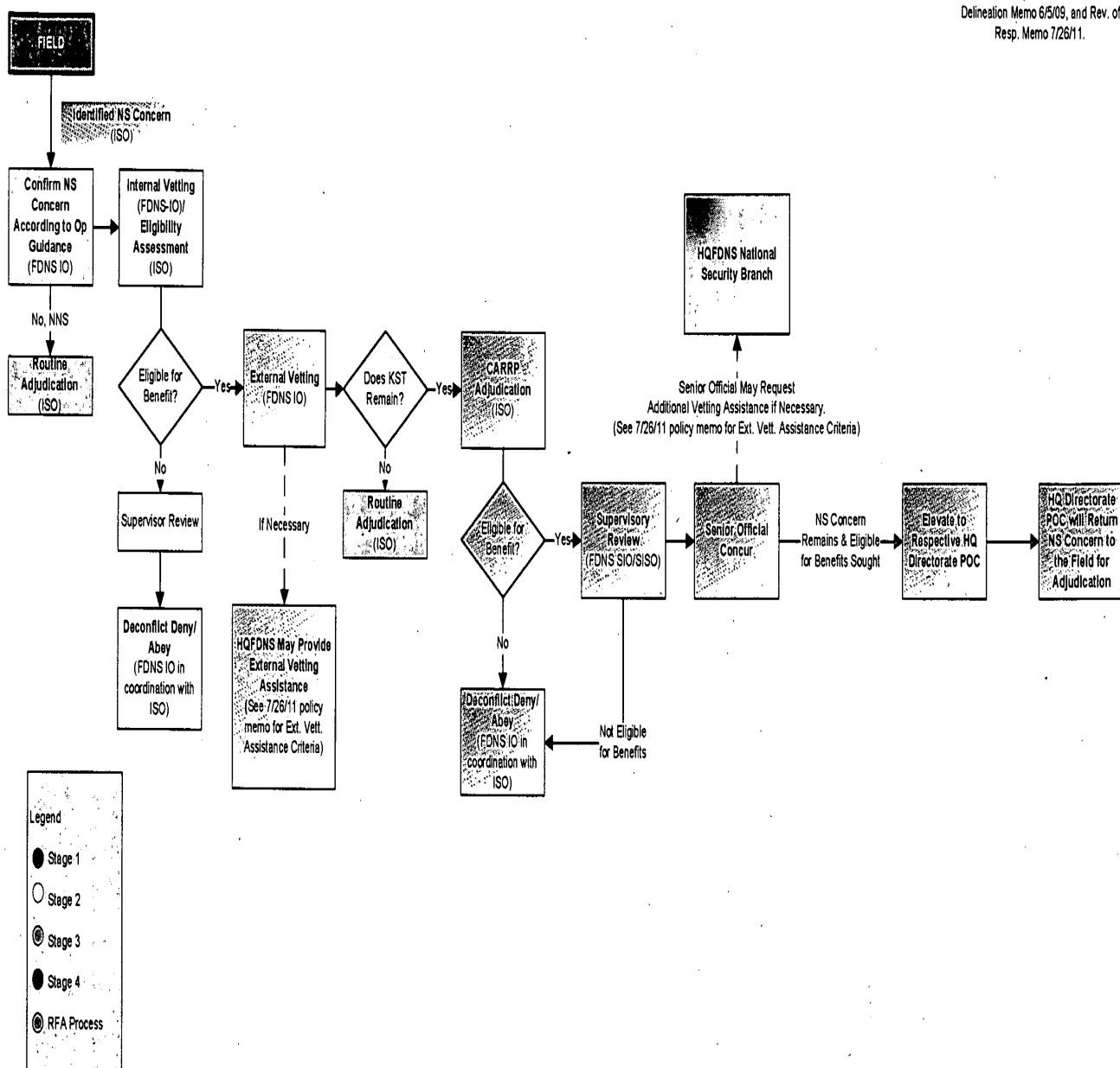
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CARRP KST Workflow

Based on: CARRP Memo 4/11/08,
DOMOPS Op Guidance 4/25/08,
Delineation Memo 6/5/09, and Rev. of
Resp. Memo 7/26/11.



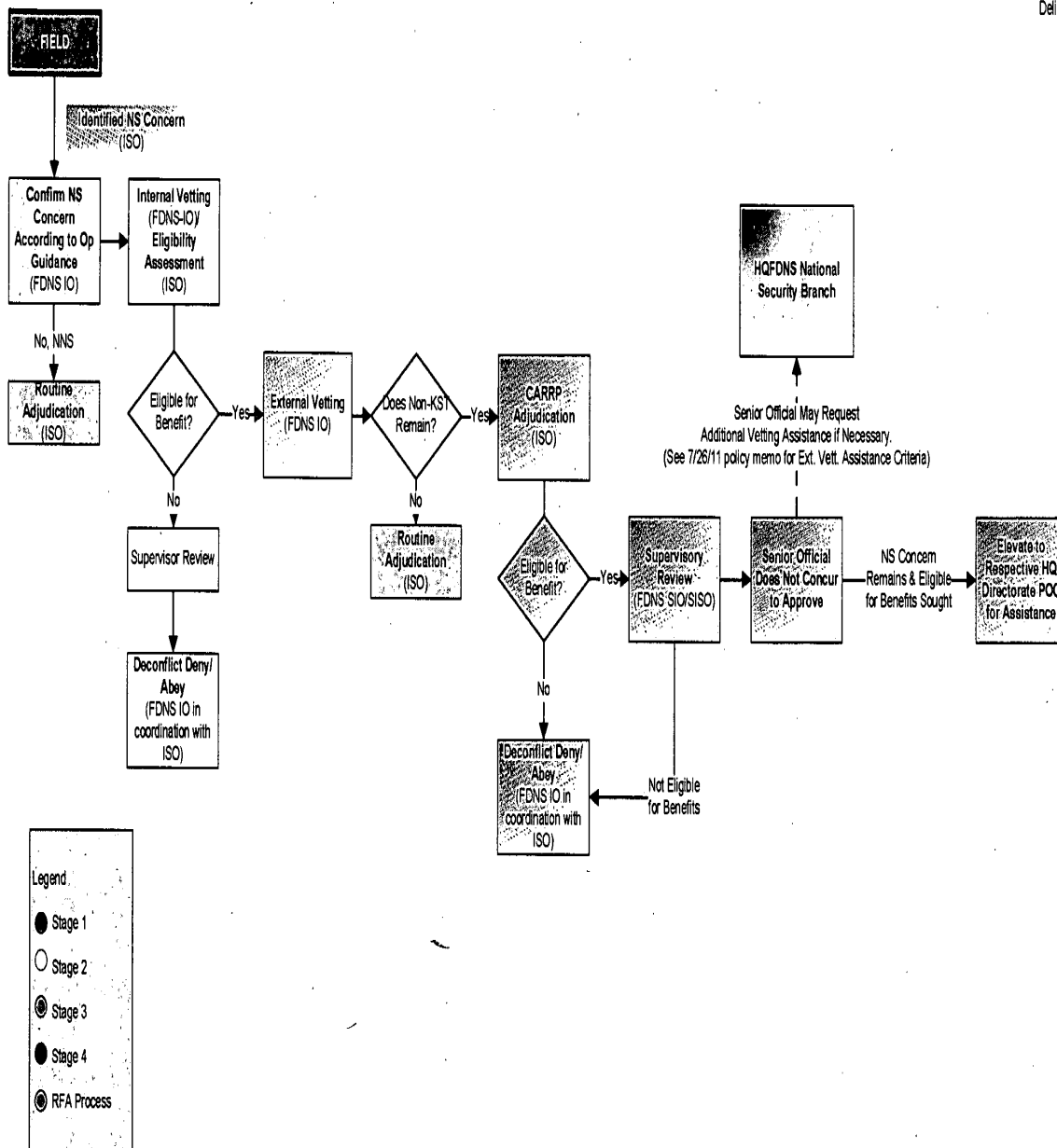
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CARRP Non-KST Workflow

Based on: CARRP Memo 4/11/08,
DOMOPS Op Guidance 4/25/08,
Delineation Memo 6/5/09, and Rev. of
Resp. Memo 7/26/11.



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I. CARRP Overview Summary

In this section you reviewed:

- Terms of reference
- CARRP policy overview
- Roles and responsibilities of those who handle CARRP cases



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III. The Four Stages of CARRP

- Identifying and confirming a NS concern.
- Review things to consider during eligibility assessment, the purpose of internal vetting and identify various tools and techniques used.
- Review the purpose of deconfliction and the importance of coordination with law enforcement/record owners.
- Review the purpose of external vetting and the roles and responsibilities of external vetting KSTs and non-KSTs.
- Apply USCIS policies in adjudicating applications or petitions in cases involving national security concerns.

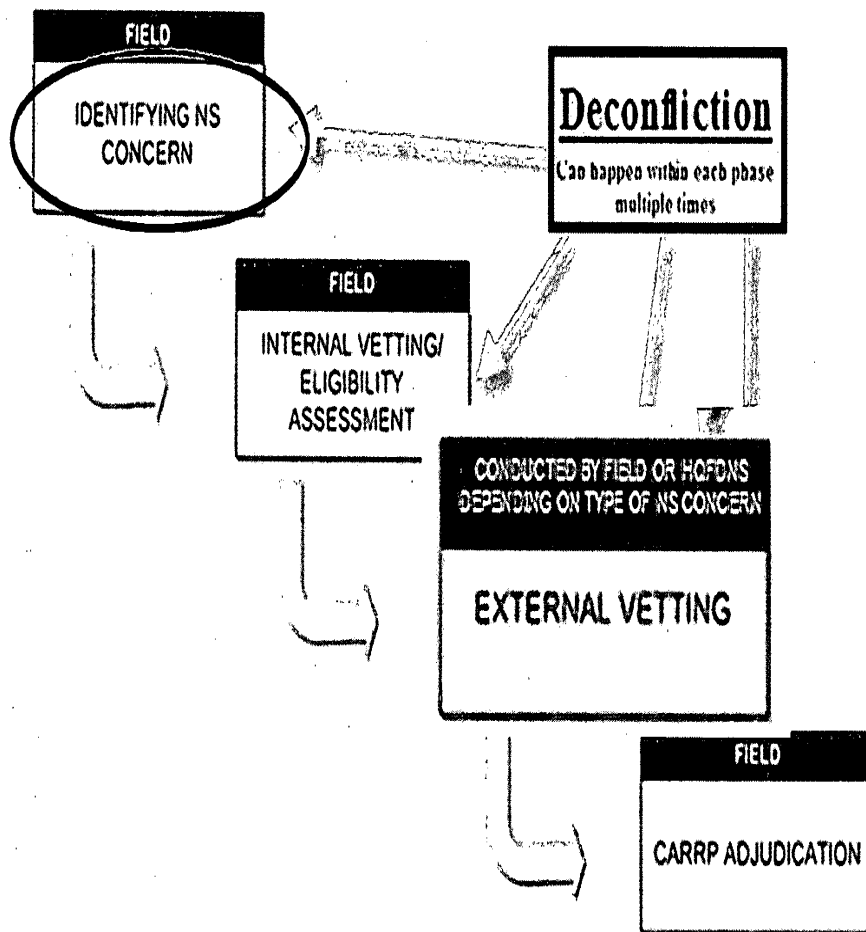


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CARRP Stage One



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Identifying a National Security Concern

- KST NS Concerns.
- Non-KST NS Concerns.
 - Identify indicators
 - Statutory
 - Non-statutory
 - Security checks



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KST NS Concerns

Known or Suspected Terrorist (KST)

- Has been nominated and accepted for placement in the Terrorist Screening Database (TSDB)
- Remains on the Terrorist Watch List until a nomination for removal has been approved



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Non-KST NS Concerns

All the remaining NS concerns

- Associates of KST(s),
- Unindicted co-conspirators,
- Persons involved with providing material support to terrorists or terrorist organizations,
- Agents of foreign governments



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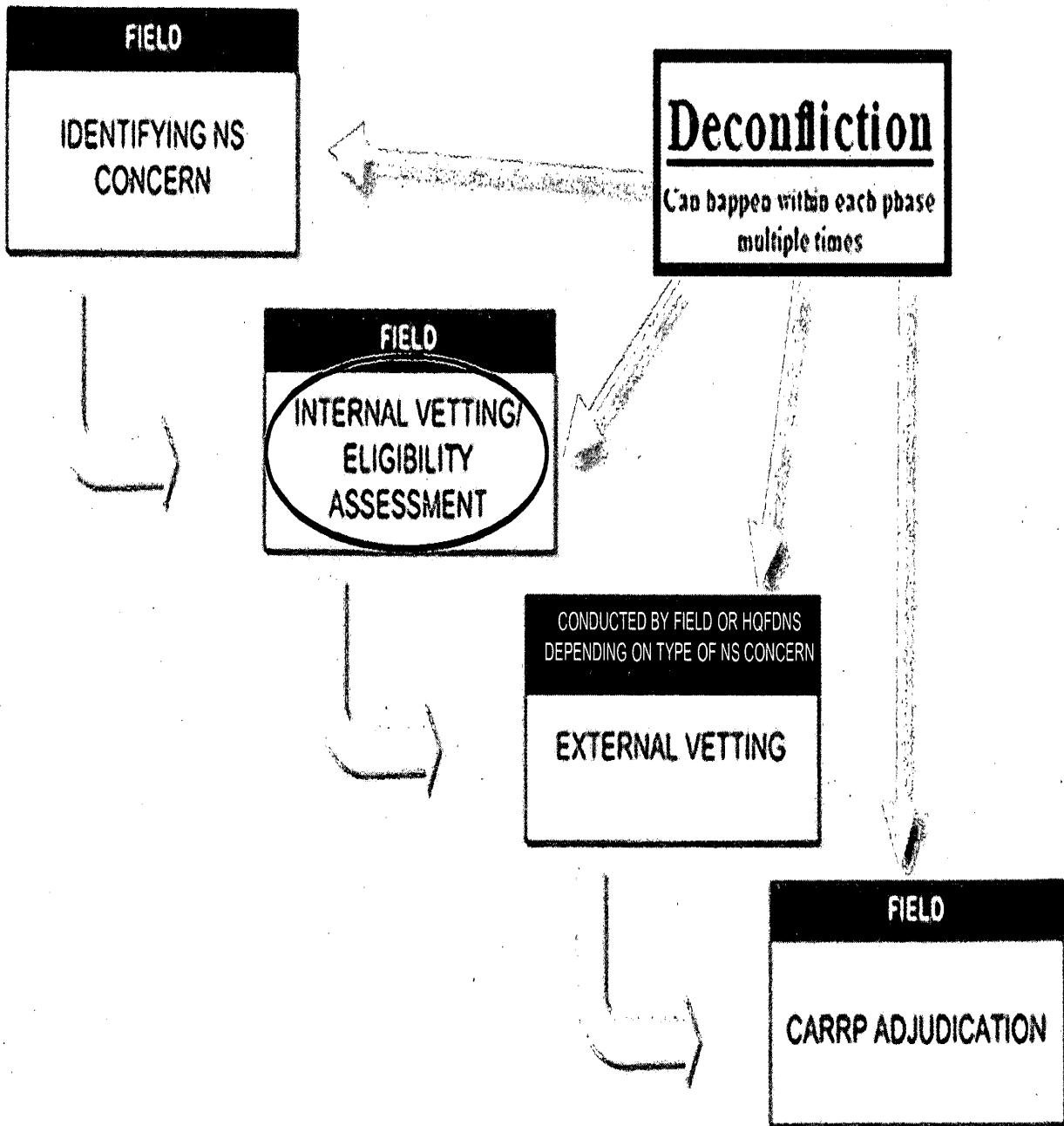
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CARRP Stage Two



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Internal Vetting/Eligibility Assessment

- Review eligibility assessment
- Review the purpose of internal vetting
- Identify various tools and techniques used in reviewing CARRP cases



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A black and white photograph of the Statue of Liberty, showing the head and crown, positioned in the upper right corner of the page.

Eligibility Assessment

Purpose

To ensure that valuable time and resources are not unnecessarily expended externally vetting a case with a record owner when the individual is otherwise ineligible for the benefit sought.



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Field Officers Responsibilities

Field Officers will:

- Evaluate the result of the vetting and determine any relevance to adjudication, obtain any additional relevant information.

When conducting an eligibility assessment/internal vetting on an N-400:

- Consider all elements for eligibility for naturalization, including, but not limited to, such factors as continuous presence, physical presence, GMC, attachment to the Constitution, and etc.
- Update FDNS-DS.



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Documentation of eligibility assessment

- Immigration Timeline
- A detailed summary/assessment of all the eligibility factors considered for the benefit sought
- Any fraud assessment
- Ineligibility factors affecting the previous underlying benefit



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Immigration Timeline

Timeline

- Chronological sequence of events that enables the viewer to quickly understand temporal relationships
- Should include the following:
 - Applicant's name, Alias, DOB, COB, COA, SS#, and A#.
 - Visa history
 - All applications/petitions
 - Employment history
 - Education history
 - All criminal arrests
 - Organization affiliations
 - Military history
 - Security checks



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Example of an Immigration Timeline

- Present Forms Pending
- Form I-485 Filed on 04/01/2004, (Receipt Number MSC-XXXXXXXXXX)
- Form I-130 Filed on 04/01/2004, (Receipt Number MSC-XXXXXXXXXX)
- Interviewed: No
- FBI Name Check Results: No Record
- FBI FP Results: Non-Ident
- 11/17/2002 Admission into the United States with new visa
- 09/12/2003 Admitted into the United States as a visitor for pleasure
- 01/25/2004 Married Jane Doe, a USC
- 04/25/2004 Form I-765 submitted and approved (expires 04/24/2005)
- 05/10/2005 Form I-765 submitted and approved (expires 05/09/2006)
- 06/08/2008 Form I-131 filed (Advanced Parole)
- 06/08/2008 Form I-765 submitted and approved (expires 06/07/2009)
- 09/25/2008 Advance Parole Approved



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Case Summary - Tips

- Full name/aliases
- Addresses
- Marriage history
- Travel
- Applications/Petitions filed
- Derogatory information
[no classified info]
- Section for questions
 - As you review, write down questions for interview
- Section for RFE
 - As you review, write down information or documents needed



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Create a List of Questionable Items

Examples:

- You find four addresses for the applicant in Choicepoint, but applicant only provided one address on the application.
- According to tax returns, the applicant is married with three children. However, the application indicates single with no children.
- According to the State of California, the applicant owns a business, but there is no mention of this business on the application.
- Applicant indicates has never made a charitable contribution. However, you find applicant's name on a Charity website, indicating a \$5,000 donation, or income tax returns indicate charitable contributions.



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Inquiry Preparation

- Pick a date and time when you can dedicate yourself to the case
- Be ready to explore answers and prepare for resistance
- Prepare follow-up questions
- Ensure interview can be recorded (video/audio)



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Example of Eligibility factors for N-400

The following are potential grounds of ineligibility:

- Failure to provide true and complete information on his N-400 with regard to trips abroad
- Addresses where he resided
- Application can be denied based on discretion in accordance with 8CFR 103.2(b)(i)
- These omissions may constitute misrepresentation and ineligibilities may include 316.10(b)(vi). Potential ineligibilities if applicant fails to respond to request for evidence (N-14) application may be summarily denied pursuant to 8 CFR 103(b)(13)



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Asylum and Refugee Adjustment

Adjudicate in accordance with INA 209 NOT INA 245!!

Asylum INA 209 (b)

- Must apply for adjustment
- Physically present for at least one year after being granted Asylum
- Continue to be a Refugee, or spouse/child of one
- Not firmly resettled
- Be admissible



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Refugee INA 209 (a)

- Admitted to the U.S. under 207
 - Admission has not been terminated
 - Physically present for at least one year
 - Not acquired permanent resident status
 - Found to be admissible
-
- Refugee adjustment may **not** be denied based on discretion,
 - may only deny based on certain grounds of inadmissibility.



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Deconfliction

- Coordination between USCIS and another governmental agency owner of NS information.
- To ensure that planned adjudicative activities do not compromise or impede an ongoing investigation or other record owner interest.
- Ensures that record owner is aware that the individual has a benefit pending with USCIS.
- Request by Law Enforcement Official for Abeyance or Expedited Processing.
- Can occur at any CARRP stage.



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Deconfliction Conversation

- Introduce yourself and your agency.
- Provide the record owner with the case number, TECS ID number, or any other identifying information you have regarding their case.
- Find out whether case is still open.
- Indicate what applications or petitions subject has pending with USCIS.
- Indicate what possible action you are going to take with the case.
- Ask whether action will impede their investigation.

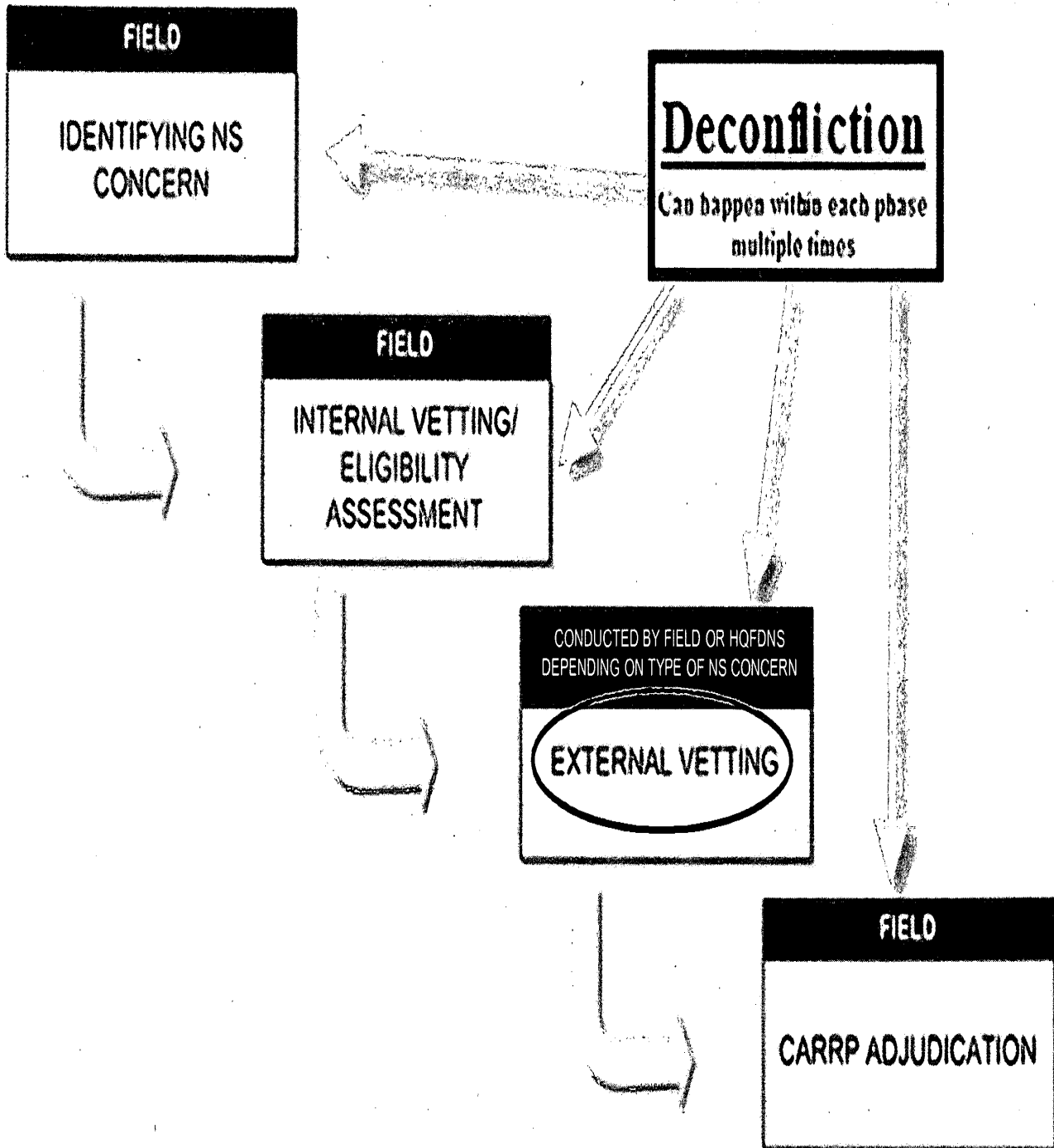


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CARRP Stage Three



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External Vetting

- Review the purpose of external vetting
- Review the roles and responsibilities of external vetting of KSTs and non-KSTs.



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KST Hit Removed?

- A KST NS record can be added or removed during any stage of the CARRP process.
- If the NS record is removed, confirm the removal by conducting a query in TECS, You may wish to reach out to your local ICE/JTTF to determine if there are any other NS concerns. The individual may become a:
 - Non-NS Concern- No NS indicators
 - Non-KST – NS concerns unresolved.
- Determine whether the record owner is aware of any additional information indicating a NS concern or of any other information relevant to the adjudication.
- N400s – TECS must be checked on the day of the oath ceremony and the results printed and documented in the A-file.



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External Vetting

- External vetting is completed by designated officers in the Field
 - Primarily FDNS IOs and BCUs in asylum/field offices and service centers
 - HQ International Ops for overseas offices



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No Record Owner?

- External Vetting is **NOT** required if there is no identified record owner.
- If the applicant is denied a benefit based on the Non-KST NS Concern identified through interactions with the subject or by other means, the officer **must** enter a record into TECS for future reference by law enforcement.



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Requests for Assistance to HQFDNS

- HQFDNS National Security Division organization
- HQFDNS responsibilities per CARRP policy and guidance
- Steps taken by National Security Division during Request for Assistance (RFA) process



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HQFDNS

Established to enhance the integrity of the legal immigration system by identifying threats to national security and public safety, detecting and combating benefit fraud and removing systematic and other vulnerabilities.

- FDNS Headquarters is composed of four separate divisions:
 - National Security,
 - Intelligence,
 - Fraud, and
 - Mission Support.



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Requests for Assistance to HQFDNS

National Security Division (NSD):

- One of four divisions in HQFDNS
- Provides support to USCIS officers in the field during the vetting of cases with NS Concerns
- Works closely with law enforcement agencies and the Intelligence Community to facilitate the exchange of information with the field



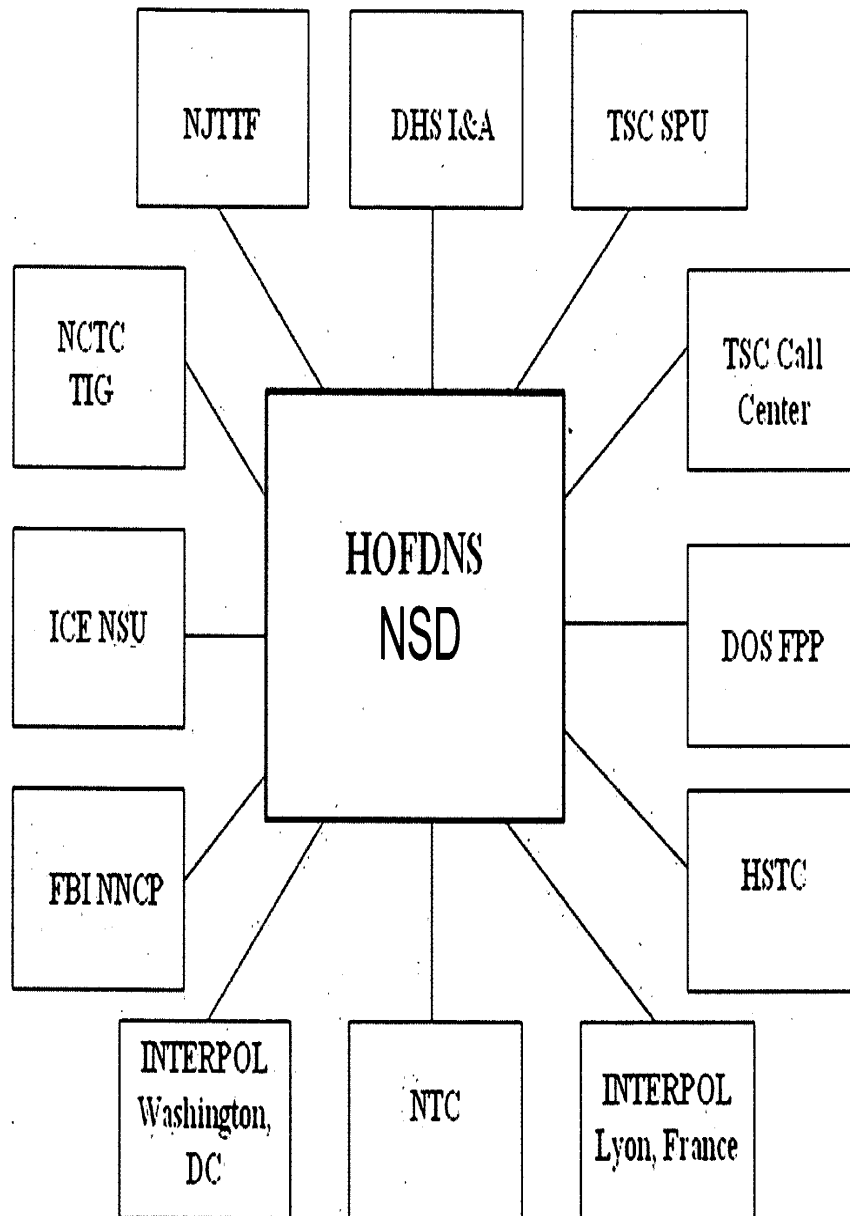
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HQFDNS OGA FDNS IO

Assignments



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CARRP Policy Memorandum; July 26, 2011

- ✓ Authorizes the Field to conduct external vetting of KST cases, and
- ✓ HQ no longer provides Adjudicative Assistance
- ✓ HQ remains available to assist the field in the following circumstances:
 - To identify the NS record owner of the KST nominating entity;
 - HQFDNS will identify a POC. The field must then contact the POC for external vetting and de-confliction.
 - If HQFDNS is unable to identify a POC, HQFDNS will conduct external vetting and de-confliction.
- ✓ To seek assistance in contacting or resolving issues with the record holder; and
- ✓ To conduct queries of classified systems (NCTC, WISE, TIDE, AMHS)



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Requests for Assistance to HQFDNS

Under CARRP – NSD will

- Conduct limited
 - High-Side Checks
 - Tearlines
- Pursue declassification and/or use of classified information
- Conduct outreach to Intel Community
- Provide policy guidance, technical assistance, and other operational support



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Actions to be completed before seeking HQFDNS assistance

KST NS Concerns

- Confirm that no grounds of ineligibility have been identified.
- The Field must provide a summary of all the ineligibility factors
- The sending office must confirm that the subject remains on the Terrorist Watch List.



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Actions to be completed before seeking HQFDNS assistance

Non-KST NS Concerns:

- case may be adjudicated with supervisory approval and concurrence from the senior-level official.
- the senior-level official may request external vetting assistance from HQFDNS. See July 26, 2011 Memo.
- FDNS-DS.



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RFA Summary

In this section you reviewed:

- HQFDNS National Security Division organization
- HQFDNS responsibilities per CARRP policy and guidance
- Steps taken by National Security Division during Request for Assistance (RFA) process

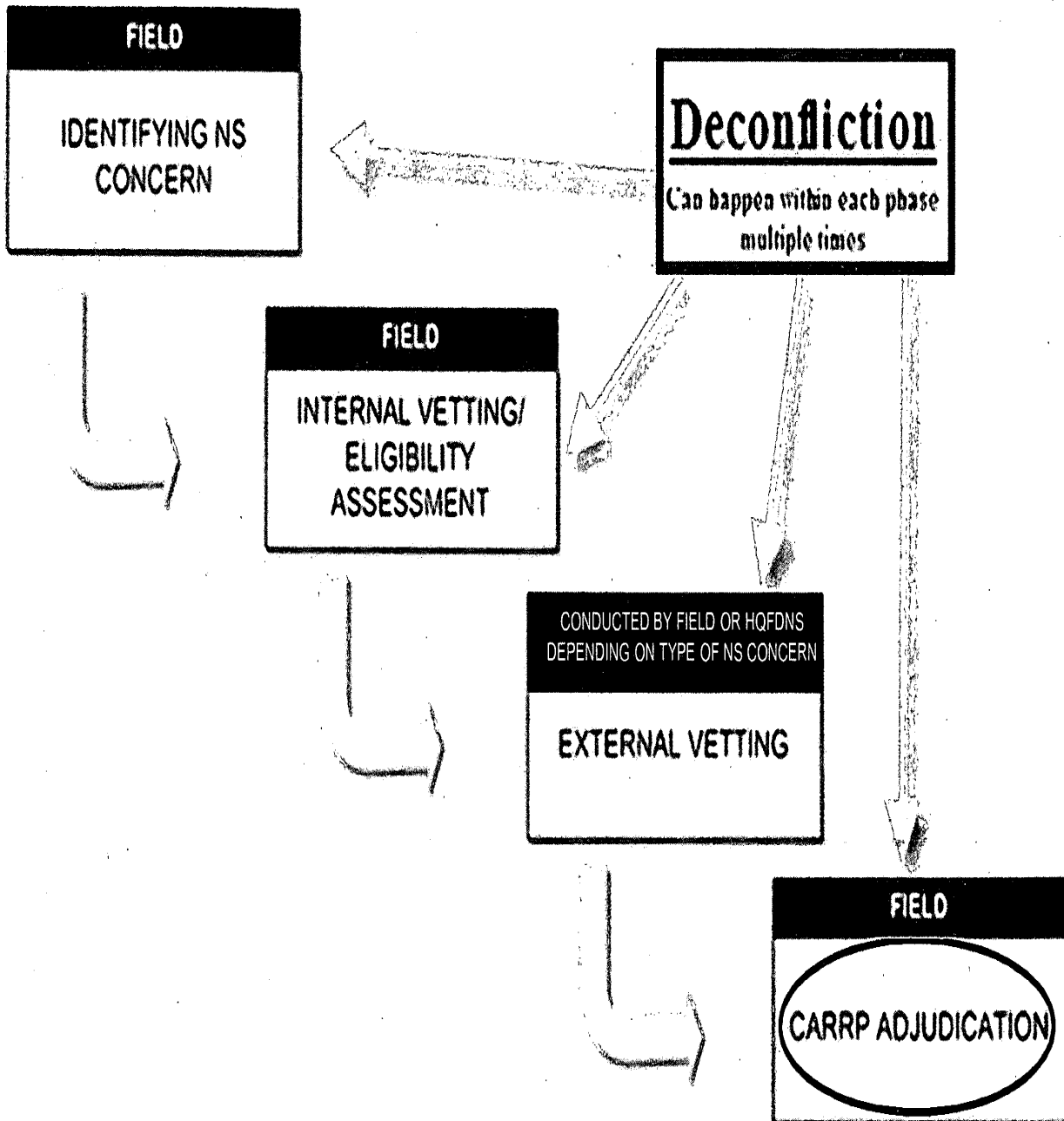


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CARRP Stage Four



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Adjudicating CARRP cases

- Apply USCIS policies in adjudicating applications or petitions in cases involving national security concerns.
- Be able to distinguish between KST and Non-KST adjudication



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CARRP Final Adjudication

- If the senior-level official concurs with the officer's recommendation to approve the pending application/petition and the case has not been ordered withheld in accordance with 8CFR 103.2(b)(18), the senior-level official must concur in FDNS-DS and it must be reflected in the BCAA. (electronically generated)
 - Case will be updated in FDNS-DS to reflect "closed" and sub-status of "NS Concern not resolved."
- If the senior-level official does not concur with the officer's recommendation to approve the pending application/petition, or would like assistance from HQFDNS, the senior-level may submit a formal Request for Assistance (RFA). To include Vetting Assistance or Adjudicative Assistance.



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CARRP Final Adjudication

- If, upon completion of additional vetting by HQFDNS the subject remains eligible for the benefit sought, the senior-level official may:
 - Provide final concurrence to the officer for approval; or
 - Request written direction on how to proceed with the adjudication from the HQ program office with jurisdiction over the case.
- In the case where the officer recommends further review and the senior-level official determines that the application should be approved, the senior-level official will return the application/petition to the officer for adjudication consistent with the official's guidance.



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Case Study Interview

Interview Video



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