



July 26, 2011

PM-602-0042

## Policy Memorandum

**SUBJECT:** Revision of Responsibilities for CARRP Cases Involving Known or Suspected Terrorists

### Purpose

This memorandum provides revisions to the Controlled Application Review and Resolution Program (CARRP), the U.S. Citizenship and Immigration Services (USCIS) policy on processing cases containing national security (NS) concerns. This memorandum amends previous guidance established in the policy memoranda listed below and authorizes designated officers<sup>1</sup> in the field<sup>2</sup> to perform external vetting in cases involving Known or Suspected Terrorists (KSTs). Further, this memorandum rescinds guidance requiring the field to seek adjudicative assistance from Headquarters FDNS (HQFDNS) for both KST and Non-KST cases.

### Scope

Unless specifically exempted herein, this policy memorandum applies to and is binding on all USCIS employees.

### Authority

This memorandum revises:

The April 11, 2008, policy memorandum issued by Deputy Director Jonathan R. Scharfen titled "Policy for Vetting and Adjudicating Cases with National Security Concerns" (CARRP Memo).

### Background

The April 11, 2008 memorandum established CARRP, a disciplined, agency-wide approach for identifying, processing and adjudicating applications and petitions involving NS concerns.

Under CARRP, responsibility for vetting and documenting Non-KST NS concerns and adjudicating all NS-related applications and petitions was delegated to the field. HQFDNS retained responsibility for the external vetting of KST cases.

<sup>1</sup> The term "designated" refers to those officers that are currently assigned and are responsible for various steps in the CARRP process (i.e., identifying, vetting/eligibility assessment, external vetting, CARRP Adjudication). This policy memorandum and the attached supplemental guidance do not intend to change the delineated roles and responsibilities (instituted by various USCIS Directorates) of USCIS officers currently processing CARRP cases.

<sup>2</sup> The field refers to Field Offices, Service Centers, the National Benefits Center, and equivalent offices within the Refugee, Asylum, and International Operations Directorate (RAIO), and the officers designated to perform different tasks related to the CARRP process.

Over the past three years, the field has acquired valuable experience and expertise in vetting and adjudicating NS cases. In addition, the field has worked diligently to establish collaborative working relationships with their counterparts in the law enforcement community, including local Joint Terrorism Task Forces (JTTFs). This has resulted in an access to information and resources not previously available to the field. As such, authorizing the field to externally vet KSTs directly with the law enforcement and intelligence community (LEIC) will increase efficiency and effectiveness by reducing the often redundant movement of information between the field, HQFDNS, and the LEIC without compromising the integrity of the process.

#### **Policy**

The field is now authorized to contact the record owner or nominating agency to vet and deconflict NS concerns involving KSTs. The field, however, is not authorized to approve applications or petitions with confirmed KST NS concerns; that authority continues to rest with the senior leadership of this Agency.

In addition, if, after completing the vetting and deconfliction process in KST cases, there continue to be national security concerns, and there is insufficient evidence or other grounds to deny the application, offices are to seek further guidance from their respective HQ Directorate, in consultation with local and HQ counsel when appropriate. HQFDNS will no longer provide adjudicative assistance. HQFDNS will, however, remain available to provide vetting assistance, including the identification of the record owner and the resolution of issues involving record owners.

#### **Implementation**

As a result of this delegation of authority, the nature of assistance requested from HQFDNS is limited to those outlined below. Following the initial eligibility assessment and internal vetting, if no ineligibility grounds are identified, the field will conduct external vetting<sup>3</sup>. Upon obtaining local management approval, the field may e-mail a Request for Assistance (RFA) to HQFDNS ([FDNS-NSB@dhs.gov](mailto:FDNS-NSB@dhs.gov)) under 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 deconfliction.
  - If HQFDNS is unable to identify a POC<sup>4</sup>, HQFDNS will conduct external vetting and deconfliction.
- To seek assistance in contacting or resolving issues with the record holder; and
- To conduct queries of classified systems<sup>5</sup>.

Except as noted in this memo, all current CARRP guidance provided by various Directorates remains in effect.

<sup>3</sup> External vetting must be conducted if no ineligibility grounds have been identified or if Field Management determines further processing is necessary to strengthen or support a decision. KST external vetting is to be conducted by officers who are currently conducting external vetting of Non-KST cases.

<sup>4</sup> These KSTs are generally nominated by certain members of Intelligence Community for which a POC is not available.

<sup>5</sup> Classified High Side checks must not be requested routinely. Rather, the field must articulate a need for such checks. For example, where the nominating agency is either a foreign entity or a member of Intelligence Community (other than the FBI) and additional information cannot be obtained through the local JTTF.

**Use**

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**Contact Information**

Questions or suggestions regarding this PM should be addressed through appropriate channels to HQFDNS.

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