

EXHIBIT 6

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Controlled Application Review and Resolution Program (CARRP)



CARRP Overview Lecture

National Security and Public Safety Division

Updated December 2017

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- Author: HQ FDNS National Security and Public Safety Division (NSPSD)
- Date of last revision: December 2017
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Module 3: CARRP Overview



- Build a common vocabulary for discussing CARRP cases.
- Understand USCIS policies impacting CARRP cases.
- Learn the four phases of the CARRP process.
- Characterize the discrete elements of an NS concern.
- Understand FDNS DS documentation requirements for CARRP cases.
- Distinguish CARRP from other USCIS policies.
- Discuss what CARRP is not.
- Be able to have a deconfliction conversation.



Application Exercise 3.1

“Vocabulary Bingo”

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Identify Terms of Reference



CARRP Terms (Volume I):

- Controlled Application Review and Resolution Program (CARRP).
- National Security (NS) Concern.
- Known or Suspected Terrorist (KST).
- Non-Known or Suspected Terrorist (Non-KST).
- Non-KST NS Confirmed.
- Non-KST NS Not Confirmed.

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CARRP Terms, Vol. I



CARRP: Controlled Application Review and Resolution Program

- The USCIS policy for identifying and processing cases with potential national security (NS) concerns.



CARRP Terms, Vol. I



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 CARRP policy.

CARRP Terms, Vol. I



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

**National Security Concern
Handled under CARRP**

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National Security Grounds



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, or any other kind of criminal behavior that endangers the National Security of the U.S.	
Overthrowing the U.S. government by force or violence	§212(a)(3)(B), and §237(a)(4)(B)
Hijacking or sabotaging transportation	
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)	§212(a)(3)(B), (a)(3)(F), and §237(a)(4)(B)
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.	

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Application Exercise 3.2

“Open Source Fact Patterns”

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CARRP Terms, Vol. I



Known or Suspected Terrorist (KST):

- KST is a category of individuals who have been nominated and accepted for placement in the Terrorist Screening Database (TSDB) – this is the terrorist watchlist
- AND have a specially coded lookout posted in the TECS and/or the Consular Lookout Automated Support System (CLASS), as used by the Department of State.

CARRP Terms, Vol. I



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

- Is 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 category may also pose a serious threat to national security.

CARRP Terms, Vol. I



Non-KST NS Concern - Confirmed

- There is a nexus to a national security ground, and a clear link exists between the individual or organization and the national security ground
- Articulate Link = NS Confirmed



CARRP Terms, Vol. I

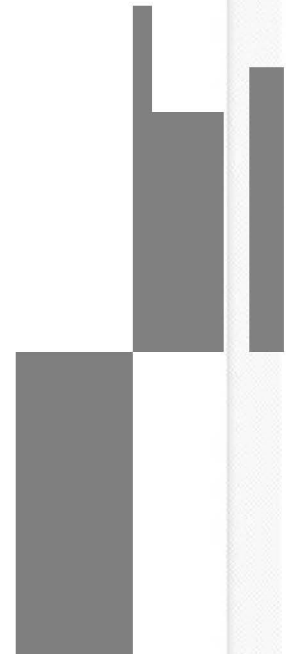
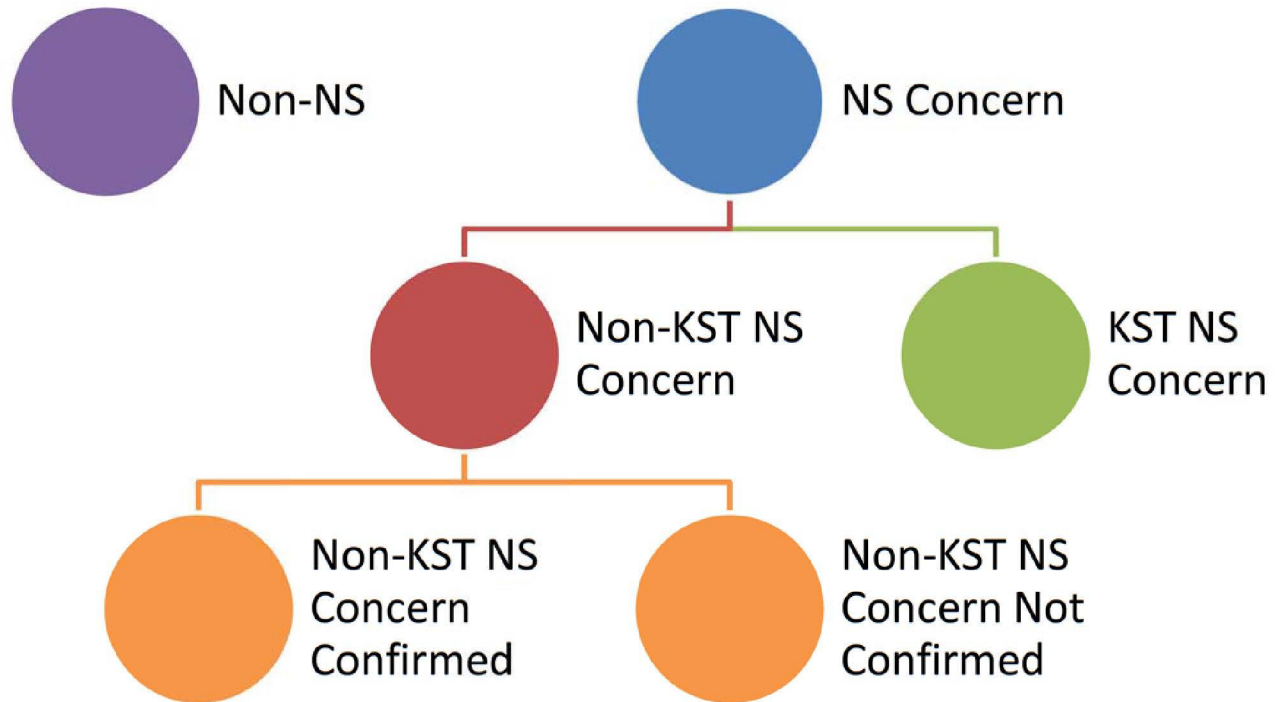


Non-KST NS Concern – Not Confirmed

- There is a nexus to a national security ground, but there is not a clear link between the individual or organization and the national security ground
- Indicators of connection = NS Not Confirmed



CARRP Terms, Vol. I



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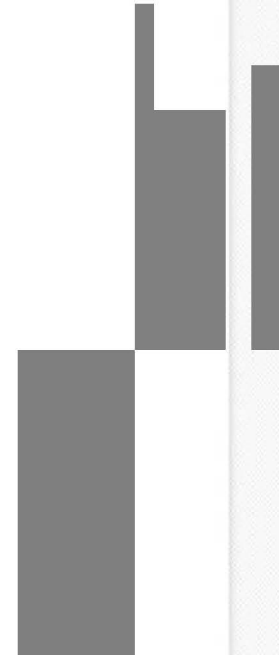
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Identify Terms of Reference



CARRP Terms (Volume II):

- Screening
- Systems Checks
- Security Checks
- Vetting
- Deconfliction
- Designated Officer



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CARRP Terms, Vol. II



Screening

- Systematic examination or assessment, done especially to detect a potential threat or risk.
- May include background checks based on biographic or biometric information.
- May also include physical searches or examinations.

CARRP Terms, Vol. II



Systems Checks

- A query of any system of record to determine if the system holds information related to the subject.
- Can include:
 - CLAIMS 3
 - CIS
 - FDNS-DS
 - TECS

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CARRP Terms, Vol. II



Security Checks

- A type of systems check using a system that may contain security related information.
- Security checks may include:
 - FBI Fingerprint Check or Name Check
 - TECS / NCIC
 - Automated Biometrics Identification System (IDENT)

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CARRP Terms, Vol. II



Vetting

- A review of all the information uncovered about an individual.
- Sources of information can include:
 - Systems checks
 - Interviews
 - Open source information
 - Conversations with record owners
- You can vet an individual or a discrete piece of information

CARRP Terms, Vol. II



Deconfliction

- The coordination between USCIS and other governmental agencies who own NS information (record owners).
- The goal is to ensure that planned adjudicative activities do not compromise or impede an ongoing investigation or other record owner interest.

CARRP Terms, Vol. II



Designated Officer

- An officer identified by local management to be trained, competent and knowledgeable in CARRP procedures.
- “Designated officers” may be:
 - Fraud Detection and National Security - Immigration Officer (FDNS-IO);
 - CARRP trained Immigration Services Officer (CARRP-ISO);
 - Supervisory Immigration Services Officer (SISO);
 - FDNS-Supervisory Immigration Officer (FDNS-SIO);
 - Field Office Director (FOD); or,
 - CARRP trained Refugee and Asylum Officers.

Identify Terms of Reference



CARRP Terms (Volume III):

- Indicator
- Confirm [with Terrorist Screening Center]
- Resolved
- U.S. Person (USP)
- NS CME
- POAF



CARRP Terms, Vol. III



Indicator

Synonymous with “fact” or “evidence”

- e.g. “We have indicators of a potential NS concern” can also be stated “we have evidence of a potential NS concern.”
- e.g. indicator in the sentence “Travel pattern is one potential indicator that could be used to identify a concern” could be replaced by fact to read “Travel pattern is one potential fact that could be used to identify a concern.”

CARRP Terms, Vol. III



Confirm [with TSC]

Synonymous with “verify”

- e.g. “When encountering a [REDACTED] LE record, you must contact the TSC to confirm the record” is the same as “When encountering a [REDACTED] LE record, you must contact the TSC to verify that the individual is a match to the database.”

CARRP Terms, Vol. III



Resolved

Synonymous with “overcome”

- e.g. “We resolved the NS concern” is clearer when you think of it as “We overcame the NS concern.”
- e.g. “This non-KST was closed as resolved” can be restated as “The facts underlying the initial non-KST determination were overcome by new evidence acquired during vetting. The individual is no longer a non-KST.”

CARRP Terms, Vol. III

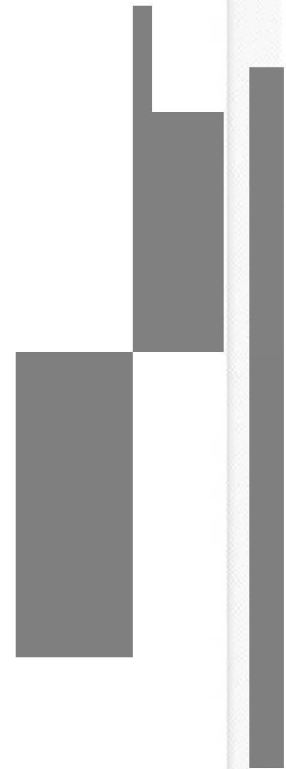


U.S. Person (USP) § 120.15 U.S. person.

- *U.S. person* means a person who is a U.S. citizen, lawful permanent resident or who is a protected individual as defined by U.S.C. 1324b(a)(3). It also means a U.S. corporation or business entity.
- LPR and USC terminology is utilized differently in parts of the U.S. government.
- So... if you are contacted and asked if someone is a USP and (the requestor has a need to know), provide the immigration status only, and leave the USP determination to the requesting entity.



A look At the Evolution of CARRP POLICY



CARRP Policy



- *“Policy for Vetting and Adjudicating Cases with National Security Concerns,”* Signed April 11, 2008
 - Established KST vs. Non-KST categories
 - Decentralized non-KST processing to the field
 - Defined CARRP terms (“deconfliction,” “external vetting,” etc.)
 - Described the 4 stages of CARRP
- *“Clarification and Delineation of Vetting and Adjudication Responsibilities for Controlled Application Review and Resolution Program (CARRP) Cases in Domestic Field Offices,”* Signed June 5, 2009
 - Identified the roles of “designated officers” in CARRP
 - Outlined the actions and FDNS-DS documentation responsibilities within each role

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CARRP Policy



- “Revision of Responsibilities for CARRP Cases Involving Known or Suspected Terrorists,” Signed July 26, 2011
 - Revised the 2008 memo to allow the field to perform external vetting of KST cases without a requirement to consult HQ FDNS
- “Updated Instructions for Handling [REDACTED] LE [REDACTED] Records,” Signed May 23, 2012
 - [REDACTED] LE [REDACTED]
 - [REDACTED]
 - [REDACTED]
- “Policy for Treatment of Certain Cases Related to Alien Entrepreneurs Involving National Security (NS) Concerns,” Signed May 8, 2012
 - [REDACTED] LE [REDACTED]

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CARRP Policy



Trends in CARRP Policy: 2008 - Present

- Discussion: Which forms are subject to CARRP?
 - EB5 forms were specifically included in 2012, but other forms types are still unclear. ALL FORMS ARE SUBJECT TO CARRP (at least stage 1).
 - CARRP should apply equally to all types of work in all directorates
- Myth: Are KSTs inherently “riskier” than non-KST NS Concerns?
 - Current policy requires D2 concurrence to approve a KST, but only local senior official concurrence to approve a non-KST
 - Greater experience in watchlisting policy suggests that some non-KSTs are every bit as important to identify and work
 - There is no such thing as “CARRP Lite”

CARRP Policy

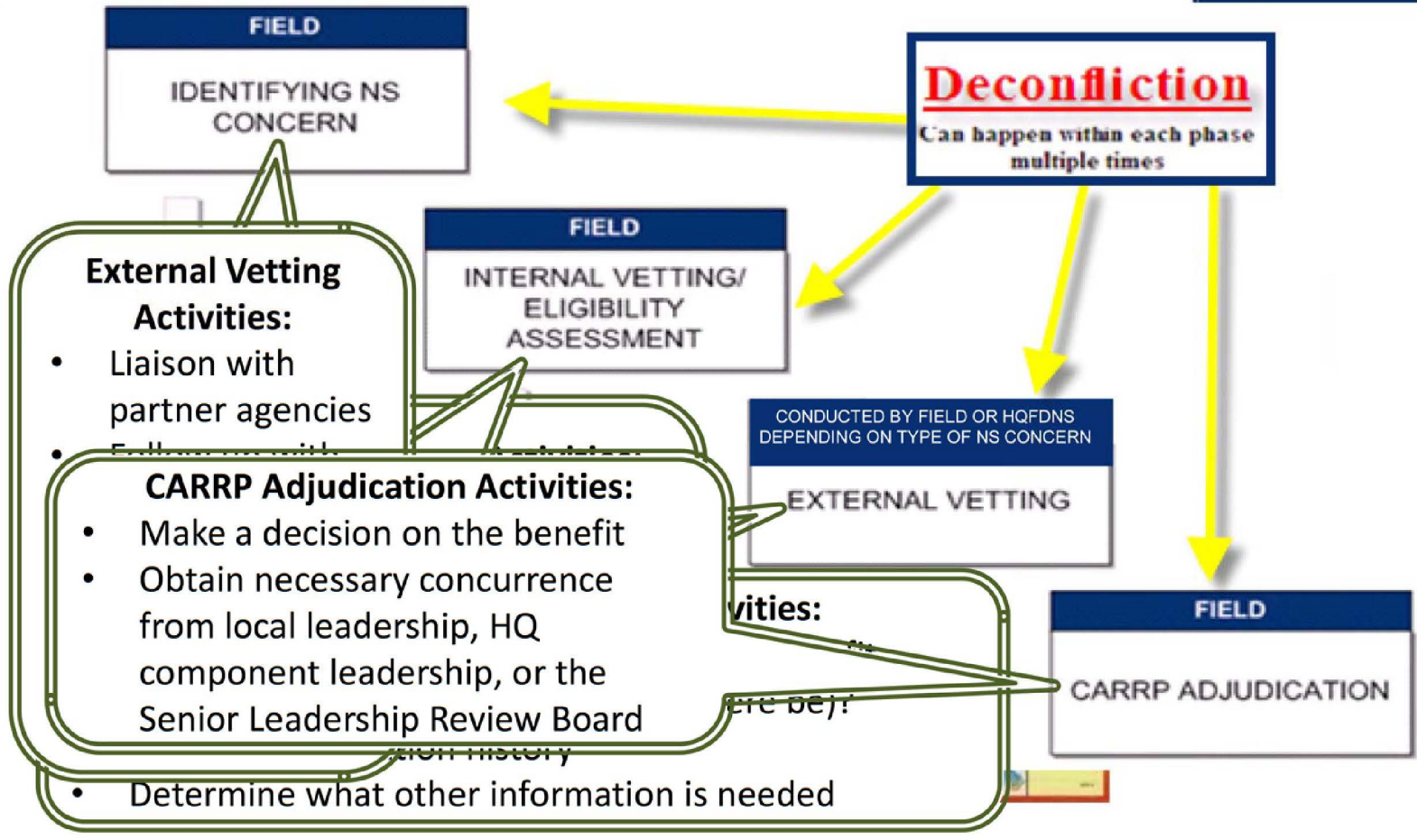


Trends in CARRP Policy: 2008 - Present

- Decentralization
 - Shift towards greater resources being devoted to officers working cases in the field
 - First non-KST work decentralized away from HQ in 2008, then KST work followed in 2011
- Flexibility & Clarity vs. Uniformity
 - Future policy will need to consolidate previous memorandum
 - Going forward, CARRP must promote component guidance to address specific operational issues in each directorate
 - Future policy must also increase clarity while allowing CARRP to remain flexible and responsive



CARRP Process: The 4 Stages



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Actions, Roles & FDNS-DS

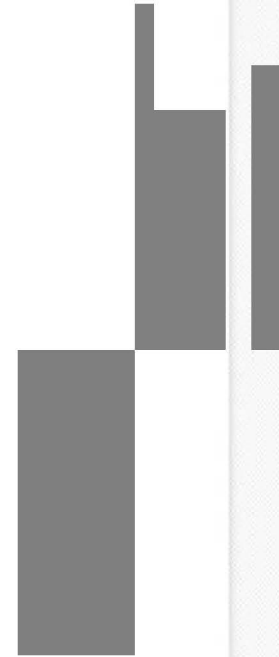
For every CARRP stage, consider:

- **WHAT** is being done?
i.e., vetting, adjudication, eligibility
- **WHO** is doing it?
i.e., CARRP ISO, FDNS IO, Asylum Officer, Field Office Director
- **HOW** is it being documented?
i.e., Activities Tab, Special Actions Tab, Deconflictions Tab



Application Exercise 3.7

“CARRP Process Timeline”



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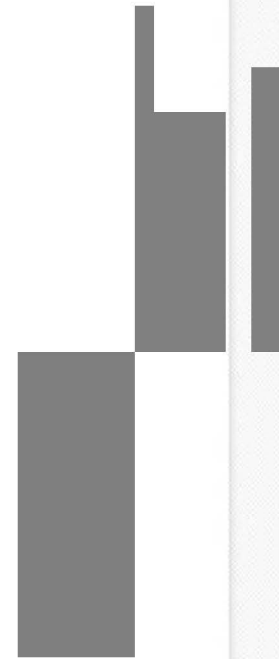
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Core Concepts



Core Concepts Outline:

- Benefits of CARRP
- TRIG and CARRP
- How CARRP ends
- Deconfliction
- FDNS-DS
- What CARRP is not



Core Concept: Benefits of CARRP



Two Major Benefits to CARRP:

#1 – It provides additional resources to work a national security case

#2 – It results in highly detailed, consistent documentation

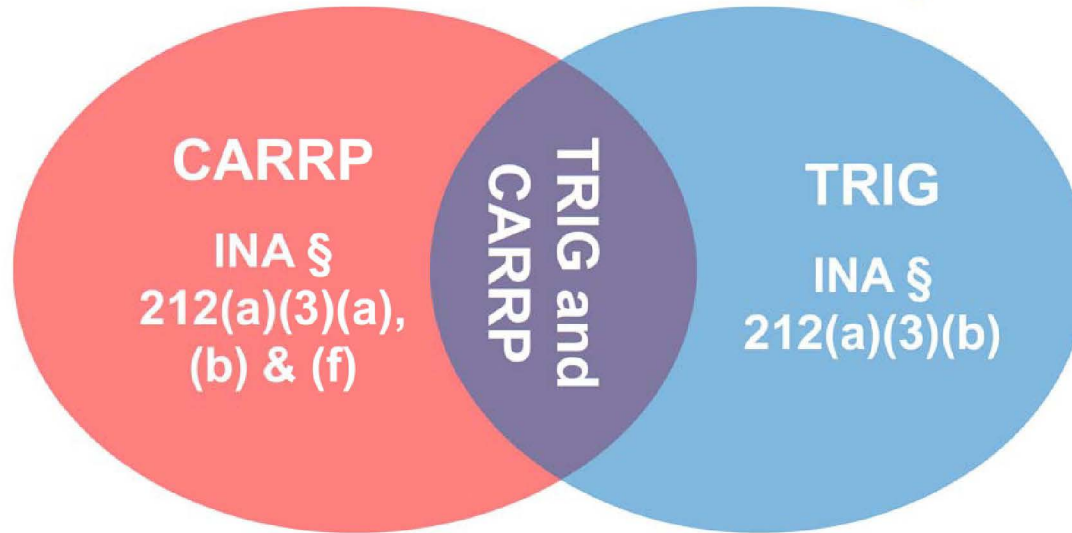
Studies in National Security:



Core Concept: CARRP and TRIG



TRIG is an inadmissibility



CARRP is a national security process

CARRP and TRIG overlap in certain INA grounds, but differ in what constitutes a “connection”

Core Concept: CARRP and TRIG



Vetting can ride together when a TRIG exemption is being considered:



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Core Concept: How CARRP Ends

CARRP with a defined end = A two part process of inquiry

1. Is the NS concern **Resolved** or **Unresolved** ?
2. Is the case eligible to be approved/granted or denied/referred?

		Adjudicative Decision	
		Eligible for benefit	Ineligible for benefit
National Security Issue	NS Concern Resolved	Approval of benefit	Denial of benefit
	NS Concern Unresolved	Requires senior official or SLRB concurrence	Denial of benefit

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Core Concept: What CARRP Is Not



“covert agency program”

“potentially endless delays”

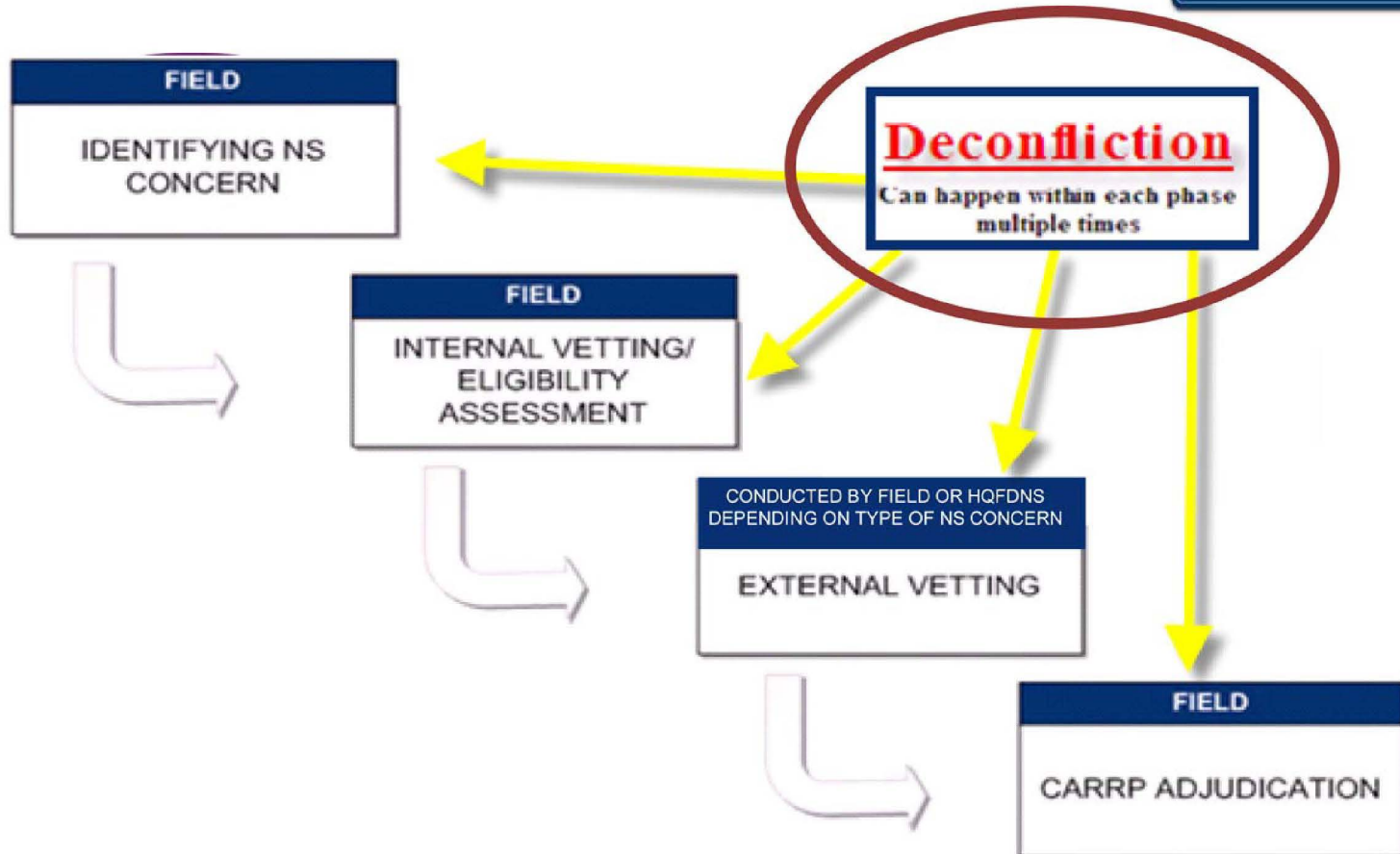
“a civil rights violation”

“Immigration authorities are instructed to follow the FBI direction as to whether deny, approve or hold in abeyance”

“Recruitment tool for the FBI”

“AUTOMATIC DESIGNATION EVEN FOR ROUTINE TRAVEL SUCH AS A FAMILY VISIT”

Core Concept: Deconfliction



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Core Concept: Deconfliction



- What is deconfliction?
 - An outward-facing process for sharing what USCIS knows
 - A **conversation** between USCIS and an owner of NS information.
 - **Coordination** between two agencies of the USG.
 - An opportunity to **educate** about USCIS.
- When do you deconflict?
 - During any stage of CARRP.
 - In response to a variety of case activities:
 - Prior to issuing an RFE or NOID.
 - Prior to conducting a site visit or interview.
 - Prior to a decision on the case (approval OR denial).
 - If USCIS receives additional information from other sources.

Core Concept: Deconfliction



- Who are you deconflicting with?
 - External law enforcement partners
 - Record owners
 - Case agents
- Why deconflict?
 - Ensure that record owner is aware that the individual has a benefit pending with USCIS.
 - Ensure that planned adjudicative activities do not compromise or impede an ongoing investigation or other record owner interest.

Core Concept: Deconfliction



- Where can you perform deconfliction?
 - Unclassified phone / email
 - Classified phone / email
 - In person, including JTTF

- How do law enforcement agencies benefit from deconfliction?
 - Deconfliction does not only help USCIS.
 - Benefits to other agencies may include:
 - Information from A-files
 - Ability to submit interview questions (must be pertinent to the benefit application)
 - Requests for evidence
 - Abeyance

Core Concept: Deconfliction



- X** Deconfliction **is not** USCIS asking permission to do something
- X** Deconfliction **is not** USCIS seeking concurrence with our decisions
- X** Deconfliction **is not** an opportunity for LEAs to critique USCIS adjudications
- X** Deconfliction **is not** asking what an LEA thinks about our activities

The Deconfliction Conversation



Step 1: Introduce yourself and your agency.

Step 2: Provide the record owner with the case number, TECS ID number, or any other identifying information you have regarding their case.

Step 3: Find out whether case is still open.

Step 4: Indicate what applications or petitions the subject has pending with USCIS.

Step 5: Indicate what possible action you are going to take with the case.

Step 6: *Ask whether action will impede their investigation.*

Deconfliction Sample 1



SA Johnson,

LE

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Deconfliction Sample 2



Dear SA Smith,

LE

Thank you,

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Deconfliction Sample 3



Record owner,

LE

Thank you,

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FDNS-DS

Documenting A CARRP Case

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Documenting NS Concerns



**For every action in CARRP,
there is an equal and corresponding
documentation in FDNS-DS.**

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Documenting NS Concerns



LE



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Documenting NS Concerns



NS Concerns CME

- CME = Case Management Entity
- A CME is the creation of a record in DS
- “NS Concerns” is one of the six categories of CME’s in FDNS DS
- An NS CME is the starting point for documenting all NS concerns in FDNS-DS
- The NS CME is a person centric outline of your CARRP case

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Documenting NS Concerns



FDNS-DS Screen Tabs

- [REDACTED]
- [REDACTED]
- [REDACTED]

LE

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Documenting NS Concerns



The NS Concerns Tab

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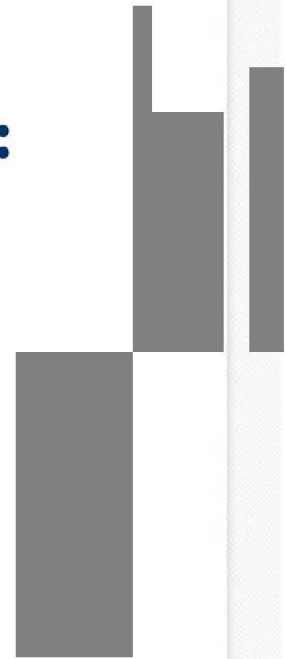
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Documenting NS Concerns



NS Concern CME Naming Convention:

- NS – Janice SMITH
- NS – Jim OCONNOR
- NS – Ahmed AL RAIMY
- NS – Jorge RAMOS RIVERA



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Documenting NS Concerns



Building a CME:

LE

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Handout:
Cheat-Sheet for Creating
a new NS CME

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Core Concept: FDNS-DS



Entering Deconfliction:

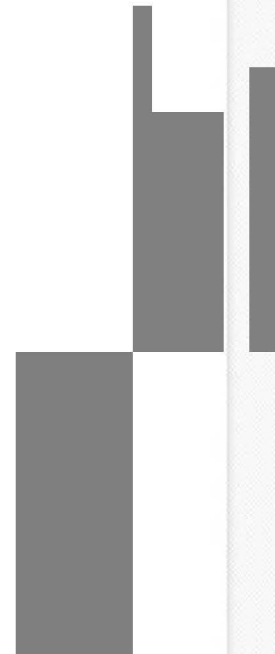
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Application Exercise 3.8 “Deconfliction Sub-Tab”



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Module 3 Wrap-up



Module Goals

- ✓ Building a common vocabulary for discussing CARRP cases.
- ✓ Understanding USCIS policy for handling CARRP cases.
- ✓ Identification of the personnel involved in the CARRP process.
- ✓ Learning about the four phases of the CARRP process.
- ✓ Characterizing the discreet elements of an NS concern.
- ✓ Having a deconfliction conversation.

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Caution sign: http://1.bp.blogspot.com/-A_6ioAaQMm4/Tp5CO7UFRmI/AAAAAAAAEnQ/J1lba9RPLZ8/s1600/24-x-24-caution-street-traffic-highway-road-sign-pics_image.jpg
Yellow Traffic signal: <http://www.deniseroadwatch.com/TrafficLight3YELLOW.gif>
- Slide 49 Chutes and Ladders Board Image: <http://www.cynical-c.com/archives2/bloggraphics/chutesladders.jpg>
- Slide 70 “Success” Image: <https://automofa.files.wordpress.com/2011/02/increasing-success-photo.jpg>

Attribution of Quotes



On slide 57, all quotes are from the following three sources:

1. Yesenia Amaro, "Little-known law stops some Muslims from obtaining US citizenship," *Las Vegas Review Journal*, April 16, 2016, <http://www.reviewjournal.com/news/little-known-law-stops-some-muslims-obtaining-us-citizenship>.
2. Talal Ansari and Siraj Dato, "Welcome to America – Now Spy on Your Friends," *BuzzFeed News*, Jan. 28, 2016, <http://www.buzzfeed.com/talalansari/welcome-to-america-now-spy-on-your-friends#.bbpxAJBZq>.
3. Pasquarella , Jennie. 2013. *Muslims Need Not Apply: How USCIS Secretly Mandates the Discriminatory Delay and Denial of Citizenship and Immigration Benefits to Aspiring Americans*. American Civil Liberties Union of Southern California.



U.S. Citizenship and Immigration Services