

EXHIBIT 3

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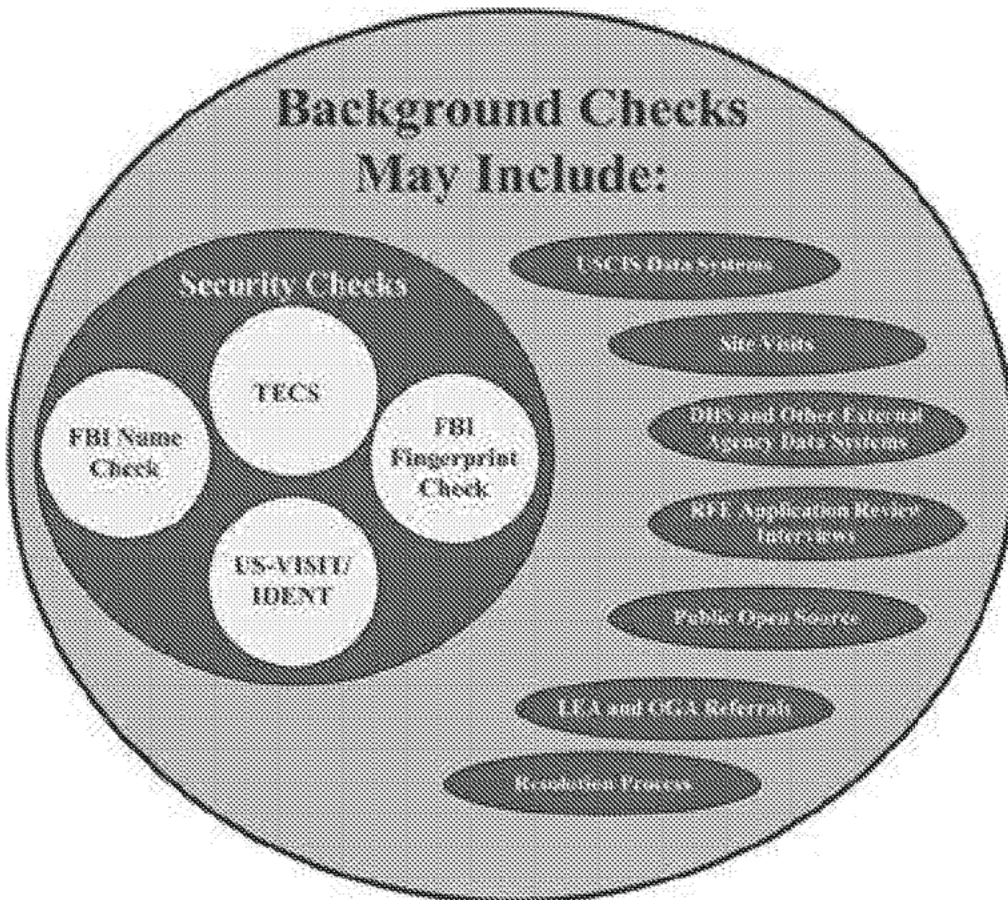
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USCIS Background Checks

(Source: USCIS policy, recent testimony, congressional get backs, etc.)

TALKING POINTS:

- Background checks are conducted on all individuals and organizations who seek an immigration benefit. As part of the background check, USCIS requires that specific security checks or a combination of checks are completed for each application or petition type. (NaBISCOP Sect. IV)
- “Background checks” refers to the analysis of the results of the security checks or any other identified concern relating to national security, fraud or public safety AND the actions required to resolve the concern.



- Specific checks or a combination of checks are required for each application or petition type, pursuant to each USCIS component’s procedures, and may consist of the following:

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- TECS;
 - FBI Name Check;
 - FBI Fingerprint Check;
 - United States-Visitor and Immigrant Status Indicator Technology (US - VISIT)/Automated Biometrics Identification System (IDENT);
- In addition to the above-mentioned security checks, USCIS may identify derogatory information regarding an individual or organization through other sources including but not limited to the following:
 - Information received from the public. This includes applications and petitions, supporting documentation, responses to Requests for Evidence, site visits, interviews, tip letters, or information from media, internet, magazines, newspapers, or radio.
 - Open Source information is used as lead only and never used as a basis for an adjudicative decision.
 - DHS and other federal agency data systems.
 - Referrals from Law Enforcement Agencies (LEAs) and Other Government Agencies (OGAs). Examples include local and state police departments, Federal Bureau of Investigation (FBI), Department of Justice (DOJ), Department of Agriculture (USDA), Department of Labor (DOL), DOS, etc.
 - Other U.S. Government fingerprint holdings.
- **Description of USCIS Background Checks**
 - **TECS**—The TECS (not an acronym) System is the updated and modified version of the former Treasury Enforcement Communications System.
 - TECS is owned and managed by DHS’s component CBP.
 - TECS is both
 - an information-sharing platform, which allows users to access different databases that may be maintained on the platform or accessed through the platform,
 - and a system of records that include temporary and permanent enforcement, inspection, and operational records relevant to the antiterrorism and law enforcement mission of numerous federal agencies.
 - TECS provides
 - a platform for interaction between law enforcement systems and defined TECS users, and,
 - also serves as a data repository to support law enforcement “lookouts,” border screening, and reporting for CBP’s primary

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and secondary inspection processes, which are generally referenced as TECS Records or Subject Records.

- **FBI Name Check**—The FBI’s National Name Check Program (NNCP) researches and disseminates information contained in the FBI’s files in response to FBI Name Check requests.
 - Search results may contain intelligence and criminal files that have been compiled for law enforcement purposes.
 - NNCP staff review and analyze potential identifiable documents to determine whether a specific individual has been the subject of or been mentioned in any FBI investigation(s), and if so, whether relevant information, if any, may be disseminated to USCIS.
 - The records are searched to determine whether an individual has a record that might have an impact on the individual’s eligibility for the immigration benefit sought.
 - Applicable information found in the FBI’s Name Check search will be returned as Letterhead Memorandums (LHMs).

- **FBI Fingerprint Check**—The FBI Fingerprint Check provides summary information of an individual’s administrative or criminal record within the United States.
 - USCIS ASCs capture fingerprints for required individuals seeking immigration benefits.
 - The FBI Fingerprint Check is conducted through the Integrated Automated Fingerprint Identification System (IAFIS), which is a national fingerprint and criminal history system maintained by the FBI.
 - State, local, and federal law enforcement agencies submit fingerprints and corresponding administrative or criminal history information to the IAFIS. Participation by state and local agencies is not mandatory, so the FBI Fingerprint check does not contain records from every jurisdiction. The information contained in the record is obtained using prior fingerprint submissions to the FBI related to arrests and, in some instances, federal employment, naturalization, or military service.

- **USVISIT-IDENT**—The Automated Biometric Identification System (IDENT) is the central DHS-wide system for storage and processing of biometric and associated biographic information for national security; law enforcement; immigration and border management; intelligence; background investigations

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for national security positions and certain positions of public trust; and associated testing, training, management reporting, planning and analysis, or other administrative uses.

▪ **IDENT:**

- Checks a person's biometrics against the IDENT watchlist of known or suspected terrorists (KST), criminals, and immigration violators;
- Checks a person's biometrics against the entire database of fingerprints to help determine if a person is using an alias and/or attempting to use fraudulent identification; and
- Checks a person's biometrics against those associated with the identification document presented to help ensure that the document belongs to the person presenting it and not someone else.

WATCH OUT FOR/IF ASKED

- **Question:** What is CARRP? Controlled Application Review and Resolution Program (CARRP)
 - **Response:** The CARRP process is a disciplined approach for identifying, recording, and adjudicating applications and petitions where National Security concerns are identified. As part of their thorough review of every case, USCIS conducts national security and criminal background clearance checks on petitioners and applicants who seek immigrant benefits. Final decisions whether to grant or deny a petition or application are made exclusively by USCIS.
- **Question:** The ACLU of Southern California has reported that USCIS uses its CARRP program to routinely flag and delay naturalization applications for Arab and Muslim applicants and those from the Middle East and Southeast Asia. What will you do to curb those delays?
 - **Response:** USCIS never uses religion, country of origin, or ethnicity to identify potential national security concerns for the CARRP program. The vast majority of CARRP cases are identified either through open law enforcement investigations or indicators identified through intelligence community reporting. USCIS works to ensure that all applications for naturalization are treated fairly and in a timely manner appropriate for each case.

BACKGROUND

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- Background Check result “hits” are processed via the National Background, Identity, and Security Check Operating Procedures Handbook (NaBISCOP).
- The NaBISCOP incorporates all current USCIS policies and procedures related to USCIS background and security checks. As those policies and procedures change, the NaBISCOP is updated to reflect the changes.
- USCIS employees and offices are not authorized to revise, supplement, disregard or deviate from these procedures.

U.S. Citizenship and Immigration Services FBI Name Checks FBI Fingerprint Checks Fiscal Years 2014 through 2015 (January)					
FISCAL YEAR	MONTH	FBI Name Checks		FBI Fingerprint Checks	
		Individual	Total	Individual	Total
2014	October				
	November				
	December				
	January				
	February				
	March				
	April				
	May				
	June				
	July				
	August				
	September				
2014 Total					
2015	October				
	November				
	December				
	January				
2015 Total					

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