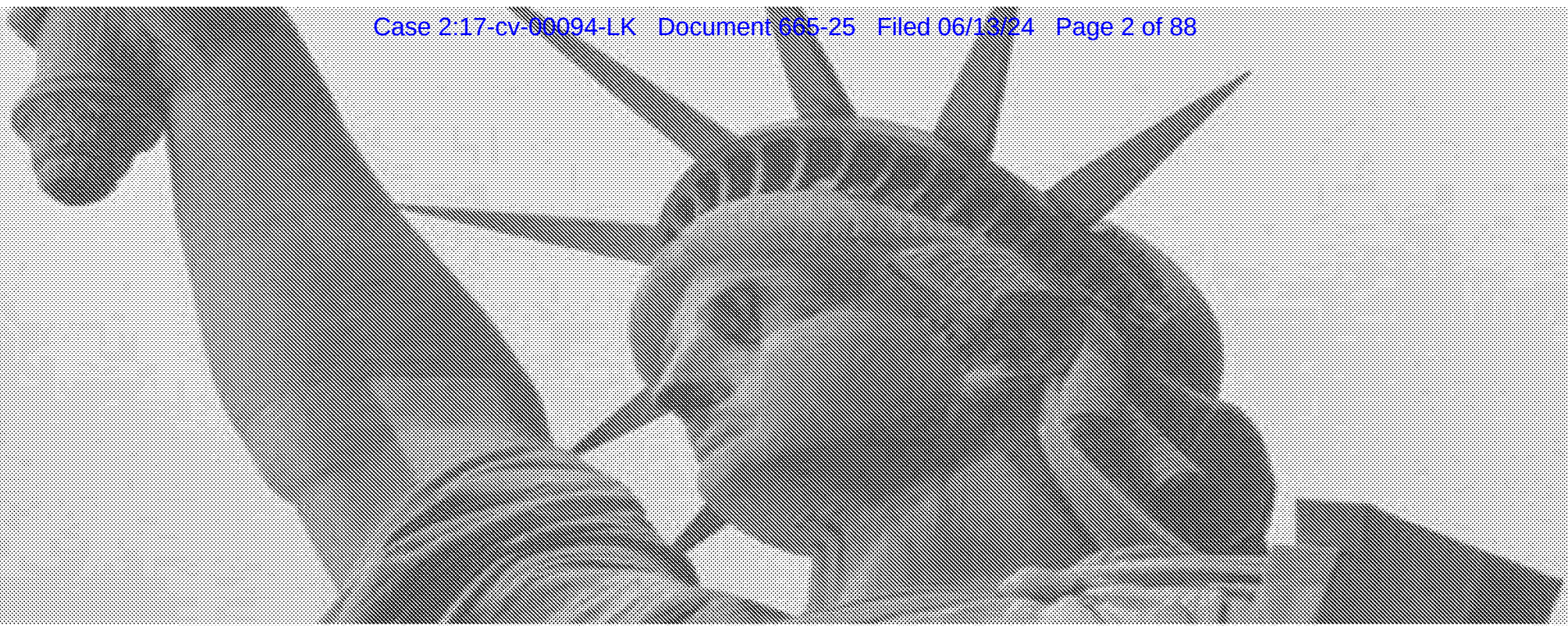


EXHIBIT 50
FILED UNDER SEAL



CARRP

Identification of an NS Concern



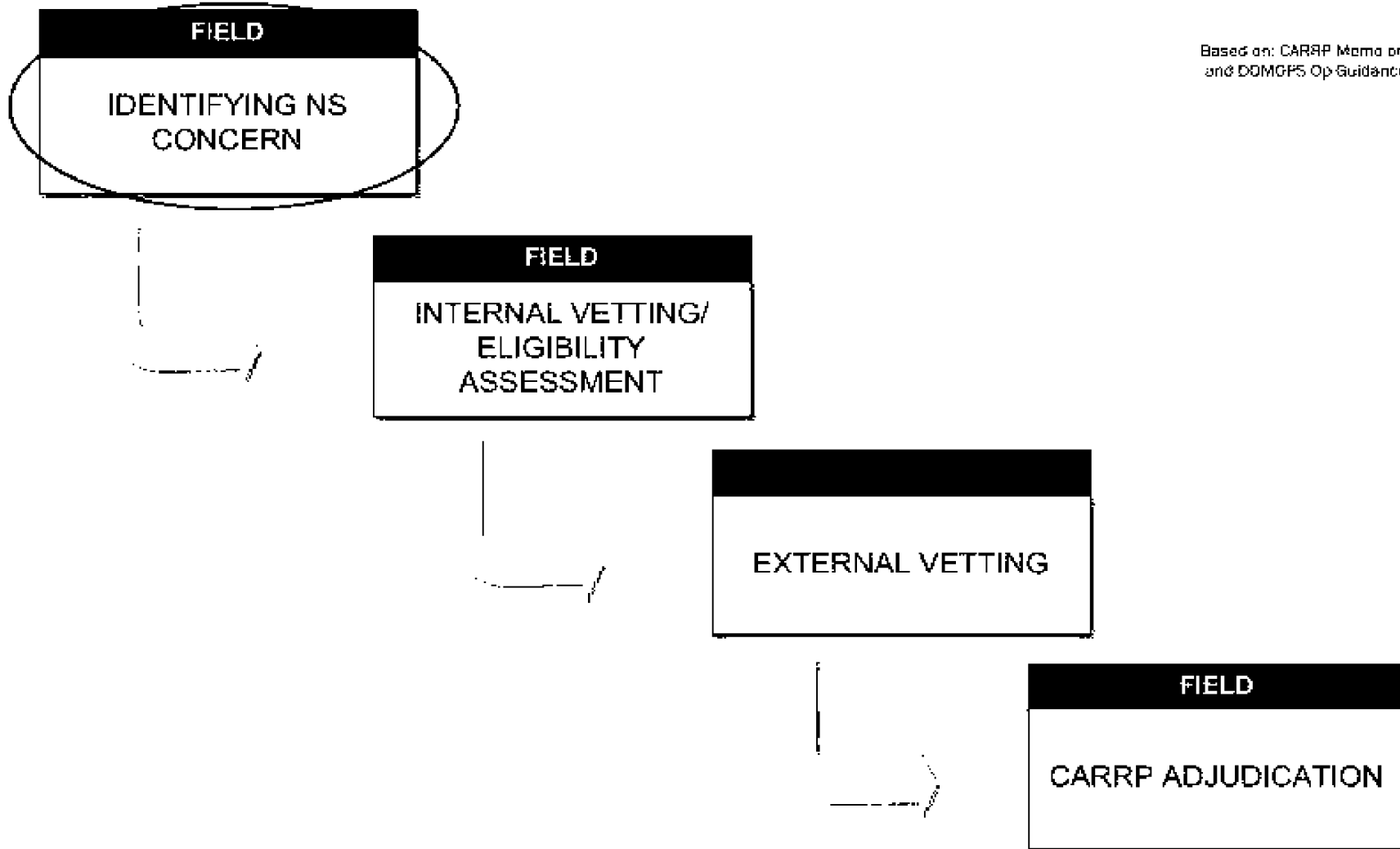
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Identification & Confirmation of an NS Concern

Based on: CARRP Memo on 4/11/08
and DDMGPS Op-Guidance 4/25/08



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DESCRIPTION

- Review definition of NS Concern
- Review statutory grounds of immigration law relating to national security.
- Provide a brief overview of the security checks conducted by USCIS and the results which may be indicators of a NS concern.
- Provide an understanding of how to identify a Known or Suspected Terrorist (KST) and a non-KST NS concern.



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ENABLING PERFORMANCE OBJECTIVE (EPO)

- EPO #1: Discuss KST NS Concerns.
- EPO # 2: Discuss Non-KST NS Concerns.
 - Identify indicators
 - Statutory
 - Non-statutory
 - Security checks



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National Security Concern Defined

NS concern exists when:

- an individual or organization has 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)
- May be identified at any stage of the adjudication process
- “Guidance for Identifying National Security Concerns”



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EPO #1 -KST NS Concerns

Known or Suspected Terrorist (KST)

- Has been nominated and accepted for placement in the Terrorist Screening Database (TSDB)
- Remains on the Terrorist Watch List until a nomination for removal has been approved



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HSPD-6

- Homeland Security Presidential Directive-6 (HSPD-6)
- September 6, 2003
- Creation of Terrorist Screening Center (TSC)
- Consolidation of various watch lists
- Directs federal agencies to provide appropriate terrorist information to the NCTC, which in turn provides the TSC access to all appropriate terrorist information or intelligence.



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Terrorist Identities Datamart Environment (TIDE)

- US Government's central repository of information on international terrorist identities
- Supports the USG's various terrorist screening systems or "watchlists" and the US Intelligence Community's overall counterterrorism mission
- Includes, to the extent permitted by law, all information the U.S. government possesses related to the identities of individuals known or appropriately suspected to be or have been involved in activities constituting, in preparation for, in aid of, or related to terrorism, with the exception of Purely Domestic Terrorism information.



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KST NS Concerns

- TECS/IBIS Record
 - Beginning with “P” (for person record) AND
 - Ending in **LE**
 - Lists status
 - “Suspected Terrorist”
 - “Known Terrorist”
 - Lists contact as NTC 24X7 Lookout Duty Officer
 - Don’t call the National Targeting Center (NTC).
 - Call the Terrorist Screening Center (TSC).

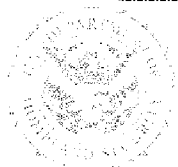


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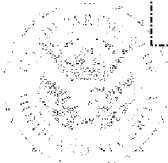
Version 3

LE



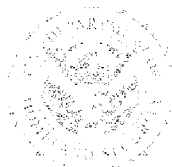
U.S. District Court
District of Columbia
Case No. 2:17-cv-00094-LK
Document No. 665-25
Filed 06/13/24

LE



U.S. DISTRICT COURT
DISTRICT OF COLUMBIA
CLERK OF COURT
1000 MARYLAND AVENUE, N.W.
WASHINGTON, D.C. 20004
202-556-5000

LE



U.S. DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA
CLERK OF COURT
1000 MARYLAND AVENUE, N.W.
WASHINGTON, D.C. 20004
202-556-6000

KST NS Concerns – cont'd

- NCIC Record (Hot Files)
 - Requests contact with Terrorist Screening Center (TSC)
 - Record in Violent Gang and Terrorist Organization File (VGTOF)
 - **LE**
 - Indicates subject is a possible terrorist organization member or international extremist. (Gang members excluded unless also a NS concern)
 - Do NOT alert USCIS individual that they are on the watchlist.

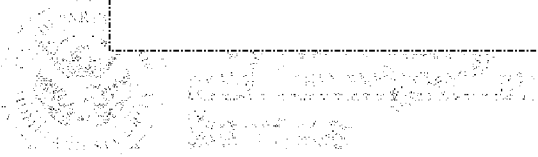


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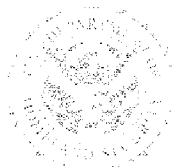
LE



LE

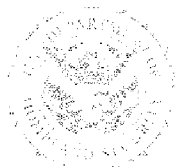


LE



U.S. DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA
CLERK OF COURT
1000 MARYLAND AVENUE, N.W.
WASHINGTON, D.C. 20004
202-556-5000

LE



U.S. District Court
District of Columbia
2024

Terrorist Screening Center (TSC)

- Designated Officers contact the Terrorist Screening Center to confirm whether a KST lookout is a match to a USCIS subject.
- TSC is only contacted by designated officers when a KST lookout **LE** **LE** exists
- In other words, do not contact TSC unless there is a **LE**.
- Do **NOT** contact Richard Kopel, Deputy Director at the TSC.
- TSC does not give adjudicative advice,
- TSC Contact: 866- **LE**



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Terrorist Screening Center (TSC)

- TSC personnel
 - Confirm the match
 - If there is a match, information is provided to the Watch Commander within TSC and they forward the information to the Terrorist Screening Operations Unit (TSOU).
 - TSOU reaches out to the case agent and/or originating agency not the TSC.
- USCIS may or may not receive a call from the TSOU or case agent.
- If no response is received from case agent please contact your local JTTF not the TSC.

****Reminder: TSC only hold information so you cannot DECONFLICT with TSC, only confirm match.**



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Terrorist Screening Center (TSC)

- **What will TSC need to confirm the match?**
 - Copy of applications (all pages) to include G-325A.
 - Copy of biographical page on passport
 - Photos (if not available in A-file it may be retrieved through ISRS, NSEERS, Avanzan, etc.) to include any pictures provided by applicant in support of their application.
 - Any other identifying documents (ex. Driver's license, SS#, birth certificate, marriage certificate, etc.)

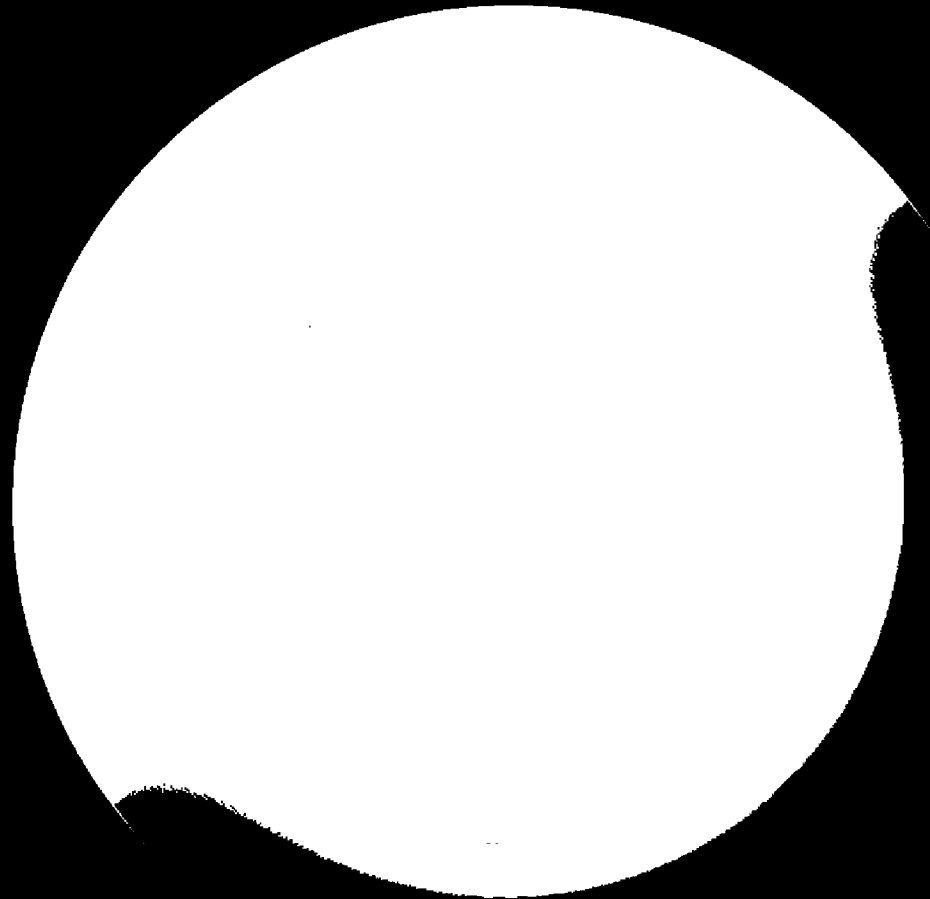


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EPO # 2: Non-KST NS Concerns

All the remaining NS concerns

- Associates of KST(s),
- Unindicted co-conspirators,
- Persons involved with providing material support to terrorists or terrorist organizations,
- Agents of foreign governments



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Identifying Non-KST NS Concerns

Non-KST \neq Not Dangerous

KST + Non-KST = Terrorist Cell



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Identifying Non-KST NS Concerns

- Security Check Results
- Review of the petition or application, supporting documents, the A-file, or related files;
- Testimony elicited during an interview;
- Leads from other US Government agencies or foreign governments;
- Other sources, including open source research.
- “Guidance for Identifying National Security Concerns”
 - Use as a Reference Tool
 - Also known as Attachment A



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Identifying Non-KST NS Concerns

Statutory Indicators

- 212(a)(3)(A), (B), or (F)
- 237(a)(4)(A) or (B)
- Other

Non-Statutory Indicators

- Employment, Training, Government Affiliations
- Other Suspicious Activities
- Family Members or Close Associates

Security Check Results

****Officers must look at the whole picture and consider the facts of each individual case.*****



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Statutory Indicators



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Statutory Indicators of Non- KST's

NS Grounds of Inadmissibility - 212(a)(3)

- (3)(A) – espionage, sabotage, illegal transfer of goods/tech/info
- (3)(B) – terrorist activities
- (3)(F) – association with terrorist organizations (Sec State/AG determination)



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Statutory Indicators of Non-KST's- cont'd

NS Grounds of Removability - 237(a)(4)

- (4)(A) - espionage, sabotage, illegal transfer of goods/tech/info, other criminal activity that endangers NS
- (4)(B) – terrorist activities



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Terrorist Activity Defined

- Terrorist Activity
 - Defined 212(a)(3)(B)(iii)
- Engaging in Terrorist Activity
 - Defined 212(a)(3)(B)(iv)
- Terrorist Organization
 - Defined 212(a)(3)(B)(vi)
 - www.state.gov/s/ct/list/ for lists of Tier I and Tier II
 - Department of Treasury listing of Specially Designated Global Terrorist Entities pursuant to Executive Order 13224 for some organizations likely to meet the Tier III undesignated terrorist organization definition.
 - <http://www.treas.gov/offices/enforcement/ofac/sdn/index.shtml>



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Material Support Defined

- Defined in 212(a)(3)(B)(iv)(VI) of the INA includes the following to be used to support terrorist activity or organization:
- Safe house
- Transportation
- Communications
- Funds, transfer of funds, other material financial benefit
- False documentation or identification
- Weapons (including chemical, biological, or radiological weapons), explosives, or training)
- Food, housing, and money (war tax, ransom, extortion, donations) would also be considered material support



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Material Support Exceptions

- 212(a)(3)(B)(iv)(VI)(dd)
 - Clear and convincing evidence that individual did not know or should not have reasonably known that the organization was a terrorist organization (for Tier III organizations)
- 212(d)(3)(B)(i)
 - Sec of State/Attorney General/Secretary of DHS after sole unreviewable discretion may determine that inadmissibility ground for material support shall not apply in specific circumstances



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Material Support Cases

- If an exemption is granted under INA § 212(d)(3)(B)(i) of the Act, AND no other NS concern is identified, no further vetting is required and the application/petition may continue through routine adjudication.
- If exemption will not be granted, NS concern must be documented in FDNS-DS.
- If exemption available and granted under 212(d)(3)(B)(i) and no other NS concern, release for adjudication. No FDNS-DS required.

* *See Domestic Ops Guidance p. 35*



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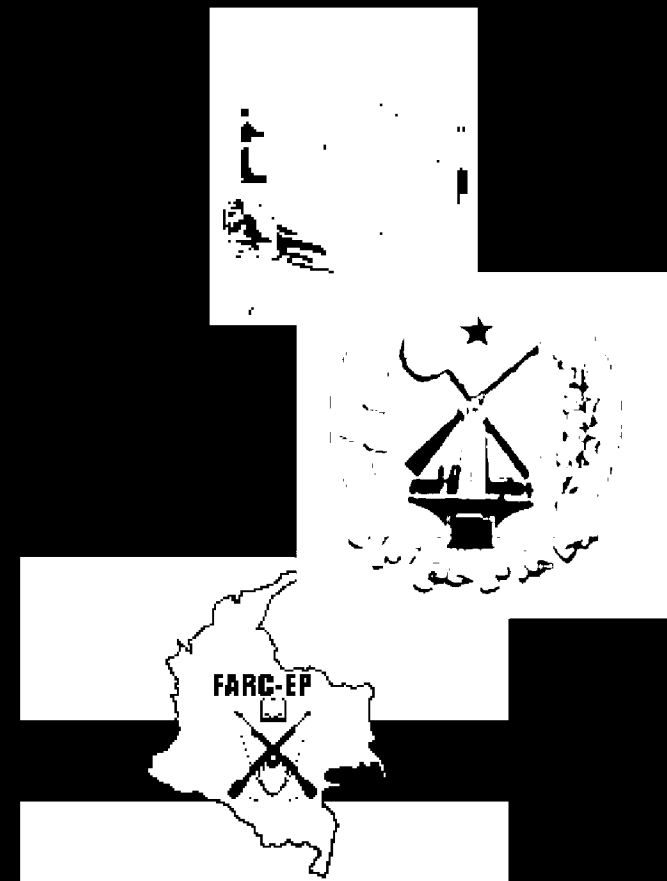
Foreign Terrorist Organizations (FTO)

Tier I

Over 40 designated organizations

- Abu Sayyaf
- Al-Qa'ida
- Basque Fatherland and Liberty (ETA)
- Continuity Irish Republican Army
- HAMAS
- Hezbollah
- Jemaah Islamiya Organization
- Mujahedin-e Khalq Organization
- Palestine Islamic Jihad
- Revolutionary Armed Forces Colombia (FARC)

See www.state.gov for full listing.



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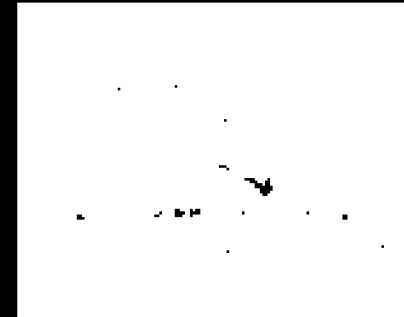
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Terrorist Exclusion List (TEL)- Tier II

Over 60 designated organizations and companies

- Asbat al-Ansar
- Babbar Khalsa International
- Japanese Red Army
- Lashkar-e-Tayyiba (Army of the Righteous)
- Eastern Turkistan Islamic Movement
- Libyan Islamic Fighting Group
- Revolutionary United Front
- See www.state.gov for full listing.



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Terrorist Organizations – Tier III

- Undesignated organizations
- Two or more individuals engaged in or planning to engage in terrorist activity
- For handling of individuals involved in or having supported Tier III organizations, see
 - USCIS Memorandum dated, July 28, 2008, from Acting Deputy Director Michael L. Aytes, entitled, *“Implementation of Section 691 of Division J of the Consolidated Appropriations Act, 2008, and Updated Processing Requirements for Discretionary Exemption to Terrorist Activity Inadmissibility Grounds”*

No Official List



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Executive Order 13224 Terrorist Financing List

On September 23, 2001, the President issued Executive Order 13224, which provides the means to disrupt terrorist support networks. Under this order, the US Government may block the assets of individuals and entities providing support—financial and otherwise—to designated terrorists and terrorist organizations. This authority has been used on numerous occasions to target individuals actively engaging in terrorist-related activities, including providing false documentation to illegal aliens to facilitate travel.



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Non- Statutory Indicators



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Non-Statutory Indicators for Non-KST's

- Activities/involvement does not need to satisfy the legal standard for admissibility or removability in determining existence of NS concern
- Be alert for indicators of NS concern
- Presence of an indicator does not necessarily mean NS concern exists



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Non-Statutory Indicators for Non-KST's

Consider the totality of circumstances in the determination process:

- Results of all required security checks
- Evidence in file
- Testimony of individual
- Credibility



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Non-Statutory Indicators for Non-KST's

BE ALERT:

- Training or employment by a foreign government to engage in espionage or intelligence gathering
- Served as an official or diplomat in a foreign government who is hostile to the U.S.



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Non-Statutory Indicators for Non-KST's

BE ALERT:



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State Sponsors of Terrorism

Country

Designation Date

Cuba

March 1, 1982

Iran

January 19, 1984

North Korea

January 20, 1988

Sudan

August 12, 1993

Syria

December 29, 1979



www.state.gov

For more details about State Sponsors of Terrorism, see "Overview of State Sponsored Terrorism" in [Country Reports on Terrorism](#).



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Special Interest Alien (SIA) Countries



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SIA Countries



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Non-Statutory Indicators for Non-KST's BE ALERT

- Membership or participation in organizations are described in, or that engage in, activities outlined in sections 212(a)(3)(A), (B), or (F), or 237(a)(4)(A) or (B) of the Act.



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Non-Statutory Indicators for Non-KST's Suspicious Activities



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Suspicious Financial Activities



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Suspicious Financial Activities – cont'd



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Suspicion Financial Activities-

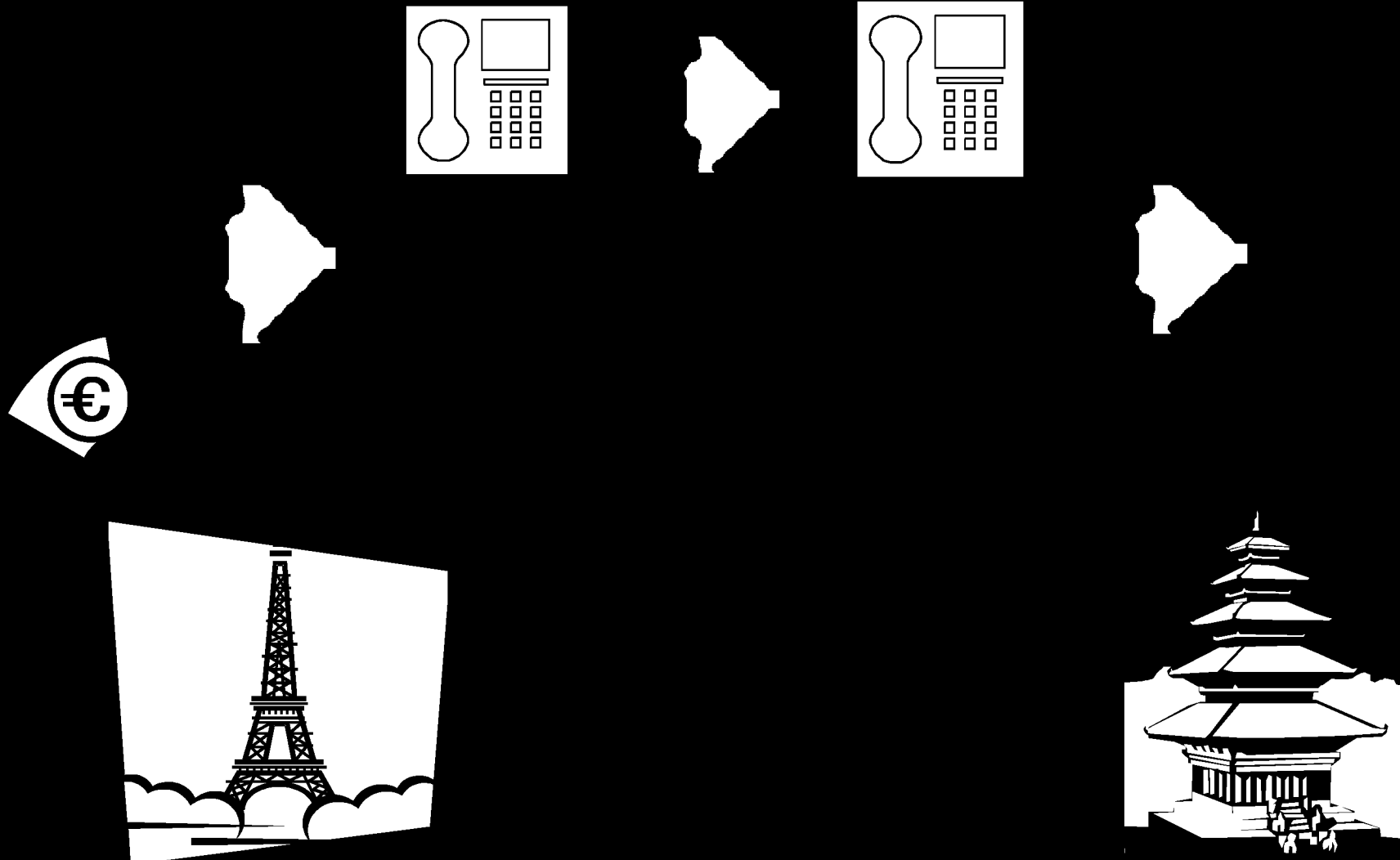


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How Hawala Works



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Money Service Business

- Must register with FinCEN or with the state of domicile (if required)
- Failure to register is a felony violation
- Includes agent, agency, branch or office in the U.S. of any person doing business in one or more of the following capacities
 - Currency dealer or exchanger
 - Check casher
 - Issuer, seller or redeemer of traveler's checks, money orders or stored value
 - Money transmitter

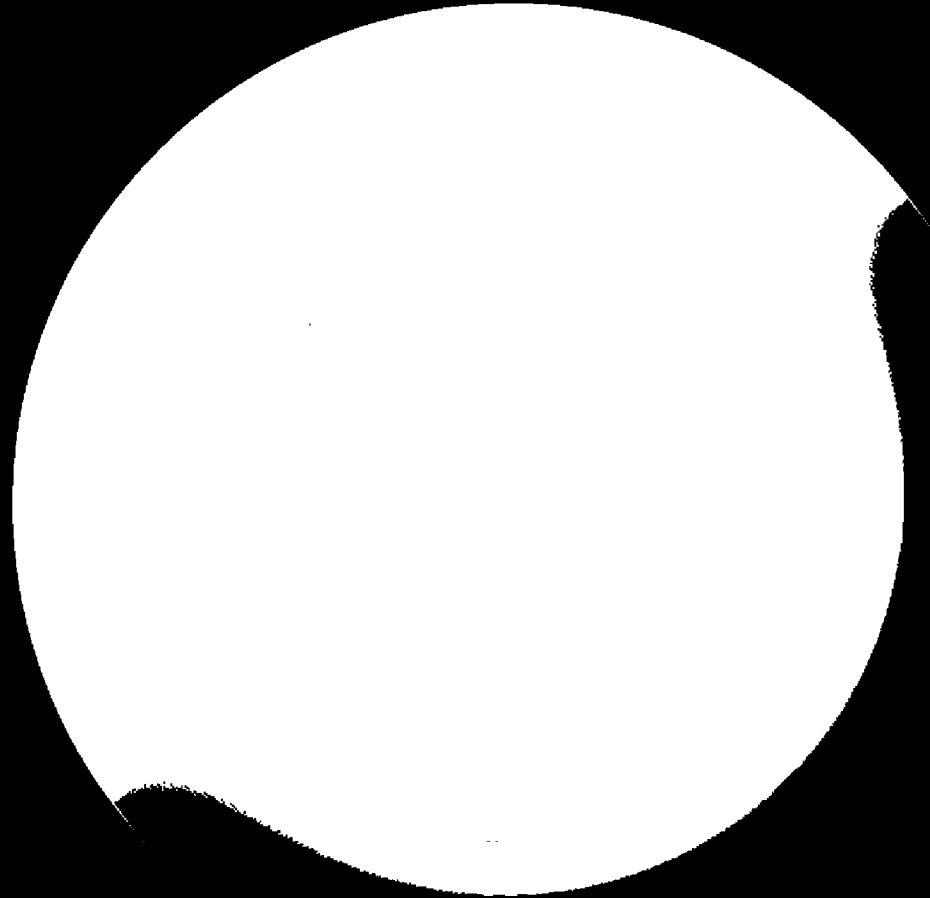


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Security Check Indicators



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Security Check Results

- FBI Name Check
- FBI Fingerprint Check
- TECS/IBIS
- Consular Lookout Automated Support System (CLASS)
- Department of State Security Advisory Opinion (SAO)
- United States Visitor and Immigrant Status Indicator Technology/Automated Biometric Identification System (US-VISIT/IDENT)



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FBI Name Check

LE



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FBI Name Check

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FBI Name Check - Positive Response

LE



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FBI Name Check - Unknown Response

LE



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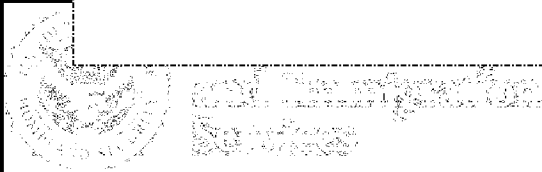
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FBI Query Screen

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Letterhead Memorandum (LHM)

Document obtained from INTELWIRE.com

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 04-19-2006 BY 60309 AUC/TAM/MLT/LR2 Derivative



U.S. Department of Justice

Federal Bureau of Investigation

In Reply, Please
Refer to
File No.

San Diego, California 92123
April 15, 2002

b6
b7C
b7D

OMAR AL BAYOUMI
EMPLOYED BY DALLAH AL BARAKA



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Letterhead Memorandum (LHM)

(U) On 10/03/2001, SA [redacted] prepared an EC providing information on [redacted] was the emergency contact listed on [redacted] rental agreement for [redacted] [redacted] moved into [redacted] on approximately 09/01/99, and lived there [redacted] Rental records indicated [redacted] was a student and received financial support from his family.

(U) Al-BAYOUMI had co-signed for hijackers Nawaf Al-HAZMI and Khalid Al-MIHDHAR when they rented an apartment at Parkwood and paid their rent occasionally as well. Al-HAZMI and Al-MIHDHAR lived [redacted] prior to them renting their own apartment [redacted] did not like [redacted] personally and was unaware he [redacted] was listed as an [redacted] rental agreement. [redacted] revealed to [redacted] he received financial support the Saudi Arabian Government or Saudi Airlines. An individual who requested confidentiality [redacted] reported he believed [redacted] worked for the Saudi Arabian Intelligence Service and reported on dissident Saudis in the United States.

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FBI Name Check – NS Indicators

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FBI Fingerprint Check

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Fingerprint Check - NS Indicators

RAP sheet indicates that the subject:

- Has been classified by the Attorney General as a known terrorist
- Was charged in immigration court with a inadmissibility or deportability based on one of the security grounds found in the INA
- Was arrested or detained by the U.S. military overseas (e.g. detainees in Iraq or Guantanamo)



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Fingerprint Check NS Indicators

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Fingerprint Check NS Indicators

Keep in mind:

“Terroristic threats”

- Does not necessarily indicate a NS concern
- Oftentimes a charge for domestic violence crime



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TECS/IBIS — other than B10/NIC-T

- Results of

LE

-
-

LE

- Validity

- 180 calendar day

PRINT TECS RESULTS – Lookouts can be removed from system



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TECS/IBIS- NS Indicators

Top 1 Hit Examples



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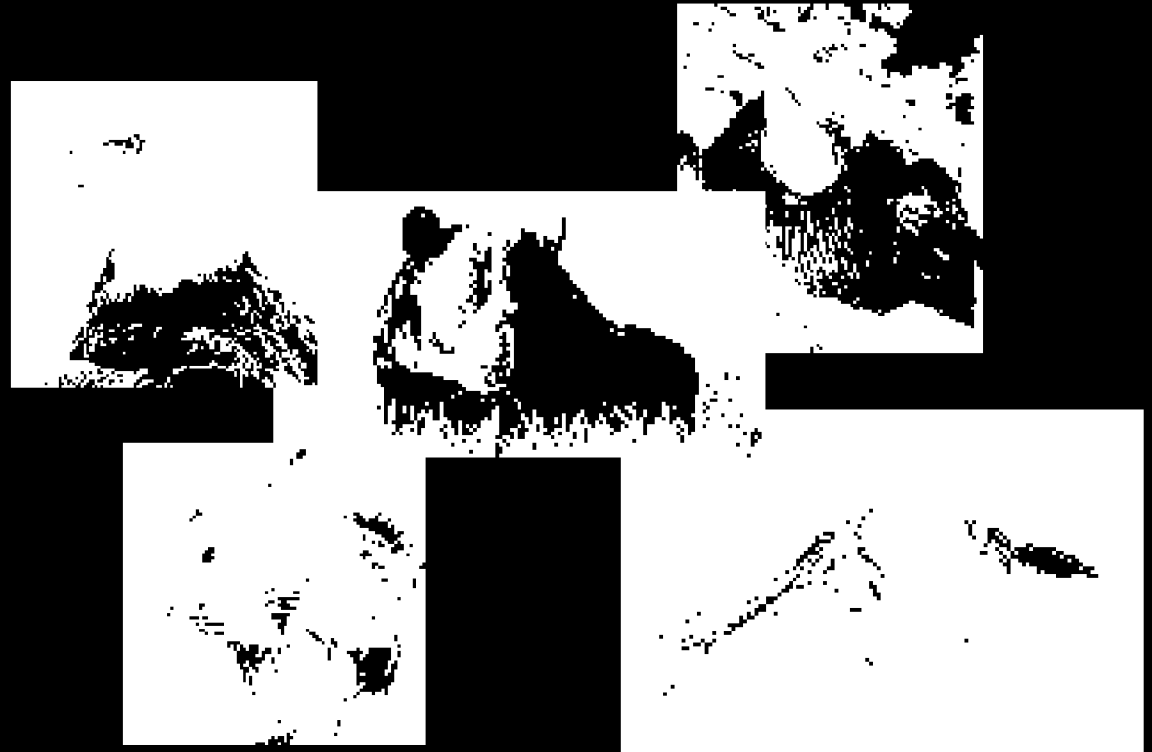
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TECS/IBIS - NS Indicators

Not considered NS unless there is a specific DOS record or sub-record that identifies a NS concern

- National Security Entry Exit Registration System (NSEERS)
- DOS Security Advisory Opinion (SAO) - special clearance mandatory for DOS cases of name check-based hit



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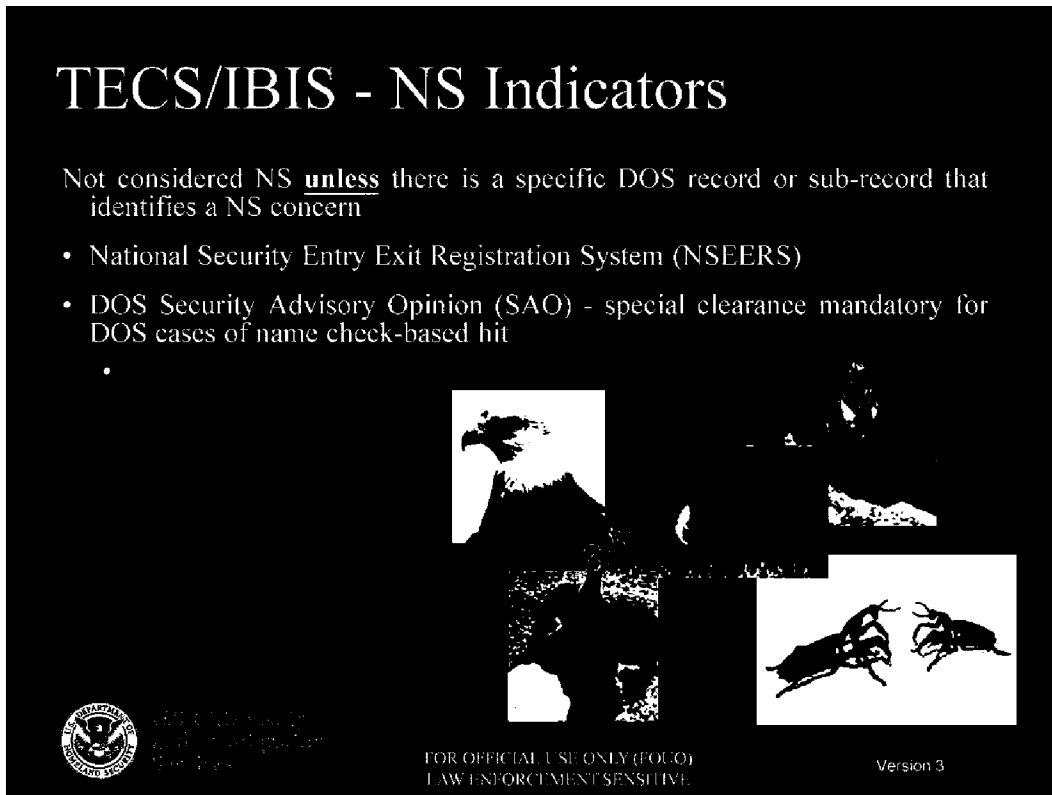
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TECS/IBIS - NS Indicators

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- National Security Entry Exit Registration System (NSEERS)
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HQ has determined that even though certain IBIS hits reference NS concerns, a NS referral is not required unless there is additional NS information that has not been resolved.

TECS/IBIS- Possible NS Indicators

Evaluate to determine if link:

- Customs and Border Protection (CBP) one-day lookouts, that were resolved in secondary inspection:
 - Terrorist Affiliated Country lookouts (TAC)
 - Automated Targeting System-Passenger (ATS-P)
 - Passenger Analysis Unit (PAU)



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TECS/IBIS- Possible NS Indicators

Evaluate to determine if link:

LE



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TECS/IBIS - INTERPOL HITS

LE



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LE



INTERPOL: Who to contact?

When assistance is needed from INTERPOL, please email Officer [REDACTED] [REDACTED] at [REDACTED]@usdoj.gov and provide the following information:

- Subject's Name
 - Alien registration number (A #)
 - INTERPOL/TECS record number
 - Date of Birth
 - Country of Birth
 - Current Address (last known if current address is not available)
 - Photo and prints (if available)
 - Form number(s) of the pending application/petition (i.e. I-130, I-485). Do not send completed applications/petitions unless specifically requested. Also, please do not copy and send database screens.
- It is not necessary to call INTERPOL unless subject is present or if there is an emergency.
 - **NOTE:** If you have not received an *initial* response from Officer Lambert within 14 days, please call her at 202/[REDACTED].



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US-VISIT/IDENT

- Used primarily by Asylum Branch
- Used by DOS, CBP, ICE
- Loads biographical and biometric information
 - Two Prints vs Ten Prints
- US-VISIT watchlist
 - Not same as Terrorist Watchlist



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US-VISIT/IDENT

- The US-VISIT/IDENT Watch list includes, but is not limited to, biographic and/or biometric information for KSTs;
- Fingerprints for military detainees held in Afghanistan, Pakistan, and Guantanamo;
- Individuals inadmissible or removable under sections 212(a)(3)(A), (B), or (F), or 237(a)(4)(A) or (B) of the Act.



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Results of Security Checks – Closed Investigation??

LE



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Results of Security Checks – Closed Investigation??

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Identifying a NS Concern – Determination

Prior to making the final determination of National Security Concern – the officer should consider:

- Does the derogatory information relate to the subject?
- The totality of the circumstances (for Non-KST's)
- Does the information in the referral meet the NS concern threshold?

******DO NOT CREATE A NEW FDNS-DS NS CONCERN
CASE AS NON-NS******



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Identify a NS Concern -Summary

Designated Officer –

- Confirms lookout with TSC, and/or
- Confirms identity with record owner
- Makes determination of NS Concern

Supervisor –

- Concurs if identity has been confirmed with TSC or record owner
- Refers back for further verification that NS Concern relates to subject

FDNS-DS will be documented with determination before case is moved to next phase



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Initiating an NS Referral

- Consult with your local management for local procedures on referring and documenting the referral of an NS concern.
- Asylum Office -to the FDNS Immigration Officer
- Field Office – to the FDNS Immigration Officer
- Service Center – to the Background Check Unit (BCU)
- Overseas Office – see operational guidance
- Refugee Corps –see operational guidance

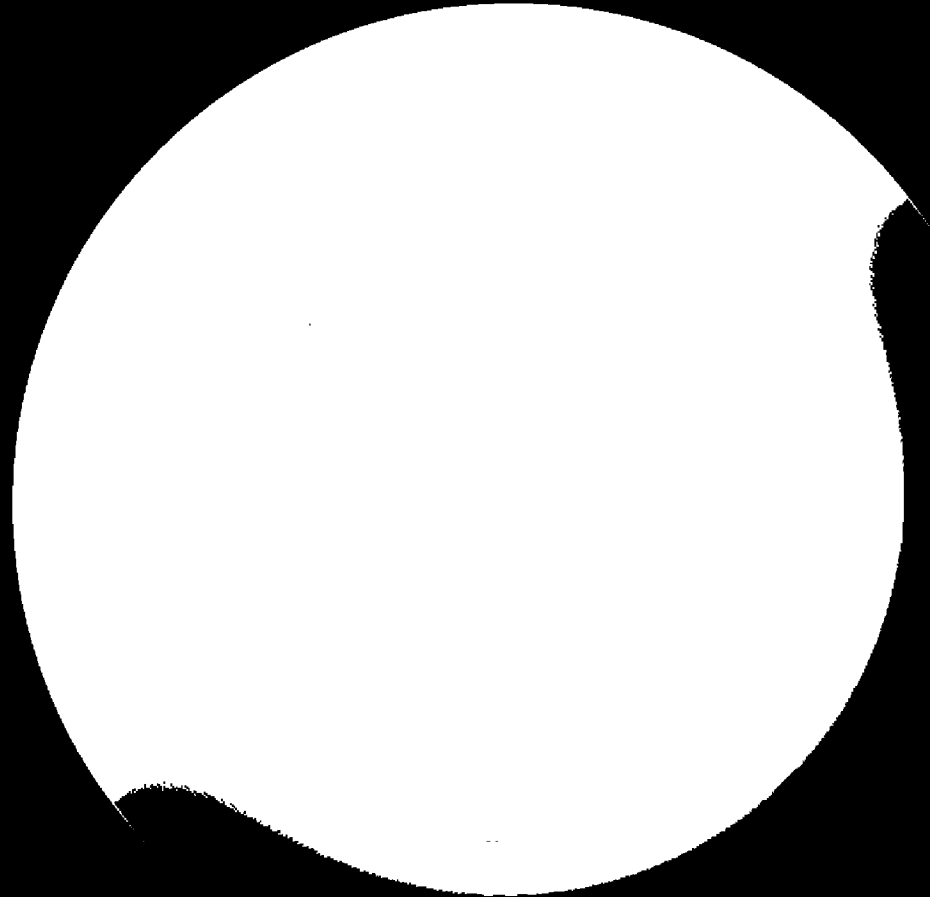


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QUESTIONS?



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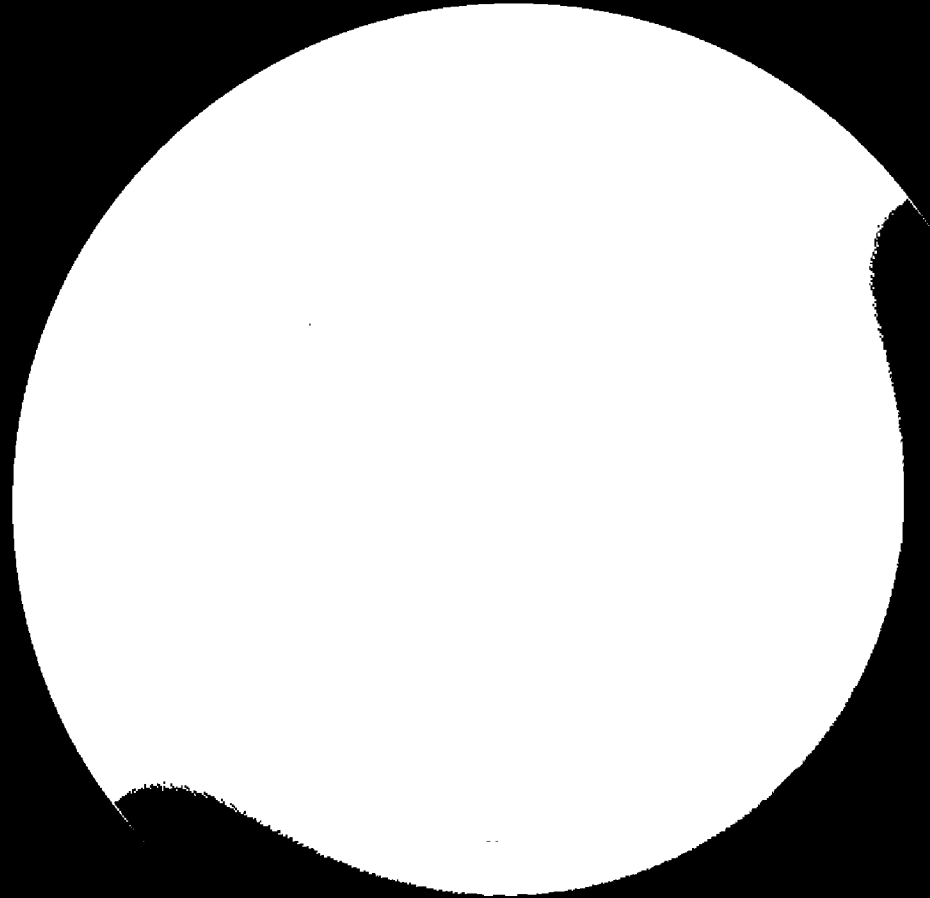
Practical Exercises: Identifying NS Concerns



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QUESTIONS?



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