

Document in response
to question 6.

Fraud Detection & National Security Controlled Application Review and Resolution Program (CARRP) Independent Study

Version 1.1

12/28/2011



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Welcome to CARRP Training

- Please review all slides
- Take notes as needed
- Complete exercises
- Bring questions to in-class training or email



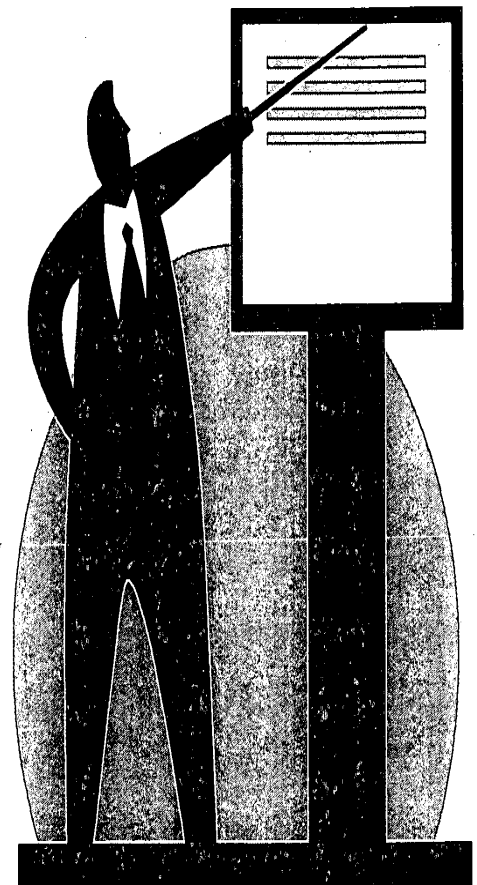
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Terminal Performance Objective

At the end of today's presentation, the Immigration Officer will understand and be able to describe the Controlled Application Review and Resolution Program (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

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

Other CARRP Related Terms:

- Background Check and Adjudicative Assessment (BCAA)
- Fraud Detection and National Security-Data System (FDNS-DS)
- Statement of Findings (SOF)
- Letterhead Memorandum (LHM)
- National Counterterrorism Center (NCTC)
- Terrorist Screening Center (TSC)
- Terrorist Identities Datamart Environment (TIDE)
- TECS

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Terms of Reference

National Security (NS) Concern

- exists when an individual or organization has been determined to have an articulable link to prior, current or planned involvement in, or association with, an activity, individual or organization described in 212(a)(3)(A), (B), or (F), 237(a)(4)(A) or (B) of the Immigration and Nationality Act (INA). This determination requires that the case be handled in accordance with Controlled Application Review and Resolution Program (CARRP) policy.

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Terms of Reference

Known or Suspected Terrorist (KST) hit

is a category of individuals who:

- have been nominated and accepted for placement in the Terrorist Screening Database (TSDB),
- are on the Terrorist Watch List, and
- have a specially coded lookout posted in TECS and/or the Consular Lookout Automated Support System (CLASS), as used by the Department of State.

B10s and NIC/Ts!

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Non-Known or Suspected Terrorist (Non-KST) NS Concern

- A category of the remaining cases with NS concerns, regardless of source, including but not limited to:
 - associates of KST(s),
 - unindicted co-conspirators,
 - terrorist organization members,
 - persons involved with providing material support to terrorists or terrorist organizations, and
 - agents of foreign governments.

Individuals and organizations who fall into the Non-KST grouping may also pose a serious threat to national security.

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Terms of Reference

External Vetting

consists of inquiries to record owners in possession of the NS information to identify:

- (a) fact or fact patterns necessary to determine the nature and relevance of the NS concern, including status and results of any ongoing investigation and the basis for closure of any previous investigation; and
- (b) information that may be relevant in determining eligibility, and when appropriate, removability.

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Terms of Reference

Deconfliction

- a term used to describe coordination between USCIS and another governmental agency owner of NS information (the record owner) to ensure that planned adjudicative activities (e.g., interview, request for evidence, site visit, decision to grant or deny a benefit, and the timing of the decision) do not compromise or impede an ongoing investigation or other record owner interest.

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Terms of Reference

Designated Officer

For purposes of CARRP, a designated officer is:

- an Immigration Analyst,
- Immigration Officer,
- Adjudications Officer,
- Asylum Officer or
- Refugee Officer

who has been designated by local management, has been trained, and is competent and knowledgeable in CARRP procedures.

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Terms of Reference

National Counterterrorism Center (NCTC)

- In August 2004, the President established NCTC to serve as the primary organization in the United States Government for integrating and analyzing all intelligence pertaining to terrorism and counterterrorism (CT) and to conduct strategic operational planning by integrating all instruments of national power.
- It is a multi-agency organization.

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Centralization Policy:

Vetting of NS concerns was centralized at USCIS HQ to understand the nature and extent of the concerns within the USCIS workload

- Suspension of the adjudication
- Vetting by Joint Program Coordination Branch (JPCB) at HQFDNS (HQ component. See 7/26/2011 memo)
- Coordination with OCC

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CARRP Policy

- *"Policy for Vetting and Adjudicating Cases with National Security Concerns"* Signed April 11, 2008
- Provides agency wide NS policy
 - Defines key terms so we (USCIS) are all on the same page
 - Rescinds multiple NS memos
- Decentralizes the NS Workload from HQFDNS to field offices

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CARRP Policy cont'd

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- Distinguishes between two types of NS concerns
 - Known or Suspected Terrorist (KST)
 - Non-KST
- Applies to applications and petitions that **convey** immigrant or non-immigrant status

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Updated Policy

- On July 26, 2011, USCIS issued an updated policy memorandum entitled "Revision of Responsibilities for CARRP Cases Involving Known or Suspected Terrorists,"
- As well as associated supplemental guidance
 - Supplemental Guidance to the Revision of Responsibilities for CARRP Cases Involving Known or Suspected Terrorists

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Does CARRP policy cover all applications & petitions?

No, it does not apply to:

- I-129F Fiancé/e
- I-130 Alien relative
- I-140 Employment
- I-360 Religious Worker cases only
- I-526 Alien entrepreneur
- I-600/I-800 Adoption
- I-824 Application for action on petition

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Special CARRP Considerations

Employment and Travel Authorizations (Ancillary/Stand alone)*: (I-765 and I-131)

- Guidance includes NS and EPS cases
- I-765 must be adjudicated within 90 days of receipt unless an interim EAD is issued or an exception applies
- If stand alone I-765/I-131, officer determines if NS concern supports removal, rescission, revocation or termination of status

I-90 to replace permanent resident card

- Guidance includes NS and EPS cases
- The issuance of Form I-551, **must not** be delayed due to any pending resolutions.
 - *Derogatory information will be resolved **only after** the adjudication of the I-90 application.*

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Special CARRP Considerations

Santillans aka EOIR grants who have not been issued evidence of their status

- USCIS must provide evidence of status within a certain time frame after the class member's InfoPass appointment (after the EOIR grant)
 - 30 days if granted on or after 4/1/2005
 - 60 days if granted before 4/1/2005
- Refer to
 - Dom Ops guidance p. 32-33 and
 - USCIS memorandum dated December 29, 2005, "Interim Guidance for Processing of Status Documentation for EOIR adjusted Lawful Permanent Residents Pursuant to Permanent Injunction in Santillan"

ALWAYS DECONFLICT PRIOR TO USCIS ACTION

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Special CARRP Considerations

- Appeals to AAO, BIA, and Motion to Reopen/Reconsider
- N-400s received at the Service Center with confirmed NS concerns will be sent to Field Offices for interview and adjudication
- Remember that the interview triggers the clock for USCIS to issue a decision 120 days from the interview date

ALWAYS DECONFLICT PRIOR TO USCIS ACTION

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Multiple Filings at Multiple Locations

- One office in the field should be the lead in coordinating with the appropriate law enforcement/record owner
- See guidelines for electronic consolidation and lead on coordination
 - For example: There is pending I-485, I-765, and I-131

*For further information on multiple filings see DomOps guidance (p. 25-26).

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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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Delineation of CARRP Responsibilities

CARRP DUTIES	DD	FOD	FDNS-SIO	SISO	FDNS-IO	CARRP-IO
KNOW CARRP POLICY	X	X	X	X	X	X
ENSURE CARRP OFFICERS ARE TRAINED	X	X				
ENSURE CARRP OFFICERS HAVE PROPER SECURITY CLEARANCE	X	X				
ENSURE CARRP OFFICERS HAVE ACCESS TO REQUIRED SYSTEMS	X	X				
DECIDES CARRP WORKFLOW		X				
DESIGNATES CARRP SUPERVISORY DUTIES		X				
ENSURES EFFECTIVE COMMUNICATIONS		X	X	X	X	X
BCAA IN A FILE		X	X			

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Delineation of CARRP Responsibilities

CARRP DUTIES	DD	FOD	FDNS- SIO	SISO	FDNS-IO	CARRP-IO
ENSURES SUPERVISORS INDICATE CONCURRENCE IN FDNS-DS		X	X	X		
ENSURES FDNS-DS IS UPDATED AS CARRP STEPS ARE COMPLETED		X	X	X	X	X
REVIEWS CASE TO CONFIRM NO INELIGIBILITY EXISTS		X				
DESIGNATES OFFICER TO SEND RFA		X	X	X		
DESIGNATES OFFICER WHO WILL CHARGE A FILE TO HQFDNS		X				

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Delineation of CARRP Responsibilities

CARRP DUTIES	DD	FOD	FDNS-SIO	SISO	FDNS-IO	CARRP-IO
DECIDES IF FURTHER ASSISTANCE IS NEEDED FOR NON-KSTS		X				
VERIFY CARRP PROCESSING STEPS HAVE BEEN COMPLETED		X	X	X		
VERIFIES DECONFLICTION & INTERNAL VETTING HAVE BEEN COMPLETED			X	X		X
COORDINATES MOVEMENT OF CARRP FILES				X		
ASSIGNS CARRP CASES FOR ADJUDICATION				X		

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Delineation of CARRP Responsibilities

CARRP DUTIES	DD	FOD	FDNS-SIO	SISO	FDNS-IO	CARRP- IO
PRIMARY POC WITH LEA					X	
CONFIRMS ID OF SUBJ W/NS CONCERN					X	
CONFIRMS NEXUS BETWEEN NS CONCERN & SUBJ					X	
ARTICULATES LINK BETWEEN NS CONCERN & SUBJ					X	
CREATES RECORD IN FDNS-DS					X	
PERFORMS REQ SYS CHECKS & INTERNAL VETTING					X	

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Delineation of CARRP Responsibilities

CARRP DUTIES	DD	FOD	FDNS-SIO	SISO	FDNS-IO	CARRP-IO
THOROUGHLY REVIEWS A FILE					X	X
COMPILES ?S FOR RECORD OWNER- CONFERS WITH CARRP-ISO					X	X
RESPONSIBLE FOR ALL DECONFLICTION					X	
COMPLIES W/ALL SECURITY & SPECIAL HANDLING DIRECTIVES					X	
RESOLVES CRIMINAL, PUBLIC SAFETY OR FRAUD CONCERNS					X	

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Delineation of CARRP Responsibilities

CARRP DUTIES	DD	FOD	FDNS-SIO	SISO	FDNS-IO	CARRP IO
CONDUCTS EXTERNAL VETTING					X	
FOD MAY ASSIGN THIS OFFICER TO REQ ADDITIONAL INFO FROM HQFDNS FOR NON-KST CASES					X	X
COMPLETES ELIGIBILITY ASSESSMENT						X
INFORMS SISO OF DECONFLICTION HAS NOT BEEN COMPLETED						X
NON-KST CASES OBTAINS FOD APPROVAL PRIOR TO GRANTING CASE						X

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CARRP Overview Summary

In this section you reviewed:

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

***Go to Section II**

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II. 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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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.

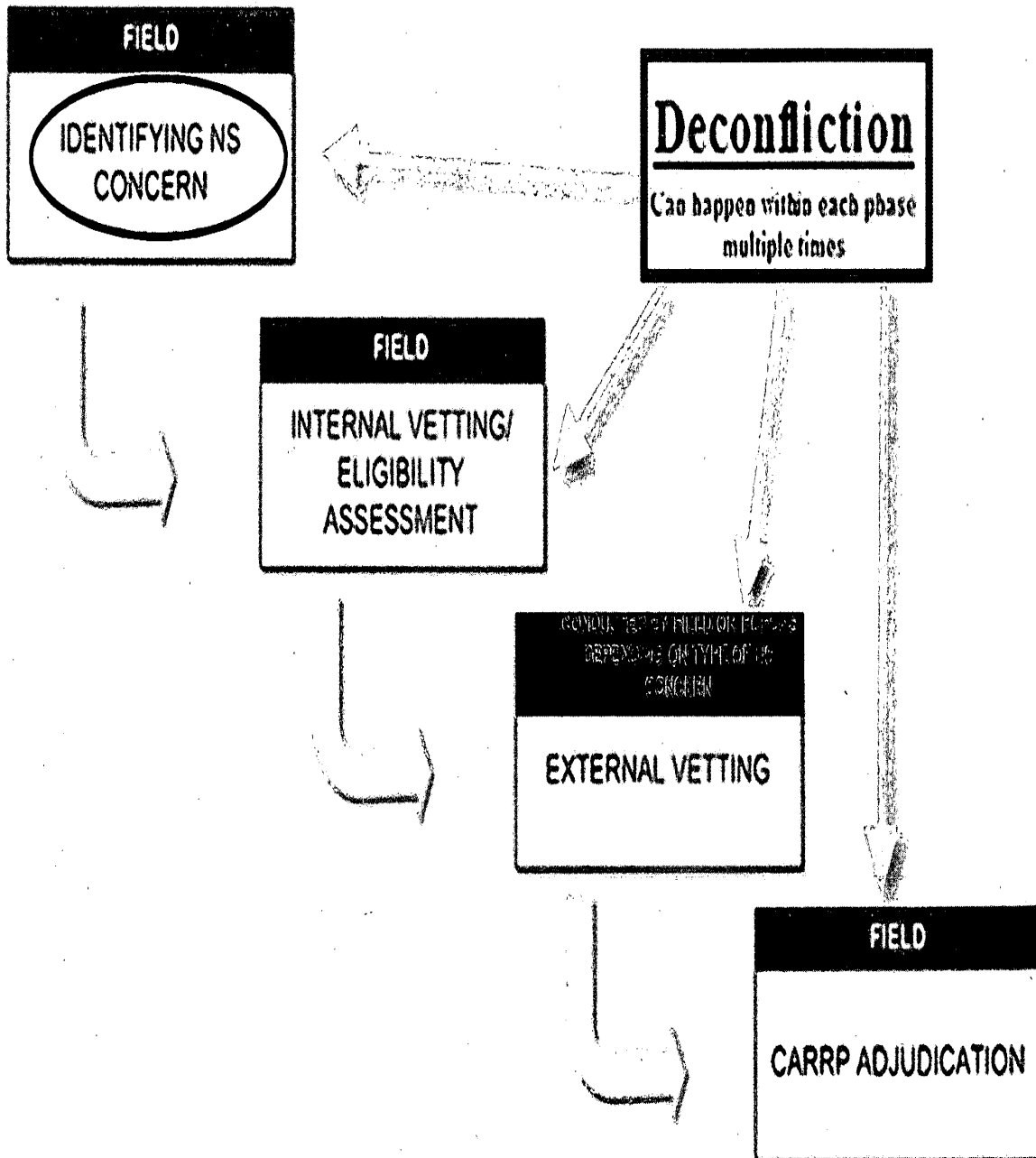
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CARRP Stage One



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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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Terrorist Designations

Tier 1 – Designated Foreign Terrorist Organization (FTO)

State Departments List of Foreign Terrorist Organizations, as designated under INA Section 219(a)(3)(B)(vi)(II) pursuant to Section 411 of the USA PATRIOT ACT of 2001..

Tier 2 – Terrorist Exclusion List (TEL)

Section 411 of the USA PATRIOT ACT of 2001 (8 U.S.C. & 1182) authorized the Secretary of State, in consultation with or upon the request of the Attorney General, to designate terrorist organizations for immigration purposes. This authority is known as the "Terrorist Exclusion List (TEL) authority.

Tier 3 – Undesignated

"A group of two or more individuals, whether organized or not, which engages in, or has a subgroup which engages in "...terrorist activity as defined in the 212(a)(3)(b)(III) of the INA.

<http://www.state.gov/s/ct/list/>

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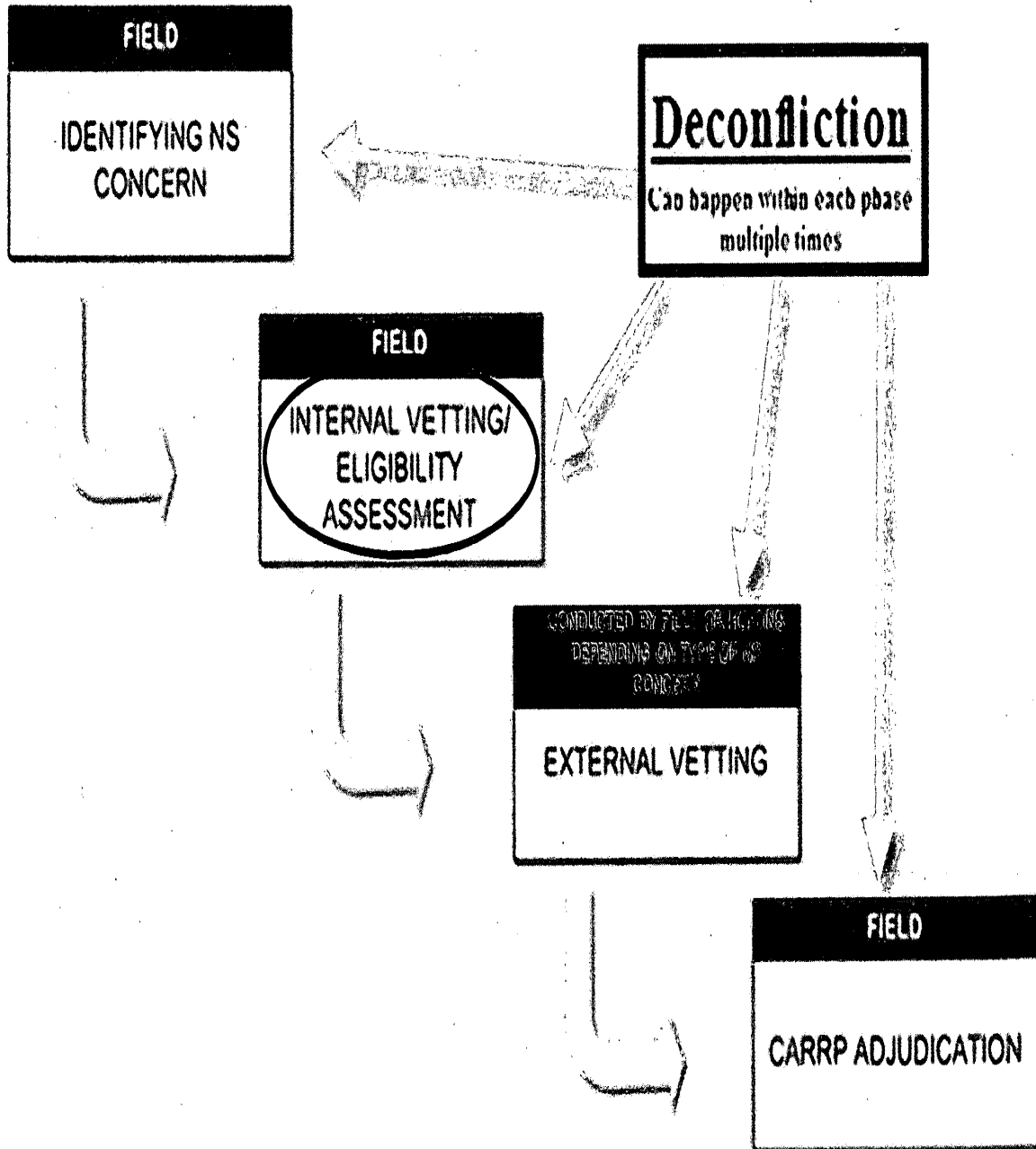
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CARRP Stage Two



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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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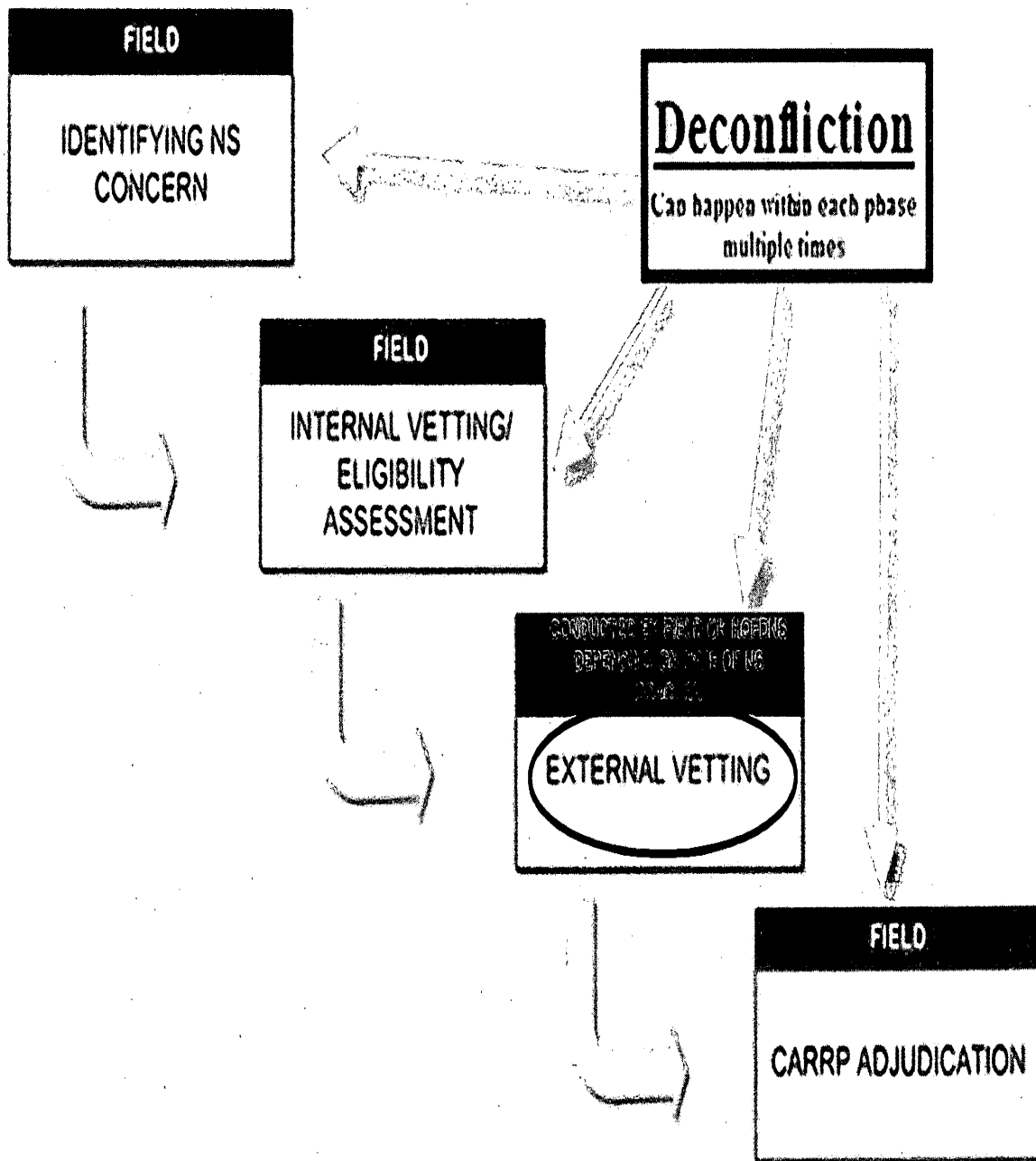
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CARRP Stage Three



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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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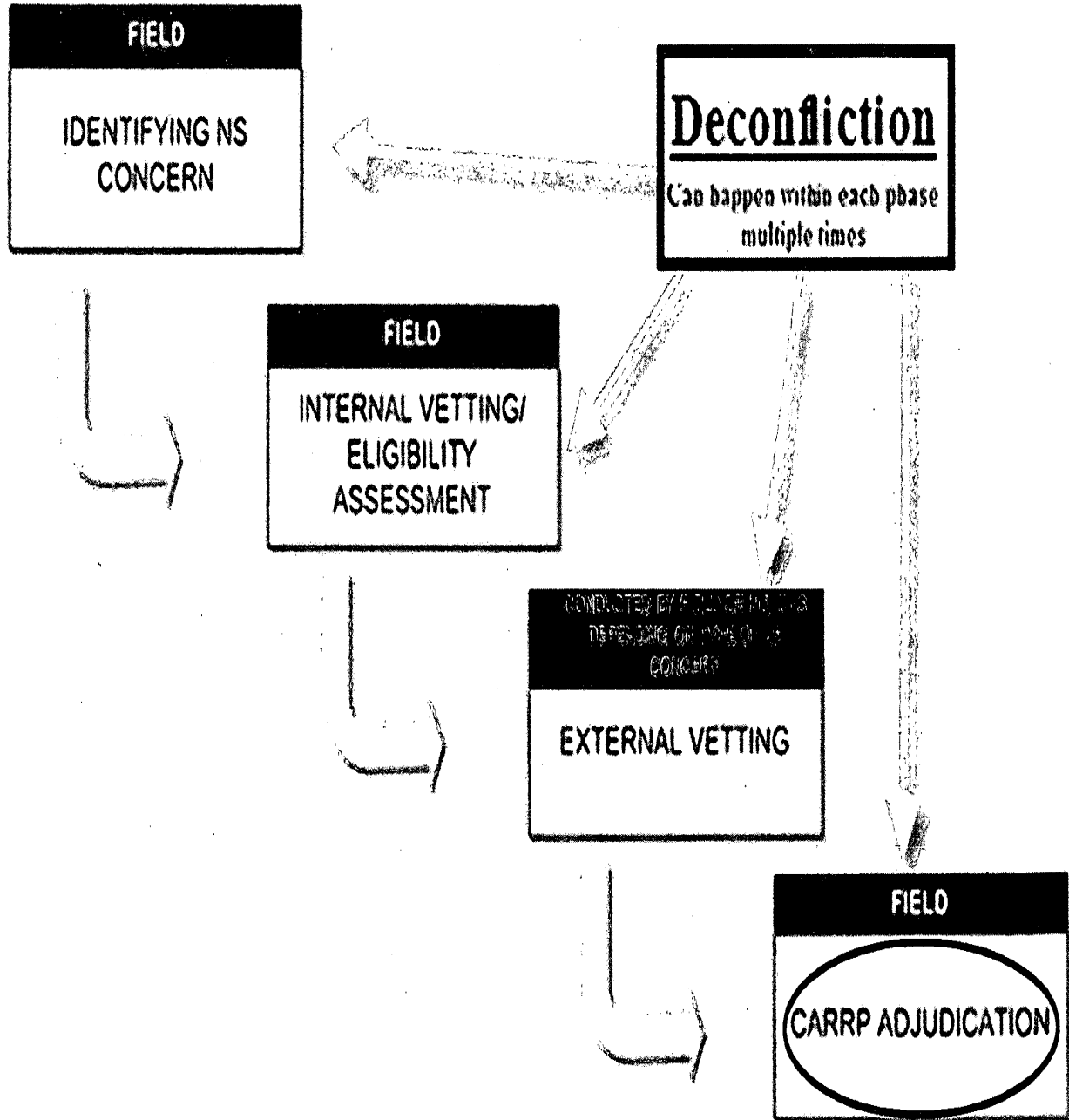
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CARRP Stage Four



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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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Adjudicating KST cases

- Remember to deconflict prior to taking any USCIS action
- For KSTs: Cases with unresolved KST NS concerns can be granted ONLY after concurrence by the USCIS Deputy Director. *Additional Guidance on Issues Concerning the Vetting and Adjudication of Cases Involving NS Concerns.* Signed February 06, 2009

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III. Handling/ Protecting Information

- Third Agency Rule
- Privacy Act
- Confidentiality Provisions
 - Asylee and Refugee Information
 - Violence Against Women Act (VAWA)
 - Battered Spouse or Child Information
 - Legalization/Seasonally Adjusted Worker
 - T and U Visa Applicants
 - Temporary Protected Status (TPS)
 - Information regarding detainees
 - Information subject to an Immigration Judge's protective order
- Handling Classified Information

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Asylum Confidentiality

Department of Homeland Security	
ASYLUM STATUS	
Granted Indefinitely	
Section 208	
Immigration and Nationality Act	
JAN 03 2006	
SIGNATURE	
A0545	Z _ _ No. _ _ _ _
U.S. CITIZENSHIP AND IMMIGRATION SERVICES	

- No unauthorized disclosure about asylum application to 3rd party so can link identity to:
 - The fact that the applicant has applied for asylum;
 - Specific facts or allegations pertaining to the individual asylum claim contained in an asylum application; or
 - Fact or allegations that are sufficient to give rise to a reasonable inference that the applicant has applied for asylum.
- Authorized disclosure through written consent of the asylum applicant or authorization from the Secretary of DHS
- Disclosure may also be made to USG officials or contractors and US federal or state courts on a need to know basis related to certain administrative, law enforcement, and civil actions
- Relatives/beneficiaries are considered third parties.

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IV. 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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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.

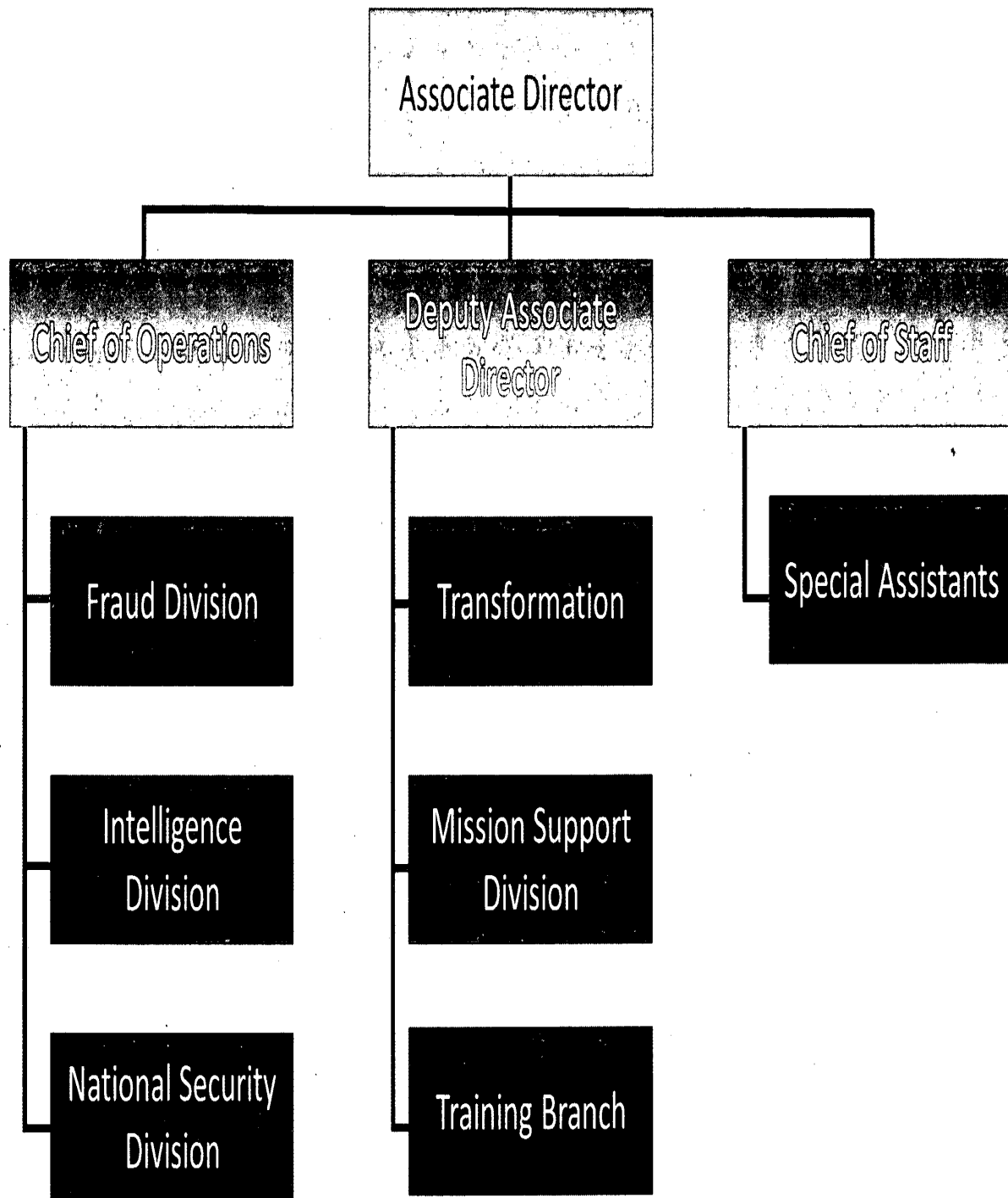
- FDNS Headquarters is composed of four separate divisions: National Security, Intelligence, Fraud, and Mission Support.

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FDNS Structure



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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 and adjudication of cases with NS Concerns
- Works closely with law enforcement agencies and the Intelligence Community to facilitate the exchange of information with the field
- Comprised of:
 - Law Enforcement Support Operations Branch (LESO)
 - Screening Coordination Office (SCO)
 - Joint Program Coordination Branch (JPCB)

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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

* Go to Section V

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V. Summary

You have now completed this lesson and reviewed the following:

- CARRP overview
- the four stages of CARRP
- actions you must take in each stage
- how to handle and protect classified information
- how and when to request assistance from HQFDNS.

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