

# EXHIBIT 72

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# Controlled Application Review and Resolution Program (CARRP)

National Security Division

Fraud Detection & National Security Directorate

Updated DEC 2016

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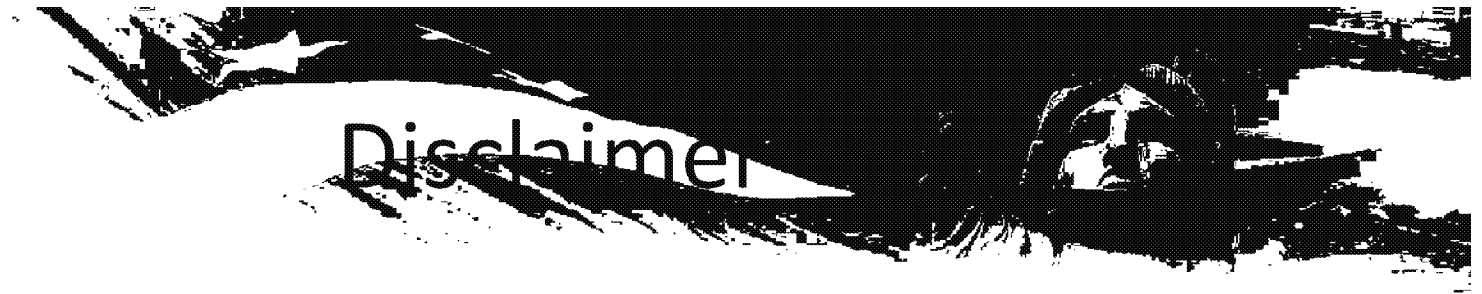
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The CARRP process and all materials related to CARRP are FOUO, and should be handled accordingly

If you don't know what FOUO means now, you will in another 30 slides or so



- This Presentation is intended solely to provide training and guidance to USCIS personnel in performing their duties relative to the adjudication of immigration benefits. It is not intended to, does not, and may not be relied upon to create or confer any right(s) or benefit(s), substantive or procedural, enforceable at law by any individual or other party in benefit applications before USCIS, in removal proceedings, in litigation with the United States, or in any other form or manner. This Presentation does not have the force of law, or of a DHS directive.



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OCC requires you to read this aloud to the class



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## About this Presentation

- Author: FDNS National Security Division
- Date of last revision: December 2016
- This presentation contains no sensitive Personally Identifiable Information (PII).
- Any references in documents or text, with the exception of case law and publicly available information, relate to fictitious individuals or individuals whose personally identifiable information has been redacted.



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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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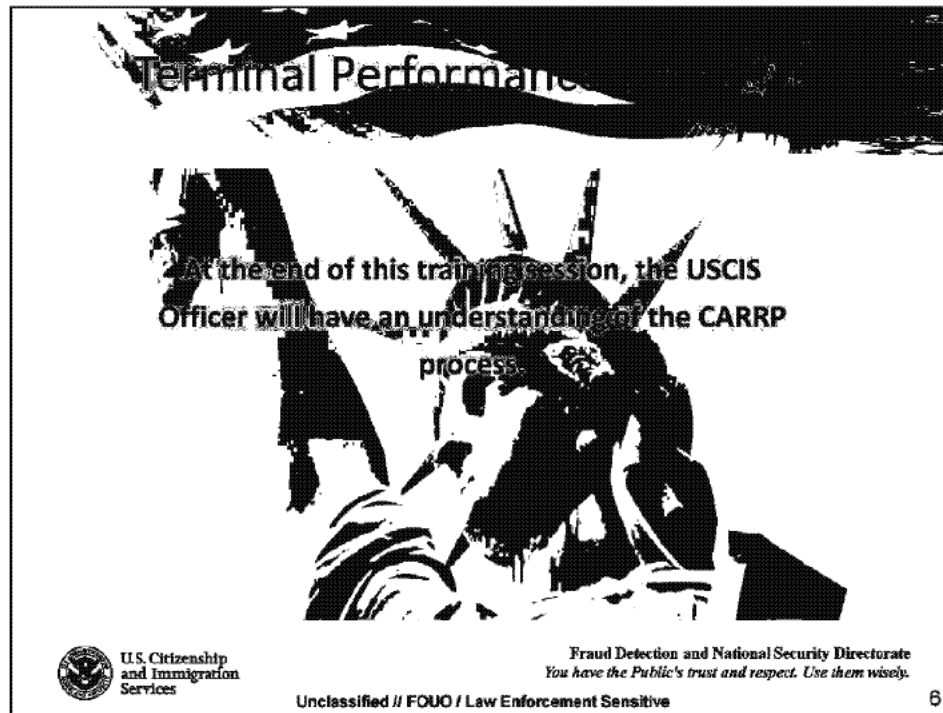
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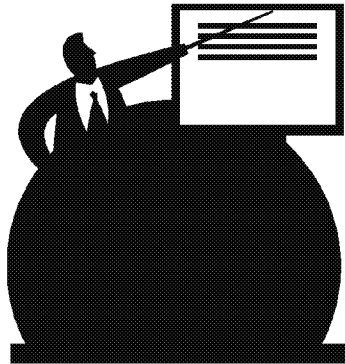
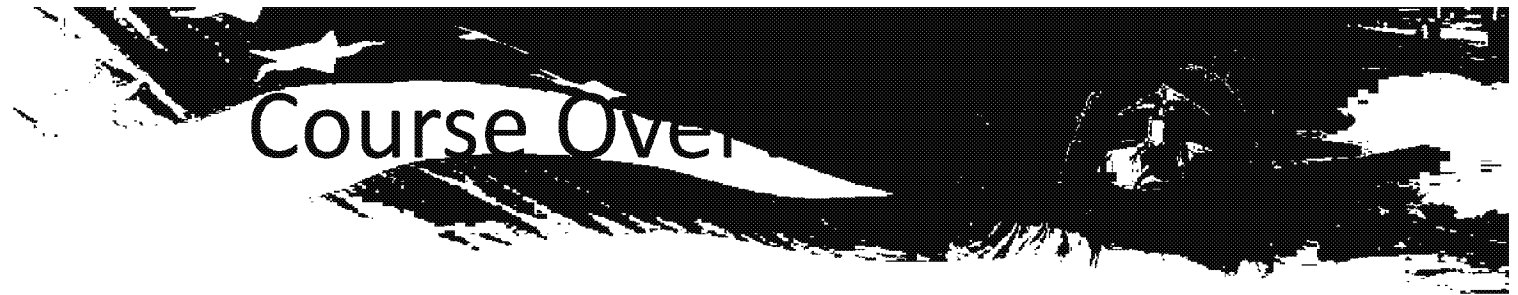
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- This is more than a simple overview
- By the time we finish you will all be certified CARRP officers
- You will be making determinations about what constitutes a National Security case
- You will be making recommendations about whether to approve or deny case with NS concerns
- The leadership of this agency is investing a substantial amount of trust in you – cases in the CARRP process are some of the most challenging, sensitive, and important work we do as officers
- Emphasize – this is the big picture, HQ down, holistic CARRP process
- This class and this briefing are not tailored toward specific offices, regions, directorates, or positions
- It's the same material for CARRP ISO's in a field office, BCU ISO's in a service center, Asylum supervisors, EB5 FDNS IO's, etc.
- It's meant to provide a foundation that the entire agency works off of – it is not meant to be a comprehensive, step-by-step lesson in how to do your specific job



- Module 1: National Security Division Overview
- Module 2: Handling and Protecting Sensitive Information
- Module 3: CARRP Overview
- Module 4: Identifying and Documenting NS Concerns
- Module 5: Determining Eligibility and Vetting National Security Concerns
- Module 6: Adjudicating National Security Concerns
- Module 7: Review and Test
  - Course Review
  - Capstone Practical
  - Test Review



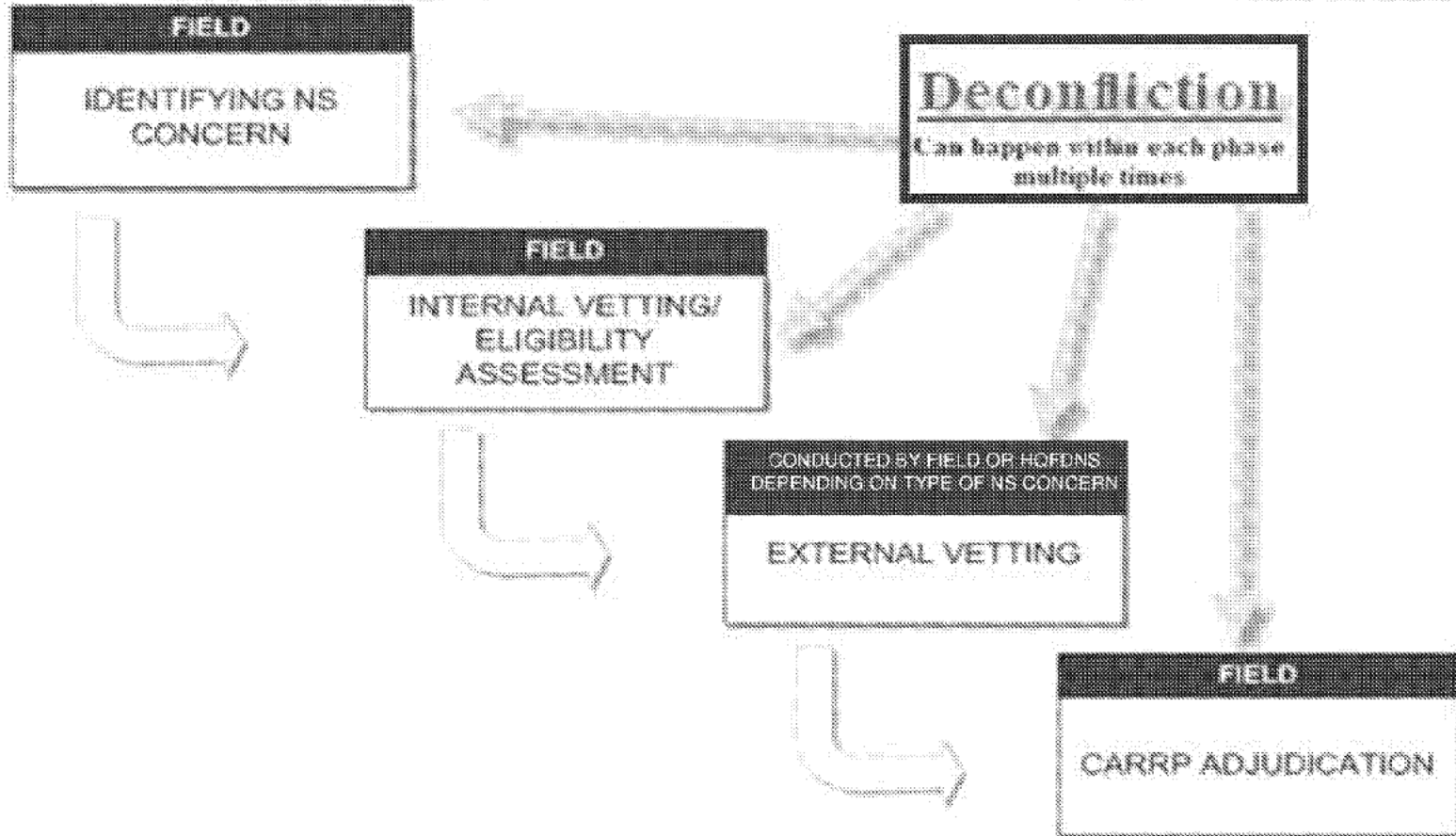
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# Course Review



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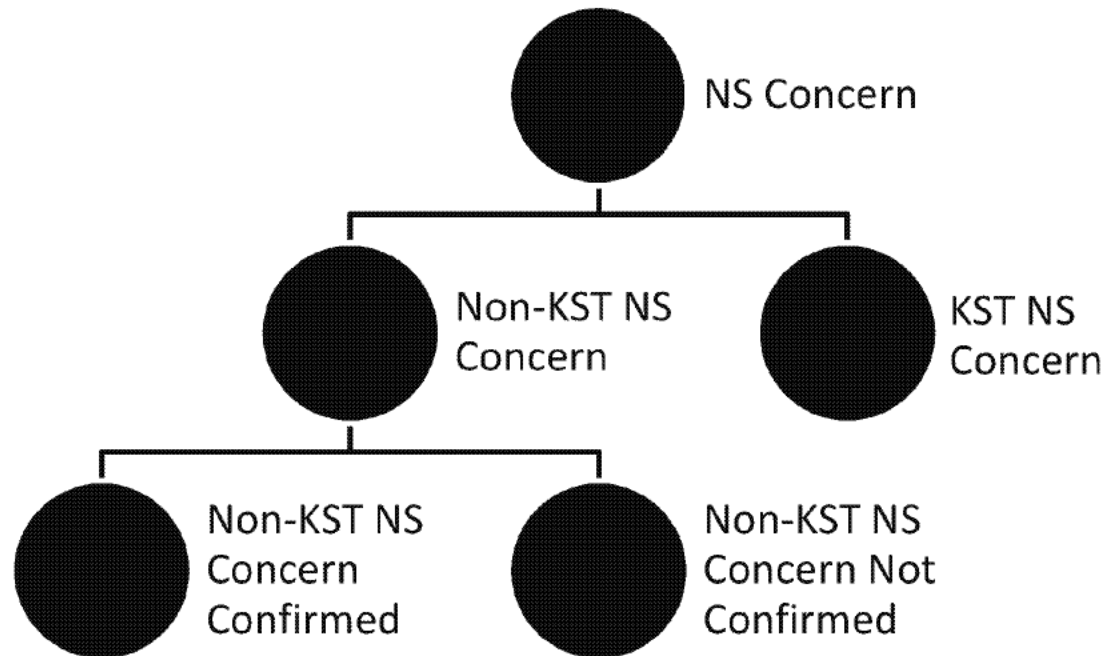
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Course Re

**Individual / Organization + Articulable Link or Indicators + NS ground from INA =**



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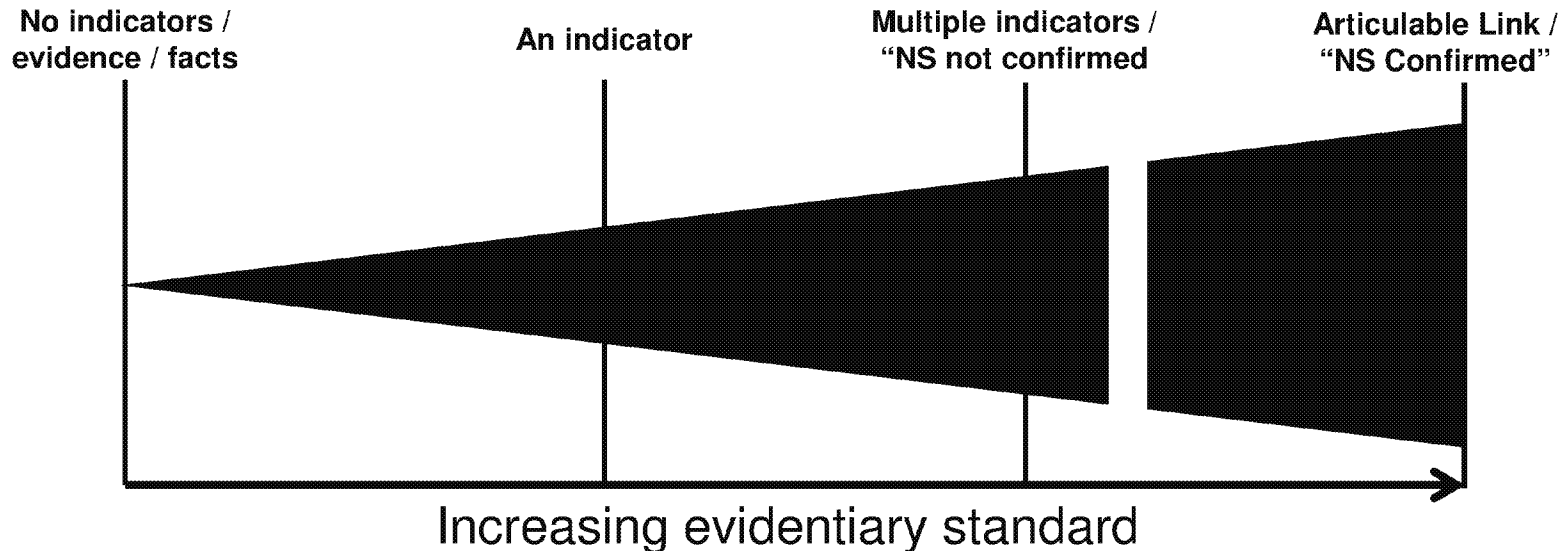
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## Indicators vs. Articulate Link

- Both ties that connect a person / organization to a potential NS ground
- Both based on evidence – known facts
- But indicators and articulable link are not in opposition to each other: They're both intervals on the same spectrum



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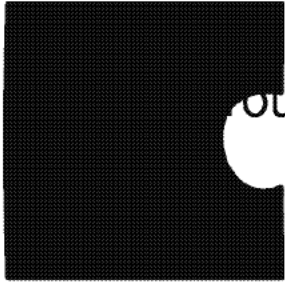
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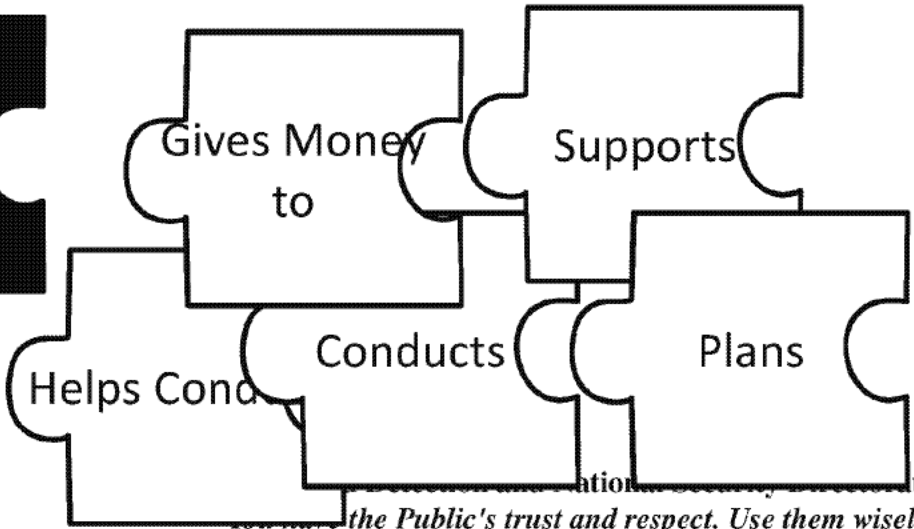
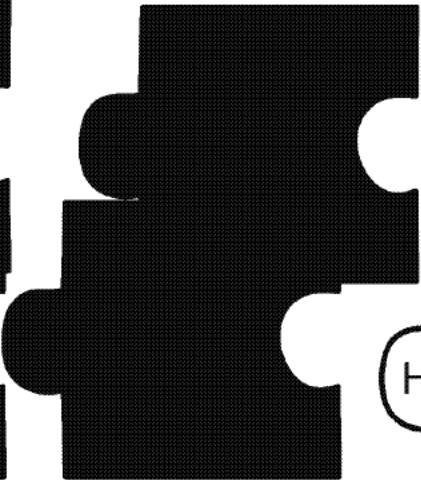
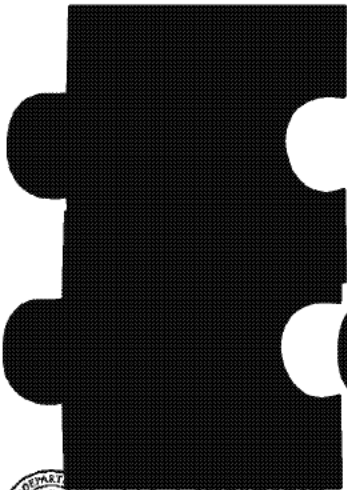
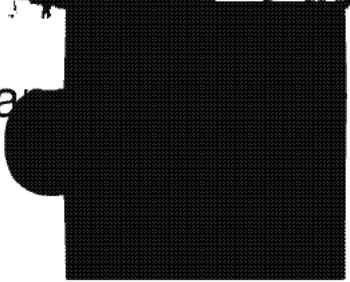
# Course I



you have now arrived  
Native



link between Bob and  
Concern



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## Sub-status selection: NS Confirmed vs. NS Not Confirmed

**LE**

**\*\*\* Remember – it's about weighing the totality of the circumstances**

Articulable Link = NS Confirmed

Indicators of a link = NS Not Confirmed



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## How does USCIS identify KSTs?

- TECS records:

**LE**

- NCIC records:

**LE**

- Indicates subject is a possible terrorist organization member or international extremist.
- Is not a record in Violent Gang and Terrorist Organization File (VGTOF).



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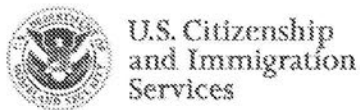
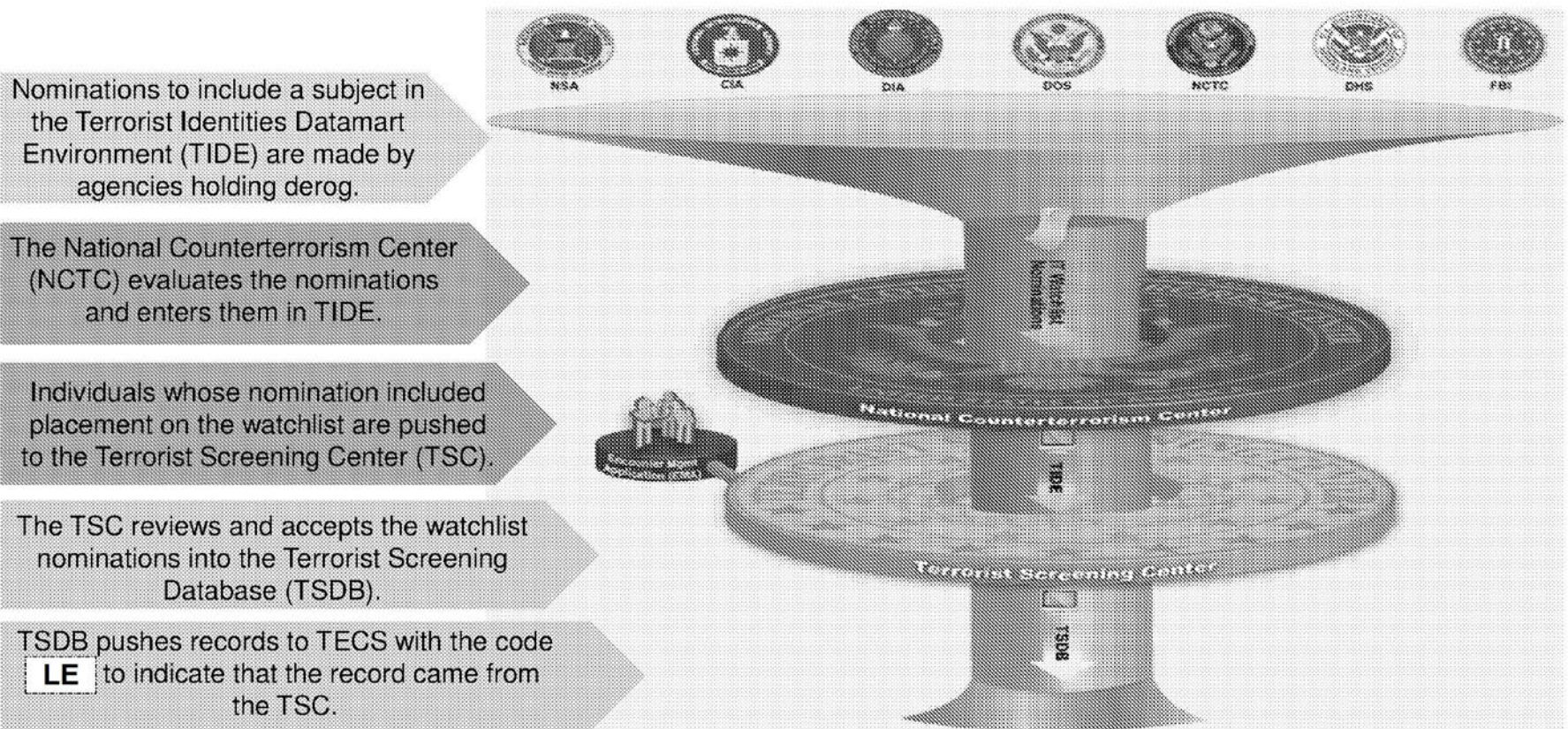
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## Where do KSTs (and certain non-KSTs) come from?



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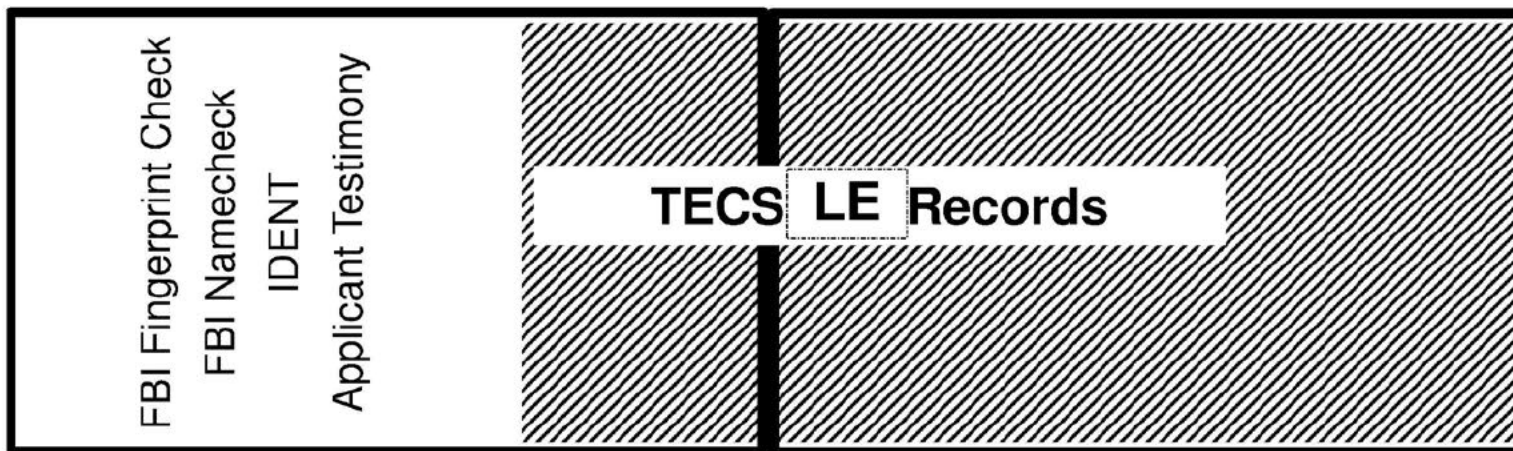
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## Identification of NS Concerns

Non-KST NS Concerns

KST NS Concerns



TECS **LE** records can be either a KST or non-KST NS Concern. The [redacted] code (representing the TSDB category code) indicates whether an individual is in TSDB under a KST category code or is a watchlist exception. All KSTs are in TSDB with a KST category code and therefore are represented in TECS by a **LE** record. Non-KSTs can be identified in a variety of ways, including through **LE** records with a watchlist exception code.



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# Course Review

## Tools, Tips & Techniques:

- Systems Queries
- Applicant-provided Information
- Timelines and Summaries
- Contact with Law Enforcement
- HQ Assistance
- Lead Vetting
- Questionable Items and Inconsistencies



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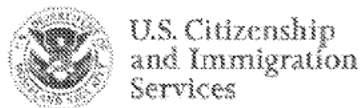
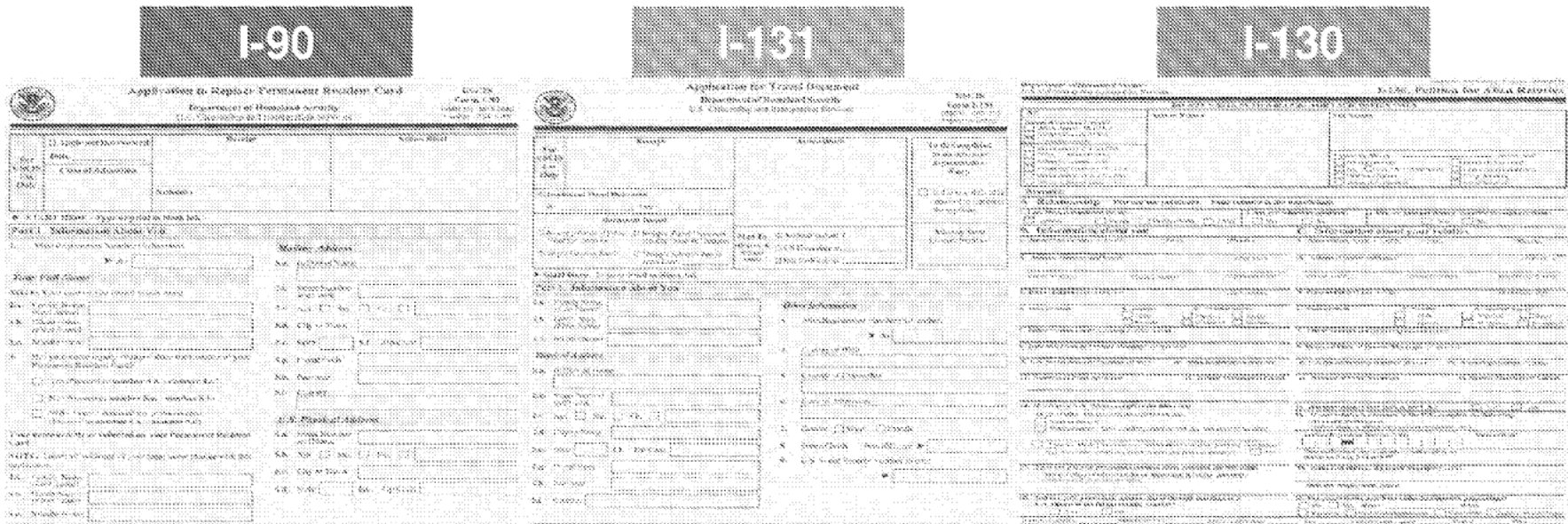
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# Course Review

## All forms are subject to CARRP!

- Even ancillary benefits and non-status granting forms must be documented in FDNS-DS to show identification of the NS concern and outcome of the case



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# Course Review

## Internal Vetting

- Try to collect information
- Focus on immigration elements in case
- Leverage USCIS & DHS systems

## Deconfliction

- Try to share information
- Focus on knowledge / activities that may assist LEIC
- Build relationships with law enforcement



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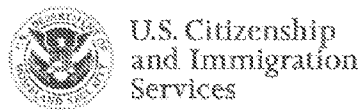
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# Course Review

- Each of these tools and techniques:
  - Can be repeated multiple times
  - Can be done in any stage
  - Can be done in any order



Interview Timeline **RFE** case summary Overseas  
 Verification \$\$\$ CONTACT WITH LAW  
 ENFORCEMENT Classified Databases Open Source  
 Queries **JTTF** Lead Vetting TRAVEL PATTERNS RFA



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# Course Review

## How CARRP ends:

		<b>Adjudicative Decision</b>	
<b>National Security Issue</b>	<b>NS Concern Resolved</b>	<b>Approval of benefit</b>	<b>Denial of benefit</b>



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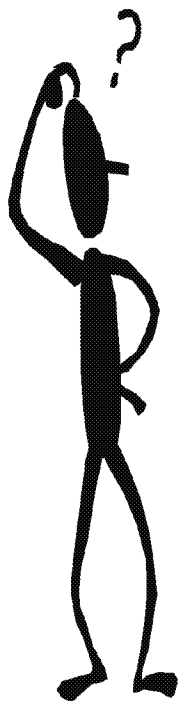
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## Confusing Vocab



RFA to HQ FDNS	≠	RFA sub-tab in FDNS-DS
NS Concern Confirmed (KST or non-KST)	≠	Confirming a <b>LE</b> record with the TSC
Resolving an NS concern	≠	TECS Resolution memo
Deconfliction	≠	Vetting



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**Course Review**

### Confusing Vocab



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- At the very beginning of this course we discussed some vocab terms
- So it's only fitting that at the end of the course we return to some vocab
- So the start of our Stage 4 recap is a list is vocab that is of a potentially confusing nature...



## Laws, Rules, Theorems, and Principles:

- The New York Times Test:

*How will whatever you're about to do look on the cover of the New York Times?*

- The Sole Proprietorship Principle:

*If you're the only person who knows a thing, you'll be the only person blamed when that thing goes wrong – in other words: act like you're the first person that's ever seen something*

- Theory of Discretion:

*Discretion is effective when it's efficient*



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## Laws, Rules, Theorems, and Principles:

- The Law of Unintended Outcomes (USCIS variant):  
*Controlling as much as you can means that when in doubt... deconflict early and often*
- The Theory of “Same Same Different”:  
*Everyone falls under the same CARRP policy, everyone does the same CARRP steps... sometimes they’re just executed a little differently*
- There’s no such thing as zero risk



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## Heffron's Laws of FDNS-DS Data Entry:

1. For every action in CARRP, there is an equal and corresponding documentation in DS
2. Not only is there *a* documentation – there are multiple documentary steps for each single activity
3. Recommendations are not solitary creatures – they always come in pairs



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## Disclaimers:

What happens if they don't tell us something and we approve a bad guy?

- We are passive collectors of information...
- We are only as good as what people tell us...
- We generally do not possess our own derogatory information...
- We do not conduct criminal investigations...
- We do not maintain sources and assets and snitches...

**We are only as good as the information we get from our vetting partners**



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**Disclaimers:**

**What happens if they don't tell us something and we approve a bad guy?**

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In a previous class the question came up in external vetting – what happens if they don't tell us stuff?



**Talal Ansari and Siraj Datto, “Welcome to America – Now Spy on Your Friends.”**

“Mandated to enforce the law, the bureau has assumed a powerful but unacknowledged role in a  
**Yesenia Amaro, “Little-known law stops some Muslims from obtaining US citizenship.”**

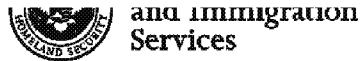
“Under CARRP, applicants are to be labeled a security concern based on national origin or if they have traveled through or resided in areas of “known terrorist activity,” according to the ACLU report.

But for the Karouni family, that means automatic designation even for routine travel such as a family visit to Lebanon last summer or Nasser Karouni’s 2011 pilgrimage to Mecca, Saudi Arabia, which is required at least once in the life of all able Muslims.

Applicants also make the security list based on their profession, if they wire money to families in their home countries, if their names appear on an FBI file related to a national security investigation even if they were not the subject of the investigation, or if they have voluntarily given interviews to the FBI, according to the ACLU report.”

insisting that each individual’s file is reviewed — by immigration officials alone, not by law enforcement — on a “case-by-case” basis.

“CARRP is not a red flag that no one can overcome,” he said. “CARRP simply means that there is an issue here that needs to be resolved.”



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**Talal Ansari and Siraj Dattoo, "Welcome to America – Now Spy on Your Friends."**

**"Mandated to enforce the law, the bureau has assumed a powerful but unacknowledged role in a**  
**Yesenia Amaro, "Little-known law stops some Muslims from obtaining US citizenship."**


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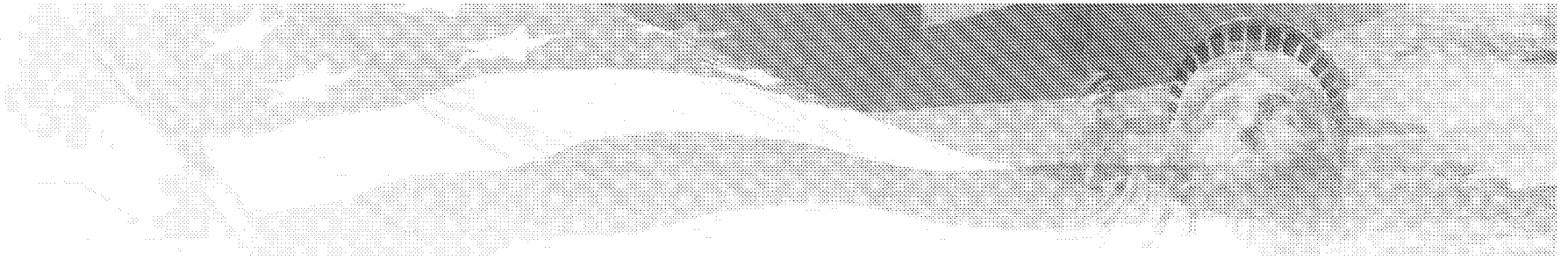
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- Let's review just headlines of these stories:
  - The ACLU report is titled "Muslims Need Not Apply"
  - The Review Journal story calls CARRP a "little known law"
  - The BuzzFeed article talks about spying as part of the immigration process



# Capstone Exercise

## “Hypothetical Fact Patterns”



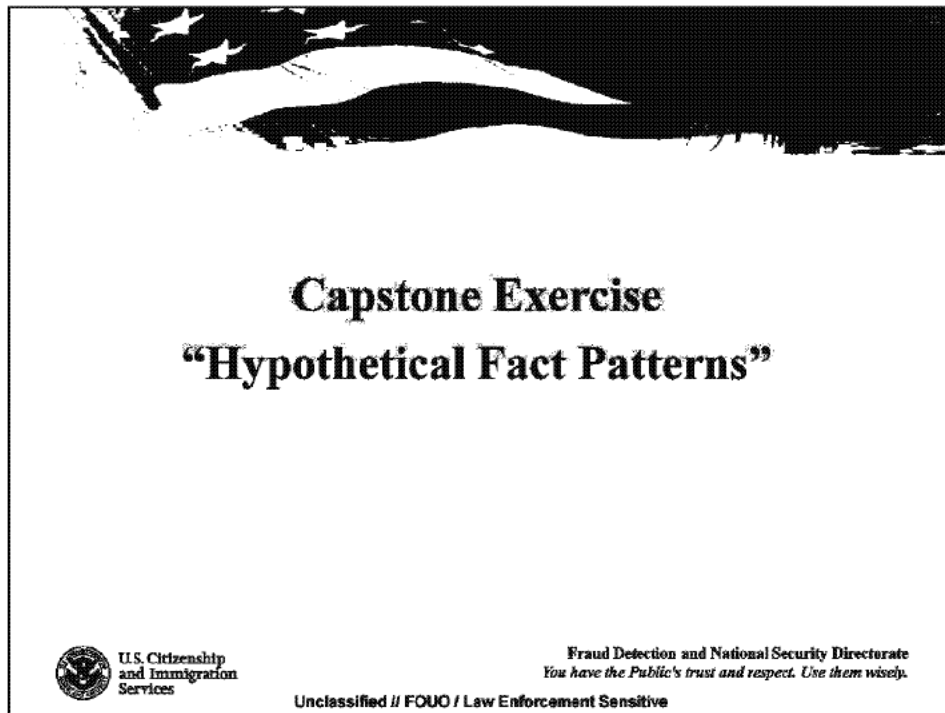
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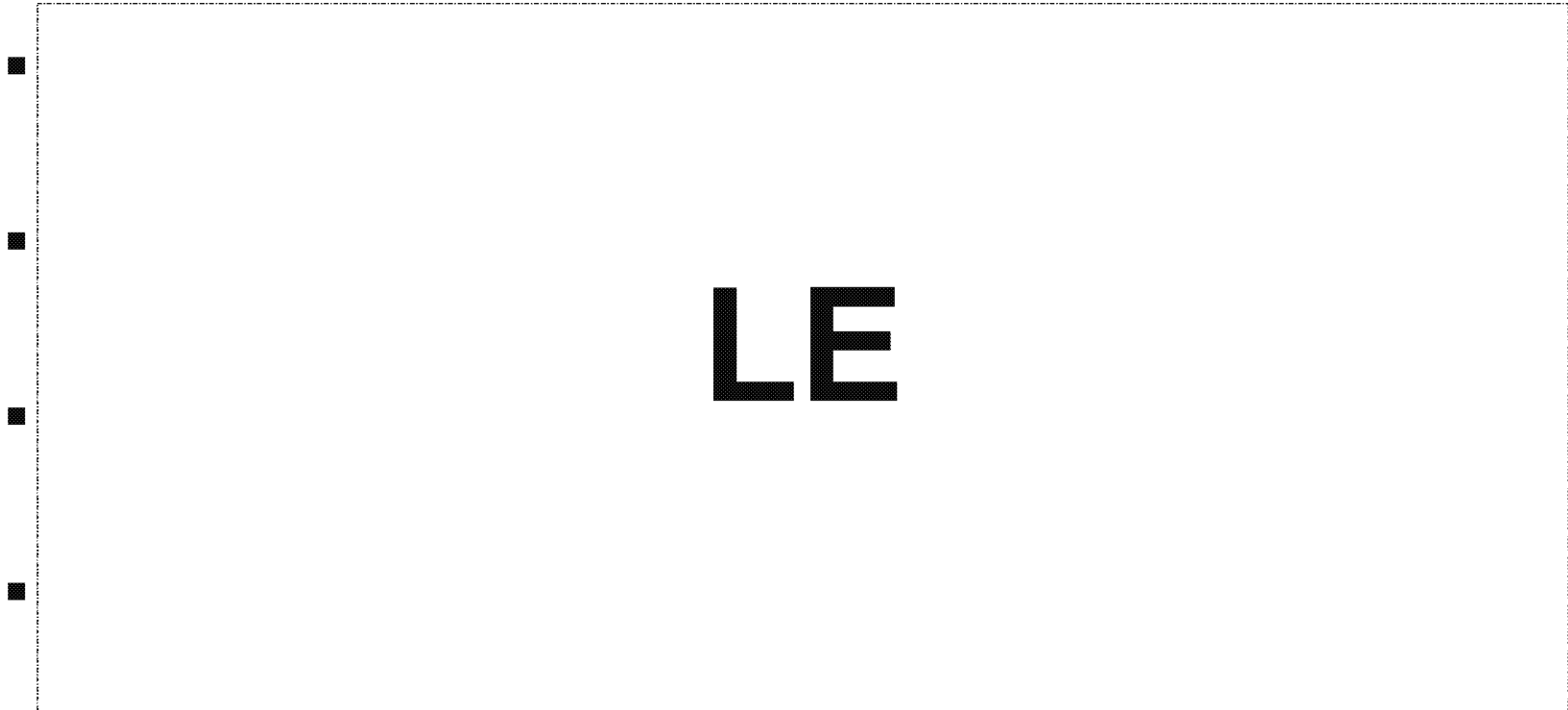
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- What follows are 10 hypothetical fact patterns (including the 2 you've already seen) which address issues in this training
  - They are not a definitive guide, but a tool to practice applying the articulable link framework on some fact patterns that you might see in your everyday work
  - These are all either NS Confirmed or Not Confirmed or non-NS (there are no KSTs, because we're going to teach you how to identify KSTs right after this)
  - There are no wrong answers here
  - The point to think consistently and logically about articulating a link to NS
  - HQ FDNS will model the thought process for the first example, including determining if it's an NS Concern and how to articulate the link
- Disclaimer: Some are based on real cases, some are completely made up



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Hypothetical  
Common Addresses

■  
■  
■  
■

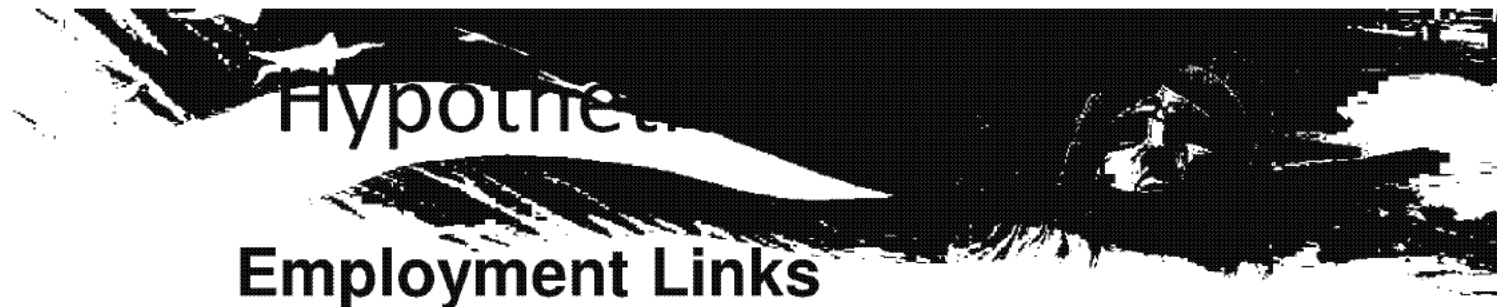
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Hypothetical  
Employment Links

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Hypothetical

LE

LE

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**CAR001714**



Hypothetical  
Home Country Activities

LE

LE

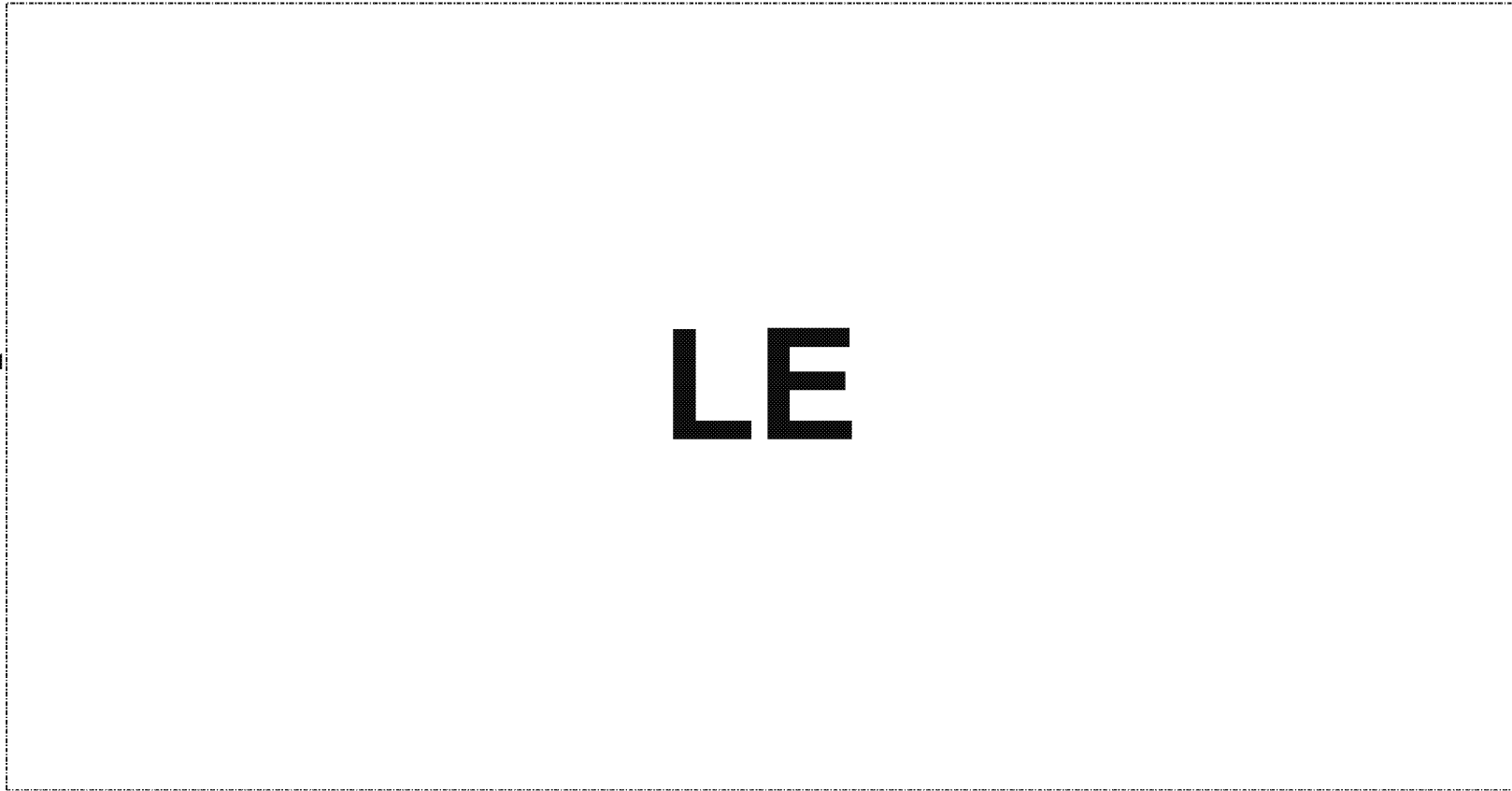


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Hypothetical  
Watchlisting

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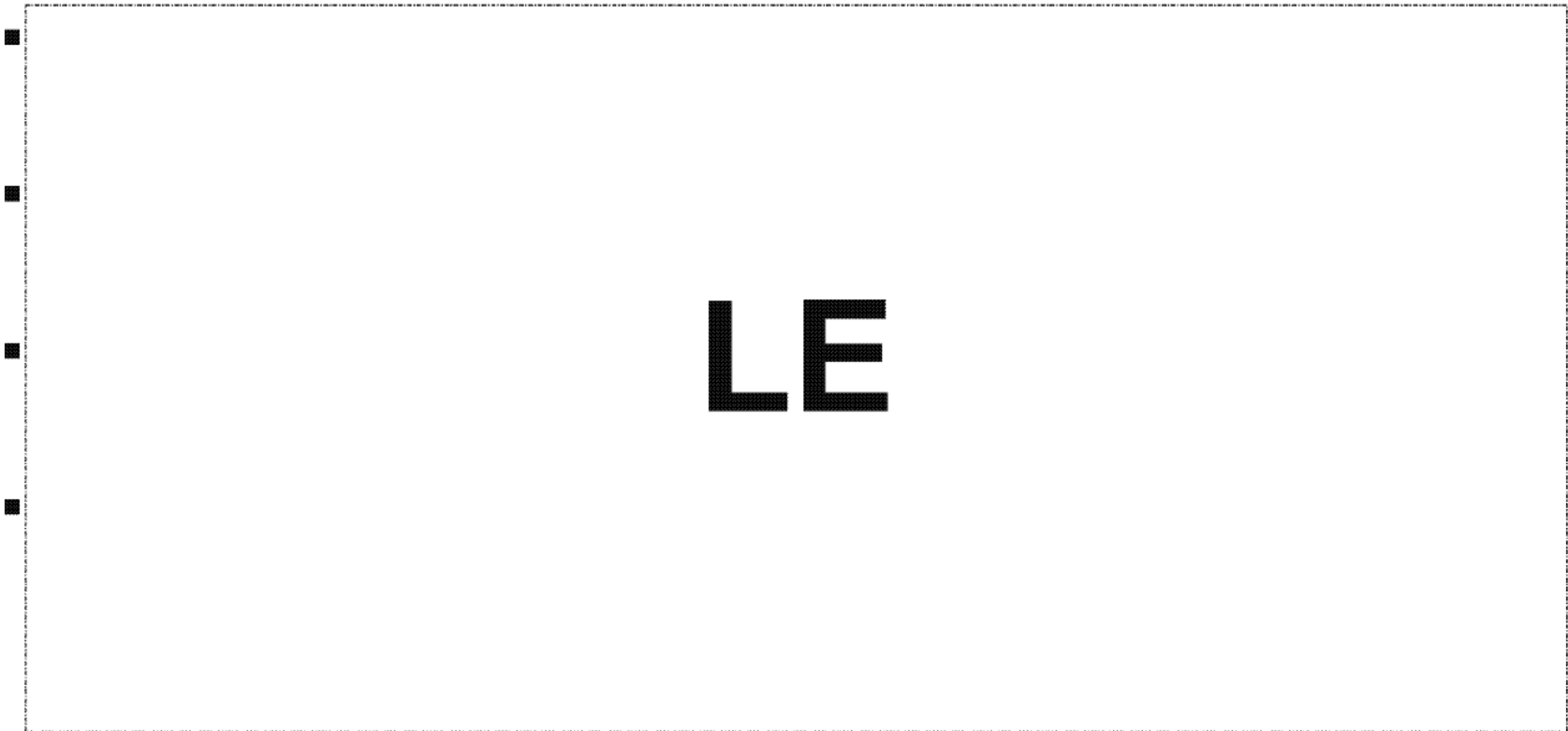
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## Organizational Links



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**CAR001719**

Hypothetical

**Organizational Links**

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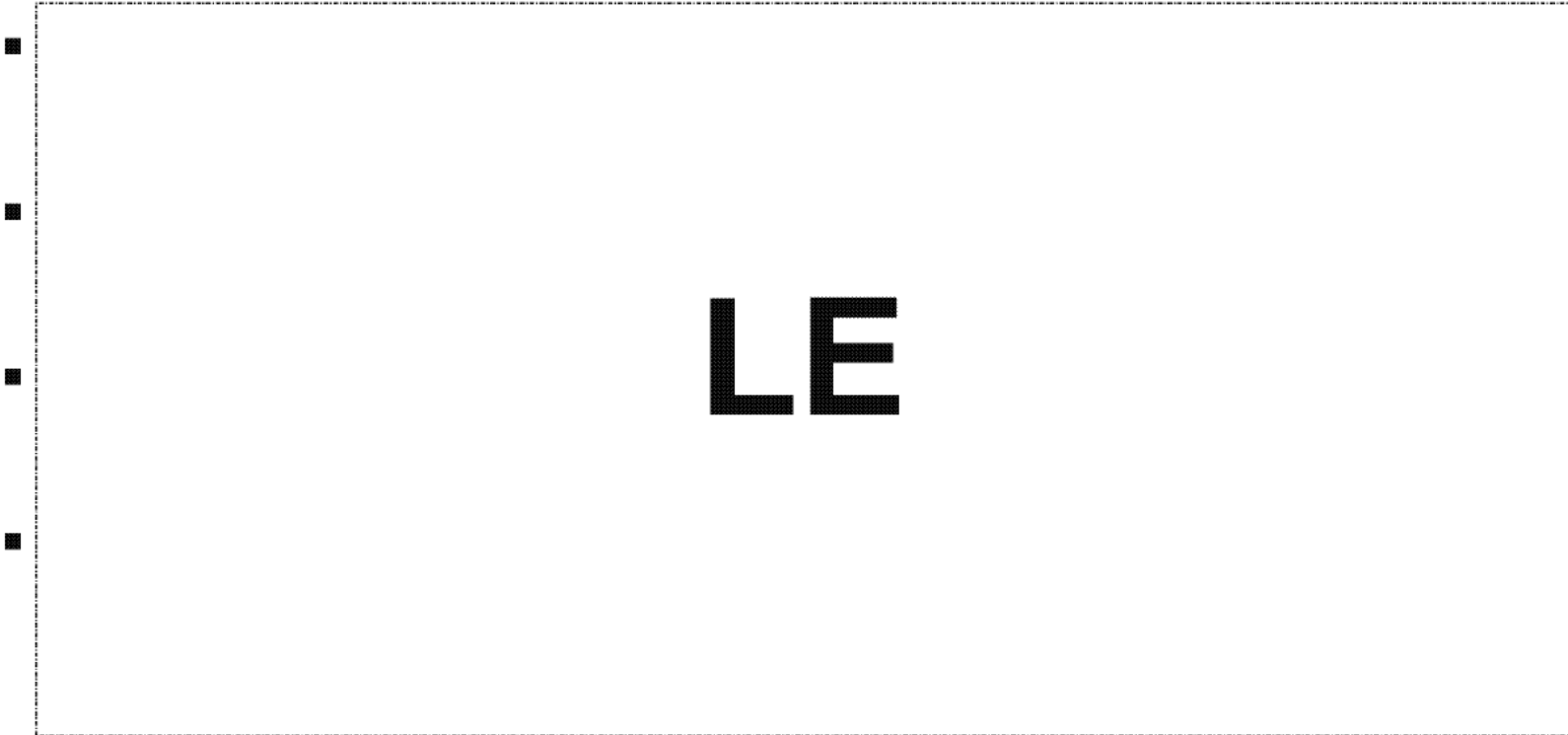
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Hypothetical  
Employment Links

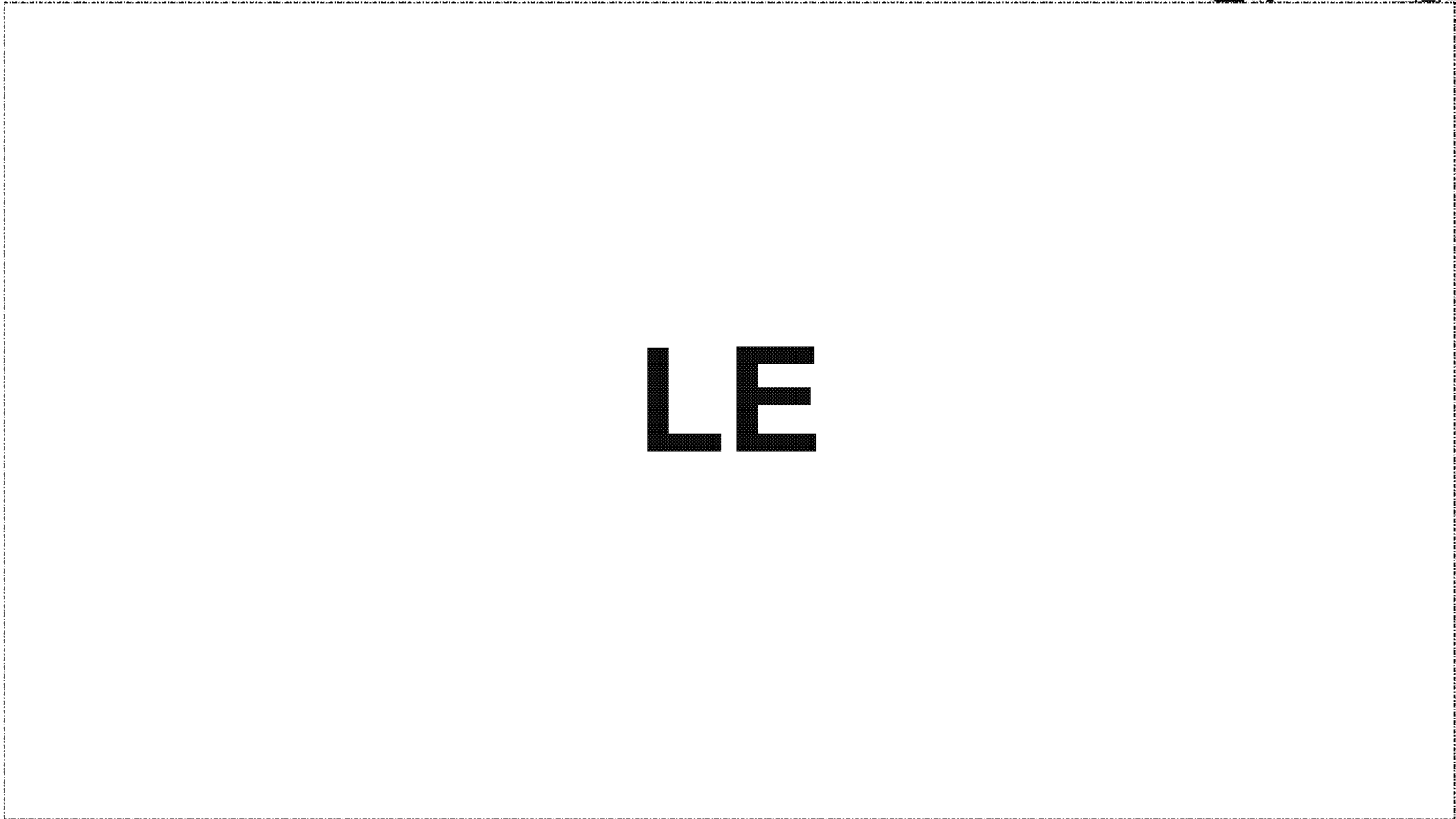
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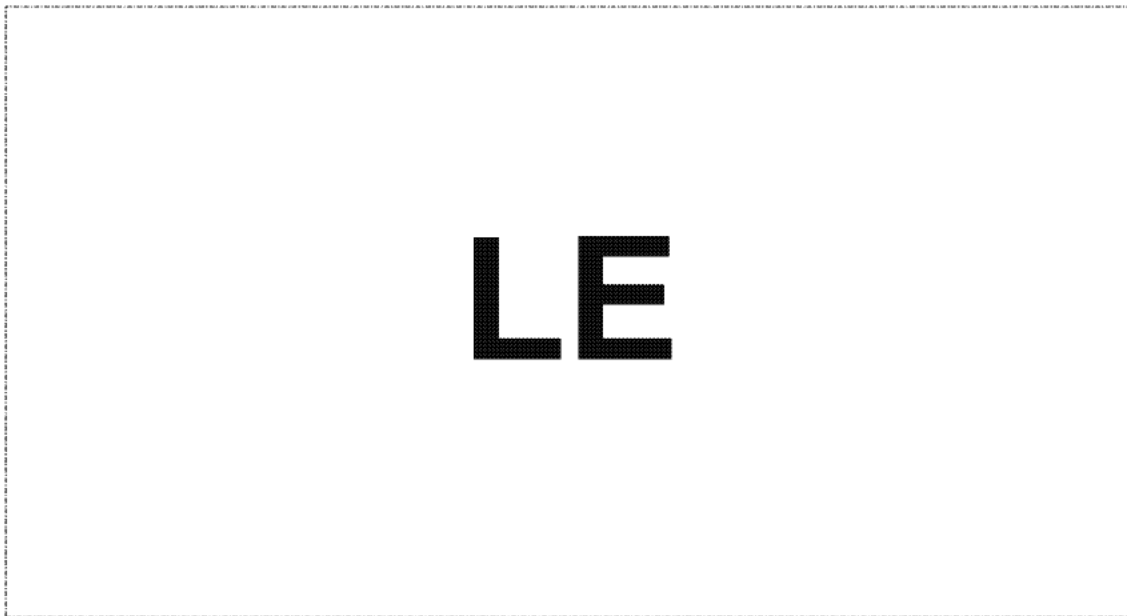
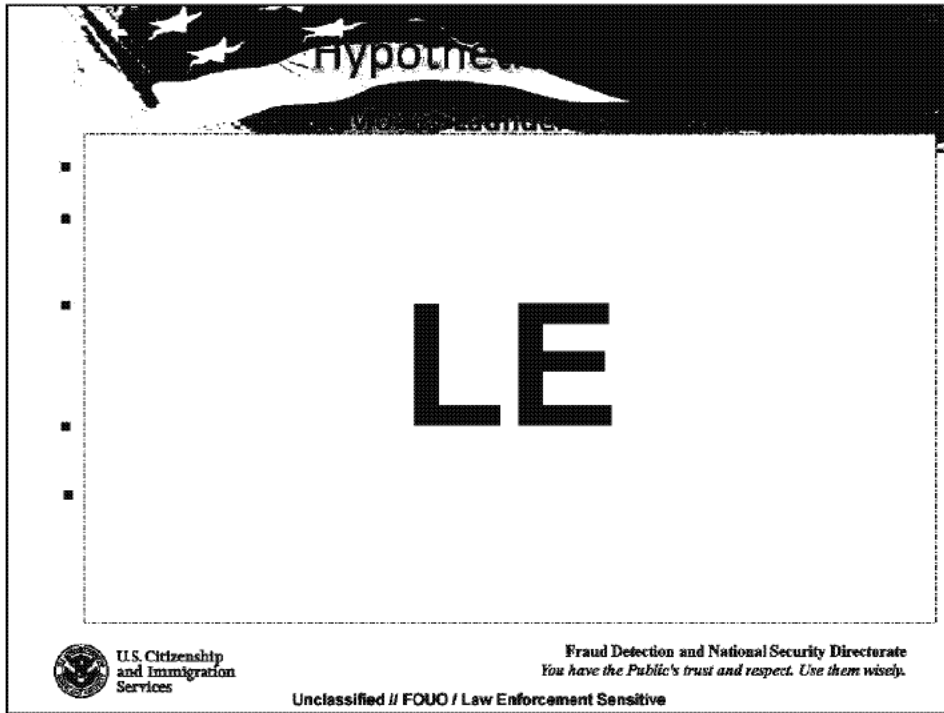
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Hypothetical

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Hypothetical  
Home Country Activities

**LE**

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# An Important Distinction

- TRIG grounds would not apply to an applicant who was a government official and acting in an official capacity in a country that is designated as a “state sponsor of terrorism”
- Government entities are NOT considered terrorist organizations for purposes of the TRIG grounds



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## An Important Distinction

- TRIG grounds would not apply to an applicant who was a government official and acting in an official capacity in a country that is designated as a “state sponsor of terrorism”
- Government entities are NOT considered terrorist organizations for purposes of the TRIG grounds

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In general, a recognized government, would not be considered a terrorist organization. Individual government actors would not be considered inadmissible for TRIG for actions carried out in an official capacity, but they may have engaged in persecution or human rights abuses while acting under the authority of their government. For any questions relating to governments and TRIG, including what the recognized government is in a given country at a given time and place, please contact counsel.



# Test Review

## “Who Wants to be a (CARRP) Millionaire”

Disclaimer: No real money is available during this game; however, you can win bonus points on the test for your class



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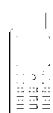
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# Who Wants to be a (CARRP) Millionaire?



CARRP policy applies to all of the following entities except:

A) DHS / USCIS Field Operations Directorate.

B) DHS / USCIS Refugee Affairs Division.

C) DHS / ICE Homeland Security Investigations.

D) DHS / USCIS Nebraska Service Center.

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- 2. \$200
- 1. \$100



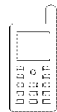
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# Who Wants to be a (CARRP) Millionaire?



Why does USCIS perform deconfliction as part of CARRP?

A) To ensure that interview times are convenient for the applicant and their attorney.

B) To obtain classified information about an ongoing investigation.

C) To ensure collaboration between FDNS and adjudications personnel.

D) To coordinate and share information about USCIS activities with external partners.

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# Who Wants to be a (CARRP) Millionaire?



What policy or rule allows you to share CBP information with an ICE agent who is coming to your office to review an A-file?

A) The Tri-Bureau Information Sharing Agreement

B) The Third Agency Rule

C) The Law Enforcement Officer Disclosure Act of 2008

D) USCIS CARRP policy memorandum

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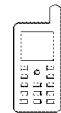
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# Who Wants to be a (CARRP) Millionaire?



The 2008 policy memorandum that created CARRP did which of the following things?

A) Mandated that all USCIS offices have representation on the local JTTF

B) Described the 4 stages of identifying, vetting, and adjudicating an NS Concern

C) Required that all NS casework within USCIS be handled by HQ FDNS

D) Made USCIS the lead agency for removing individuals who were on the watchlist

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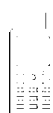
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# Who Wants to be a (CARRP) Millionaire?



Who within USCIS is permitted to work on a CARRP case?

A) Only FDNS IO's.

B) All appropriately trained and designated personnel.

C) Anyone ordered to do so by their supervisor.

D) Only HQ personnel.

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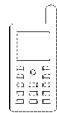
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# Who Wants to be a (CARRP) Millionaire?



Information from WikiLeaks should be handled in what manner?

A) It should be considered unclassified because it's available on the internet.

B) It should be removed from the A-file and thrown in the trash.

C) It should be handled at the highest level of classification indicated on the document.

D) It should be presented to the applicant as evidence in a denial.

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# Who Wants to be a (CARRP) Millionaire?



The act of breaking financial transactions down into smaller amounts of less than \$10,000 is called what?

A) Uttering.

B) Structuring.

C) Constructing.

D) Money Laundering.

- 15. 1 Million (+4pts)
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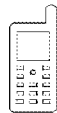
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# Who Wants to be a (CARRP) Millionaire?



How do you submit an RFA to HQ FDNS?

A) Via email to FDNS-NSD-RFA@uscis.dhs.gov.

B) By creating a System Generated Notification (SGN).

C) Through the adjudication system in which you're working the pending form.

D) Through the FDNS Data System (FDNS-DS).

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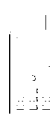
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# Who Wants to be a (CARRP) Millionaire?



In a domestic field office, who conducts vetting with JTTF when there is a KST NS concern and no clear grounds of ineligibility?

A) The ISO who referred the case to FDNS.

B) A CARRP-trained FDNS IO.

C) Any officer with a Secret clearance.

D) HQ FDNS officers assigned to the TSC.

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# Who Wants to be a (CARRP) Millionaire?



50/50

# LE

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The applicant is considered:

A) A KST NS Concern

B) A Non-KST NS Concern

C) A Non-NS Concern

D) An Egregious Public Safety Concern

- 15. 1 Million (+4pts)
- 14. \$500,000
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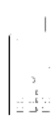
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# Who Wants to be a (CARRP) Millionaire?



Why is understanding and identifying codes important to CARRP?

A) The codes tell you which agency to vet with.

B) The codes tell you if the application should be denied.

C) The codes tell you if an individual needs to be handled as a KST.

D) The codes tell you what additional background checks have been performed.

- 15. 1 Million (+4pts)
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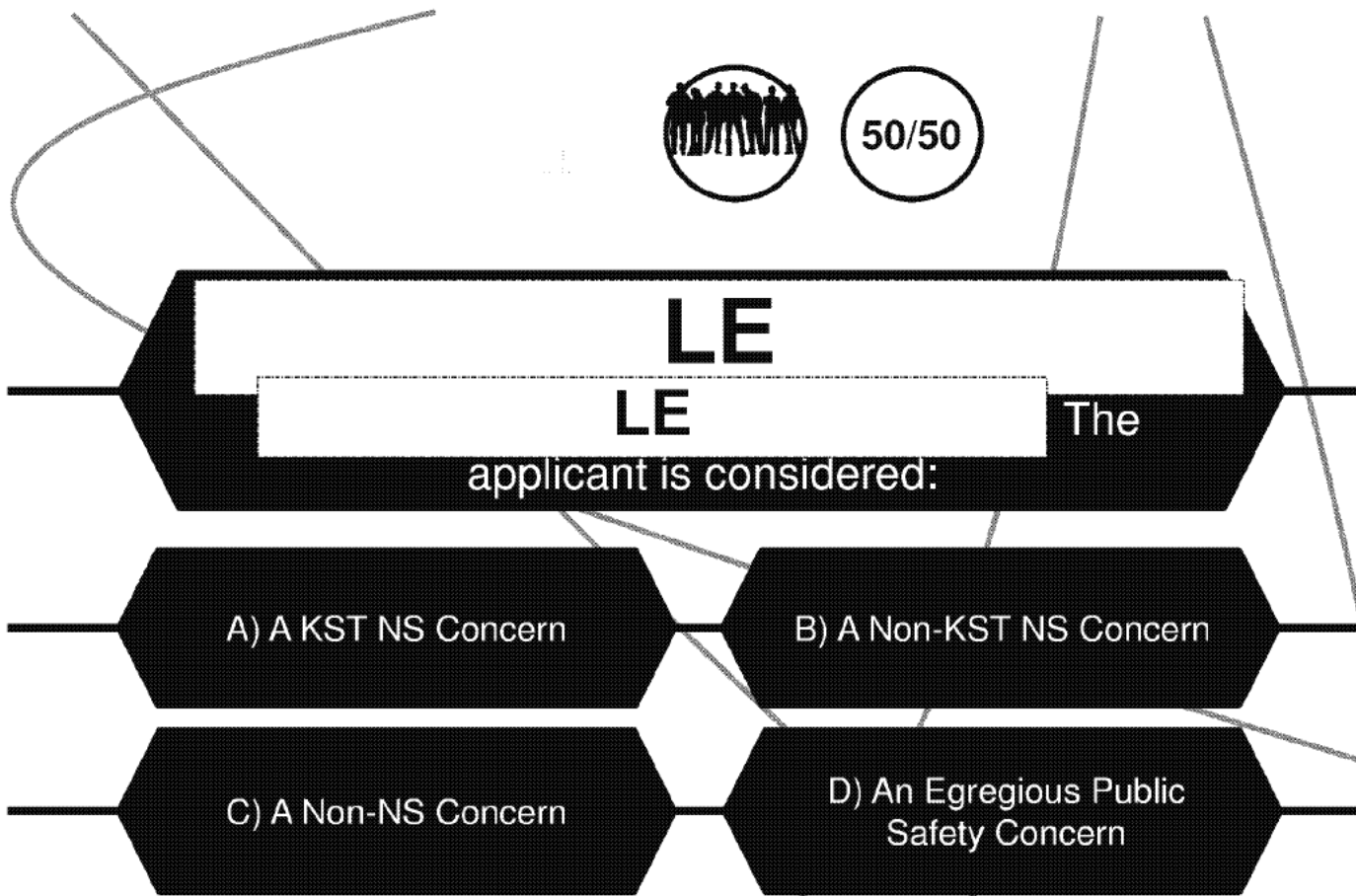
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# Who Wants to be a (CARRP) Millionaire?



50/50



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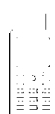
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# Who Wants to be a (CARRP) Millionaire?



As an officer reviewing a referral of a potential non-KST NS concern identified based on indicators, what should you do?

A) Reject the referral and return to adjudications – indicators are not handled in CARRP.

B) Begin the CARRP process and try to find additional facts to make an articulable link.

C) Handle the case in CARRP and ask the FBI if the concern can be resolved.

D) Request that the subject be added to the watchlist so that USCIS can handle as a KST.

- 15. 1 Million (+4pts)
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# Who Wants to be a (CARRP) Millionaire?



Which of the following is not something that should be considered when determining when to schedule an interview in a CARRP case?

A) The potential for SLRB handling or litigation.

B) Law enforcement interest in the interview expressed during deconfliction.

C) The form type and whether a decision is required in a certain amount of time post-interview.

D) Whether the case has automatically loaded in the interview queue.

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# Who Wants to be a (CARRP) Millionaire?



Pursuant to CARRP policy, when would a local senior official be required to concur in order to grant the benefit in a CARRP case?

A) When there is an unresolved non-KST NS concern who appears eligible for the benefit.

B) When denying a benefit to an unresolved KST NS concern.

C) When articulating a link to national security in order to handle as a non-KST.

D) When a non-KST NS concern was resolved and closed as non-NS.

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# CARRP TEST



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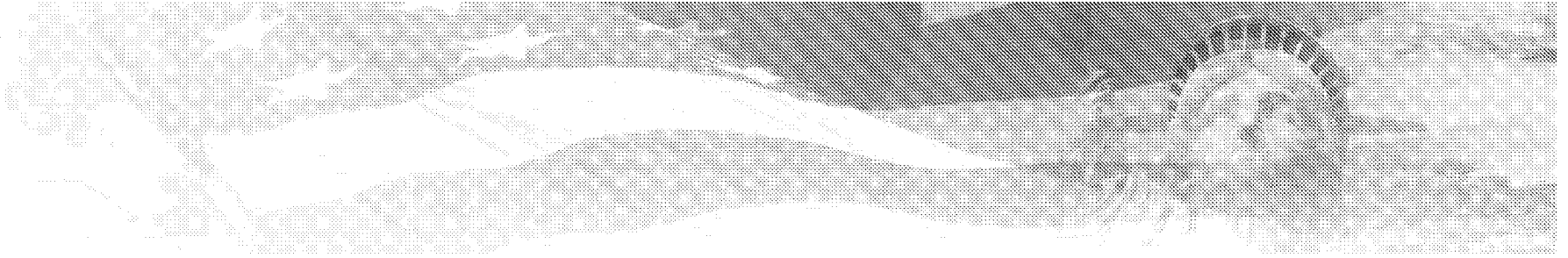
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