

**EXHIBIT 90**  
**FILED UNDER SEAL**



# Controlled Application Review and Resolution Program (CARRP)



## Identifying and Documenting NS Concerns

National Security and Public Safety Division

Updated Decer



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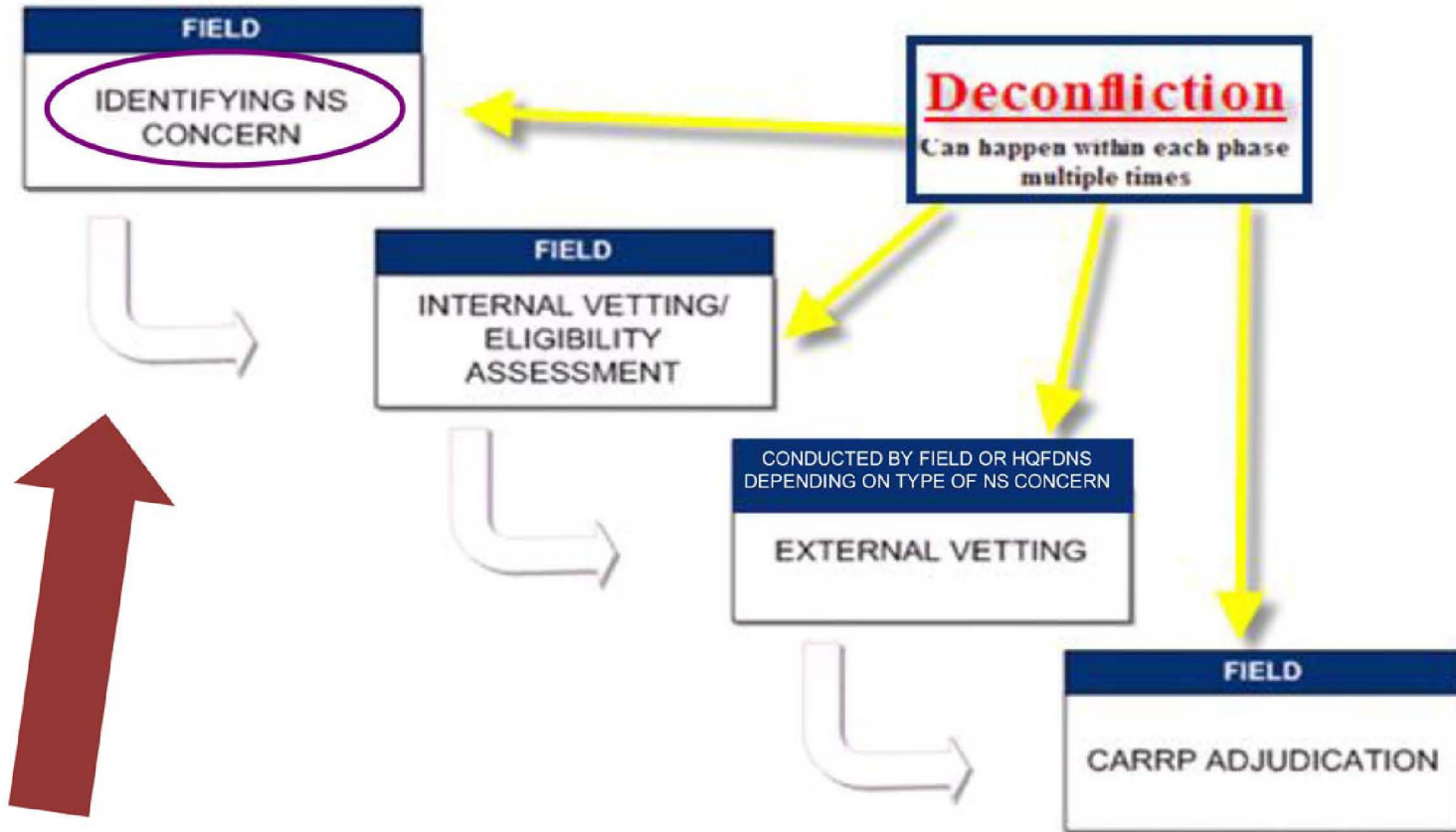
- Author: HQ FDNS National Security and Public Safety Division
- Date of last revision: December 2017
- This presentation contains no sensitive Personally Identifiable Information (PII).
- Any references in documents or text, with the exception of case law, relate to fictitious individuals.

## Stage 1: Identifying NS Concerns



- Use all available evidence to identify a potential NS concern.
- Differentiate between indicators and articulable link as the connection between an individual and an NS ground.
- Distinguish between KSTs and non-KSTs.
- Identify sources of information for KST and non-KST determinations.
- Understand the watchlisting process.

# CARRP Stage One



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# Identifying NS Concerns



## Three elements to Stage I:

- Initial identification of a potential concern
  - What facts are present?*
- Evaluation of the potential NS concern
  - Do those facts meet the definition for an NS concern?*
  - What type of concern is it?*
  - How strongly is the individual connected to the INA NS ground?*
- › Documentation of the NS concern
  - Is there an existing CME or does a new one need to be created?*
  - What documentation elements are required based on concern type*

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# Identifying NS Concerns



## Stage 1, Initial Identification Screening, KSTs, & Watchlisting

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# Identifying KST NS Concerns



## What is a KST?

- Known or Suspected Terrorist (KST).
- Has been nominated and accepted for placement in the Terrorist Screening Database (TSDB) with a KST category code, *and...*
- Remains on the Terrorist Watch List until a nomination for removal has been approved.

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# Identifying KST NS Concerns

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

Nominations to include a subject in the Terrorist Identities Datamart Environment (TIDE) are made by agencies holding derog.

The National Counterterrorism Center (NCTC) evaluates the nominations and enters them in TIDE.

Individuals whose nomination included placement on the watchlist are pushed to the Terrorist Screening Center (TSC).

The TSC reviews and accepts the watchlist nominations into the Terrorist Screening Database (TSDB).

TSDB pushes records to TECS with the code **LE** to indicate that the record came from the TSC.





# Handout:

## TIDE Category Codes

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# Identifying KST NS Concerns



## How is someone nominated to the watchlist?

- Nominations to the watchlist are made by law enforcement, intelligence, and homeland security agencies.
- There are two categories of watchlist nominations:
  - KST
  - Watchlist exception
- Nomination as a KST requires a reasonable suspicion that the subject is:
  - Known or suspected of being **engaged in** terrorist activity;
  - Know or suspected of having **previously engaged in** terrorist activity;
  - Known or suspected of being **a member** of a terrorist organization;
  - Known or suspected of **having been a member** of a terrorist organization;
  - Known or suspected of **preparing to engage in** terrorist activity.



# Identifying KST NS Concerns

## How does USCIS identify KSTs?

- TECS records:
  - With a TECS record ID Beginning with [REDACTED] LE [REDACTED] and ending in [REDACTED] LE [REDACTED]
  - [REDACTED] LE [REDACTED] means that the record came from the TSC. [REDACTED] code **other than** [REDACTED] or [REDACTED] watchlist exceptions.
- NCIC records:
  - Contains a [REDACTED] number.
  - Indicates subject is a possible terrorist organization member or international extremist.
  - Does not reflect a record in the Violent Gang and Terrorist Organization File (VGTOF).

# Identifying KST NS Concerns



## TECS Mod platform View

LE

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# Identifying KST NS Concerns



## TECS Mod platform View

Example for Training Purposes Only

LE

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# Identifying KST NS Concerns



Record, Terrorism: Former TECS platform



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## Identifying KST NS Concerns

### How does USCIS handle KSTs?

- For any suspected match to a **LE** record, the USCIS designated official **must** contact the Terrorist Screening Center (TSC) for verification of a match (including **⌈** and **⌋** category codes).
- The TSC will:
  - Verify that the subject being vetted by USCIS is a match to the TSDB.
  - Alert the Terrorist Screening Operations Unit (TSOU).
  - TSOU will contact the case agent, who may then contact USCIS.
- USCIS **does not** contact the National Targeting Center (NTC) on **LE**
- USCIS **does not** externally vet or deconflict with the TSC.

## Identifying KST NS Concerns



### What will the TSC need to confirm the match?

- A TSC Request Form.
- Copy of the completed application/petition, including G-325A (except for Asylum related Applications).
- Photos [REDACTED]  
[REDACTED]), including any pictures provided in support of the application.

Contact TSC via email: [REDACTED] LE

**TSDB**





# Handout:

## TSC Request Form

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## Identifying KST NS Concerns



### KST NS Concern Recap:

- To have a KST you must have a **LE**
- The **LE** must have a KST category code indicating that the individual is on the watchlist
- Category code **should not** be **[REDACTED]** (because those are exceptions and are not watchlisted KSTs)
- There *should* be an associated NIC/T record, but the KST determination is based on the **LE**
- There is no way to have a KST concern *other than* a **LE** with a KST category code
- The TSC must confirm that the record relates *before* USCIS determines that it's a KST NS Concern
- If an individual has a **LE** with a KST code, they are a KST for as long as that record exists in TECS, regardless of any other vetting

# Identifying KST NS Concerns



## Example: Studies in National Security - KST Case Study

LE

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# Documenting KST NS Concerns



## FDNS-DS Concern Type Field: KST and Source

LE

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# Documenting KST NS Concerns



## FDNS-DS Document systems checks subtab as KST

LE

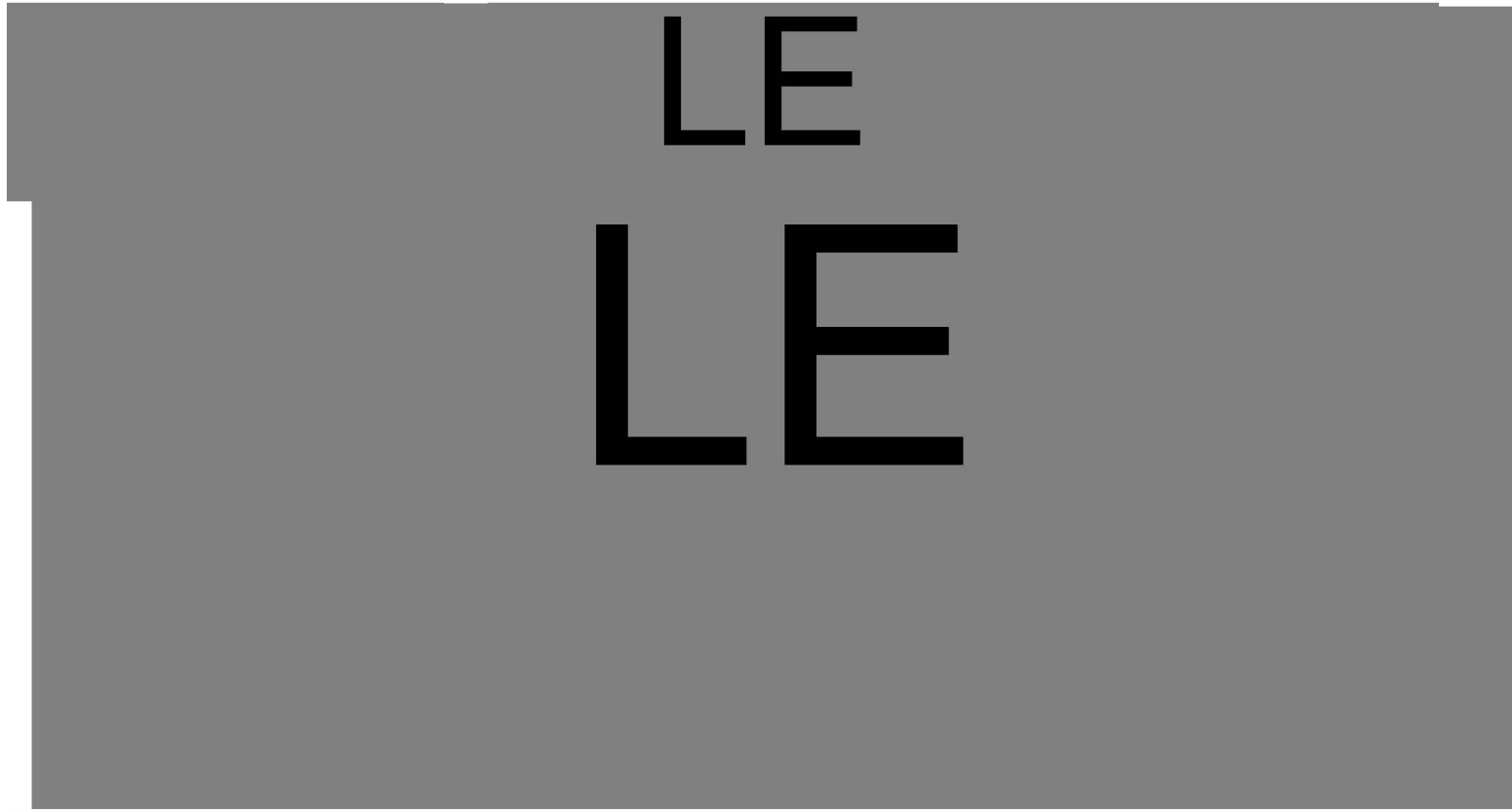
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# Documenting KST NS Concerns



## How do you document TSC confirmation in FDNS-DS?



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# Identifying NS Concerns



## Stage 1, Initial Identification

### Sources of Information for Non-KSTs

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# Identifying Non-KST NS Concerns



## What is a Non-KST NS concern?

- Non-KSTs are NS concerns that have not been nominated to the Watchlist as a KST but still have a connection to the INA NS grounds.
- Non-KST NS concerns include (not an exhaustive list):
  - [REDACTED] LE
    - Associates of a KST.
    - Insufficient derogatory information
  - Saboteurs;
  - Weapons or technology proliferators;
  - Agents of foreign governments etc.

# Identifying Non-KST NS Concerns



## Other Potential Non-KST NS Concern Examples:

- TECS record indicates an ongoing or closed JTTF investigation/interest.
- Association with KSTs [REDACTED] LE [REDACTED]  
[REDACTED] LE [REDACTED]
- Indicators of Investigative Hits involving NS Activity.
  - [REDACTED] LE [REDACTED]
  - [REDACTED]
- NaBISCOP [Appendix C](#) has a listing of common terms and acronyms in TECS that may relate to national security.

# Identifying Non-KST NS Concerns



## How does USCIS identify Non-KST NS Concerns?

- FBI Namecheck – LHM;
- FBI Fingerprint check – RAP sheet;
- TECS / NCIC;
- Consular Consolidated Database (CCD);
- Department of State Security Advisory Opinion (SAO);
- IDENT database;
- Relationships with law enforcement;
- Self-reporting – interview, application, or supporting doc

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# Identifying Non-KST NS Concerns



## FBI Letterhead Memorandums

- LHMs are not always for open concerns
- No NS concern exists if a law enforcement or intelligence agency indicates in an LHM that:
  1. They have completed and closed their investigation, and
  2. They make a definitive finding of no nexus to national security in relation to the USCIS subject, and
  3. There is no other indicator of a NS concern.

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# Identifying Non-KST NS Concerns



## LHM Classes of Investigations that relate to NS concerns

- Foreign Counterintelligence;
- Acts of Terrorism (International, Domestic);
- Hostage-Taking;
- Terrorism;
- Arms Control Treaty Measures;
- Sabotage;
- Actual & Attempted Bombings & Explosive Violations;
- Threaten or Attempt to Use, Possess, Produce or Transport of Weapons Mass Destruction (WMD); or,
- Use, Possession, Production or Transport of WMD.

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# Identifying Non-KST NS Concerns



## FBI Fingerprint Categories: Examples that relate to NS concerns

- Classified by the Attorney General as a known terrorist.
- Charged in immigration court with a inadmissibility or deportability based on one of the security grounds found in the INA.
- Arrested or detained by the U.S. military overseas (e.g. Iraq).

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# Identifying Non-KST NS Concerns



RAP Sheet: Non KST NS Concern indicator

Example for Training Purposes Only

LE

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# Weighing the Evidence



**Example: Studies in National Security: Seemingly innocuous arrests**

**LE**

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## Identifying Non-KST NS Concerns



Which watchlist exceptions does USCIS process as NON-KSTs?

- [REDACTED]
- [REDACTED]
- [REDACTED]
- *Contacting the ISC for match verification is still required...* but these exceptions are handled under CARRP as non-KST NS Concerns.

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# Identifying Non-KST NS Concerns



TECS LE - LE code: Former TECS

Example for Training Purposes Only

LE

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# Identifying Non-KST NS Concerns



TECS

LE

code: Former TECS

Example for Training Purposes Only

LE

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# Identifying Non-KST NS Concerns



## NIC/T: Former TECS Platform

Example for Training Purposes Only

LE

# Identifying Non-KST NS Concerns



## NIC/T: Former TECS Platform

Example for Training Purposes Only

LE

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# Identifying Non-KST NS Concerns



## TECS Codes

- 
- 

LE

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# Identifying Non-KST NS Concerns



## TECS Codes (continued):

LE

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# Identifying Non-KST NS Concerns



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Services

LE

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# Identifying Non-KST NS Concerns



## Other CBP Systems & Queries

- ATS-P = Automated Targeting System (Passenger)
  - Contains travel records and information
  - Also includes secondary inspection results and information, including notes from CBP
  - May also show the targeting rule that an individual was referred under (*this relates to TECS queries that are one-day lookouts or read “subject of a automated targeting referral”*)
- ADIS = Arrival / Departure Information System (can also be accessed through TECS now)
  - Older system but provides a detailed display of entry / exit records
  - Permits searches by multiple criteria with a different name search algorithm than ATS-P



# Case Study: Indicators from Travel

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# Case Study:

## Sen. Cruz Rahami Letter

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# Identifying Non-KST NS Concerns



## CCD and SAO

- CCD = Consular Consolidated Database
  - DOS system holding the records of individuals applying for visas abroad
  - May include reasons for a visa refusal and copies of the visa application
- SAO = Security Advisory Opinion
  - An SAO is the manner by which the State Department asks other agencies of the USG for information / input
  - SAO's are submitted selectively based on the profile of the visa applicant
  - Not all SAO's are derogatory
  - SAO's help Consular Officers to make accurate adjudicative decisions
- Within USCIS, SAO's are an adjudicative tool in refugee cases

# Identifying Non-KST NS Concerns



## Consular Consolidated Database (CCD):

LE

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# Identifying Non-KST NS Concerns



## IDENT

- IDENT is the DHS biometric database.
  - Next Generation Index (NGI) is the FBI biometric database.
  - Automated Biometric Information System (ABIS) is the DoD biometric database.
- IDENT data set is accessed through CPMS.
- USCIS, CBP, ICE and other DHS component data is fed into IDENT.
- IDENT may contain hits from DoD holdings, information on immigration violations, and encounter data.
- Everyone has a watchlist, but...
  - IDENT watchlist **is not** the same as TSDB watchlist.
  - IDENT watchlist contains arrests, DOS records, DoD encounters, fraud, etc.

# Identifying Non-KST NS Concerns



## CPMS Examples

LE

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# Identifying Non-KST NS Concerns



LE

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# Identifying Non-KST NS Concerns



CPMS

LE

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# Identifying Non-KST NS Concerns



## Self Reporting and Identification of a Non-KST NS Concern

- Indicators that might arise from self-reporting:

- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

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# Identifying Non-KST NS Concerns



## Self Reporting: Examples of Non-KST identification

LE

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# Weighing the Evidence



## Example: Studies in National Security- a non-KST Case Study

LE

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# Identifying Non-KST NS Concerns



Examples: (purely fictional) instances of self-reporting

LE

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# Case Study: Death Certificate

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# Sources of Information

## Recap: KST vs Non-KST NS concerns



Non-KST NS Concerns

KST NS Concerns



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 [redacted] LE [redacted]. Non-KSTs can be identified in a variety of ways, including through [redacted] LE [redacted] with a watchlist [redacted] LE [redacted].



## Identifying Non-KST NS Concerns



### When LHM's may be non-derogatory:

- e.g. – Reference to an OGA cable.
  - Has to go in CARRP to obtain the information...
  - But the OGA cable may end up not being derogatory.
- e.g. – Not the subject of an investigation.

LE

## Identifying Non-KST NS Concerns



When fingerprint records may be non-derogatory:

- [REDACTED] LE

When FDNS-DS records may be non-derogatory:

[REDACTED] LE

## Identifying Non-KST NS Concerns



### Non-KST NS Concern Recap:

- Non-KSTs can come from anywhere, not just records / hits or law enforcement
- The information in a record or in testimony is what's important – *not* the mere existence of a hit or a record
- Testimony and / or what's in the immigration record is just as important as law enforcement records
- Non-KSTs can be subjective, especially when they're *not* coming from TECS, the FBI, or fingerprint records – Therefore, properly weighing the evidence is critical

# Identifying NS Concerns



## CARRP Stage 1: Evaluating NS Concerns Differentiating Indicators and Articulable Links

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# Identifying NS Concerns



## Roles

- Domestically (FOD and SCOPS) → focus is on the activities an individual is connected with, without deep consideration of timeframe and target in the identification stage
  - Remember CARRP as a yellow traffic signal: use the process to get country condition research, group histories, etc.
  - Potential concerns in SCOPS are referred to CARRP BCUs for evaluation
  - Potential concerns in FOD are referred to local FDNS units for evaluation
- SCOPS → Officers work applications from all over the country and encounter a broad range of populations, organizations, and case types
- FOD → May have familiarity with groups / populations in their office area, but generally have less time and depth of research than RAIO officers identifying concerns

# Identifying NS Concerns



## Roles

- RAIO → NS concerns may be identified during pre-screening in systems, but are more frequently derived from the interview
  - Reinforces that NS concerns can be identified at any point while working a benefit request
  - AOs and ROs conducting interviews must be able to spot NS indicators when an applicant is already sitting in front of them
- RAIO → Refugee Affairs Security Vetting and Program Integrity automatically pre-screens certain cases for NS indicators (including through classified system checks) and provides additional guidance for the interview as necessary.
- RAIO → Asylum pre-screens certain cases based on local FDNS jurisdiction and RAIO FDNS IOs conduct case-by-case review upon request.

# Identifying NS Concerns



Individual / Organization + Connection to + NS ground from INA =

Form: I-485

I-589

I-924

N-400

Based on:

- Membership
- Money
- Employment

Statutory ground:

- INA § 212(a)(3)(a), (b) or (f)
- INA § 237(a)(4)(a) or (b)

## National Security Concern

## Handled under CARRP



## Identifying NS Concerns: Individuals



U.S. Citizenship  
and Immigration  
Services

- Individuals come from forms...
- But policy differentiates between status granting forms and other types of forms and petitions...

BENEFIT TYPE	<u>CARRP Stage I?</u>
I-90	YES
Ancillary Benefits (e.g. concurrently filed I-765 or I-131)	YES
Non-status granting applications / petitions (e.g. 3 <sup>rd</sup> preference I-140)	YES
Petitions filed with a primary application (e.g. I-130 / I-485)	YES





# Identifying NS Concerns: Individuals

## For ALL form types (even if post-adjudication)...

1. Identify an NS concern.
2. Document the NS concern in FDNS-DS.
3. Deconflict the NS concern.



USCIS Form I-90  
Application to Replace Permanent Resident Card

Department of Homeland Security  
U.S. Citizenship and Immigration Services

Receipt Active Blank

Applicant Interviewed:  Yes  No

Date: \_\_\_\_\_

Class of Admission: \_\_\_\_\_

Remarks: \_\_\_\_\_

START HERE - Type or print in black ink.

Part 1. Information About You

1. Alien Registration Number (A-Number): \_\_\_\_\_

2. Mailing Address

2.A. In Care of Name: \_\_\_\_\_

2.B. Street Number and Name: \_\_\_\_\_

2.C. Apt., #, Box, P.O., etc.: \_\_\_\_\_

2.D. City or Town: \_\_\_\_\_

2.E. State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

2.F. Postal Code: \_\_\_\_\_

2.G. Province: \_\_\_\_\_

2.H. Country: \_\_\_\_\_

3. U.S. Physical Address

3.A. Street Number and Name: \_\_\_\_\_

3.B. Apt., #, Box, P.O., etc.: \_\_\_\_\_

3.C. City or Town: \_\_\_\_\_

3.D. State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

USCIS Form I-131  
Application for Travel Document

Department of Homeland Security  
U.S. Citizenship and Immigration Services

Receipt Active Blank

For USCIS Use Only

Document Issued

1. Renewal Permit Under:  Regular  Refugee  Asylum  Temporary Protected Status  Other: \_\_\_\_\_

2. Reason for Issuance: \_\_\_\_\_

3. High-Authority Permit:  Yes  No

4. Mail To:  USC Consulate at \_\_\_\_\_  USC Office at \_\_\_\_\_

5. Agency Name: \_\_\_\_\_ License Number: \_\_\_\_\_

6. Fee:  \$ \_\_\_\_\_  Nil (SEE DHS USE ONLY)

7. To Be Completed by an Attorney, Representative, etc.:  Yes  No

8. Fill in box if I-131 is attached to applicant's application.

Part 1. Information About You

1.A. Family Name: \_\_\_\_\_

1.B. Alien Registration Number (A-Number): \_\_\_\_\_

1.C. Other Information: \_\_\_\_\_

2. Physical Address

2.A. In Care of Name: \_\_\_\_\_

2.B. Street Number and Name: \_\_\_\_\_

2.C. Apt., #, Box, P.O., etc.: \_\_\_\_\_

2.D. City or Town: \_\_\_\_\_

2.E. State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

2.F. Postal Code: \_\_\_\_\_

2.G. Province: \_\_\_\_\_

2.H. Country: \_\_\_\_\_

USCIS Form I-130  
Petition for Alien Relative

Department of Homeland Security  
U.S. Citizenship and Immigration Services

Receipt Active Blank

DO NOT WRITE IN THIS BLOCK - FOR USCIS OFFICE ONLY

1. Relationship: You are the petitioner. Your relative is the beneficiary.

2. Information about you

2.A. Name (Last, First, Middle): \_\_\_\_\_

2.B. Date of Birth: \_\_\_\_\_

2.C. Information about your relative

3. Information about your relative

3.A. Name (Last, First, Middle): \_\_\_\_\_

3.B. Date of Birth: \_\_\_\_\_

3.C. Information about your relative

3.D. Name (Last, First, Middle): \_\_\_\_\_

3.E. Date of Birth: \_\_\_\_\_

3.F. Information about your relative

3.G. Name (Last, First, Middle): \_\_\_\_\_

3.H. Date of Birth: \_\_\_\_\_

3.I. Information about your relative

3.J. Name (Last, First, Middle): \_\_\_\_\_

3.K. Date of Birth: \_\_\_\_\_

3.L. Information about your relative

3.M. Name (Last, First, Middle): \_\_\_\_\_

3.N. Date of Birth: \_\_\_\_\_

3.O. Information about your relative

3.P. Name (Last, First, Middle): \_\_\_\_\_

3.Q. Date of Birth: \_\_\_\_\_

3.R. Information about your relative

3.S. Name (Last, First, Middle): \_\_\_\_\_

3.T. Date of Birth: \_\_\_\_\_

3.U. Information about your relative

3.V. Name (Last, First, Middle): \_\_\_\_\_

3.W. Date of Birth: \_\_\_\_\_

3.X. Information about your relative

3.Y. Name (Last, First, Middle): \_\_\_\_\_

3.Z. Date of Birth: \_\_\_\_\_

# National Security Grounds



U.S. Citizenship  
and Immigration  
Services

Area of National Security Concern Include:	Section of the INA
Espionage	§212(a)(3)(A), and §237(a)(4)(A)
Sabotage	
Exporting sensitive goods, technology, or information	
Overthrowing the U.S. government by force or violence	
Hijacking or sabotaging transportation	§212(a)(3)(B), and §237(a)(4)(B)
Hostage-taking	
Attack or assassination of any government official (U.S. or any other government)	
Using biological, chemical, or nuclear weapons	
Using other weapons to harm people or cause damage (other than for personal monetary gain)	
Persons or groups the Secretaries of State and/or Homeland Security have found to be engaged in terrorist activity or associated with a terrorist organization.	§212(a)(3)(B), (a)(3)(F), and §237(a)(4)(B)

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# Handout:

## DOS Mantis Tech Alert List

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## Evaluating NS Concerns



### Additional considerations about NS Grounds:

- The grounds are part of *identifying* a concern - but even though they are from the INA, they are generally not what we're going to cite as a basis for ineligibility in a decision
- Although the basis of a concern is connected to an INA ground this may not directly be reflected in the final adjudicative decision i.e. ( An NS case can be denied on other grounds unrelated to the NS concern, such as an ineligibility provision)





# Application Exercise 4.1

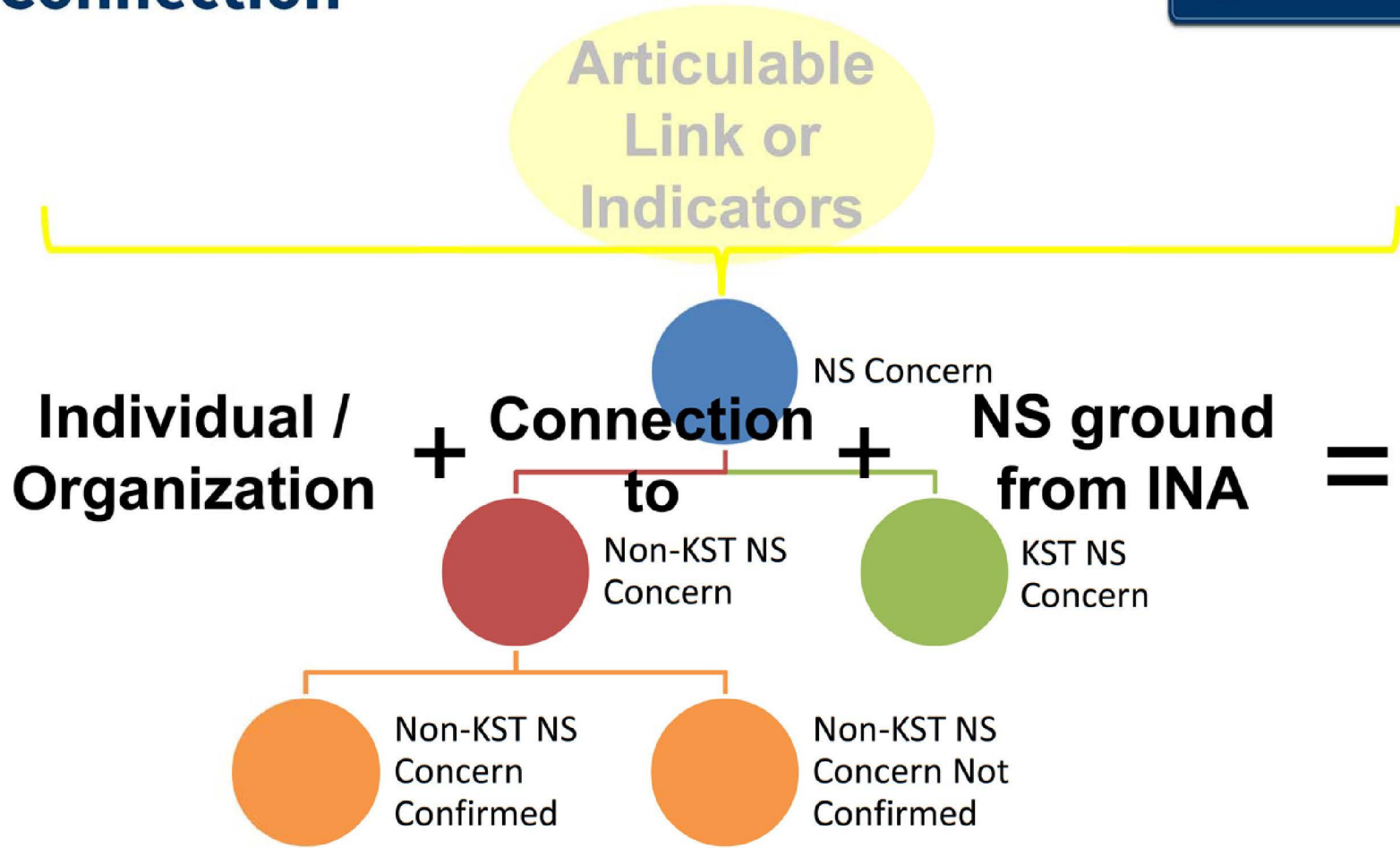
## “Open Source Fact Patterns”

### (continued)

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# Identifying NS Concerns: The Connection



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# The Connection

## Indicators vs. Articulate Link

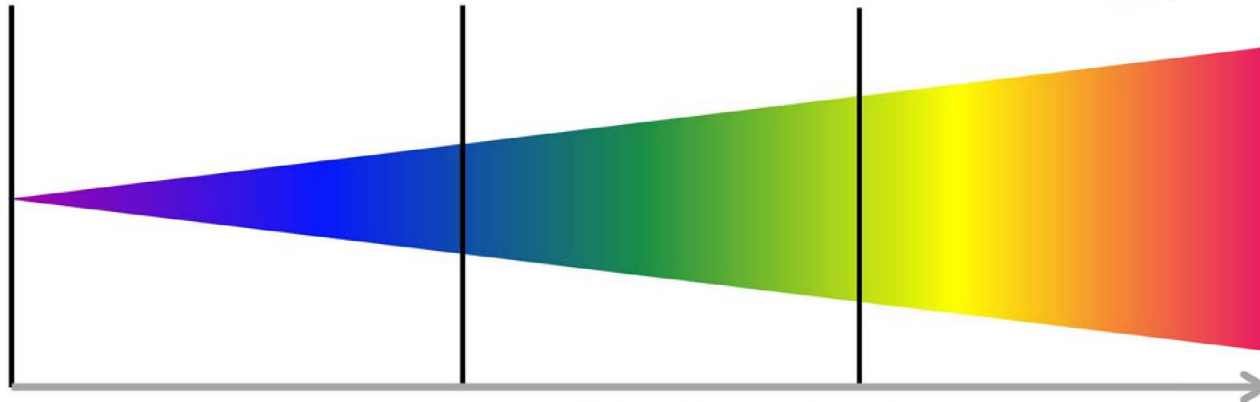
- Both ties that connect a person / organization to an NS ground
- Both based on evidence – known facts
- But indicators and articulable links are not in opposition to each other: They're both intervals on the same spectrum

No indicators /  
evidence / facts

An indicator  
or fact

Multiple indicators /  
"NS not confirmed"

Multiple strong  
indicators / Articulate  
Link / "NS Confirmed"



Increasing evidentiary standard

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## A Practical Example



### Consider the following:

*You come home from work one day, and...*

- There are tire marks in your driveway
- There are also muddy boot prints all over your front walk
- A window is broken in the yard next to your backdoor
- Your plasma TV is missing



## A Practical Example



### Another way of thinking about indicators:

*Consider an assembly line...*

- Each step in the process of building a car is small enough
- But by the time those little things add up, the end result is significant

*Indicators work the same way...*

- Each one by itself is small,
- but a bunch of them put together can add up to something big



# Indicators



**DISCLAIMER: NONE OF THESE INDICATORS BY THEMSELVES  
MEAN SOMEONE IS AN NS CONCERN**

**Examples of *possible* indicators:**  
(a non-exhaustive list)



**But: a sufficient amount of indicators (based on the totality  
of circumstances) may cause us to take a closer look via  
CARRP**



## Handout:

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# Application Exercise 4.2

## “Indicators”

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## Articulate Link



- An articulable link exists when:  
You can *describe ...*  
*in a few simple sentences ...*  
a *clear connection* between a *person ...*

and

an *activity* that threatens the safety and integrity of the United States or another nation.

- Cases with an articulable link to national security must be handled according to CARRP.

## Articulate Link (Continued)

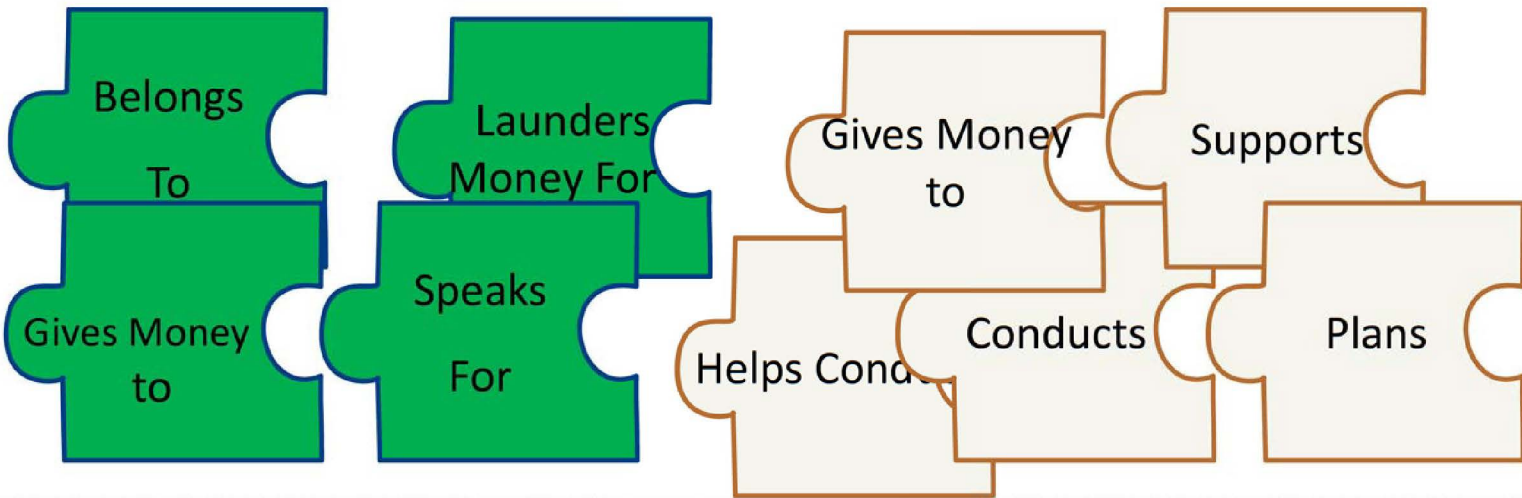


- A connection may be:



- An articulable link requires more than a “gut feeling.”
- The key is whether you can define the nature of the connection.
- **Caveat:** It is impossible to list all of the ways that an individual might have an “articulable link” to a national security concern. What follows are examples of how subjects can be linked.

# Putting the Pieces Together



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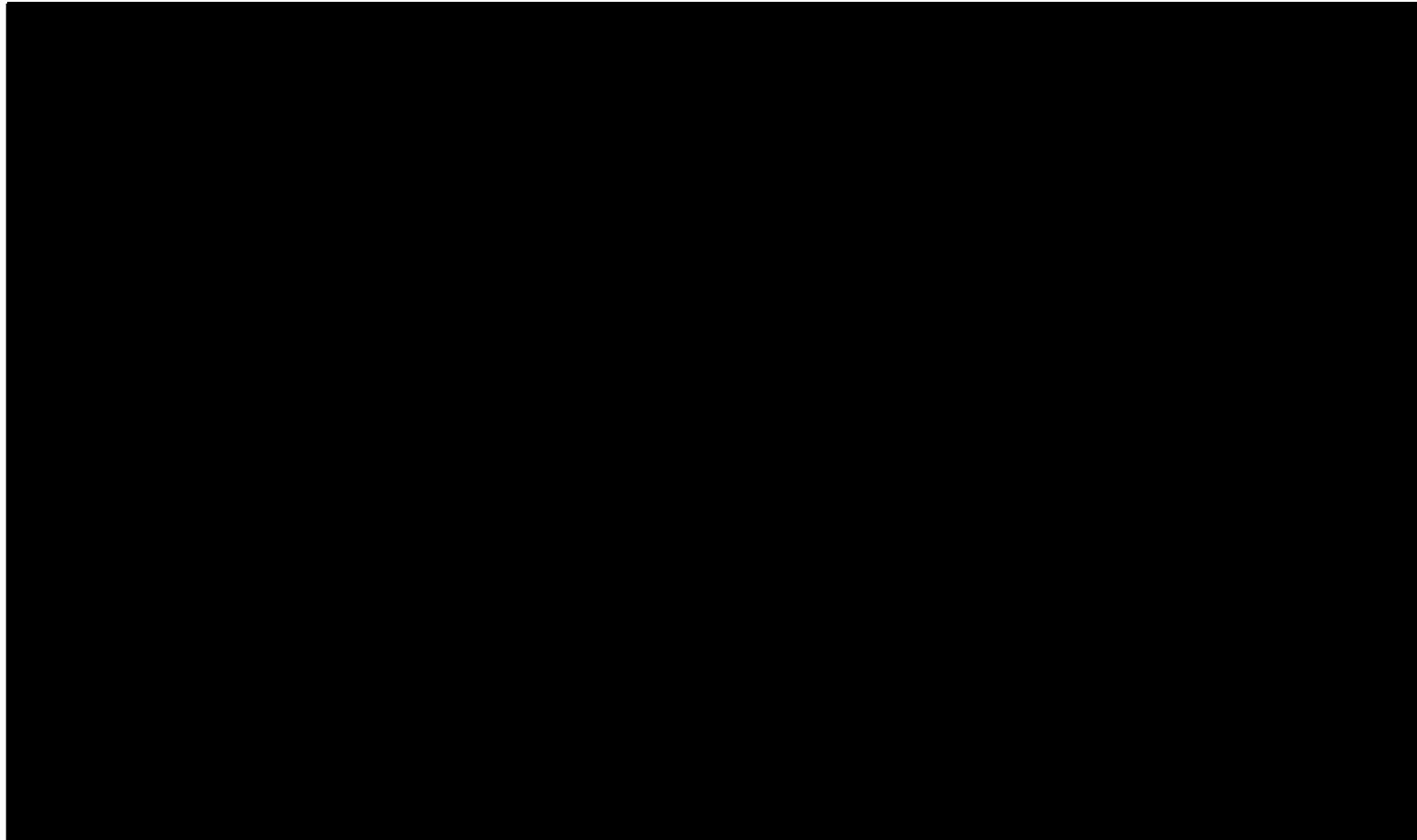
## Strong Direct Link



- The strongest link is apparent when the Subject is actively participating in those activities:
  - [REDACTED] LE [REDACTED]
- Here, you can draw a single, direct line between the Subject and the national security activity.



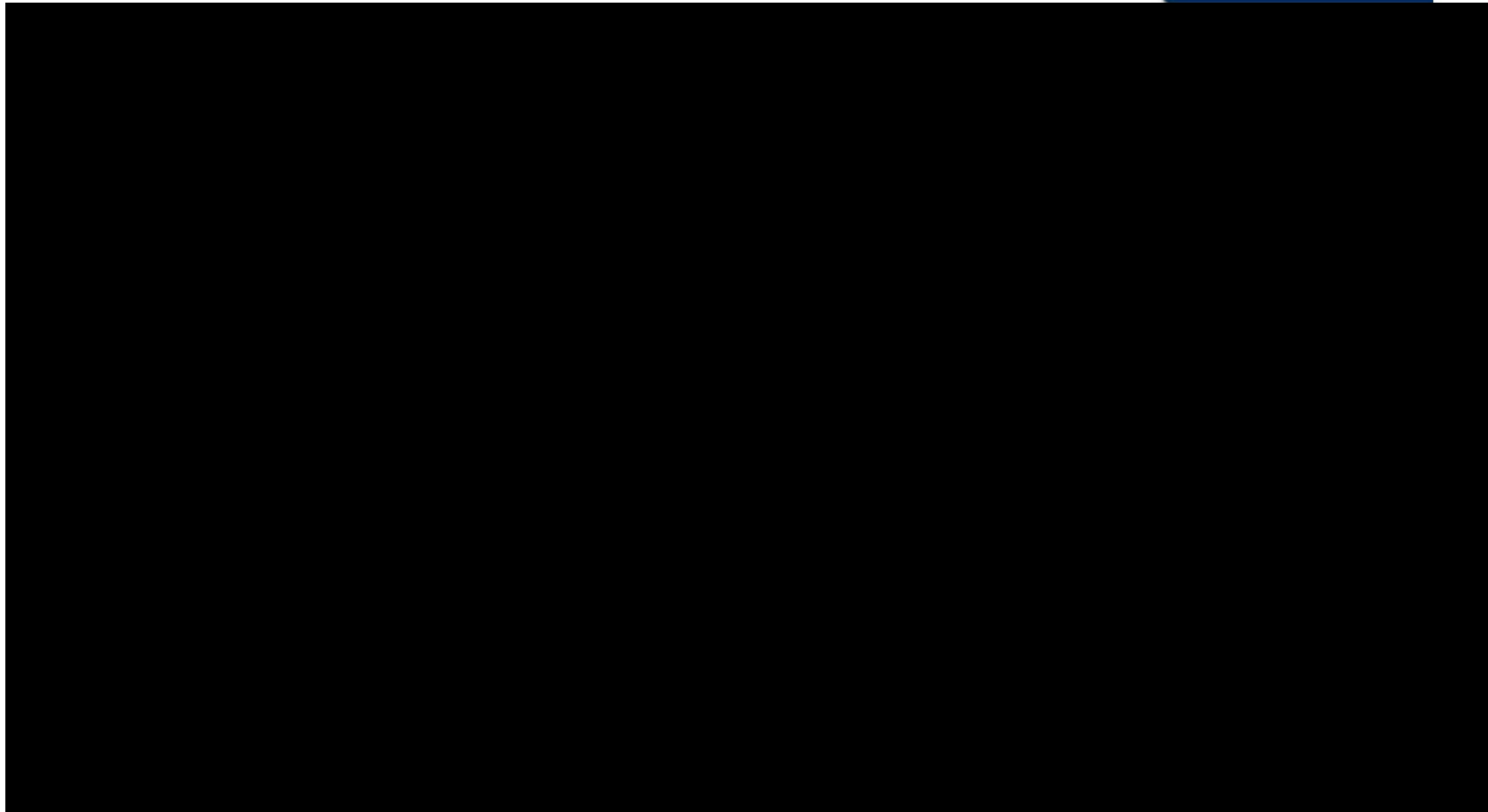
# Indirect Link



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# Indirect Link – Multiple Links



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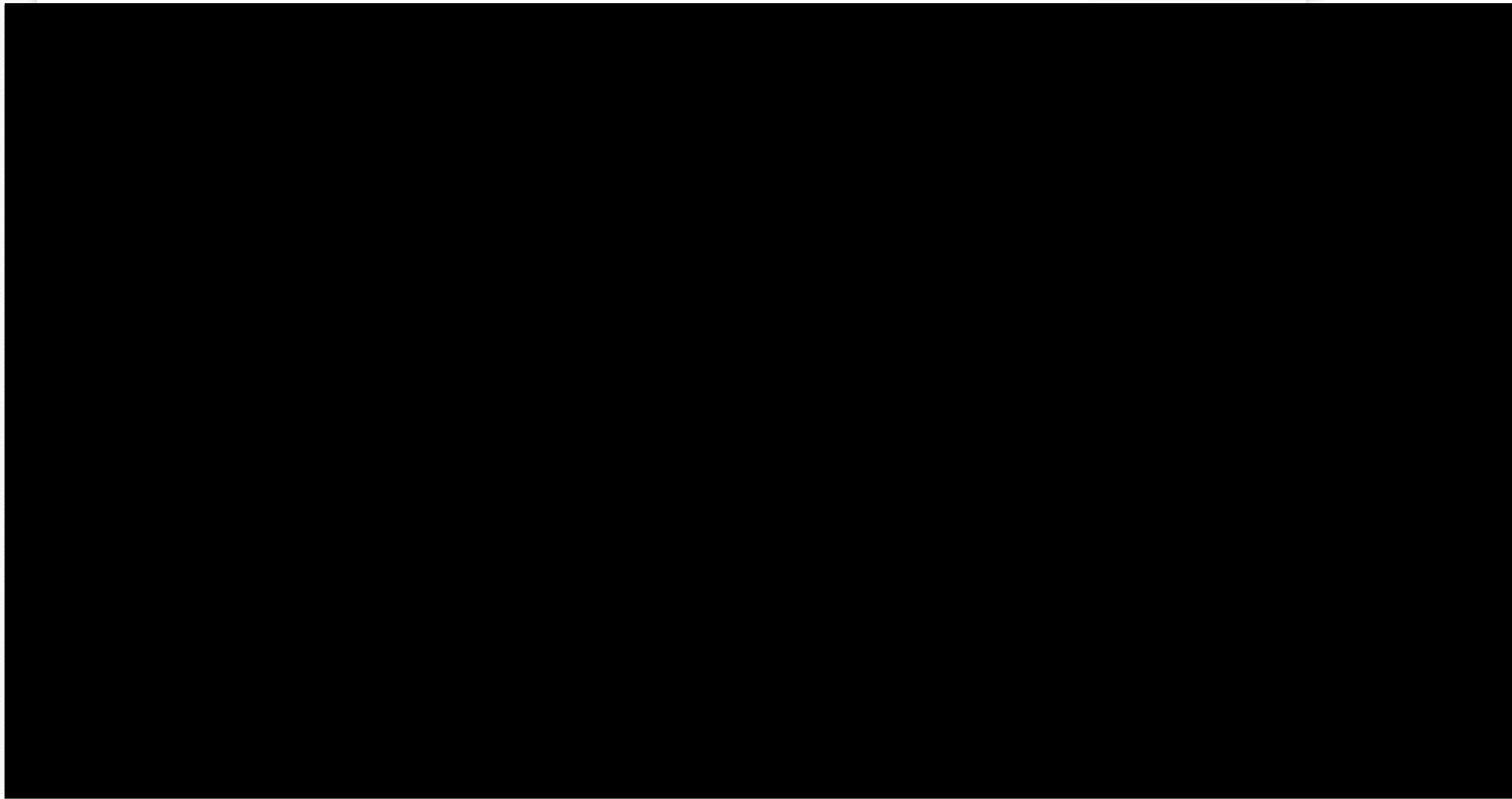
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# Links Requiring Further Work



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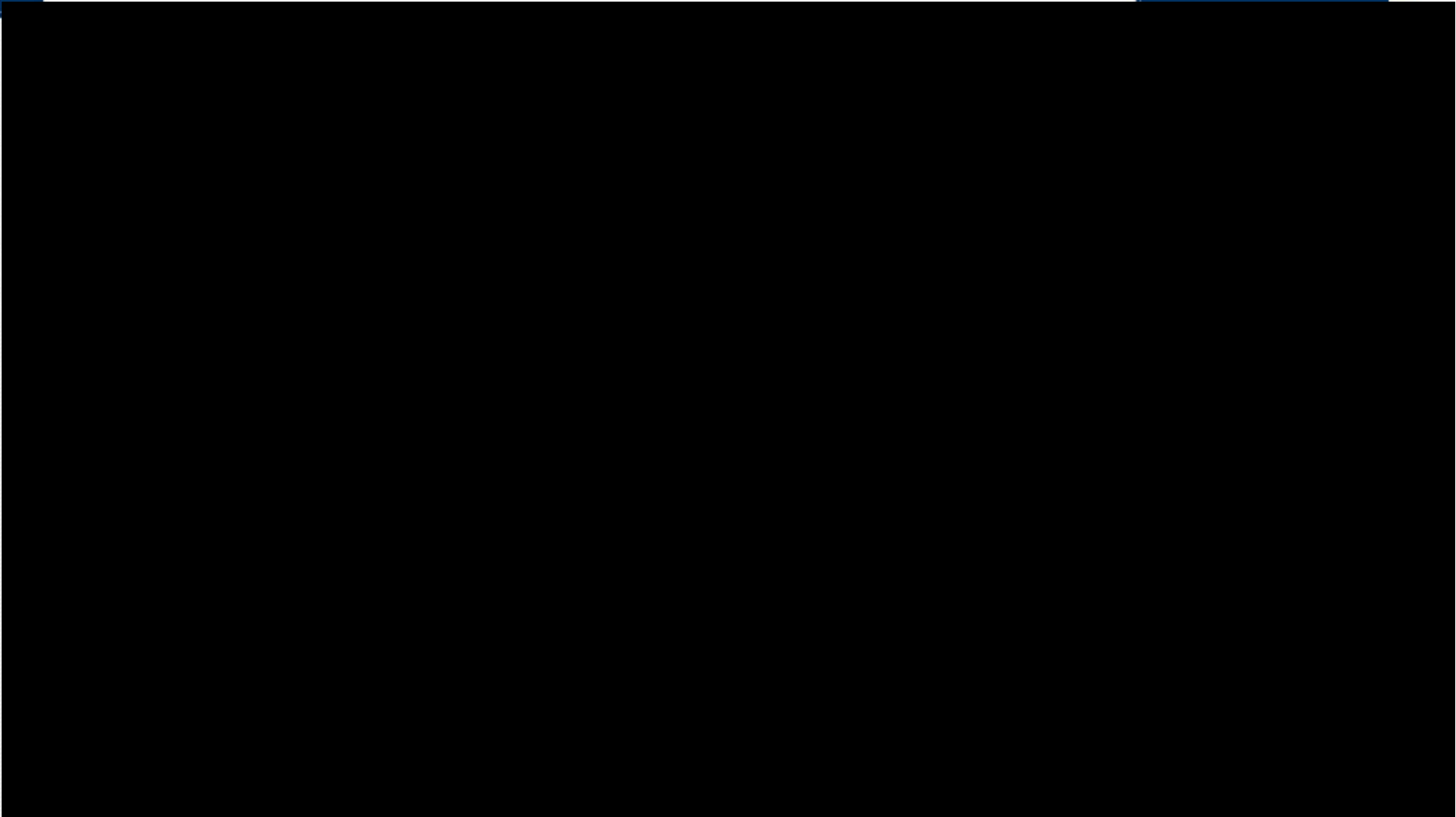


# No Articulate Link



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**Handout:**

**Structured Framework for Articulating**  
**Links to National Security**

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# Studies in National Security: Articulable Link Writing 101

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# Application Exercise 4.3

## “Articulable Link Writing”

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# Handout:

## DOS Country Reports on Terrorism

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# Evaluating NS Concerns



## Evaluating NS Concerns Recap:

- It's all about the facts – identifying concerns is about assessing the facts we know, regardless of where they came from, but...
- Facts come from a variety of sources – some of those sources are more reputable than others
- Some facts are also more derogatory than others (remember the idea of inference of culpability) – do the facts suggest that the subject of concern was knowingly or deliberately involved with one of our NS grounds?
- Identification is just the beginning – we can still resolve concerns after they're identified – identification just means that there is a potential concern that we need to carefully consider and thoroughly document

## Wrap-up: Evaluating NS Concerns



### Relying on Law Enforcement

- If a law enforcement or intelligence agency tells us that their investigation uncovers a threat to national security, we will consider that case a national security concern.
  - This concern could be NS Confirmed or NS Not Confirmed, depending on the specific information provided.
- The opposite, however, is not necessarily true: Even if another agency tells us that an individual does not threaten the national security, USCIS can still handle a case under CARRP.
  - If you identify an area of national security concern, and suspect that the applicant may be involved with it, USCIS may still be able to articulate a link.



## Wrap-up: Evaluating NS Concerns



U.S. Citizenship  
and Immigration  
Services

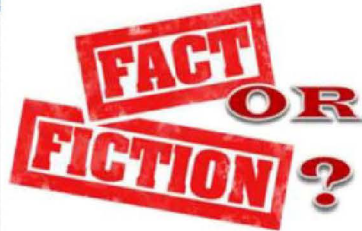
### Ongoing Review

- Many times, articulating a link (or determining that no link exists) cannot be accomplished purely from file review.
- This may require contact with another agency, or research in another system.
- As new information is received officers should review and determine whether or not the evidence supports an articulable link.
- Until a definitive judgment is reached about whether an articulable link exists, the case must remain open.

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# Stage 1 Recap



## Identifying NS concerns



All LE checks

Positive FBI Name checks are always an NS Concern

Individuals can be removed from the terrorist watchlist

If there is no articulable link to an NS concern, it's not a CARRP case

All LE records relate to terrorism



## Stage 1 Recap



### NS Determination Questions:

- Does derogatory information exist?
- Does the derogatory information relate to the subject?
- Is the derogatory information still applicable?
- Does the derogatory information relate to an NS ground from the INA?
- Are you familiar with all of the employers, addresses, institutions, people, etc. listed or discussed by the applicant?
- Does the evidence add up to a strong enough connection between person and NS ground?

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## Stage 1 Recap



U.S. Citizenship  
and Immigration  
Services

### Roles

- All RAIO FDNS and SVPI officers and field and service center ISOs are on the front lines!
- Identifying concerns → EVERYONE
- Confirming with TSC → FDNS IO (field and asylum offices)  
→ BCU CARRP ISO (service centers)
- Writing articulable links → CARRP ISOs, FDNS IOs, or AOs
- Concurring with articulable links → Supervisor or designated officer
- FDNS-DS entry → FDNS IOs, CARRP ISOs, SVPI ROs
- Who in your office reviews CARRP referrals and assigns CARRP cases?

## Stage 1: Identifying NS Concerns



- ✓ Use all available evidence to identify a potential NS concern.
- ✓ Differentiate between indicators and articulable link as the connection between an individual and an NS ground.
- ✓ Distinguish between KSTs and non-KSTs.
- ✓ Identify sources of information for KST and non-KST determinations.
- ✓ Understand the watchlisting process.

# Identifying NS Concerns



## Stage 1, Documenting an NS Concern Sub-status, process phases and Articulable Links in FDNS-DS

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# Documenting in FDNS-DS



## Changing Process Phase

LE

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# Documenting in FDNS-DS



## Concern Type: non-KST

LE

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# Documenting in FDNS-DS



Concern Type: non-KST

LE

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# Classified Information



## When Articulable Links are Classified

- Classified LHM's often raise NS concerns, but...
  - Classified information ≠ “NS Confirmed”
  - An articulable link is still required for selecting NS Confirmed
- To base an articulable link on classified information, both officers should write in the comment field of their recommendation:

*“Discussed case with Officer -----. An articulable link is present. The articulable link is based upon classified information in an LHM.”*

- You should still discuss the articulable link with a second officer!

**Never put classified information in FDNS-DS**



## Documenting in FDNS-DS



REMEMBER...

Recommendations get lonely,  
so they always come in pairs

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# Studies in National Security: FDNS-DS Data Integrity, Part I

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# Practical Exercise: CARRP Stage 1

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# U.S. Citizenship and Immigration Services