

**EXHIBIT 93**  
**FILED UNDER SEAL**

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# Structured Framework for Determining an Articulable Link to National Security Concerns

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## Introduction

This document should serve as a reference for determining if an articulable link exists between an applicant, petitioner, or beneficiary, and the statutory national security grounds of inadmissibility or ineligibility. This training material is not intended to replace your own expertise and experience, but is intended to give you additional tools for analysis. If you have further questions about whether an articulable link exists, consult with your management.

## Defining “Articulable Link”

Under current guidance, a case should be handled according to CARRP 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 sections § 212(a)(3)(A), (B), or (F), or § 237(a)(4)(A) or (B) of the Immigration and Nationality Act.”

An articulable link exists when you can describe, in a few simple sentences, a clear connection between a person (on the one hand), and an activity that threatens the safety and integrity of the United States or another nation (on the other). That connection may be criminal activity, belonging to or speaking for a particular organization, providing money or material support, or many other forms of association with threats to national security. An articulable link requires more than a “gut feeling;” this document will provide some clarification on what connections constitute an articulable link between an individual and a national security concern.

## National Security Concerns

Determining if an articulable link exists first requires an understanding of what a national security concern is. USCIS’s authority is defined by the Immigration and Nationality Act (INA). As such, USCIS’s areas of national security concern come from the same statutes – specifically, those sections of INA §212 and §237 cited above. Here is a list of activities from the INA that qualify as “areas of national security concern”:

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Area of National Security Concern	Section of the INA
Espionage	<b>§212(a)(3)(A), and §237(a)(4)(A)</b>
Sabotage	
Exporting sensitive goods, technology, or information	
Overthrowing the U.S. government by force or violence	
Hijacking or sabotaging transportation	<b>§212(a)(3)(B), and §237(a)(4)(B)</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)	
People or groups the Secretaries of State and/or Homeland Security have determined are terrorists	<b>§212(a)(3)(F), and §237(a)(4)(B)</b>

These are the areas of concern that constitute “national security,” under the INA. It does not mean that your adjudicator can (or intends to) deny a case on these grounds – it simply means that the case needs the additional handling and review provided by the CARRP process. (Always work with your adjudicators, your management, and local counsel to identify the best grounds of denial.)

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 many of the more common ways that subjects can be linked (for example, criminal activities or direct financial support). As an FDNS or BCU officer, the key to determining if an articulable link exists is whether you can describe the nature of the connection.

One last note: 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, even if it does not fit the factors listed above. The opposite, however, is not necessarily true: USCIS could still articulate a link between the subject and one of the areas of national security concern above (and handle the case according to CARRP) even if law enforcement has closed their investigation or has no derogatory information.

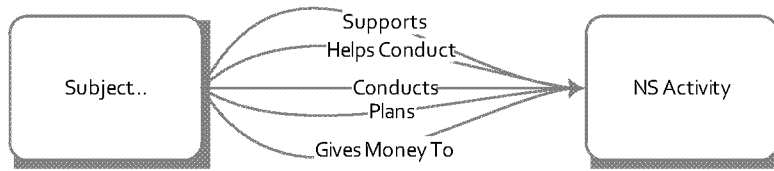
## Articulable Link

When an area of national security concern is present, the next step is to draw a line from your person to that area of concern. Again, this means that you should be able to describe, in words, how the applicant, petitioner, or beneficiary (the Subject) on your form is connected to the national security activities listed in the above chart. Some articulable links will be direct lines from your Subject to the national security activity. Other times, you will be required to trace an articulable link through multiple persons or organizations, and draw logical conclusions based on the facts available.

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**Strong Direct Link:**

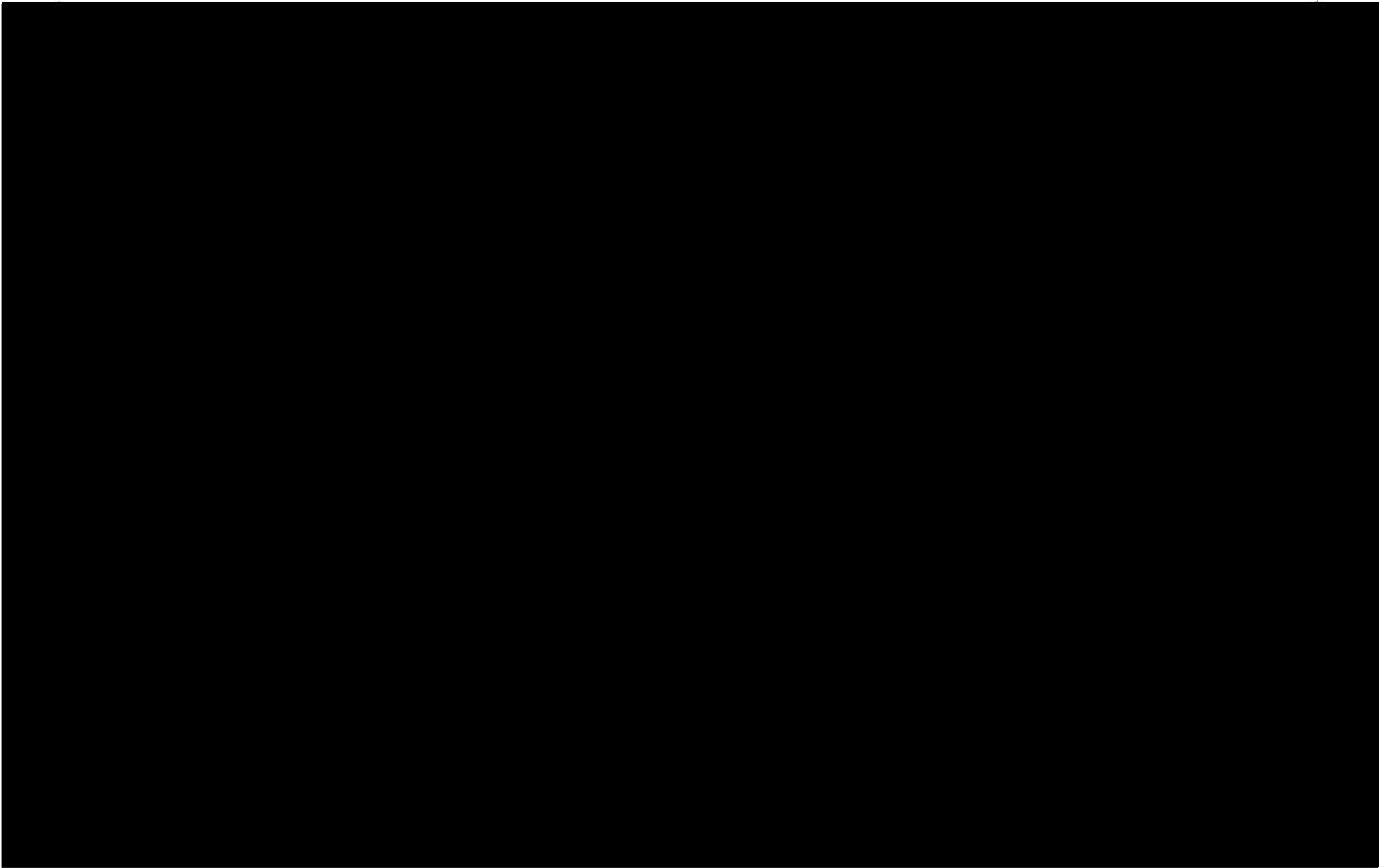


The strongest link comes when the Subject is actively participating in those activities:

“Bob Smith has filed an I-485, and was arrested for trying to plant a bomb at the United Nations.”

Here, you can draw a single, direct line between the Subject and the national security activity.

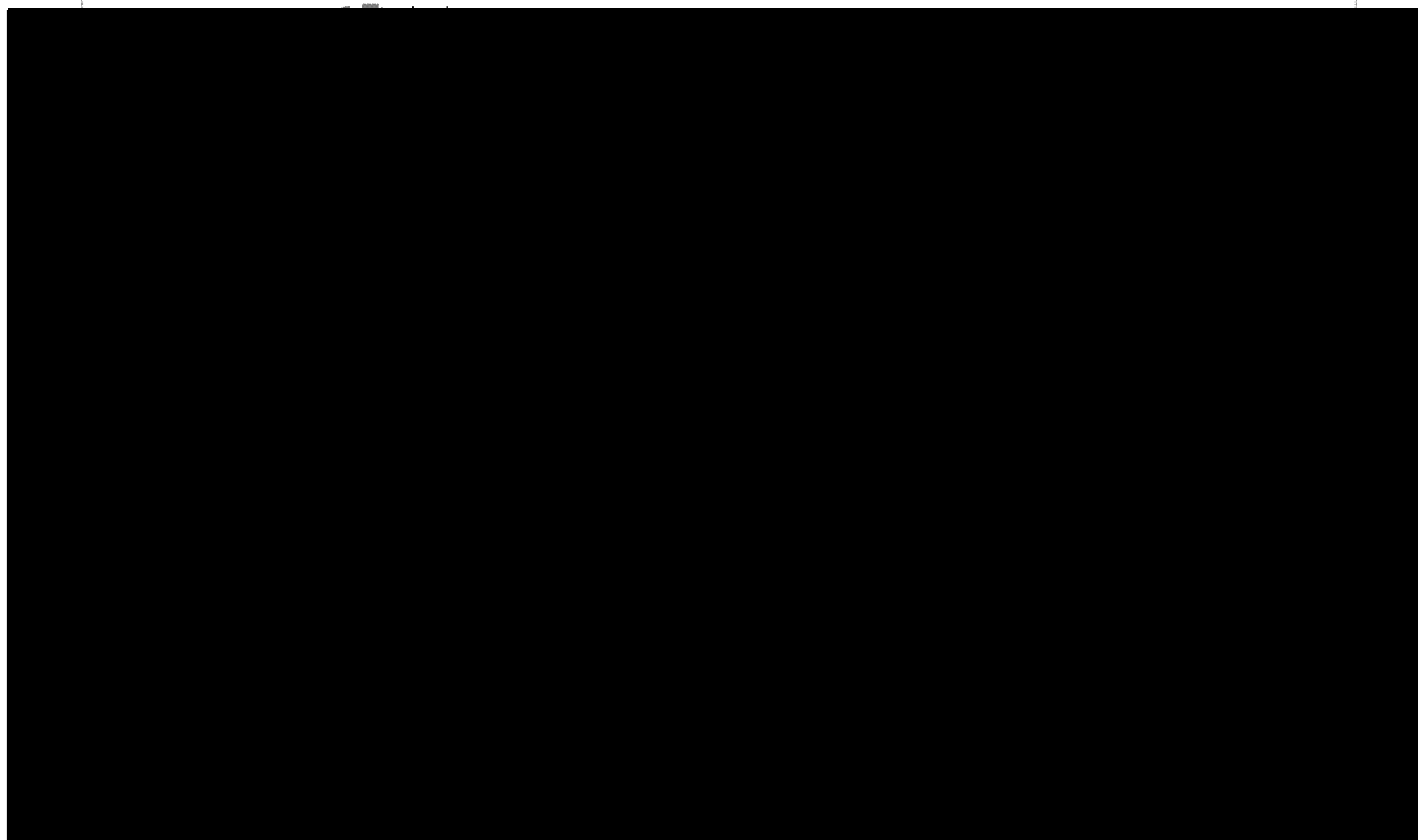
**Indirect Link:**



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**Links Requiring Further Work:**



**No Articulate Link:**

