EXHIBIT 105
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U.S. Citizenship and Immigration Services

Controlled Application Review and Resolution Program (CARRP)

National Security Division

Fraud Detection & National Security Directorate

Updated DEC 2015

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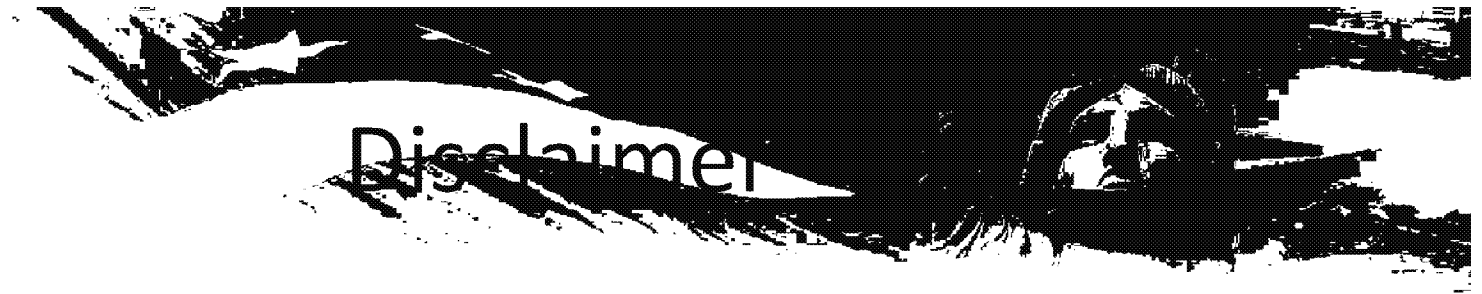***Reminder:** This course material is FOUO

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The CARRP process and all materials related to CARRP are FOUO, and should be handled accordingly

If you don't know what FOUO means now, you will in another 30 slides or so

Disclaimer

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OCC requires you to read this aloud to the class

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About this Presen

- Author: FDNS National Security Division

- Date of last revision: December 2015

- 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.
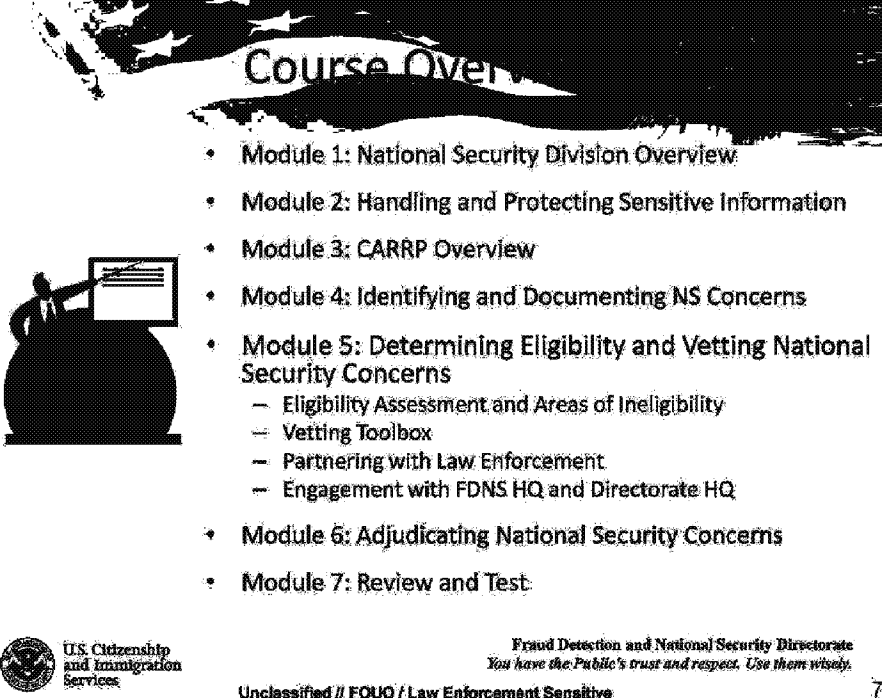
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Terminal Performance Objective

At the end of this training session, the USCIS Officer will have an understanding of the CARRP process.

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Course Overview

- Module 1: National Security Division Overview

- Module 2: Handling and Protecting Sensitive Information

- Module 3: CARRP Overview

- Module 4: Identifying and Documenting NS Concerns

- Module 5: Determining Eligibility and Vetting National Security Concerns
  - Eligibility Assessment and Areas of Ineligibility
  - Vetting Toolbox
  - Partnering with Law Enforcement
  - Engagement with FDNS HQ and Directorate HQ

- Module 6: Adjudicating National Security Concerns

- Module 7: Review and Test

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- This section describes the vetting and eligibility phases of CARRP
- These sections are taught together because they have a great deal of overlap between them, and it is common for the activities that make up these stages to bounce around

Vetting and Elig...

❑ Review the systems used for vetting.

❑ Discuss form-specific areas of ineligibility and the importance of continuously assessing eligibility.

❑ Describe the collaboration between ISOs and FDNS IOs.

❑ Discuss good interview technique.

❑ Identify lines of inquiry for interviews or RFEs.

❑ Examine the role and function of the JTTF.

❑ Consider law enforcement and headquarters resources that may help resolve a concern.
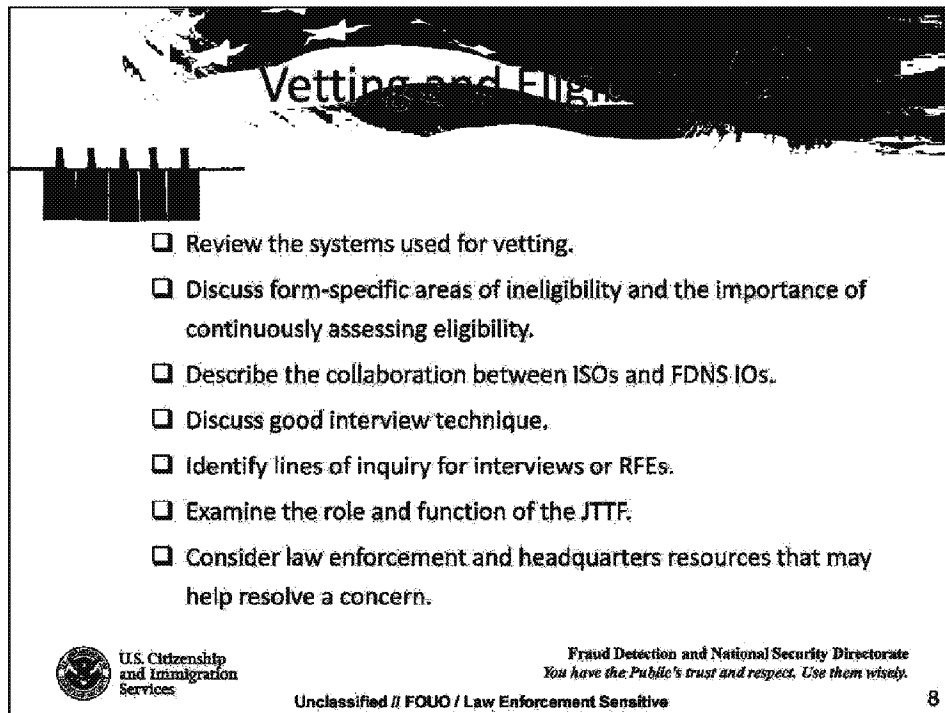
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Vetting and Eligibility

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We're going to take vetting and eligibility together in this module

The vetting that we do should be directed towards supporting an adjudication

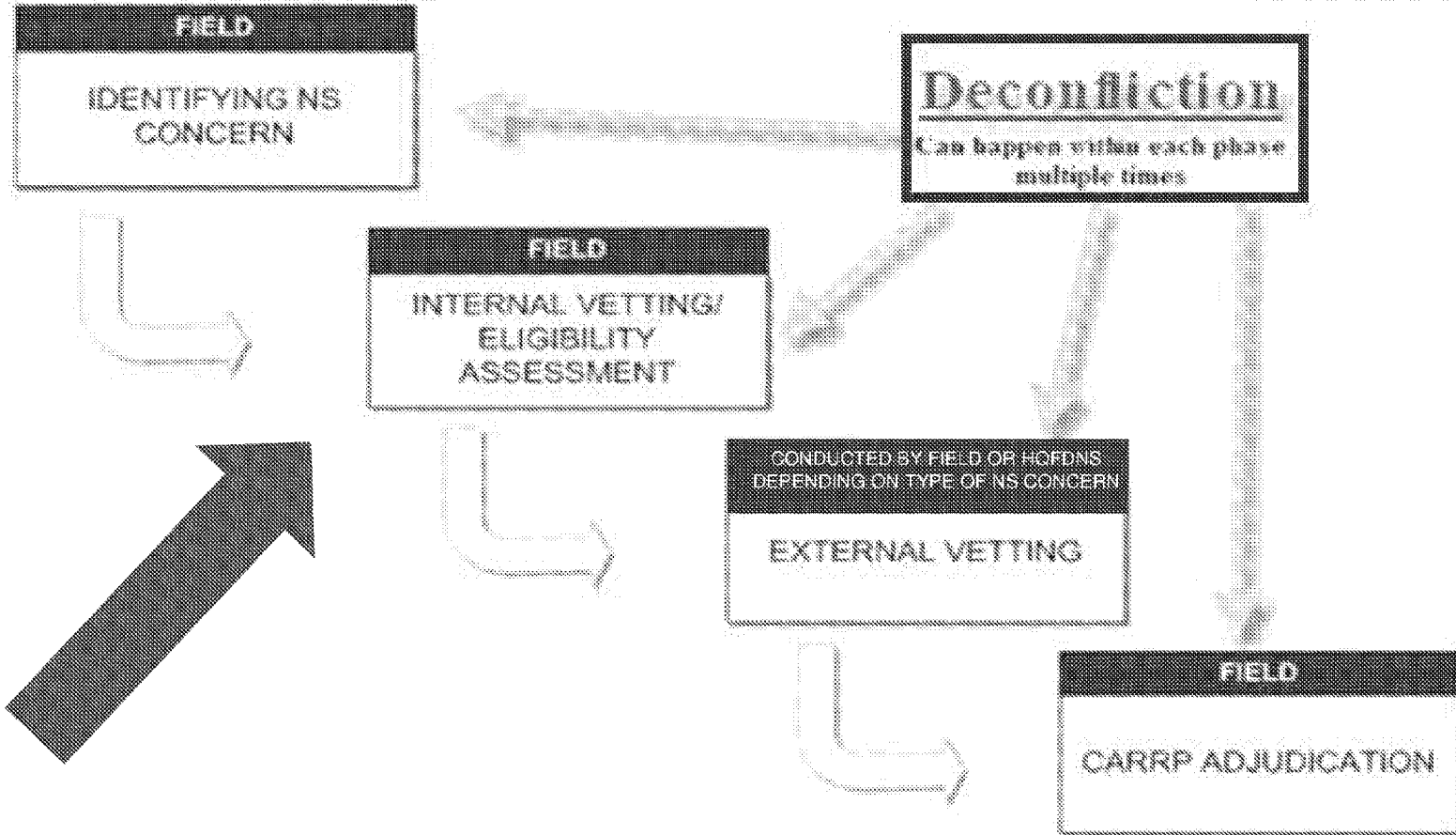One way or another, USCIS has to render a decision

And remember, from here on out, everything we're doing is based on the premise that there is an NS concern

If there ever ceases to be an NS concern, the case is no longer CARRP and we can adjudicate normally

So in this section, we look at:

    1) whether an individual is eligible at all, before any vetting is done

    2) what internal vetting needs to be done to build a picture of the individual and their immigration   history

    3) what external vetting needs to be done to learn about the nature of the concern

    4) what do we do / what are we looking for with all of this vetting?

CARRP Stage Two

FIELD
IDENTIFYING NS
CONCERN

FIELD
INTERNAL VETTING/
ELIGIBILITY
ASSESSMENT

Deconfliction
Can happen within each phase
multiple times

CONDUCTED BY FIELD OR HQFDNS
DEPENDING ON TYPE OF NS CONCERN
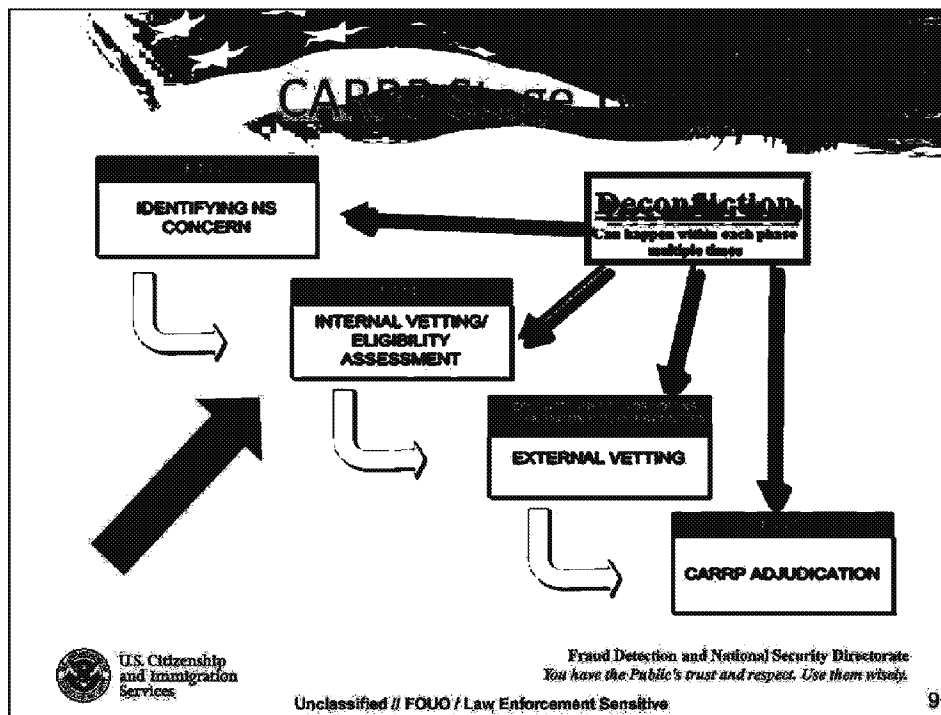EXTERNAL VETTING

FIELD
CARRP ADJUDICATION

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We will now move to stage II of CARRP which is Internal vetting and eligibility assessment.

Note that deconfliction can happen at any stage.

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Stage II Rol

Roles and Responsibilities

- There are two parts of CARRP Phase II.

- <u>Eligibility Assessment</u> is typically performed by AOs and CARRP ISO's.

- <u>Internal Vetting</u> is performed by everyone involved in the CARRP process.

  - FDNS IOs or CARRP BCU ISOs may do some systems vetting.

  - CARRP ISOs in the field office may conduct an interview.

  - Adjudications and FDNS may jointly prepare a case history.

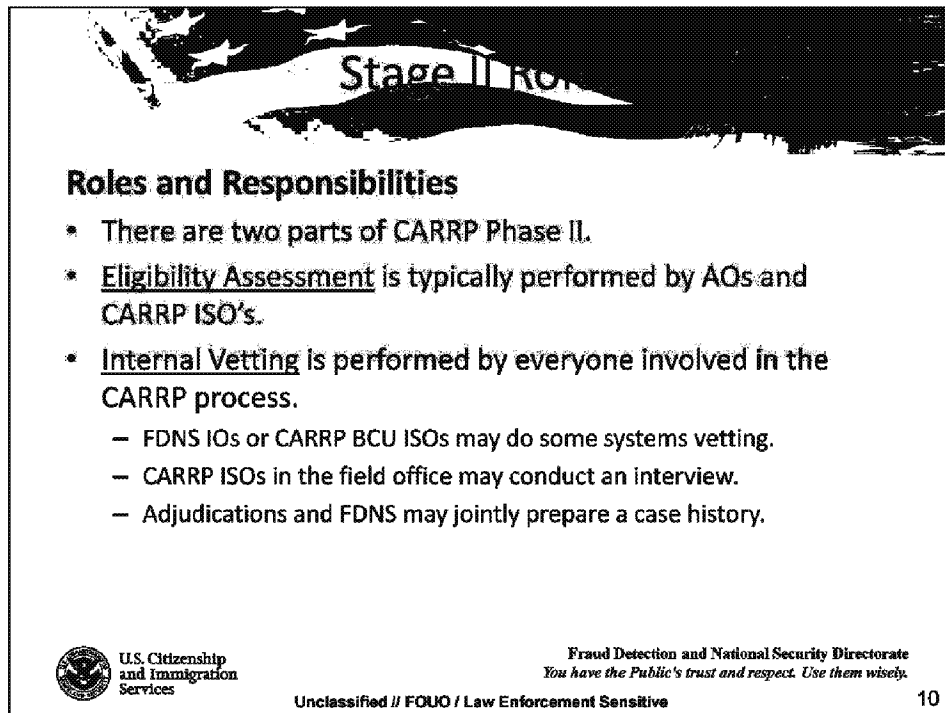U.S. Citizenship
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Stage II Ro...

Roles and Responsibilities

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  - FDNS IOs or CARRP BCU ISOs may do some systems vetting.
  - CARRP ISOs in the field office may conduct an interview.
  - Adjudications and FDNS may jointly prepare a case history.

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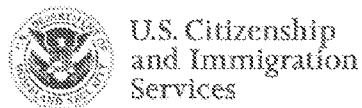
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- There are two parts of CARRP Phase II
  - Eligibility Assessment
  - Internal Vetting
- Eligibility assessment is done by ISOs and AOs because they have the adjudications expertise in inadmissibility grounds
- Not all FDNS officers have a background in adjudications or immigration law
- Internal vetting is done by anyone and everyone
- This phase in particular has to be a collaboration between FDNS and adjudications

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Internal Vetting / Eligibility Toolbox

Tools for internal vetting / eligibility:

- Form-specific factors
- Fraud concerns
- Questionable Items
- Timeline
- Assessment
- Systems checks
- Interview
- Request for Evidence
- Case Summary

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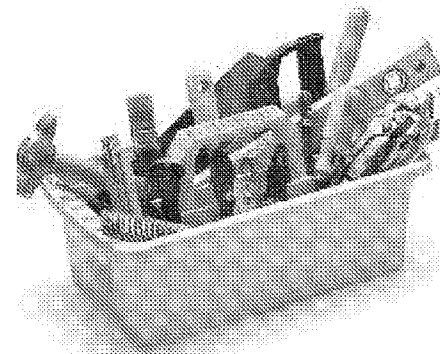*You have the Public's trust and respect. Use them wisely.*

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Eligib...

Purpose

To ensure that valuable time and resources are not unnecessarily expended externally vetting a case with a record owner when the individual is otherwise ineligible for the benefit sought.

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In practice...

The eligibility assessment is done in two parts:

1. Initial, *prima facia* review
2. Detailed joint file review

Key questions:

1. Is the individual clearly not ineligible? *(pre-vetting)*

   - versus -

2. Is the individual eligible? *(post-vetting)*

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- Eligibility assessment gets done up front, shortly after the case is referred
- But the entire thing (and all of the items we're going to talk about) don't necessarily need to be right up front
- This is nowhere in policy, but the practice has sort of evolved in two directions:
    - There's an upfront early review to see if someone is not ineligible
    - Then there's the continuing assessment to determine if someone is actually eligible
- What's the difference between "not ineligible" and "eligible"?
    - In the upfront review, we're concerned with deciding if someone is not ineligible, because that means we continue in CARRP
    - If the person is clearly ineligible, we're going to deny
    - That's a different standard than asking if someone is eligible
    - The distinction exists because up front, shortly after a case if referred, presumably with very little vetting, we can't always make a decision about whether someone is eligible
    - But we can definitely say that they're not clearly ineligible

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- So when we talk eligibility, it's really two things
- The snap judgment "is there a clear ineligibility" where 'yes' results in a denial, and 'no' results in CARRP handling
- And the detailed, vetting based, collaborative (FDNS and adjudications), continuous, direction-giving determination that someone is in fact not only not ineligible, but actually eligible

Eligibility Assessments

CARRP as a Process (with a defined end)

That end can be one of four outcomes:

	Adjudicative Decision	
National Security Issue	**NS Concern Resolved**	Approval of benefit	Denial of benefit

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Eligibility Assessment

CARRP as a Process (with a defined end)

That end can be one of four outcomes:

		Adjudicative Decision	
National Security Issue	NS Concern Resolved	Approval of benefit	Denial of benefit

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- So, our first question for adjudication is "did we resolve the NS concern?"
- Who is making this determination?
  - Whoever is doing the vetting
  - In a lot of places that's FDNS
  - But it doesn't have to be – it can be any CARRP designated officer
  - But your vetting personnel, your FDNS, are focused on that NS concern
- As an adjudicator –
  - You might have helped identify the concern initially;
  - You did an initial eligibility assessment that outlined directions vetting could go
  - And now you're getting the case back at the end – did your vetting folks pursue everything you think they needed to? What conclusion did they come to?
- In the course of vetting, did we learn new information that overcame our NS concern?
- Let's dig a little deeper in to how we can end up at CARRP

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adjudication with a resolved concern

- What does that mean, and what are we going to do?

Form-specific Fa...

Ancillary & Non-Status Granting Benefits

- Consider information on prior forms in eligibility assessment.

- Consider the validity of the underlying status.

- Consider any underlying petitions.

- Do not focus only on the current benefit!

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Ancillary & Non-Status Granting Benefits
* Consider information on prior forms in eligibility assessment.
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* Consider any underlying petitions.
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- Why do ancillary benefits go in DS?
- So we can use the information on them during our eligibility determinations
- Ancillary benefits and things that we adjudicate quickly and without resolving the NS concern ask many of the same questions as I-485's and N-400's
- Compare answers between the forms
- Example: on an ancillary I-131, do you have to list where you're traveling to and why?
- Example: on an ancillary I-765, do you have to list where you're working?
- Example: on an I-140, could you have submitted supporting docs like a resume?

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Form-specific

Adjustment of Status based on Asylum

- Adjudicate in accordance with INA §209 **NOT** INA §245!!

- Must apply for adjustment.

- Be admissible.

- Physically present for at least one year after being granted Asylum.

- Continue to be a Refugee, or spouse/child of one.

- Not firmly resettled.

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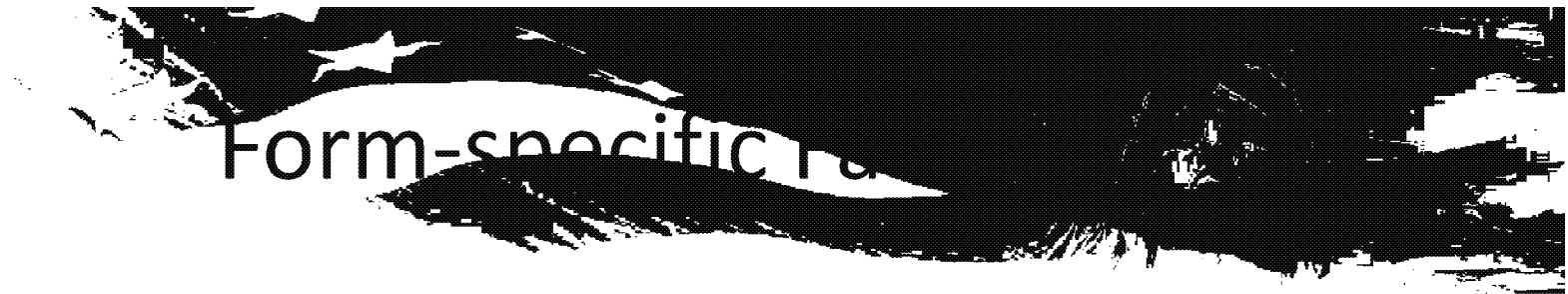*You have the Public's trust and respect. Use them wisely.*

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Some questions to ask applicant to find out if they continue to maintain their status would be:

    - Have you returned to your country since grant of Asylum?

    - Do you have any plans of returning?

    - Are you afraid of returning, or have conditions materially changed?

    - Have you traveled outside of the US since your asylum grant? If so, where to? How long did you stay? Do you have any status there?

Forum shopping – does the address on the form match where they filed?

Note: some inadmissibility grounds do not apply, while others can be

exempted

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Form-specific

Adjustment of Status based on Refugee

- Adjudicate in accordance with INA §209 **NOT** INA §245!!

- Admitted to the U.S. under §207.

- Admission has not been terminated.

- Physically present for at least one year.

- Not acquired permanent resident status.

- Found to be admissible.

*** Refugee adjustment may **not** be denied based on discretion.

  – may only deny based on certain grounds of inadmissibility.

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Form-specific [...]

Adjustment of Status based on Refugee

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Note that not all inadmissibility grounds which normally apply to 245 adjustments apply to refugee adjustments, also that there are waivers available for these grounds.

Review testimony – was the claim based on being arrested? What was the arrest for? Did they indicate on the I-485 that they have never been arrested?
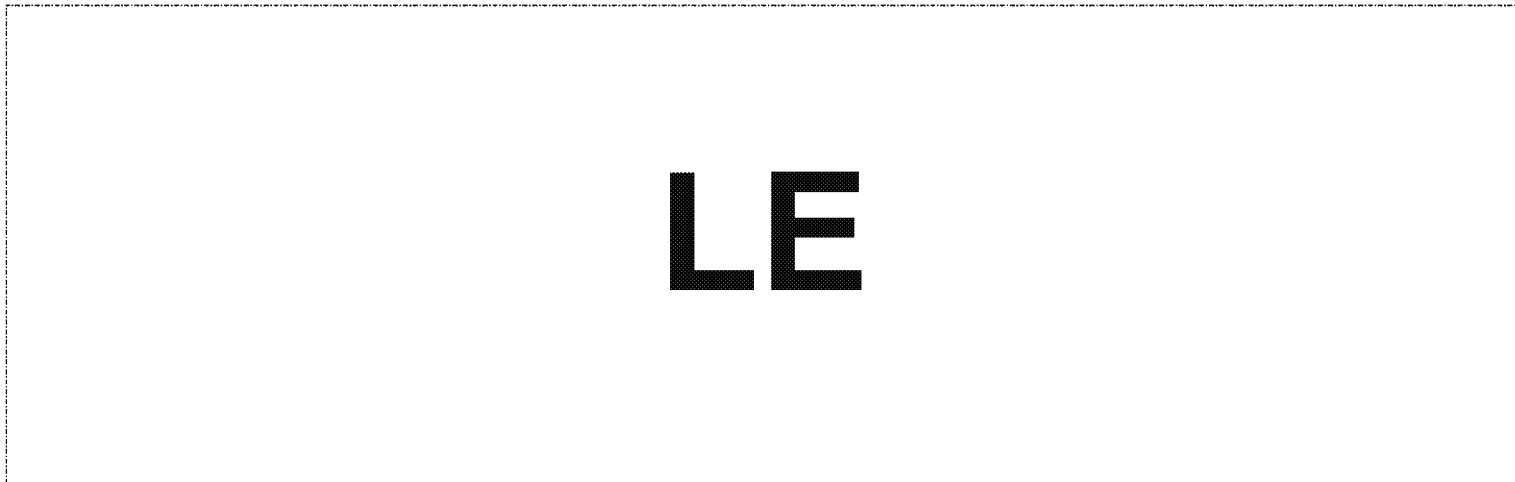
Review family – where are they? Is the spouse / children still abroad? Where?

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Eligibility Asse

Adjustment of Status Based on Marriage:

When Fraud Meets NS

Studies in National Security:

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Adjustment of Status Based on Marriage:

When Fraud Meets NS

Studies in National Security:

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- Here's one of those examples where the relationships you build with LEAs in external vetting can help you in internal vetting
- It's also one of those times where fraud can be the best friend of national security
- What happens next in this story? Why did the FBI call USCIS?
  - ████████████████████████████████████

- What happened next was textbook Internal Vetting

Form-specific

N-400

- Failure to provide true and complete information during his N-400 interview with regard to trips abroad.

- Failure to disclose all addresses where the applicant resided during his N-400 interview.

- False claims – many employment applications ask if the applicant is a USC
  - Police, Fire, Military

- Claiming disability on an I-648 related to military service but never disclosed service on any prior applications

- Failure to respond to request for evidence (N-14) application may be summarily denied pursuant to 8 CFR 103.2(b)(13).

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Form-specific

N-400

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- INA 318 issues – can we go back and look at the LPR grant? YES

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Tools for Vetting: A...

Assessment

- <u>Should</u> highlight identified inconsistencies and questionable items to be pursued
  - "Applicant has two SSN's"

- <u>Should</u> state the grounds that were considered
  - "Reviewed the N-400 for GMC and attachment to the Constitution. Applicant appears *prima facie* eligible at this time."

- <u>Should</u> suggest directions for vetting
  - "Request additional information about applicant's travel history to address potential physical presence ineligibility."
  - "Request information about xxxxxxxxxxx charity."
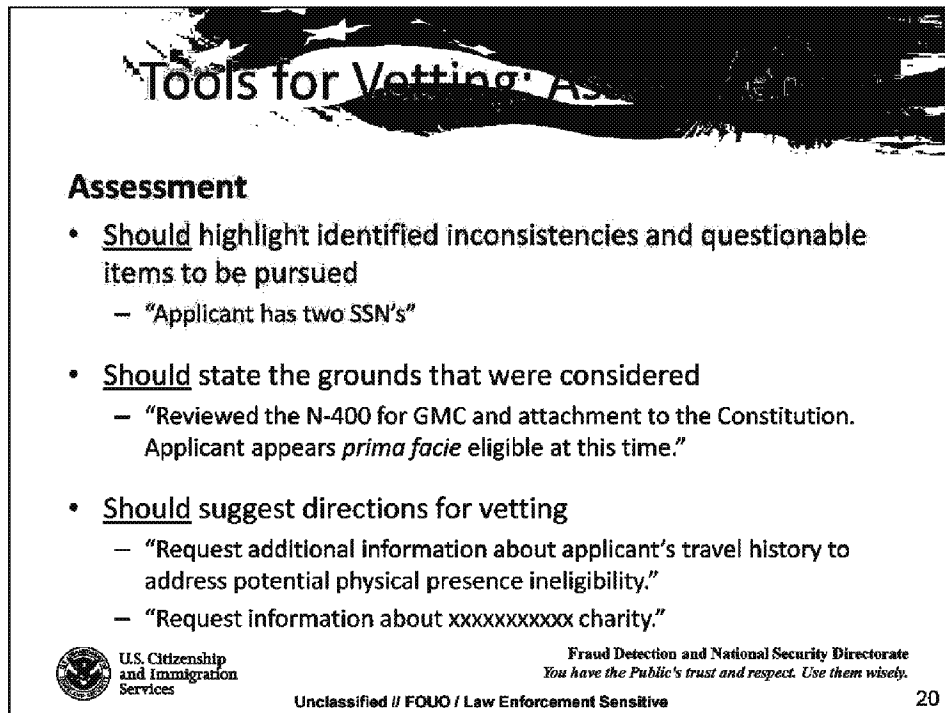
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Tools for Vetting: A

Assessment

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- Should suggest directions for vetting
  - "Request additional information about applicant's travel history to address potential physical presence ineligibility."
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- The actual assessment is done by ISO's or AO's
- Adjudications personnel have the best sense of potential ineligibilities
- They are also the people who have or will do the interview
- There are two things the ISO or AO should be trying to give to FDNS (or whoever will do the vetting):
  - Actual eligibility assessment
  - Timeline
- The things the assessment should do are listed on the slide
- Make sure to point out things that the adjudicator is unfamiliar with
  - Think back to the fictitious instances of self-reporting – make sure to flag anything that is unknown or unfamiliar
- The assessment should not:
  - Just state the applicant "appears eligible" - List out what grounds were considered and what evidence is needed!
  - Rely on the NS grounds to say someone is ineligible
    - Are we going to deny based on the NS grounds?
    - Need to leverage some other statutory ineligibility
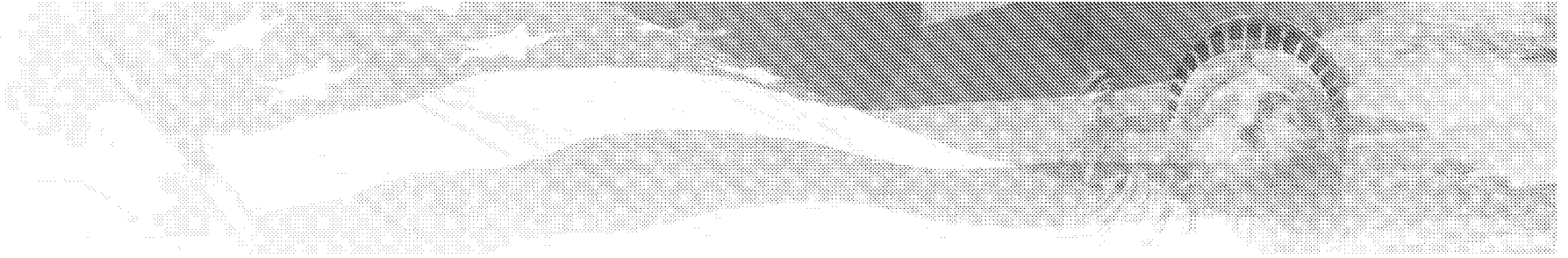
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Handout:

Sample Eligibility Assessment

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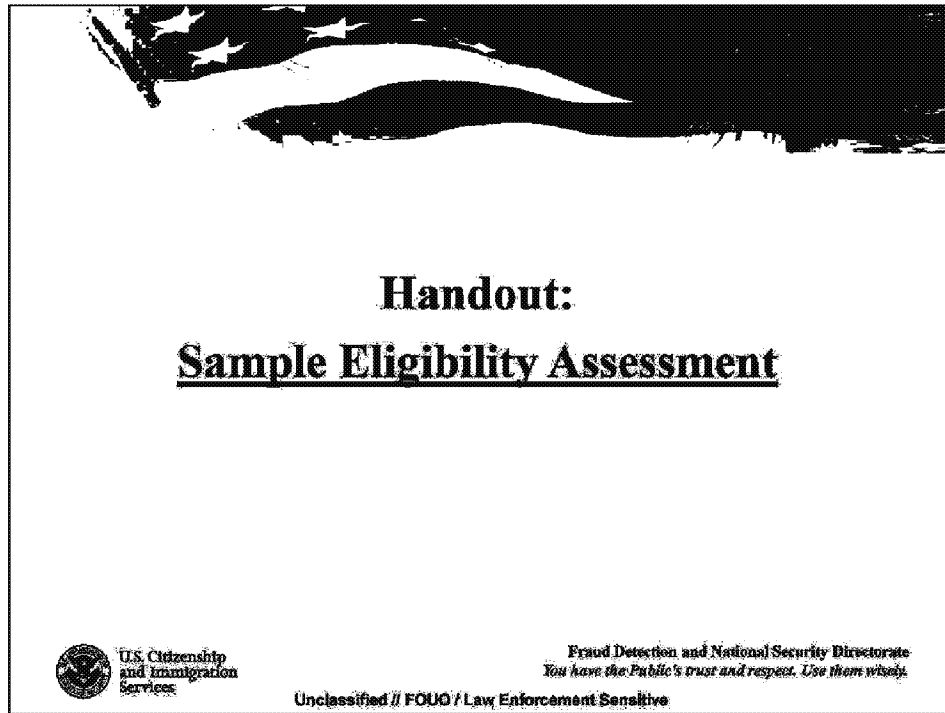
Handout:

Sample Eligibility Assessment

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Instructors:

-Note that the eligibility assessment contains a partial timeline, which is the next thing that is going to be discussed

- Eligibility grounds that were considered are highlighted in yellow

  - Residency and physical presence

  - Potential communism ties

  - LPR for 5 years

- Other facts warranting vetting are highlighted in green

  - Couple of organizations for FDNS to look in to

  - Highlighted a potential inconsistency with education RE: dissolution of the USSR

  - Results of security checks are clearly listed

- This is a really good eligibility assessment

Tools for Vetting: Quest...

Examples of Questionable Items

- Addresses – commercial databases show four, but applicant only provided one on the application.

- Taxes - the benefit application claims three children but on tax returns the applicant claims no dependents.

- State records show applicant owns a business, but there is no mention of this business on the application.

- Applicant indicates has never made a charitable contribution but their name is listed on an organization's website or there are tax write-offs for donations.

- Languages – applicant speaks four languages but claims to never have left their home country

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Tools for Vetting.

Building a timeline

- Chronological sequence of events that enables the viewer to quickly understand temporal relationships

- Should include the following:
    - Applicant's name, Alias, DOB,COB, COA, SS#, and A#.
    - All visas / applications / petitions
    - Employment history
    - Education history
    - Encounters with law enforcement, including arrests
    - Organization affiliations
    - Military history

- Place all elements in the same chronology – <u>do not</u> break up into sections

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Tools for Vetting

Building a timeline

- Chronological sequence of events that enables the viewer to quickly understand temporal relationships

- Should include the following:
  - Applicant's name, Alias, DOB, COB, COA, SS#, and A#.
  - All visas / applications / petitions
  - Employment history
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  - Military history

- Place all elements in the same chronology – <u>do not</u> break up into sections
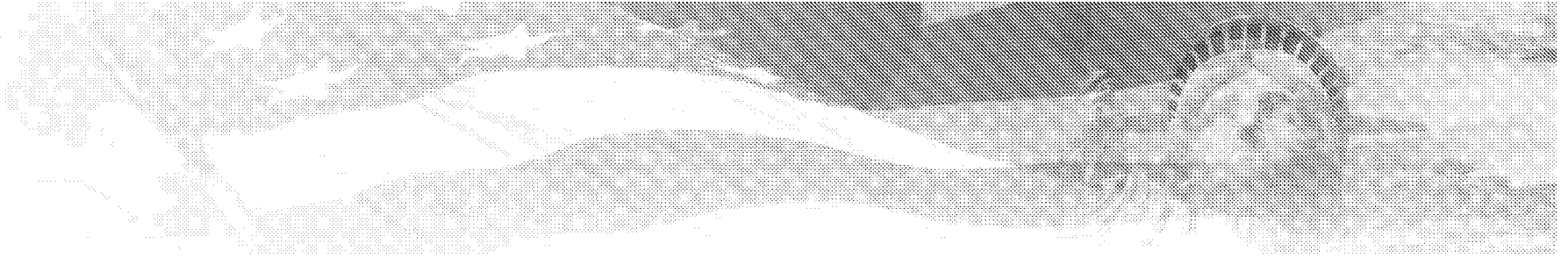
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- The timeline can be part of your eligibility assessment and can be useful for highlighting the questionable items or things that you want FDNS to pursue in vetting

23

Tools for Vetting

Sample Immigration Timeline

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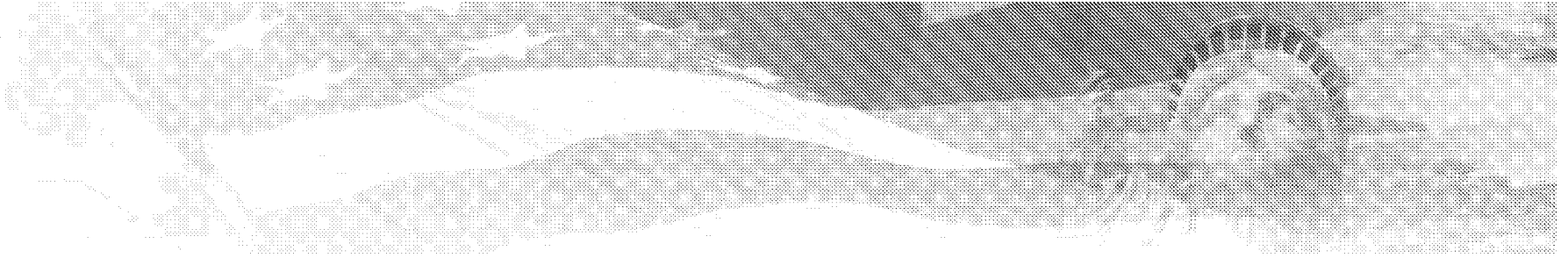CAR001182

Handout:

Sample Visual Timeline

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Application Exercise 5.1

"Building an Immigration Timeline"

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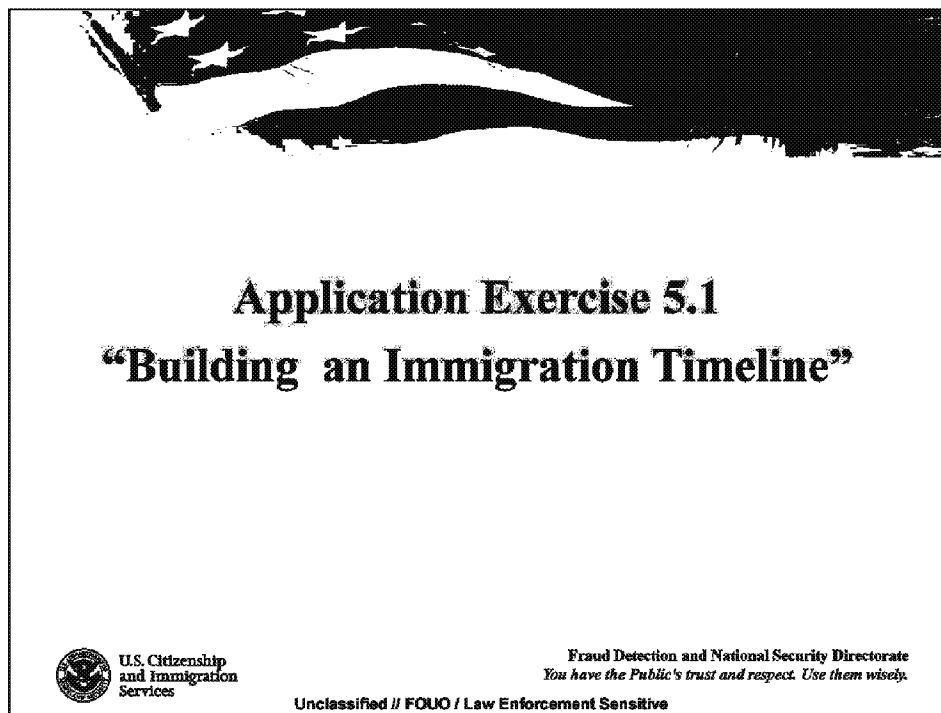**Application Exercise 5.1
"Building an Immigration Timeline"**

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- Distribute copies of the fake N-400 from the indicators exercise

- Instruct students to develop a timeline

- After 10 minutes, ask one student to walk through the timeline and highlight anything they learned that was non-obvious when just reading the form

- Put up the complete timeline on the screen and walk through any missed points

Internal ve...

What is Internal Vetting?

- Conducted in order to: "Obtain any relevant information to support adjudication and, in some cases, to further examine the nature of the NS concern."

- Consists of DHS, open source, or other systems checks; file review; interviews; and other research.

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What is Internal Vetting?

- Conducted in order to: "Obtain any relevant information to support adjudication and, in some cases, to further examine the nature of the NS concern."
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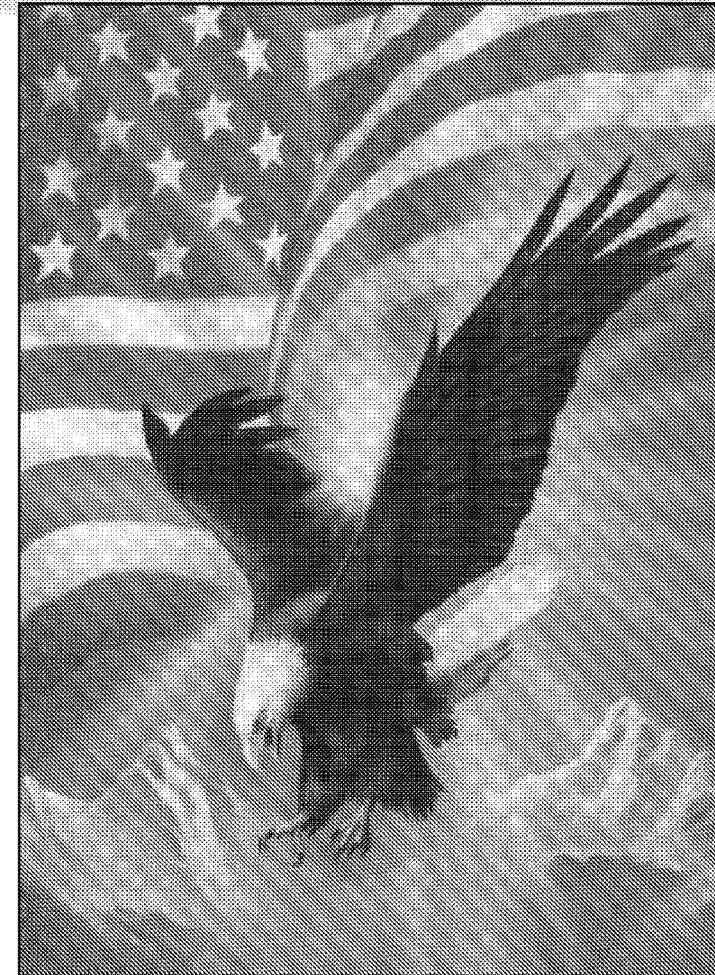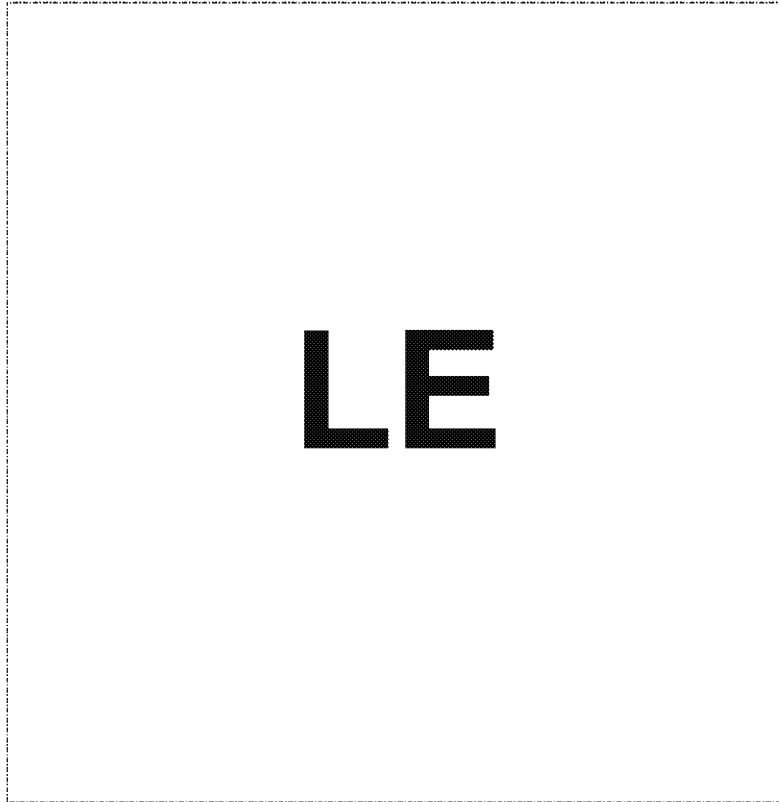U.S. Citizenship and Immigration Services

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- We'll start with internal vetting…
- Internal vetting is geared toward developing information to help with the adjudication and eligibility assessment (remember – vetting is not simply running systems checks – it involves evaluating the information and understanding its impact)
- It relies heavily on what is revealed in immigration systems and by internal USCIS resources

Upon completion of required internal vetting, if the NS concern remains, the officer must evaluate the result of the vetting and determine any relevance to adjudication, obtain any additional relevant information (e.g., via a request for evidence, an interview, and/or an administrative site visit), and determine eligibility for the benefit sought. Adjudication of a case with a NS concern focuses on thoroughly identifying and documenting the facts behind an eligibility determination, and, when appropriate, removal, rescission, termination, or revocation under the Act.

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Subject is of National Security Concern!

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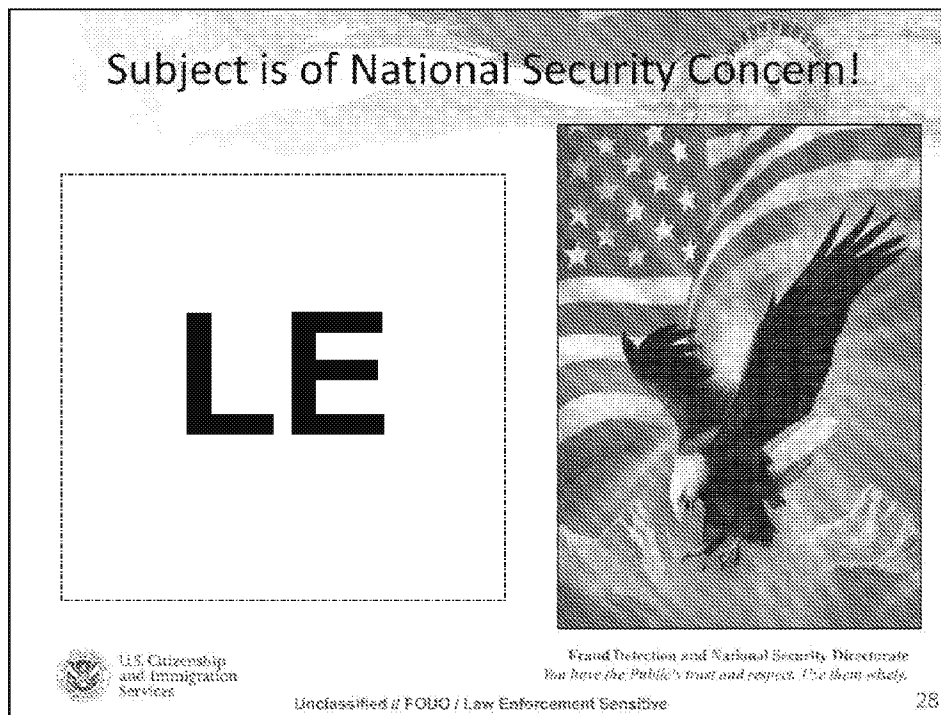and Immigration
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- In Phase 2, you know that an individual is a national security concern
- Therefore, the goal is to develop more information about the individual

Tools for Vetting.

Internal Vetting Systems:

- Central Index System (CIS)

- CLAIMS 3

- CLAIMS 4

- ELIS

- TECS

- BBSS

- ADIS

- IDENT

- ACCURINT / CLEAR

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Internal Vetting Systems:

- Central Index System (CIS)
- CLAIMS 3
- CLAIMS 4
- ELIS
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- BBSS
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- IDENT
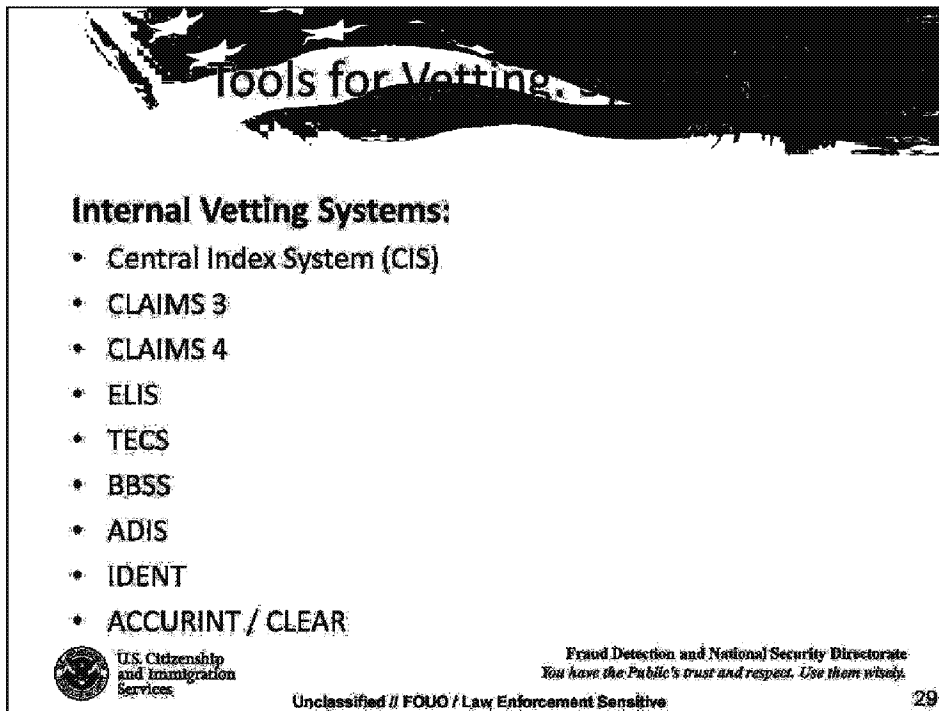- ACCURINT / CLEAR

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- Use these tools to run down the questionable items the adjudicator flagged
- Where does the person live? Is it an actual address?
  - Compare addresses in open source with addresses the applicant provided
  - Do an image search of the address – is it an actual residence?
  - Is the residence in line with income and family size?
  - How many people did the applicant claim live in the residence?

Tools for Vetting.

Interviewing 101

- Best practices
- Before the interview
- Questioning

- *Discussion*: What's the longest interview you've conducted?

- *Discussion*: What is the procedure in your office for interviewing? How much time do you have to prepare? How is OCC involved? Who else is involved?

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Tools for Vetting

Interviewing 101
* Best practices
* Before the interview
* Questioning

* *Discussion*: What's the longest interview you've conducted?

* *Discussion*: What is the procedure in your office for interviewing? How much time do you have to prepare? How is OCC involved? Who else is involved?

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Instructors: this slide outlines the upcoming interview section – the discussion questions can be answered now, or students can think about them during the interview slides and discuss them at the end of the section

Tools for Vetting.

Best Practices:

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Tools for Vetting

Best Practices:

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Tools for Vetting:

During the interview:

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Tools for Vetting:

During the interview:

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Tools for Vetting:

Questioning:

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Compare:

Example 1 –

LE

LE

Example 2 –

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Tools for Vetting

Questioning:

LE

Compare:

Example 1 – LE

LE

Example 2 – LE

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LE

Tools for Vetting:

Questioning:

<div style="text-align:center">

LE

</div>

Compare:

Example 1 –
Example 2 –
Example 3 –

<div style="text-align:center">

LE

</div>

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Tools for Vetting

Questioning:

LE

Compare:

Example 1 –
Example 2 –   LE
Example 3 –

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Another example:

LE

LE

Another example:

LE

Tools for Vetting:

Questioning:

-
-
-

LE

Recap example: **LE**

LE

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Tools for Vetting:

Questioning:

LE

Recap example: LE

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LE

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Tools for Vetting.

Review interview along with other information:

❑ Is applicant's testimony consistent with his/her application/petition?

❑ Is it backed up by documentary evidence?

❑ Was applicant provided with an opportunity to clarify any inconsistencies?

❑ Was his or her testimony detailed?

❑ Was he or she confronted on all outstanding issues?

❑ Did you ask applicant the same question several times during the interview to double check his or her answer?

❑ Is there a need for an RFE?

❑ Does law enforcement have anything to add?

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Studies in National Security:

Interview Techniques: What to ask and How to ask it
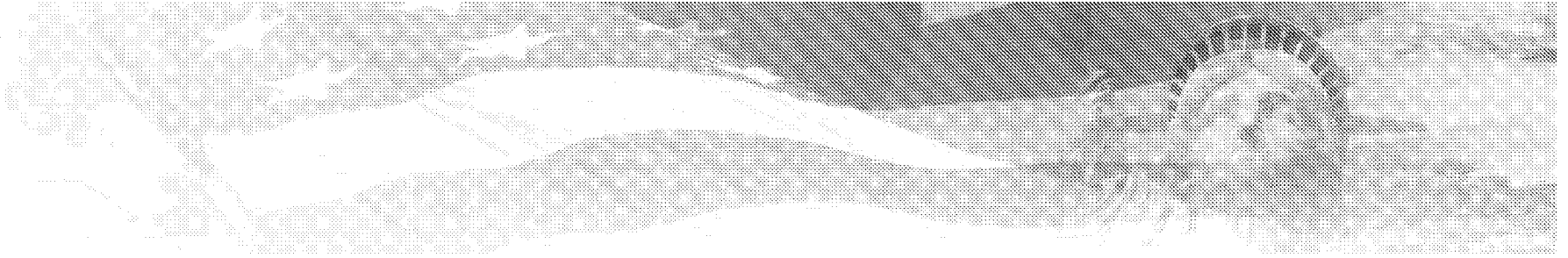
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Studies in National Security:

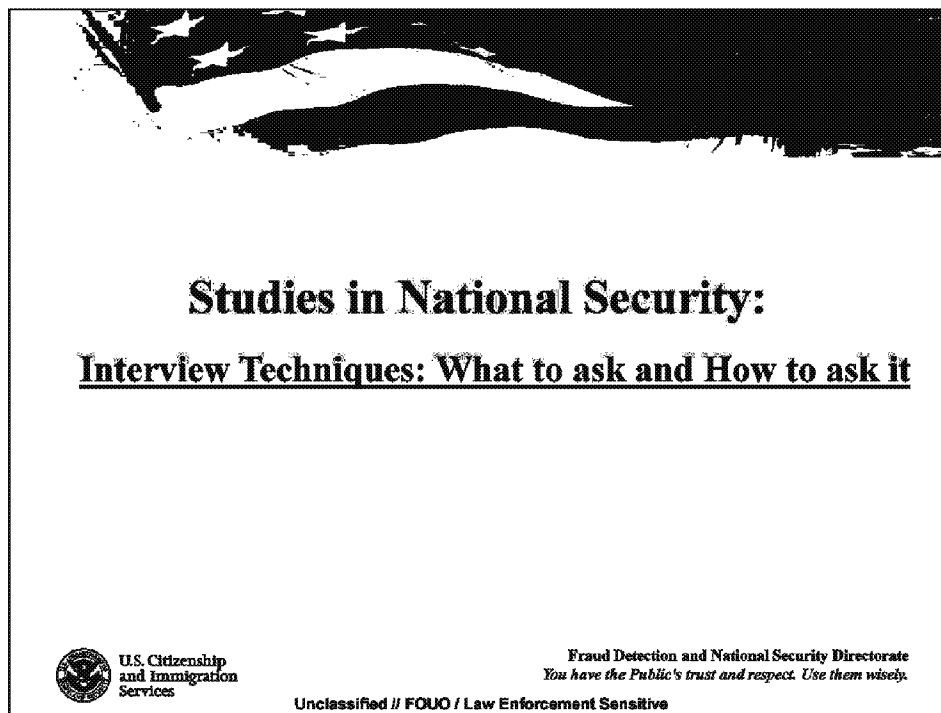**Interview Techniques: What to ask and How to ask it**

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- Review the Interview Techniques Studies in NS
- Emphasize techniques from page 1 and semi-structured topics from page 2

Tools for Vetting Request

Requests for Evidence (RFE)

- What can you RFE for? (a non-exhaustive list)
  - Affidavits
  - Employment Records
  - Tax Records
  - Bank Statements
  - Transcripts

- Why are RFE's useful in a CARRP case?
  - They are applicant-provided information
  - They are unclassified

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Tools for Vetting Requests

Requests for Evidence (RFE)

* What can you RFE for? (a non-exhaustive list)
  - Affidavits
  - Employment Records
  - Tax Records
  - Bank Statements
  - Transcripts

* Why are RFE's useful in a CARRP case?
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- RFE must be relevant to the benefit sought

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Tools for Vetting: Case

Case Summary Elements:

- Full name/aliases
- Addresses
- Timeline
- Eligibility Assessment
- Applications/Petitions
- Interview Notes
- Derogatory information

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Tools for Vetting Cases

Case Summary Elements:
- Full name/aliases
- Addresses
- Timeline
- Eligibility Assessment
- Applications/Petitions
- Interview Notes
- Derogatory information
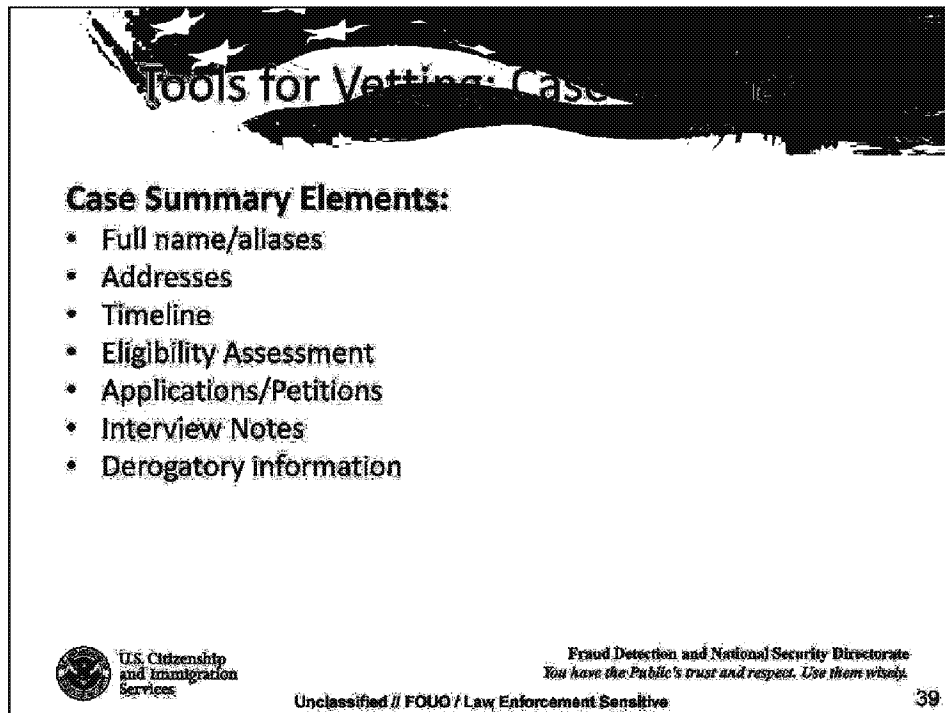
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When drafting a case summary, make sure you note everything you can find in your summary, and also as you are drafting the summary you may want to consider items you want to ask during an interview or documents you may need subject to provide per a RFE.

Internal Vetting

Component differences in roles

- Service Centers ⟶ don't interview at all (even though they're ISO's)

- Field offices ⟶ may interview during Stage II or other times

    ⟶ may use CARRP ISOs, FDNS IOs, or both

- Asylum offices and refugee teams ⟶ often interview before Stage I, because identification of the concern is based on testimony

*** Depending on the form type, an interview may be appropriate earlier or later in the process *(think N-400's)*

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Internal Vetting

Component differences in roles

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- Important disclaimer up front: all three components do this differently
- We talk about interviewing as part of Stage 2 because it's a logical fit – the interview is one of our immigration specific, internal vetting tools
- However – if you know you have a CARRP case, you may not want to interview in Stage 2
- You may want to complete all your vetting first

<u>CAUTION: N-400 Applications</u>
- You may want to be careful of starting a clock on the adjudication of naturalization applications.
- N-400's have to be adjudicated within 120 days of the interview
- You may want to consult with local counsel because once a naturalization interview takes place, USCIS is mandated by statute to complete adjudication of the N-400 within 120-days of the interview. So be careful of starting a clock on the adjudication

CAR001213

Roles

- Internal vetting can done by ANY designated officer

- Eligibility assessment is the purview of adjudications personnel

- Supervisors must approve process phase changes

- SCOPS ⟶ ISOs working in the BCU perform internal vetting

    ⟶ ISOs working in the BCU conduct the eligibility assessment

- FOD ⟶ Most internal vetting will be done by FDNS, but should be directed and informed by an evolving eligibility assessment

    ⟶ Therefore, CARRP ISOs and FDNS IO's share responsibility for internal vetting & the eligibility assessment

- RAIO ⟶ Staffing up asylum offices to have FDNS IO's and SIO's

    ⟶ Refugee teams generally have no FDNS presence, but their eligibility considerations direct RAD HQ in vetting efforts

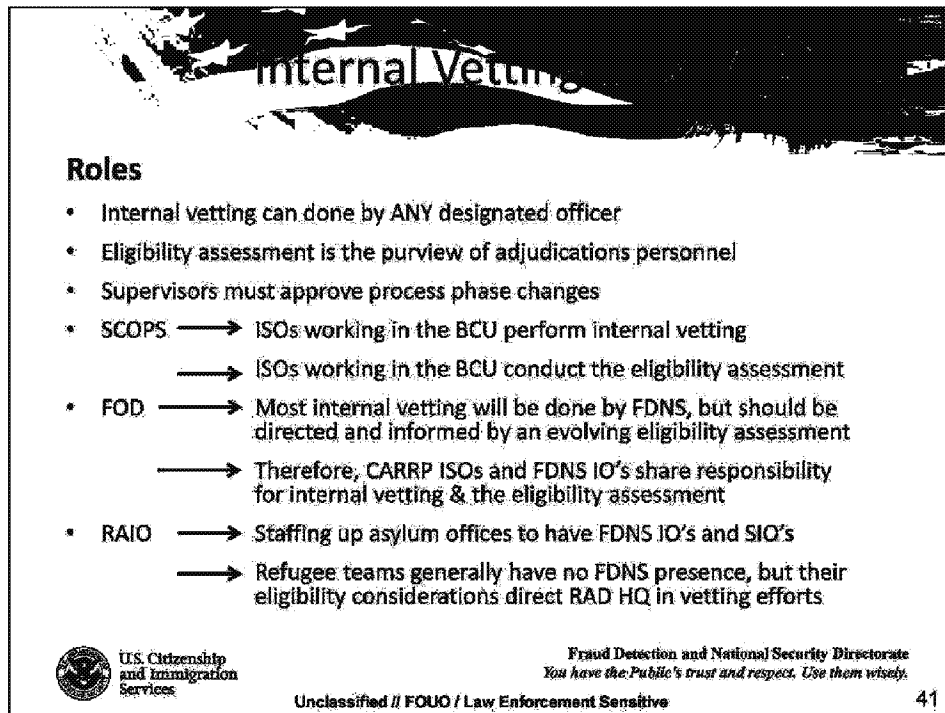**U.S. Citizenship and Immigration Services**

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Roles

- Internal vetting can done by ANY designated officer
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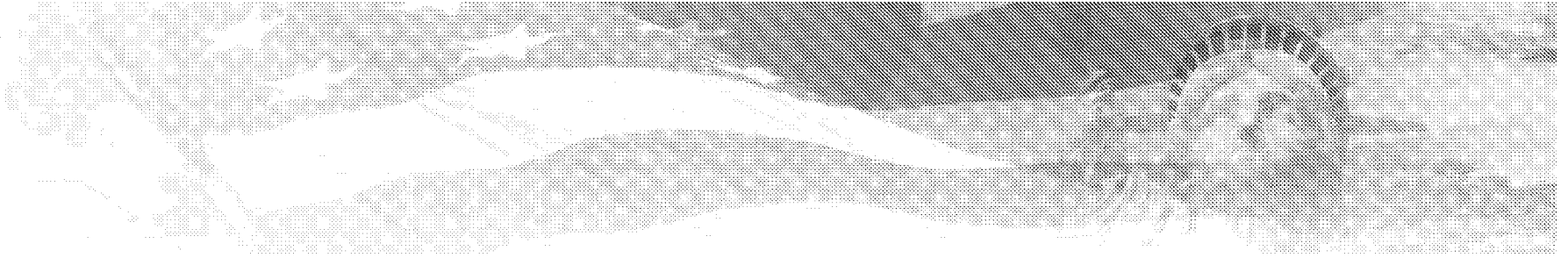
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Instructors: highlight another similarity between RAD and domestic offices

- In field offices, ISO's should build the eligibility assessment up from its preliminary review to direct the vetting done by FDNS IO's
- In RAD, RO's should consider what information they need from HQ when referring a case to CARRP
- In both cases, adjudications personnel are identifying pieces of information they need – more background on a group, looking into inconsistent testimony or facts, etc.

Practical Exercise 2A: CARRP Stages 2
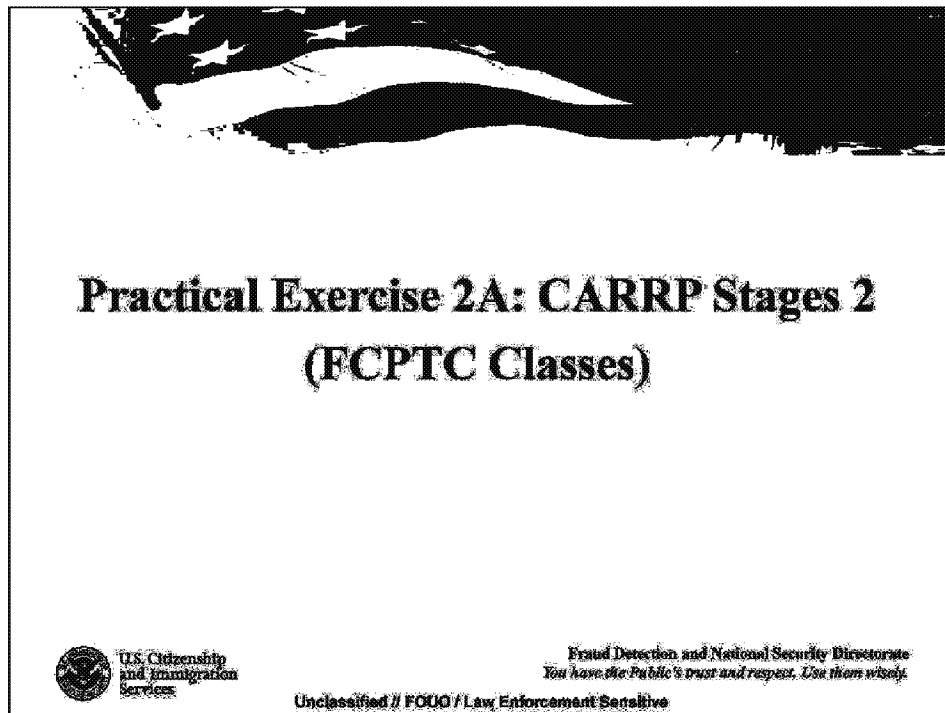# (FCPTC Classes)

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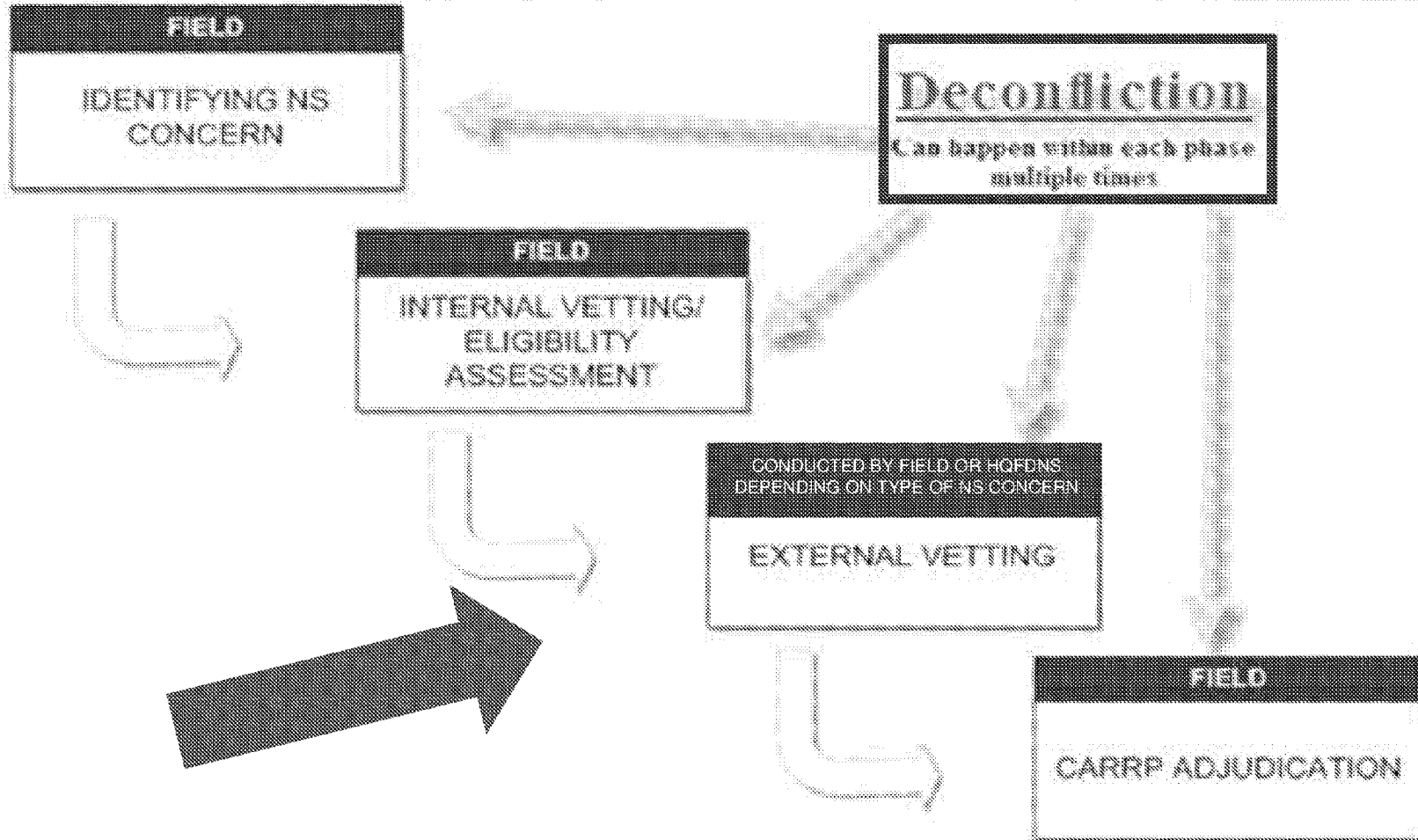
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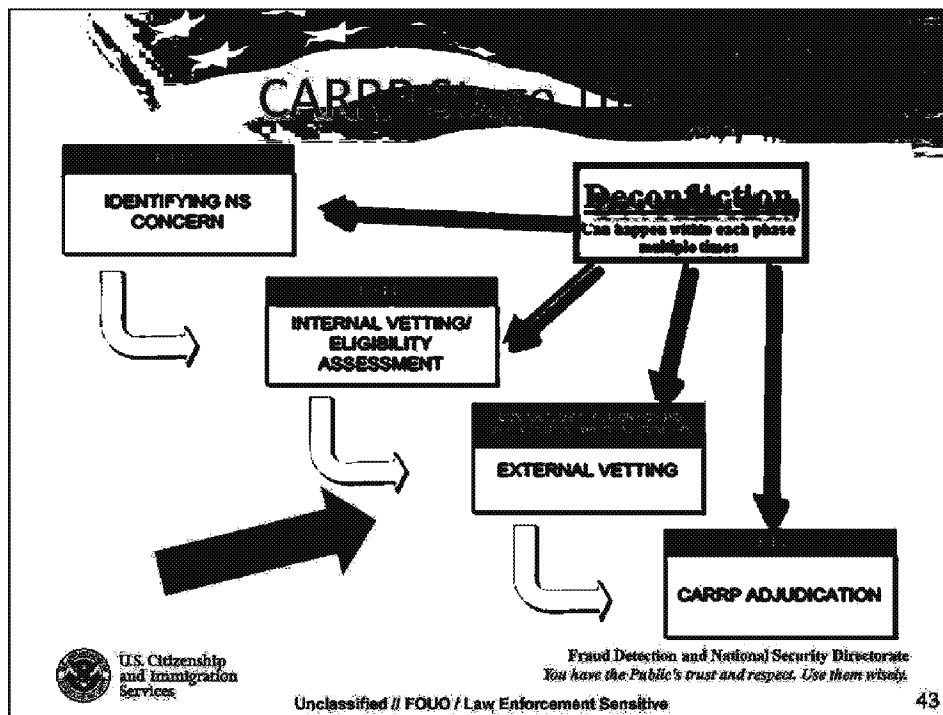**Practical Exercise 2A: CARRP Stages 2 (FCPTC Classes)**
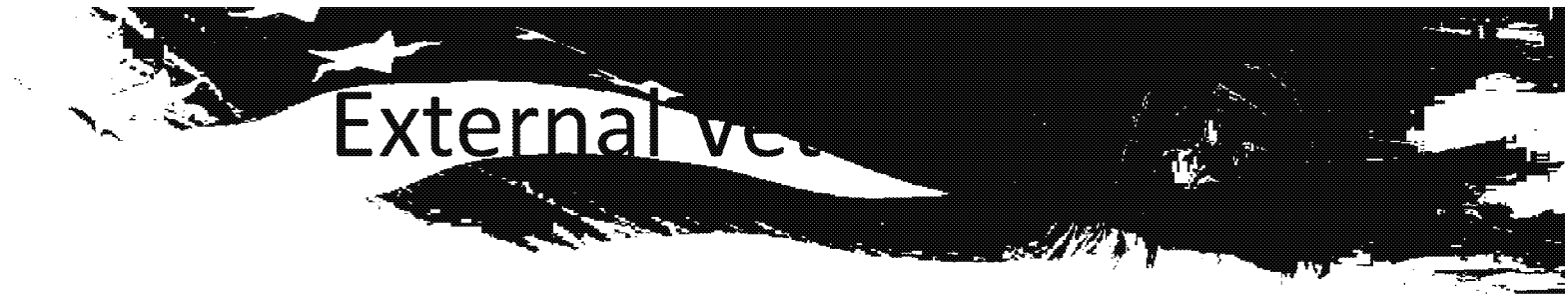
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- In FCPTC classes with CARRP ISO's, do practical exercise 2 mid-way through Module 5, at the conclusion of the eligibility section, but before lecturing on external vetting

CARRP Stage Three

FIELD
IDENTIFYING NS CONCERN

Deconfliction
Can happen within each phase multiple times

FIELD
INTERNAL VETTING/ ELIGIBILITY ASSESSMENT

CONDUCTED BY FIELD OR HQFDNS DEPENDING ON TYPE OF NS CONCERN
EXTERNAL VETTING

FIELD
CARRP ADJUDICATION

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The third stage of CARRP is external vetting.

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External v...

What is External Vetting?

- Conducted in order to: "Obtain additional information regarding the nature of the NS concern and its relevance to the individual."

- Consists of inquiries to record owners in possession of the NS information to identify:

  - Status and results of any ongoing investigation.

  - The basis for closure of any previous investigation.

  - Information that may be relevant in determining eligibility, and when appropriate, removability.
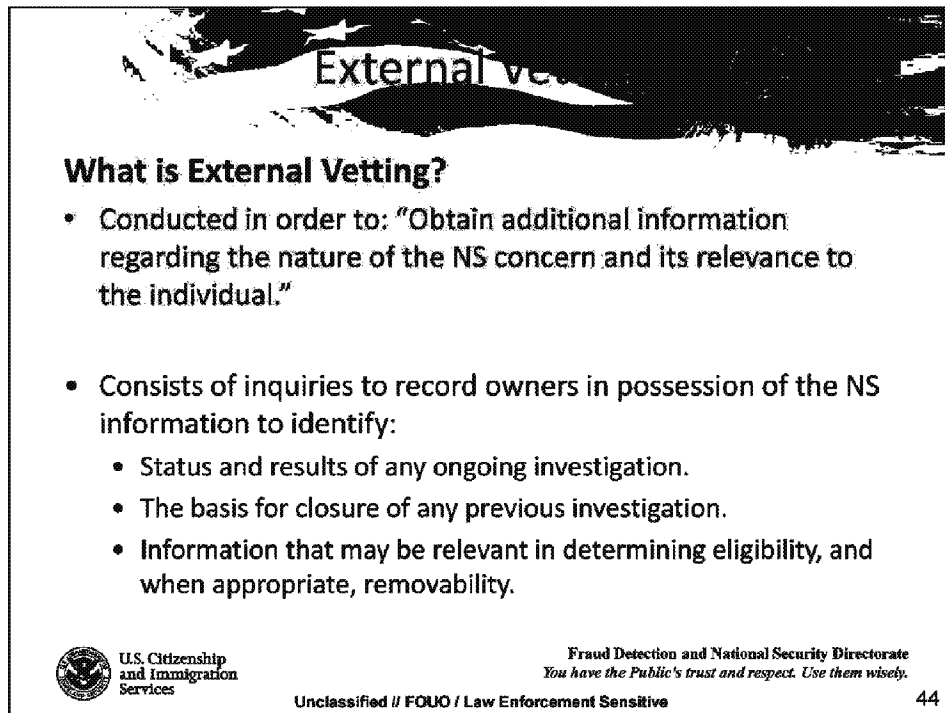
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What is External Vetting?

- Conducted in order to: "Obtain additional information regarding the nature of the NS concern and its relevance to the individual."

- Consists of inquiries to record owners in possession of the NS information to identify:
  - Status and results of any ongoing investigation.
  - The basis for closure of any previous investigation.
  - Information that may be relevant in determining eligibility, and when appropriate, removability.

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- External Vetting is CARRP Stage 3
- You can the difference between external and internal vetting in the very first bullet on the slide
- External vetting is less focused on adjudication and more focused on the national security issues
- It involves going beyond USCIS resources and reaching out to record holders, talking to case agents, asking WHY an individual is the subject of an investigation
- Clearly, there is overlap between internal and external vetting – you can develop NS information during internal, and you can develop adjudication or eligibility information during external
- But when you ask yourself why those are two distinct steps in the CARRP process, think of what the goal is, what you're trying to develop, and the tools you're using to do it – that's the difference

Exter... Vetting ...

Roles and Responsibilities:

- In FOD, external vetting is largely the work of FDNS IO's

- In SCOPS, external vetting is performed by ISO's assigned to the CARRP BCU

- In RAIO:
  - FDNS IO's perform some vetting for asylum, and Asylum HQ also plays a role
  - The Screening, Vetting, and Program Integrity (SVPI) unit in RAD HQ assists with external vetting and is made up of FDNS IO's and Refugee Officers
  - HQ International Ops performs external vetting for overseas offices

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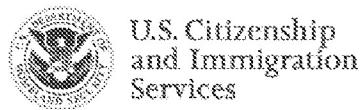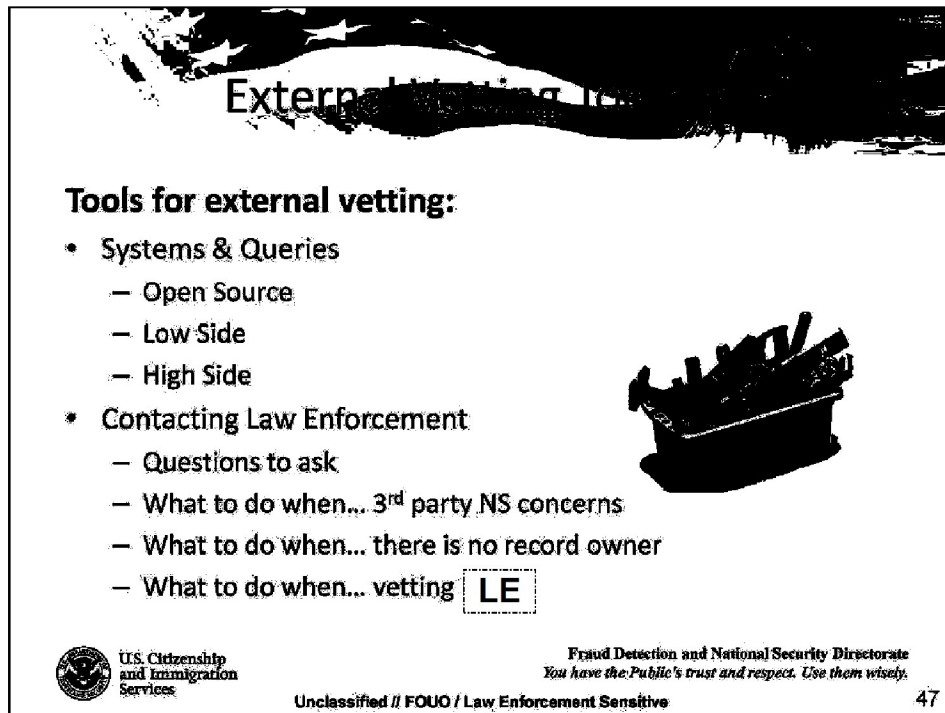*You have the Public's trust and respect. Use them wisely.*

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External Vetting

CARRP as a Process (with a defined end)

That end can be one of four outcomes:

	Adjudicative Decision	
National Security Issue	NS Concern Resolved	Approval of benefit Denial of benefit

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External Vetting Toolbox

Tools for external vetting:

- Systems & Queries
  - Open Source
  - Low Side
  - High Side

- Contacting Law Enforcement
  - Questions to ask
  - What to do when... 3rd party NS concerns
  - What to do when... there is no record owner
  - What to do when... vetting LE

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Tools for external vetting:

- Systems & Queries
  - Open Source
  - Low Side
  - High Side
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  - What to do when... vetting LE

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So this is our external vetting toolbox

External vetting differs from internal vetting in that we're looking more at the NS concern than at the immigration history / status of the individual

And instead of operating primarily within USCIS, we're reaching out to other entities

But it is a lot more complicated than simply picking up the phone an calling an ICE agent who entered a TECS record

So our tools for vetting are essentially the things we're going to do – who are we calling, what systems are we using, and, generally, what information are we looking for

Low Side Query Capability

- All USCIS officers are permitted to query:
  - TECS on affiliated persons when there is an articulable, rational connection between the case and the subject of the query
  - TECS archived records

- FDNS personnel are permitted to query NCIC III when:
  - A case is referred to FDNS due to links or a likely connection to criminal activity which warrants further investigation; or,
  - There is a reasonable suspicion of fraud which may be referred to ICE; or,
  - When an individual has been determined to be involved with current or planned terrorist activity.
  - See Revised Guidance for Accessing NCIC III – March 18, 2012

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External Vetting

Low Side Query Capability

- All USCIS officers are permitted to query:
  - TECS on affiliated persons when there is an articulable, rational connection between the case and the subject of the query
  - TECS archived records
- FDNS personnel are permitted to query NCIC III when:
  - A case is referred to FDNS due to links or a likely connection to criminal activity which warrants further investigation; or,
  - There is a reasonable suspicion of fraud which may be referred to ICE; or,
  - When an individual has been determined to be involved with current or planned terrorist activity.
  - See Revised Guidance for Accessing NCIC III – March 18, 2012

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- Almost everyone in USCIS knows TECS and NCIC and
- This is where there are some differences between FDNS IOs versus AOs and ISOs
- However, there are other resources available even within the systems we routinely use
- Everyone can query affiliated persons, such as:
  - Other people likely to be present at a site visit
  - Lawyers
  - Preparers
  - Business associates (co-investors of an EB-5 project, other people named in a SAR with the subject)
- Everyone can (and are actually required to in NS cases) query archived records
  - Archived records are not routinely queried in batch TECS
  - Archived records are supposed to be for investigations / lookouts that have been closed and are no longer considered relevant by the LEA record owner
  - However, if we're digging for every single thing we can find in an NS case, there could be something useful

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External Vetting

Open Source Systems: Not social media, but...

- USCIS is not authorized to use social media when researching applicants... but you can still learn a lot on the internet

- **Google** bing Yahoo! 🌐WikipediA may link you to social media sites, but they are not themselves social media

- So what can you find?

LE

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External Vetting

Open Source Systems: Not social media, but...

- USCIS is not authorized to use social media when researching applicants... but you can still learn a lot on the internet
- **Google** **bing** **YAHOO!** ● **WIKIPEDIA** may link you to social media sites, but they are not themselves social media
- So what can you find?

LE

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- In addition to our standard suite of systems, there's the plain old basic Internet
- Important: Wikipedia is OK… Wiki Leaks is NOT

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External Vetting

Low Side Systems: The World Beyond TECS

System	Owner	Information
Homeland Secure Information Network (HSIN)	DHS	Nationwide Suspicious Activity Reporting Initiative shares SARs with potential terrorism links; intelligence reporting disseminated to state and locals; tips and leads to law enforcement
Law Enforcement Enterprise Portal (LEEP) & N-DEX	FBI	Criminal justice records; gang information; terrorism threat streams; intelligence reporting; INTERPOL notifications
CLEAR / Accurint	Commercial	Address history; licensing information; associate information

A list of additional resources is available on the FDNS Connect Page: http://█████████████████████████

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- Moving past even Google, there are many more things you can gain access to
- None of these require you to be an FDNS IO
- Request a LEEP account at www.CJIS.gov
- There are a million potentially useful websites out there for everything from:
  - Pilots licensing
  - School accreditation
  - Charities and non-profits registered with IRS
  - Addresses and phone numbers
  - Public records
- There is a ton of information out there – become familiar with what you can access!
- The FDNS Connect page has a link list of additional resources

External Vetting Tools

LE Systems: Not Just for HQ

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External Vetting

LE **Systems: Not Just for HQ**

LE

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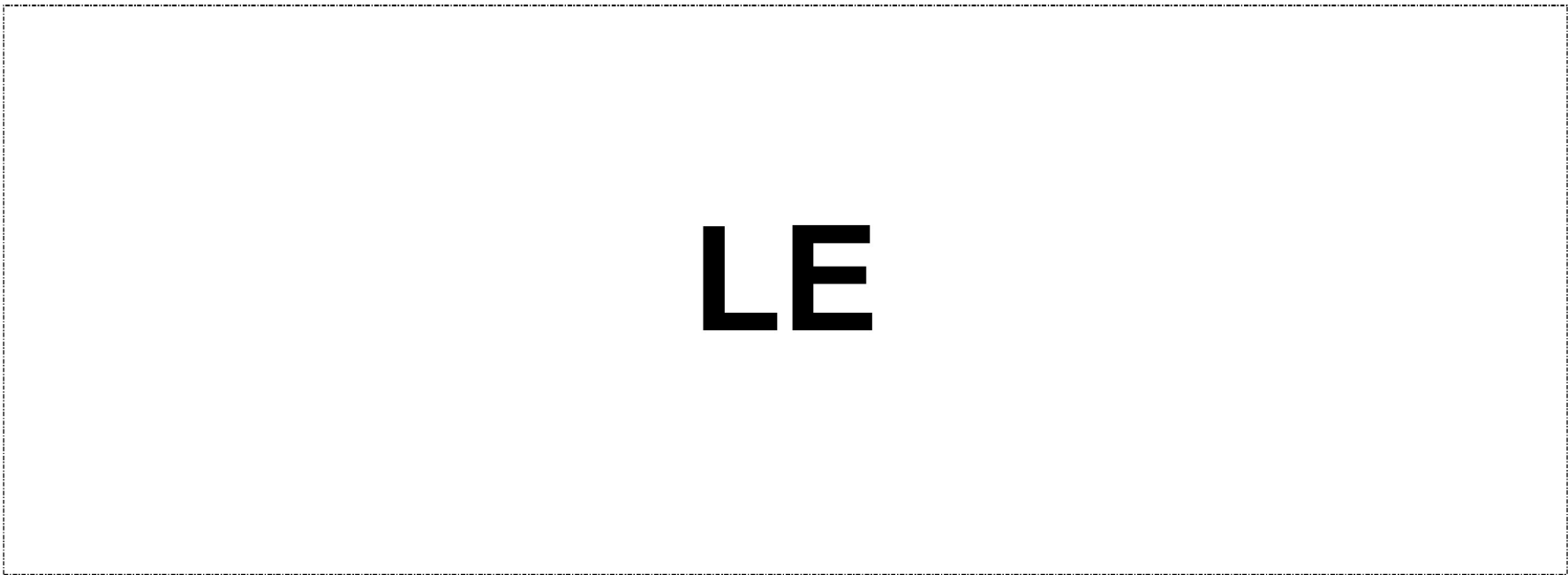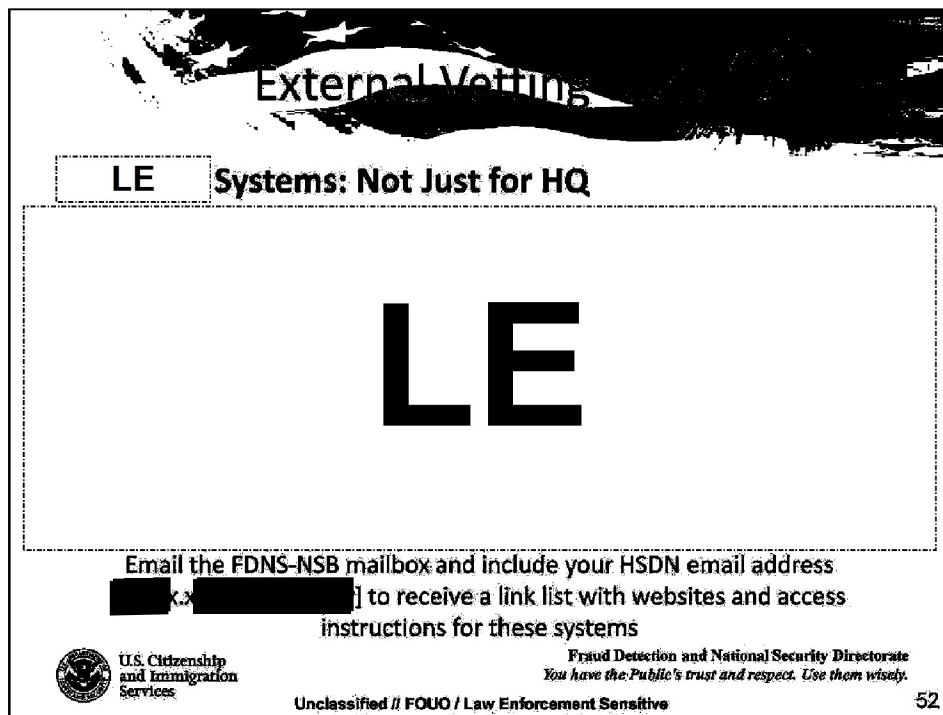Unclassified // FOUO / Law Enforcement Sensitive

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- **LE** doesn't always mean **LE**
- And it certainly doesn't mean you have to ask HQ for help
- There are plenty of systems that you have access to from your office or your JTTF detail location
- All of these systems are on HSDN

External Vetting Too

LE   Systems: Not Just for HQ

LE

Email the FDNS-NSB mailbox and include your HSDN email address
▬▬▬▬▬▬▬▬▬▬ to receive a link list with websites and access
instructions for these systems

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External Vetting
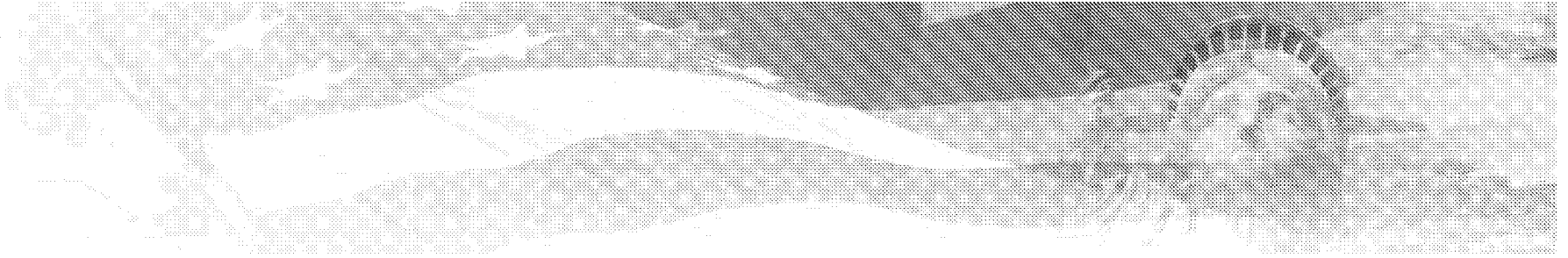
LE   Systems: Not Just for HQ

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[████x.x████████] to receive a link list with websites and access
instructions for these systems

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- Even more HSDN!

Application Exercise 5.2
"Systems Concentration"

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External Vetting

Preparing to Contact a Record Owner:

- Identifying information: TECS ID, ORI, Subject Name, etc.

- What can you tell the LEA about the subject or about USCIS?

  - Adjudication process

  - Benefit type

  - Last known address

  - Who's sponsoring the subject (if anyone)

- What do <u>you</u> need to get out of the call?

- Do you have secure communications if necessary?

  - Know how to use your STE

  - Know your classified email address

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Preparing to Contact a Record Owner:

- Identifying information: TECS ID, ORI, Subject Name, etc.
- What can you tell the LEA about the subject or about USCIS?
  - Adjudication process
  - Benefit type
  - Last known address
  - Who's sponsoring the subject (if anyone)
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OK, so you've done all of your digging in systems
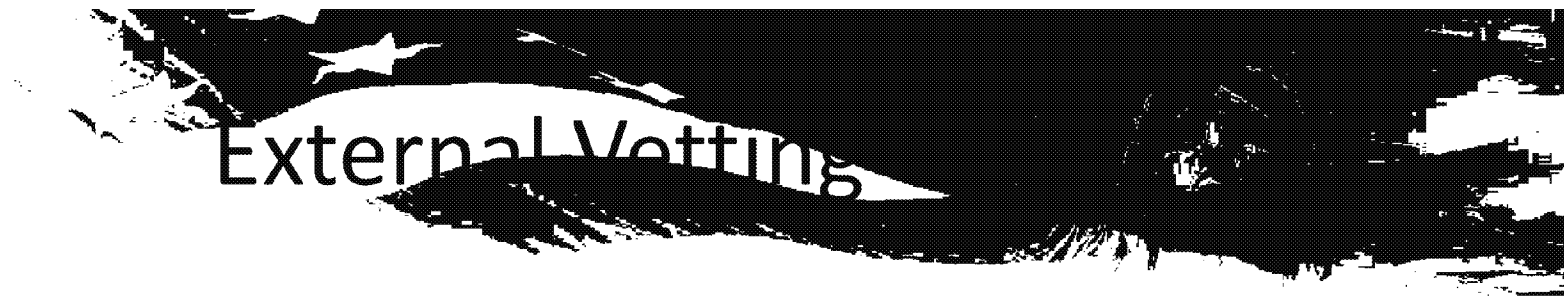
Now it's time to contact the record owner

Be familiar with the immigration status, pending applications, and the NS Concern

Have readily available any ORI, TECS ID, or case record numbers

Develop Lines of Inquiry – Identify areas to explore with record owner prior to initiating discussions

Be Prepared to Share Information, to the extent possible

Considerations include Privacy Act, VAWA, legalization, asylum, etc.

External Vetting

Record Owner Contact Best Practices:.

DO Send an email from your uscis.dhs.gov address identifying yourself, then follow up with a call

DON'T Use immigration jargon or acronyms
- FDNS, CIS, LHM, ASC, FDNS-DS, SISO
- I-129, bene, service center, non-confirmed

DO You may get more information from a secure call then you can on an unclassified line

DON'T Ask if the LEA knows anything "relevant to adjudication"

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External Vetting

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Speak in layperson's terminology (no immigration jargon)

Educate about USCIS's role

Be polite, respectful, and understanding

Be Prepared to Elevate the Discussion – When necessary

Don't ask for anything relevant to adjudication – LEA's don't know what's relevant – they're relying on you to tell them that!

What kinds of questions should you ask a record owner?

- External vetting may involve a network of people, not just the applicant
  - If the applicant is the spouse of a KST, what do you have to know about the actual person who is the KST?
  - If the applicant is an associate of a KST, what do you have to know about the relationship?
  - If the applicant is a member of an organization, what do you have to know about the organization?

- Go beyond "is there an investigation?"

- Remember that vetting <u>is not</u> the same as deconfliction

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External Vetting

What kinds of questions should you ask a record owner?

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- These questions are not what you're asking the applicant, but what you're asking law enforcement

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External Vetting

# Request any and all information about:

- ❏ Aliases
- ❏ Family relationships
- ❏ Residence within or outside the U.S.
- ❏ Membership or involvement with organizations
- ❏ Military Training
- ❏ Foreign Travel

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External Vetting

Request any and all information about:

- ☐ Aliases
- ☐ Family relationships
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- ☐ Membership or involvement with organizations
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- ☐ Foreign Travel
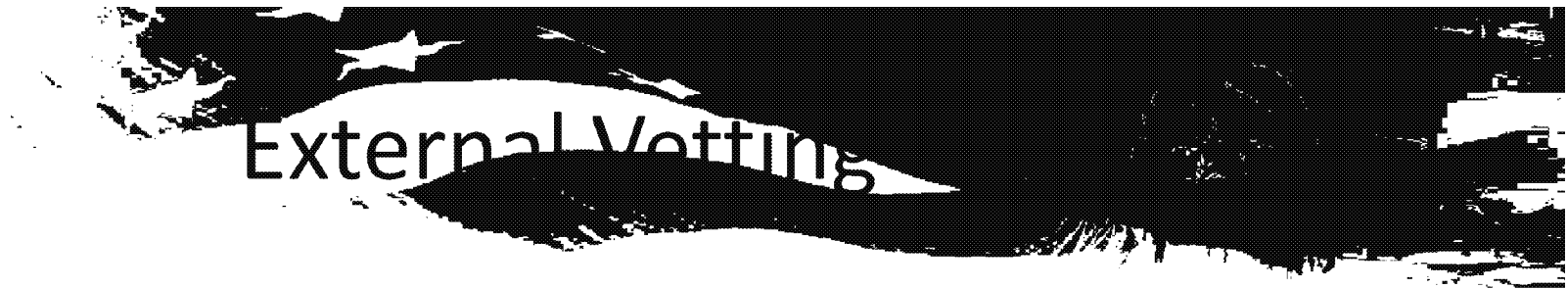
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When conducting external vetting you are not limited to questions regarding the investigation, you may also find out what biographical information the record owner may have on your subject.

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External Vetting
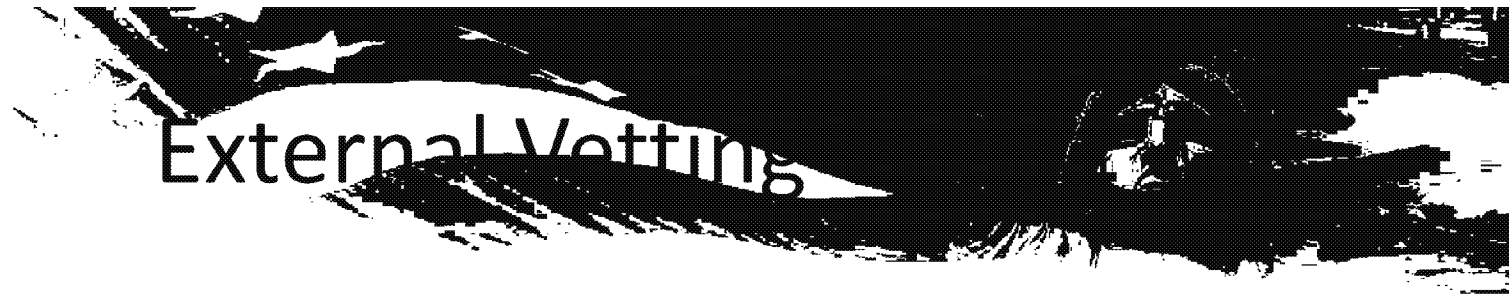
Asking about investigations:

- ❑ Is your investigation open or closed?
- ❑ What is the nature of your investigation?
- ❑ Are there any national security concerns?
- ❑ Do you have any information we can use, that may assist us in adjudicating this case?
- ❑ If the investigation has been closed, why was it closed?
  - – Was it because the subject moved to a new jurisdiction?
  - – Was that jurisdiction notified regarding interest in subject?
  - – Was it because the agent retired/left the job?
  - – Was it because subject was cleared, and there were no national security concerns found?

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Asking about criminal activity:

- ❑ Has he/she was arrested or detained?
- ❑ Has he/she has been charged?
- ❑ Has he/she will be charged?
- ❑ Will he/she will not be charged (i.e., not relevant to the current criminal investigation)?
- ❑ Are court documents, arrest records, or charging documents available?

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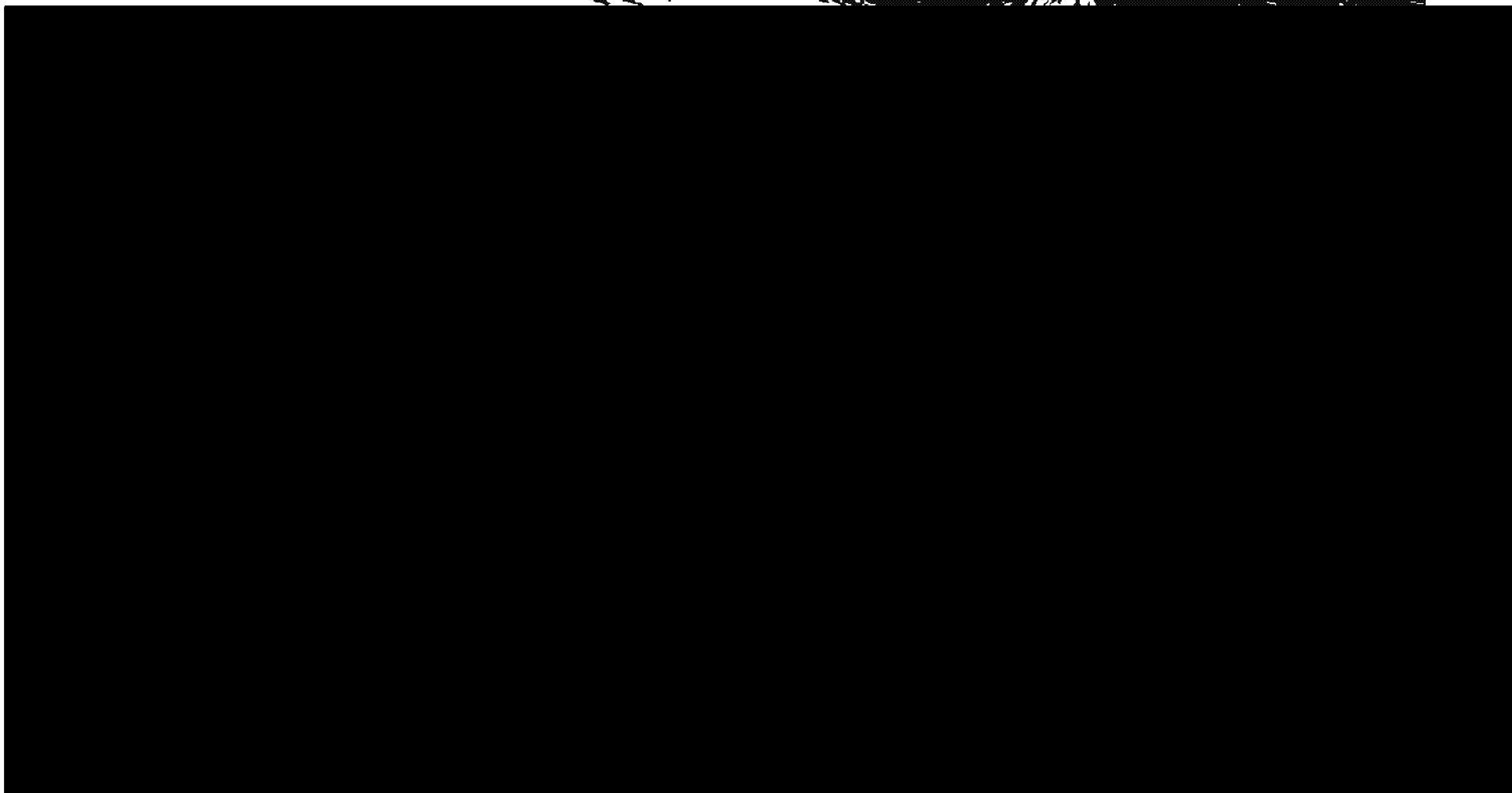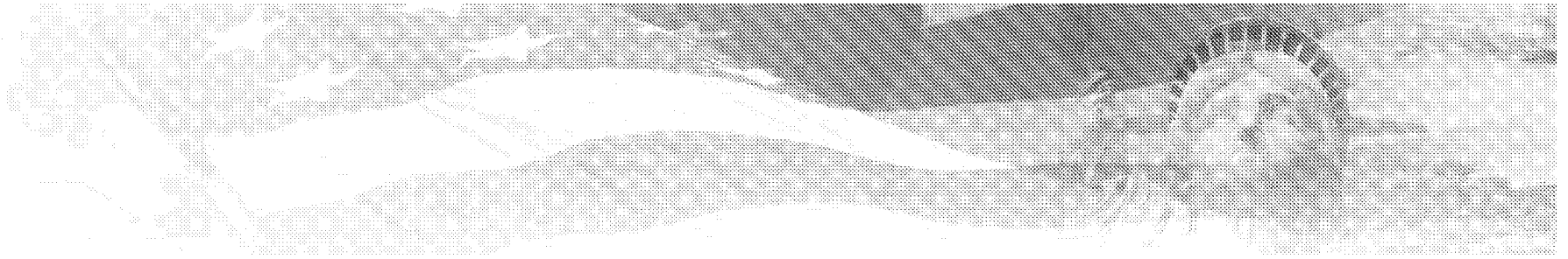*You have the Public's trust and respect. Use them wisely.*

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External Vetting

Documenting the conversation:

- Take detailed notes, including case agent name / position / agency

- Ask for an email or written correspondence

- Make sure the notes / emails are available to other officers

- Remember that A-files may be subject to FOIA

- Use FDNS-DS!

  – Load typed or scanned notes as an attachment

  – Enter case agent information in contacts

  – Document vetting conversations in the special actions sub-tab

 – Don't forget the activities and deconflictions sub-tabs

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Vetting NS Concerns

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Studies in National Security:

Vetting NS Concerns on 3rd Parties

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Studies in National Security:

Vetting NS Concerns on 3rd Parties

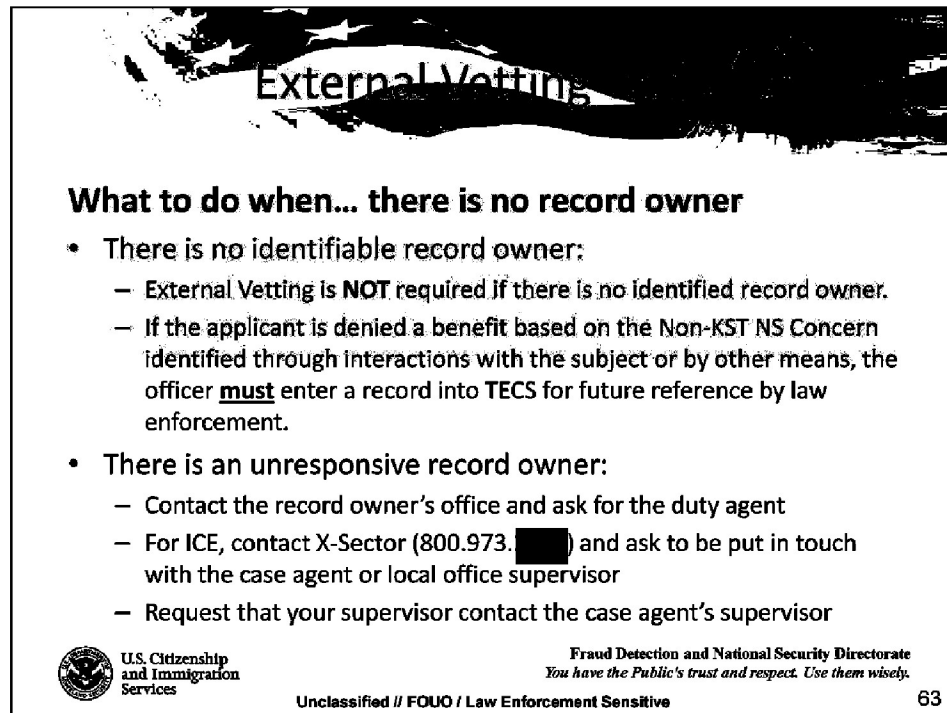U.S. Citizenship
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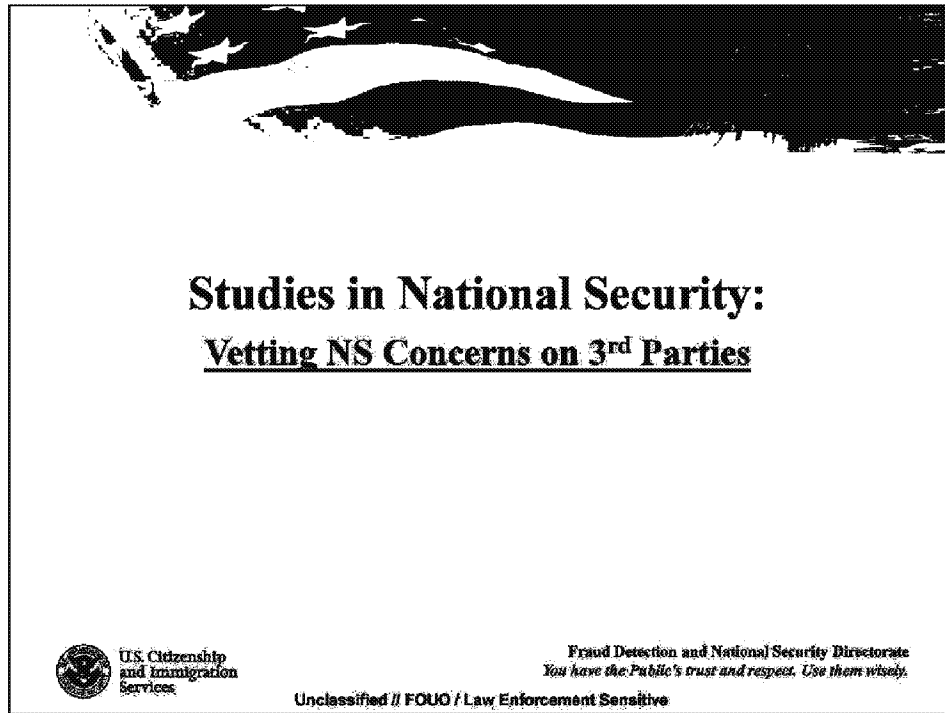
- Review "Vetting" document with students

- Emphasize the NS concerns may be based on association, rather than on an activity the applicant themselves carried out

- In these cases, vetting <u>must</u> extend to the individual or organization the USCIS applicant is associated with

- The NS concern could be resolved by disproving the association – **or** – by demonstrating that the 3rd party is not themselves an NS concern

- Possible scenarios where vetting the relationship can resolve the NS concern:

What to do when... there is no record owner

- There is no identifiable record owner:
  - External Vetting is **NOT** required if there is no identified record owner.
  - If the applicant is denied a benefit based on the Non-KST NS Concern identified through interactions with the subject or by other means, the officer **must** enter a record into TECS for future reference by law enforcement.

- There is an unresponsive record owner:
  - Contact the record owner's office and ask for the duty agent
  - For ICE, contact X-Sector (800.973.███) and ask to be put in touch with the case agent or local office supervisor
  - Request that your supervisor contact the case agent's supervisor
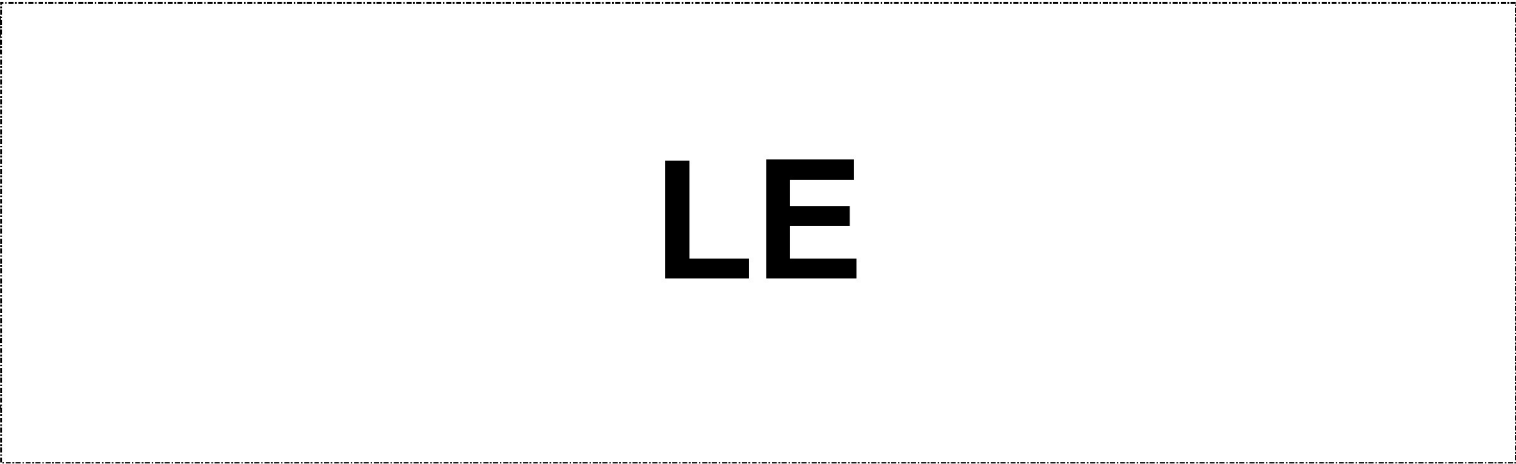
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External Vetting

What to do when... there is no record owner

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- So, we just talked about the best case scenario

- You had a clear POC, you reached out, they responded, it was a productive experience

- What happens if that's not the scenario?

- If there is no record owner, you are not <u>required</u> to externally vet

  - Are there strategies you might want to pursue anyway? Yes!

  - If it's a [LE] are you going to look at the record, think that you're not allowed to call the NTC, decide there's no record owner, and send the case back to adjudications? No!

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External Vetting

What to do when... vetting LE records

- [LE]

  LE

- [LE]

- In all identified NS cases, the JTTF <u>must</u> be contacted before requesting HQ assistance

- Also before requesting HQ assistance – ensure that the **LE** is still present
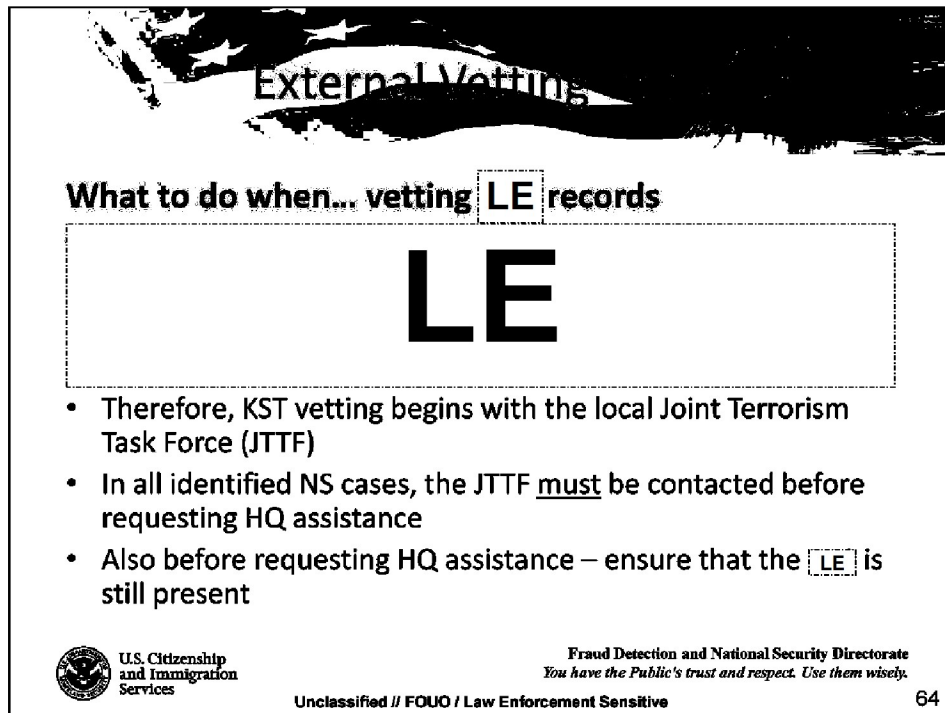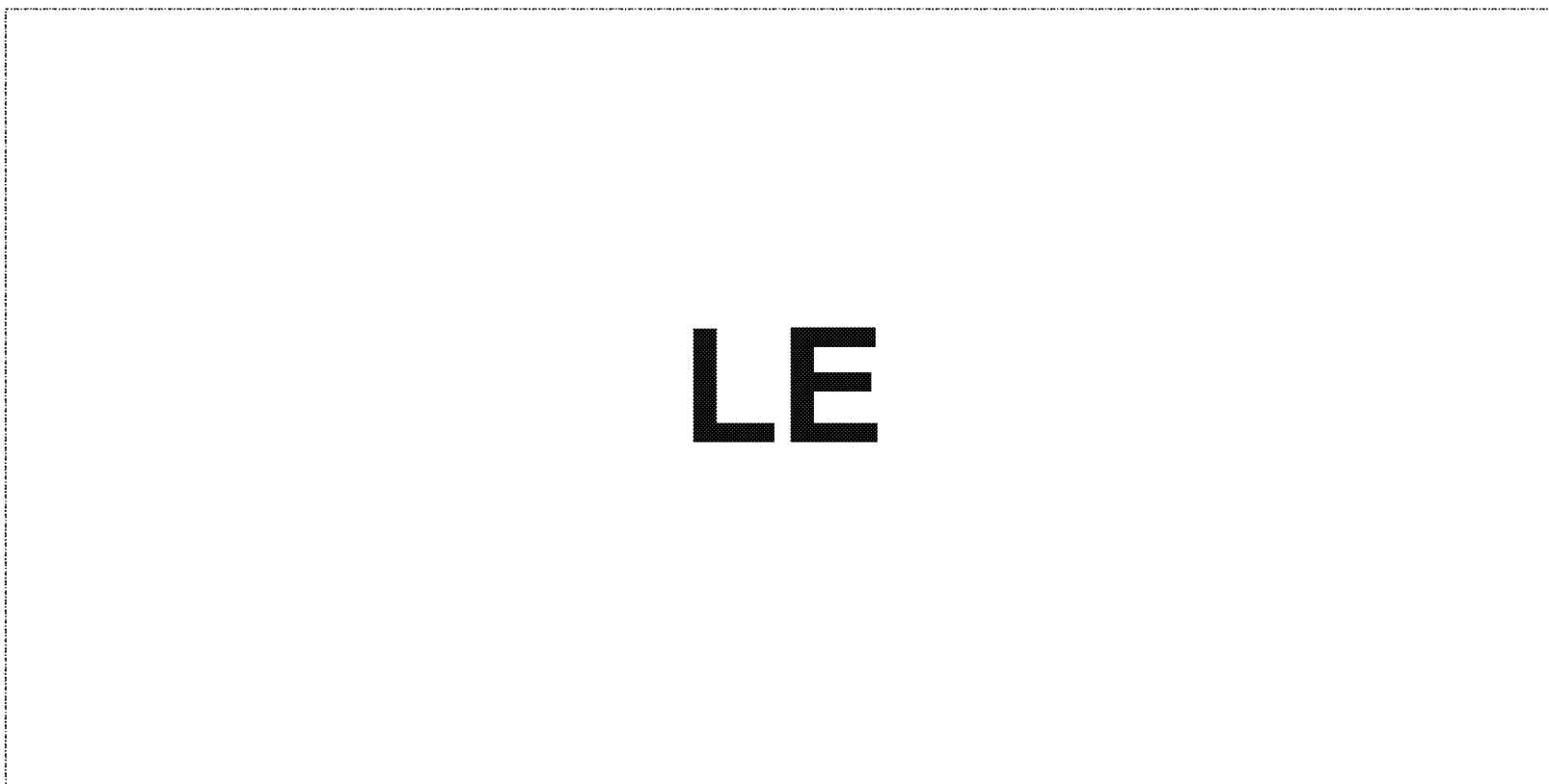
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External Vetting

What to do when... vetting LE records

LE

- Therefore, KST vetting begins with the local Joint Terrorism Task Force (JTTF)
- In all identified NS cases, the JTTF __must__ be contacted before requesting HQ assistance
- Also before requesting HQ assistance – ensure that the LE is still present

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- **LE**
- If you're vetting a KST case, start with JTTF
- If you're vetting a non-KST but the record owner is unresponsive or unidentifiable and X-sector or the duty agent phone aren't working, go to JTTF
- One way or anther, if you're going to request HQ assistance, make sure you've tried to vet with JTTF first

Exter... ...ing ...

More LE vetting

LE

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External Vetting

More LE vetting

-
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LE

LE

External Vetting

Should ⎡ LE ⎤ be Removed?

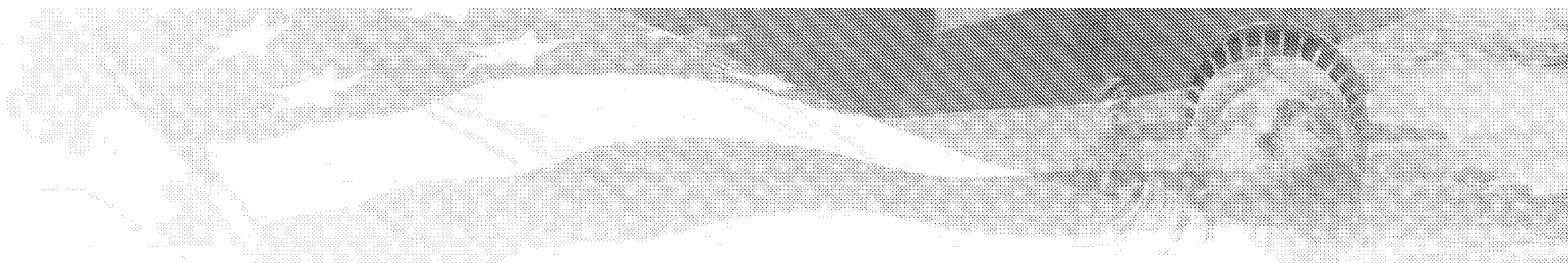## Studies in National Security:

LE

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External Vetting

Should LE be Removed?

Studies in National Security:

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LE

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Handout:

Link Analysis Chart

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Vetting and Deco...

Deconfliction with no identifiable record owner

- *The goal of vetting* is to develop information to support an adjudication; *the goal of deconfliction* is to share information with LEA partners

- Therefore, even if there is no record owner, deconfliction may still be warranted

- If the individual relating to the ⸂LE⸃ is in the US, deconflict with JTTF covering the area where the person resides

- If the individual relating to the ⸂LE⸃ is abroad, review the ⸂LE⸃ record to determine who nominated the individual and why

- Consider if an individual with a ⸂LE⸃ living abroad has any connection through their immigration filing to a person in the US

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Vetting and Decon...

Deconfliction with no identifiable record owner

- *The goal of vetting* is to develop information to support an adjudication; *the goal of deconfliction* is to share information with LEA partners
- Therefore, even if there is no record owner, deconfliction may still be warranted
- If the individual relating to the LE is in the US, deconflict with JTTF covering the area where the person resides
- If the individual relating to the LE is abroad, review the LE record to determine who nominated the individual and why
- Consider if an individual with a LE living abroad has any connection through their immigration filing to a person in the US

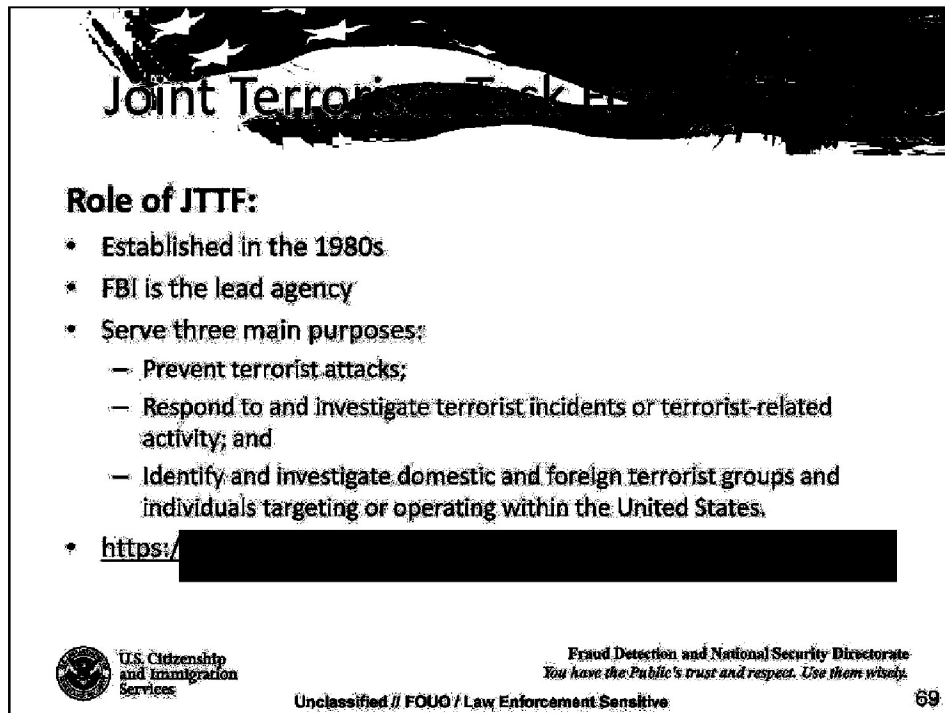U.S. Citizenship and Immigration Services

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- We just saw that vetting is not required if there is no record owner
- But what about deconfliction?
- Disclaimer: **LE**

LE

- **LE**

- The local FDNS liaison to JTTF should be able to assist with this.

-

-

LE

- Remember that deconfliction is intended to share relevant information:
  - Would an LEA care that a potential NS concern may be entering

their area of operation?

- Would an LEA care that someone they were already looking at (or knew nothing about) is trying to bring a potential NS concern into their AOR?

Joint Terror~~i~~ Ta~~sk F~~

Role of JTTF:

- Established in the 1980s

- FBI is the lead agency

- Serve three main purposes:

  - Prevent terrorist attacks;

  - Respond to and investigate terrorist incidents or terrorist-related activity; and

  - Identify and investigate domestic and foreign terrorist groups and individuals targeting or operating within the United States.

- https://███████████████████████████

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- ┊   **LE**   ┊
- We don't call NTC-P
- We contact TSC to confirm a match, but we don't vet with them
- So what do we do on **LE** records?
- Start with the JTTF

Joint Terrorism Task F

Participating in JTTF:

- Federal, state, local agencies may be members

- Over 100 JTTFs throughout the U.S.

- The National JTTF (N-JTTF) located in McLean, Virginia and includes representatives from a number of other agencies

- USCIS has full-time representatives on the National JTTF (NJTTF)

- Many field offices also have representatives on their local JTTFs

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Joint Terrorism Task F

Permanent JTTF Members:

- Air Force Office of Special Investigations
- Bureau of Alcohol, Tobacco, Firearms, and Explosives
- Central Intelligence Agency
- Customs and Border Protection
- Defense Criminal Investigative Service
- Department of Interior's Bureau of Land Management
- Diplomatic Security Service (within DOS)
- Federal Protective Service (within ICE)

- Immigration and Customs Enforcement
- Internal Revenue Service
- Naval Criminal Investigative Service
- Postal Inspection Service
- Treasury Inspector General for Tax Administration
- U.S. Border Patrol
- U.S. Park Police
- U.S. Army
- U.S. Marshall Service
- U.S. Secret Service

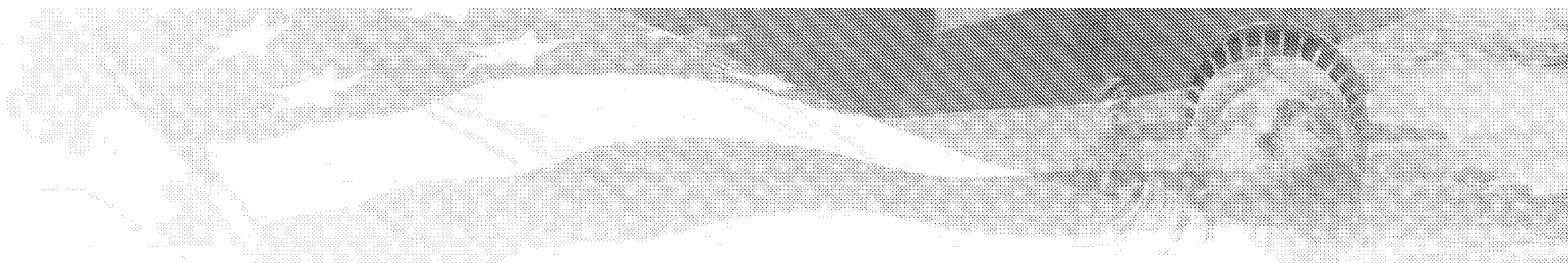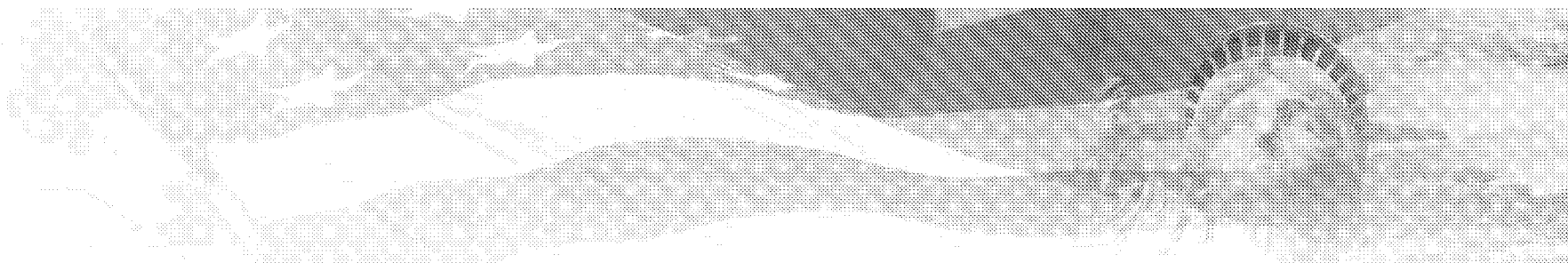**U.S. Citizenship and Immigration Services**

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Handout:

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Application Exercise 5.3
"A Conversation with Law Enforcement"

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External Vetting Toolbox

Vetting to an end:

- Inconsistencies
  - Money
  - Travel
- When LE are removed
- Lead vetting
- HQ involvement in vetting
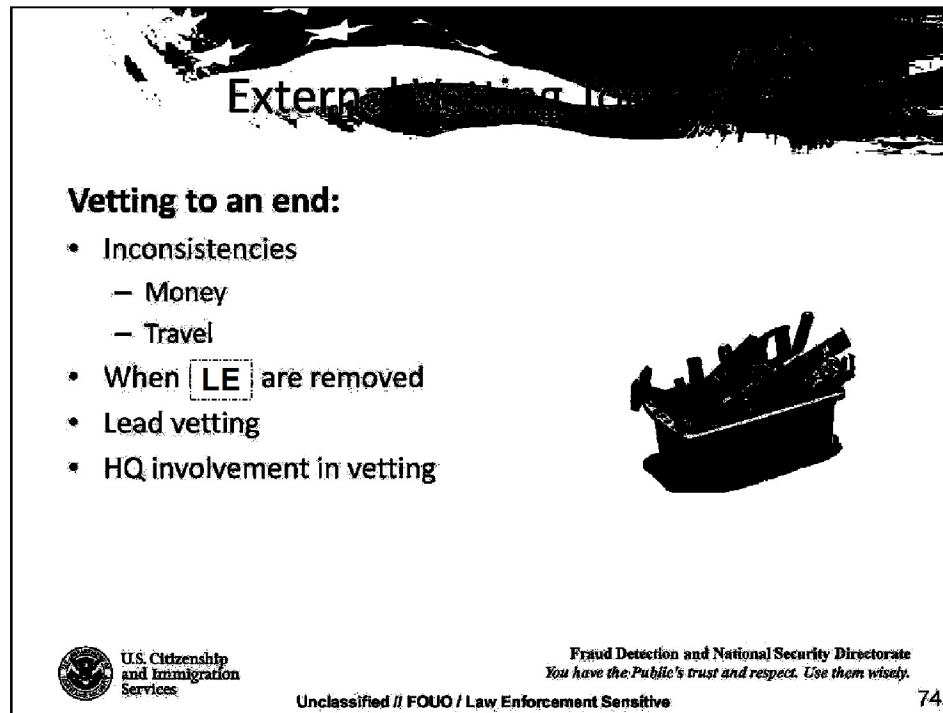
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- Differentiating from what we just looked at, these are techniques for external vetting with an end in mind
- What are the ends? – resolve the NS concern, or adjudicate the benefit
- In the last section, we covered who you're talking to, what systems you're querying, and a little bit of the types of information you're looking for
- This section will cover what to do with the information
    - How to recognize things that are out of place, and
    - How to go even further down the rabbit hole investigating those things
- Please keep in mind that at this point, we still have an individual who appears eligible for a benefit, and we still have an NS concern that we have not been able to resolve
- So what do we do?

External vetti...

How CARRP ends:

		Adjudicative Decision	
National Security Issue	NS Concern Resolved	Approval of benefit	Denial of benefit
			Denial of benefit

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- We looked at this chart way back in the overview – it's our ways out of CARRP
- So, throughout vetting, with each new fact we get, we're considering if the individual is still eligible and if there is still an NS concern
- If there's no more NS concern, or if the person is clearly ineligible, there's an easy end to CARRP
- The challenge comes when the individual seems eligible, but we've done enough vetting to know that we're probably not going to be able to resolve the concern, i.e.
    - The LEA isn't closing their investigation
    - The person isn't coming off the watchlist
    - It's impossible to refute that they're connected
- So what do we do?

External Vetting

Look for Inconsistencies

- At a certain point in CARRP, there is a shift from looking for general information to focusing on particular elements of a case
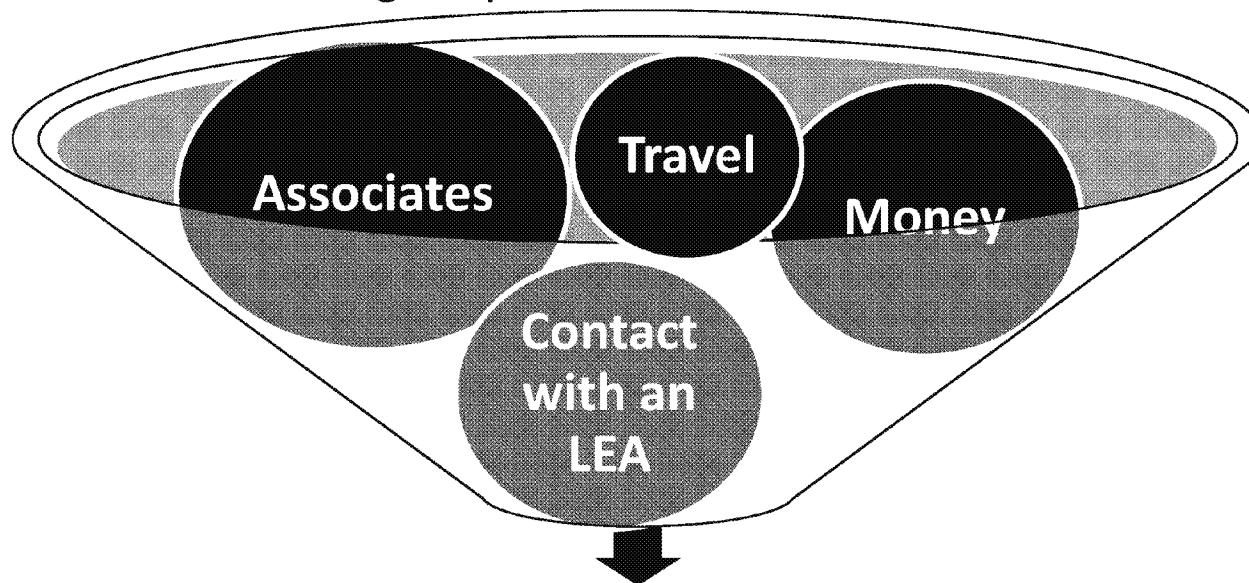
- Once the NS concern is established, the goal is to achieve an outcome: resolve the concern or decide the benefit

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- This focus can take a lot of forms – this training happens to focus on inconsistencies in money and travel as two of them
    - Did they travel somewhere they didn't tell you about?
    - Are they moving money somewhere or receiving money from somewhere that they failed to disclose?
- This is vetting with a purpose – we're not asking for general information any more
- What is the purpose? Resolve the concern, or deny the case
- How do Articulable link and indicators factor back into our discussion at this point in the process?
    - With articulable link, we had a lot of evidence that there was a concern upfront – if we haven't found anything to conclusively disprove it yet, now we're focusing on what can allow us to adjudicate the benefit
    - With indicators, we still might be on the fence about the concern, so we're vetting to resolve the concern or establish an articulable link
- But either way, we're focusing on one or just a couple of factors by this point

External Vetting Techniques

Follow the $$$

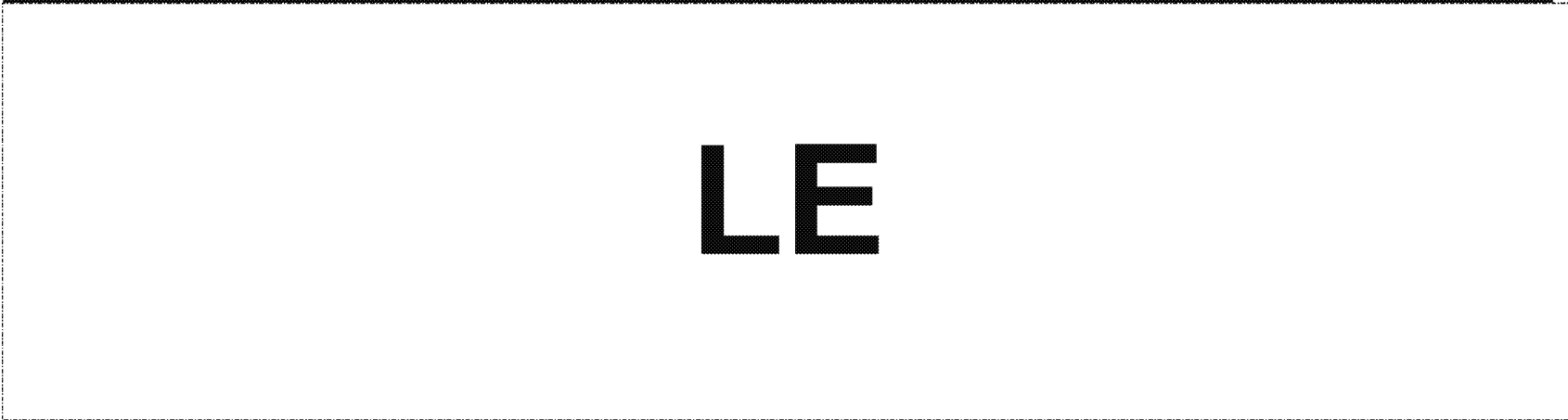| Resources & Tools		
Financial Crimes Enforcement Network (FinCEN)	Local SAR Task Forces	RFE's for tax returns, bank records, and pay stubs

Questions & Indicators
LE

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External Vetting

Follow the $$$

Resources & Tools		
Financial Crimes Enforcement Network (FinCEN)	Local SAR Task Forces	IRS Pertinent returns, bank records, and pay stubs

Questions & Indicators

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External Vetting

Follow the $$$

Studies in National Security:

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Key Questions:

      Is this inherently an NS concern?

      Where is the money coming from?

      What could you ask the applicant to provide?

      What lines of inquiry could you pursue with the applicant?

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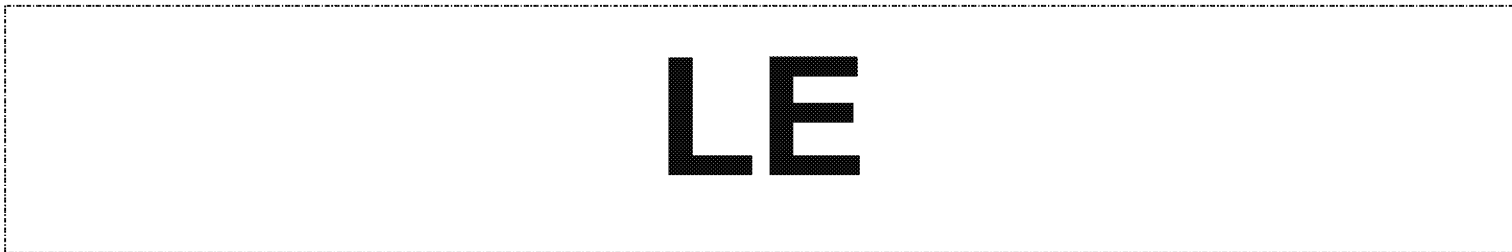Unclassified // FOUO / Law Enforcement Sensitive

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External Vetting

Follow the $$$

Studies in National Security:

> # LE

Key Questions:

Is this inherently an NS concern?
Where is the money coming from?
What could you ask the applicant to provide?
What lines of inquiry could you pursue with the applicant?

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External Vetting Techniques

Follow the Travel

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External Vetting

Follow the Travel

Potential Indicators of Suspicious Travel:

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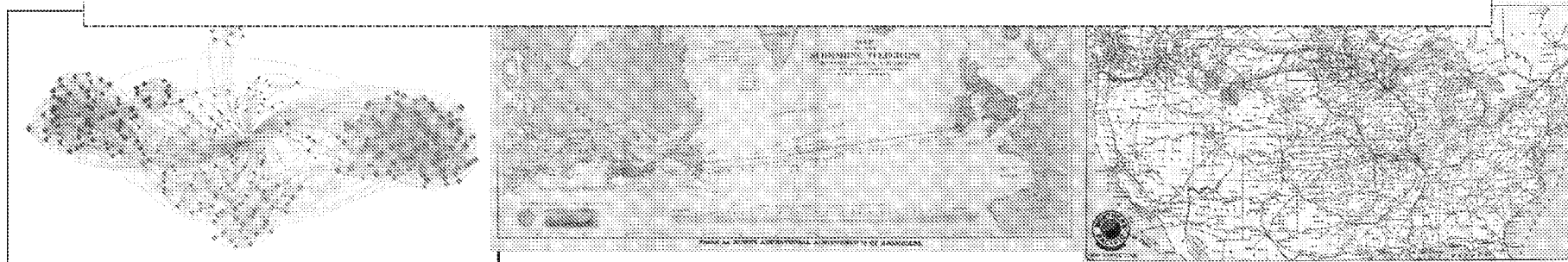Unclassified // FOUO / Law Enforcement Sensitive

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Follow the Travel

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LE

LE

External Vetting

Follow the Travel

Questioning Suspicious Travel:

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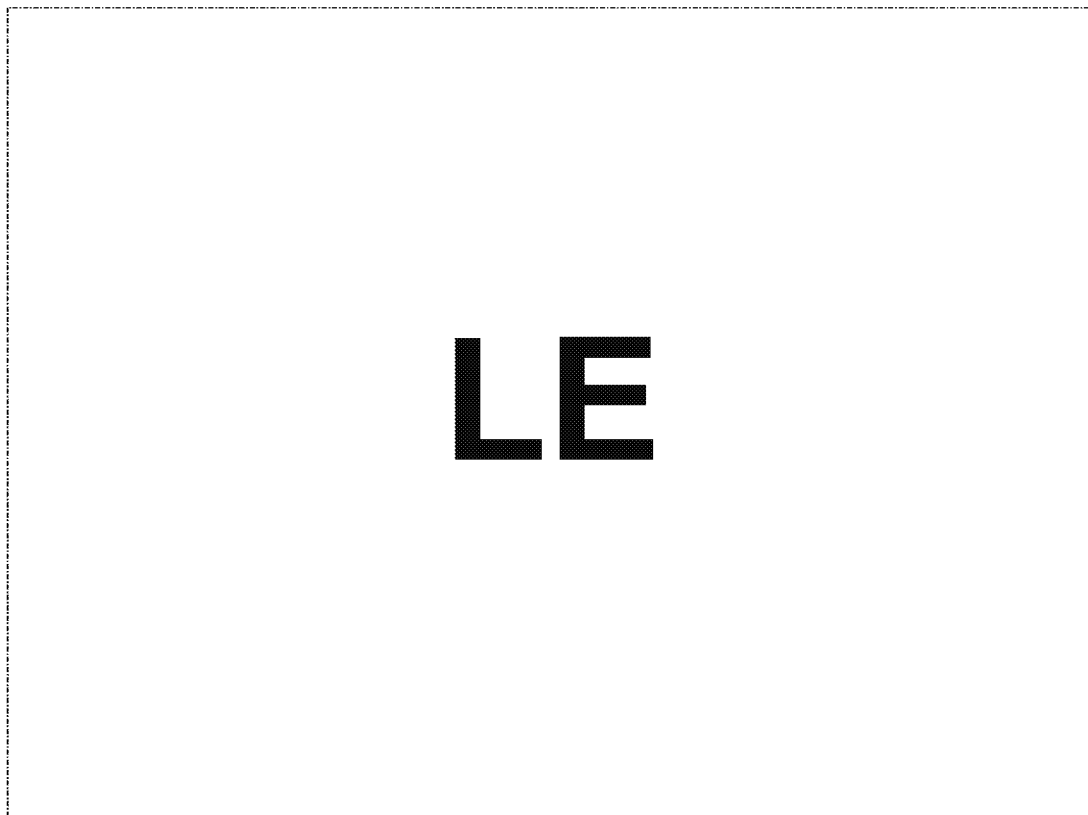
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External Vetting

Follow the Travel

Questioning Suspicious Travel:

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External v...

Lead Vetting

Premise: Near the end of CARRP vetting, an NS concern has been well established, i.e.:

- USCIS has confirmed that the individual remains on the watchlist

- USCIS has confirmed that there is an open investigation pertaining to a national security ground

- USCIS has confirmed that the individual is associated with another person who is a KST

- USCIS has confirmed that the individual is a member of an organization that is related to a national security ground
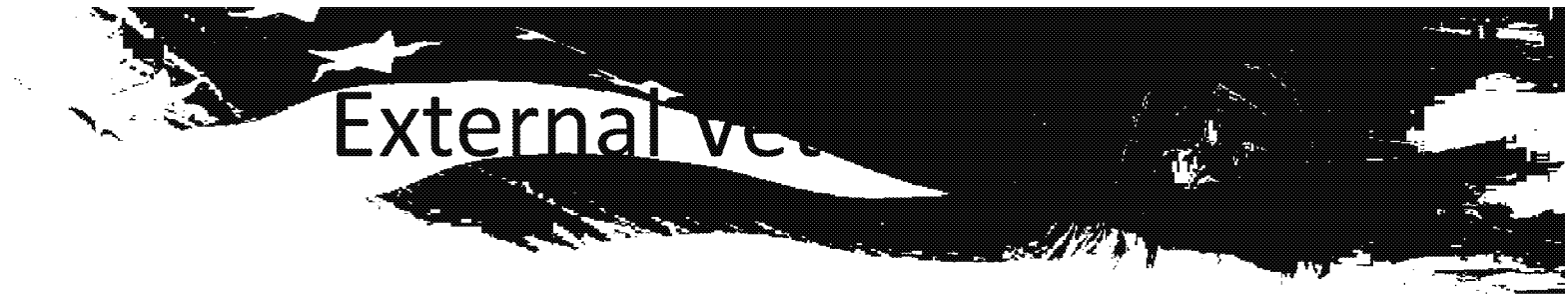
Question: **What do we do next?**

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Lead Vetting

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Question: **What do we do next?**

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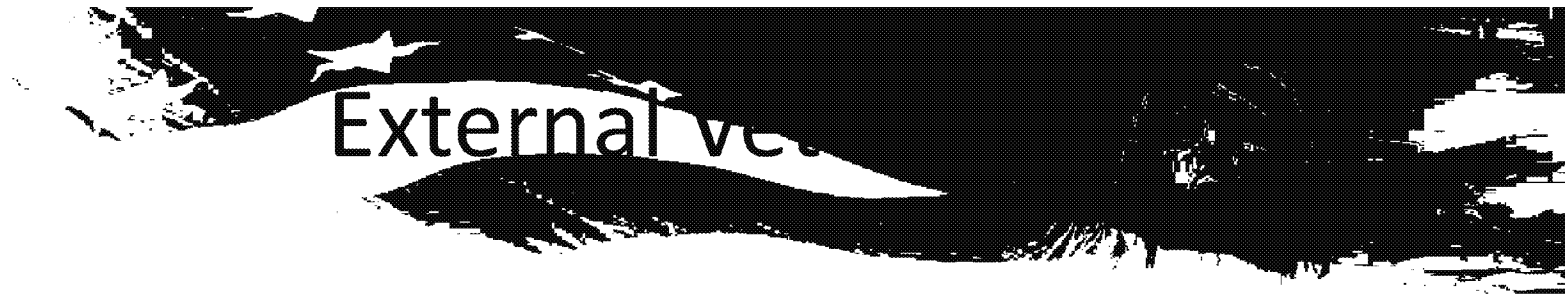Unclassified // FOUO / Law Enforcement Sensitive   82

- If we've confirmed our NS concern, we don't really want to approve, so what do we do?

External Ve...

Lead Vetting

- _Lead Vetting_ is the act of building a separate evidentiary basis for a decision

- Lead Vetting may be used when:
  - Facts needed to substantiate a decision are classified
  - Facts needed to substantiate a decision require special permissions from the owner
  - Facts needed to substantiate a decision are subject to privacy or information sharing restrictions

- In plain language – lead vetting is starting with the same person and ending with the same decision, but blazing a new path to get from beginning to end

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Lead Vetting

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- Towards the end of the vetting process, we know we have a person
- And we know that we would like to not approve them because they are an unresolved NS concern
- And we also know that whatever facts lay in between – we probably can't use in a decision
- So we use parallel construction to build a new path from the starting point (our person) to the ending point (we need to deny them)
- We're already tried to attack the first part of this and demonstrate that the concern can be resolved
- Now we're going to try to find a way to deny that using only facts that we can disclose / leverage in a decision
- In other words, we're going to end up in the same place, but we're going to blaze a new trail to do it

External Vetting

Lead Vetting

For example...

This is the fastest route
from my neighborhood in
DC to the Smithsonian Air
and Space Museum on
the National Mall
(Point A) and I still know
where I'm going (Point
B)

But what if my car is old
and doesn't do well on the
highway, so I tell my map
to avoid highways

I still know where I live
(Point A) and I know where I'm
going (Point B), but I'm going to take a
different path to get there

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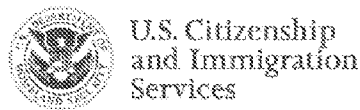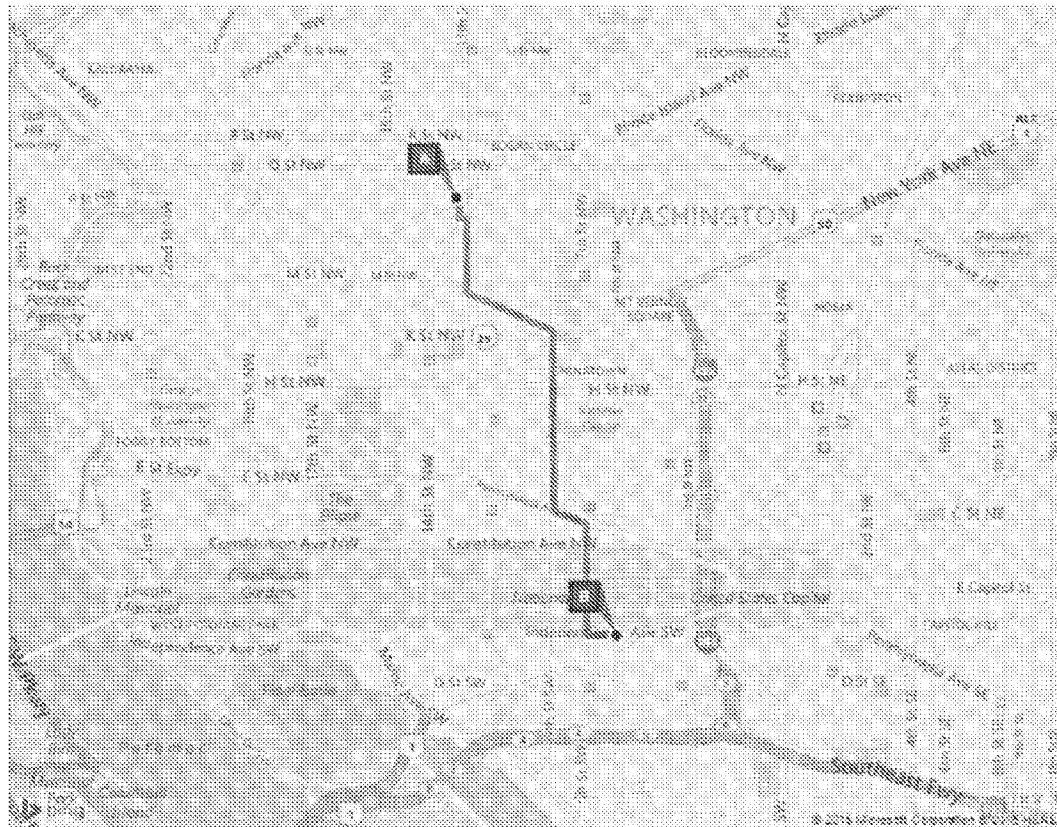Unclassified // FOUO / Law Enforcement Sensitive

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- Same start point, same end point, different route for getting there just by saying I need to avoid highways

External ve...

Lead Vetting

In an immigration context...

- Path 'A' was our initial vetting that confirmed an unresolved NS concern
- Path 'B' is our parallel route to develop different evidence from sources that can be cited to support a decision

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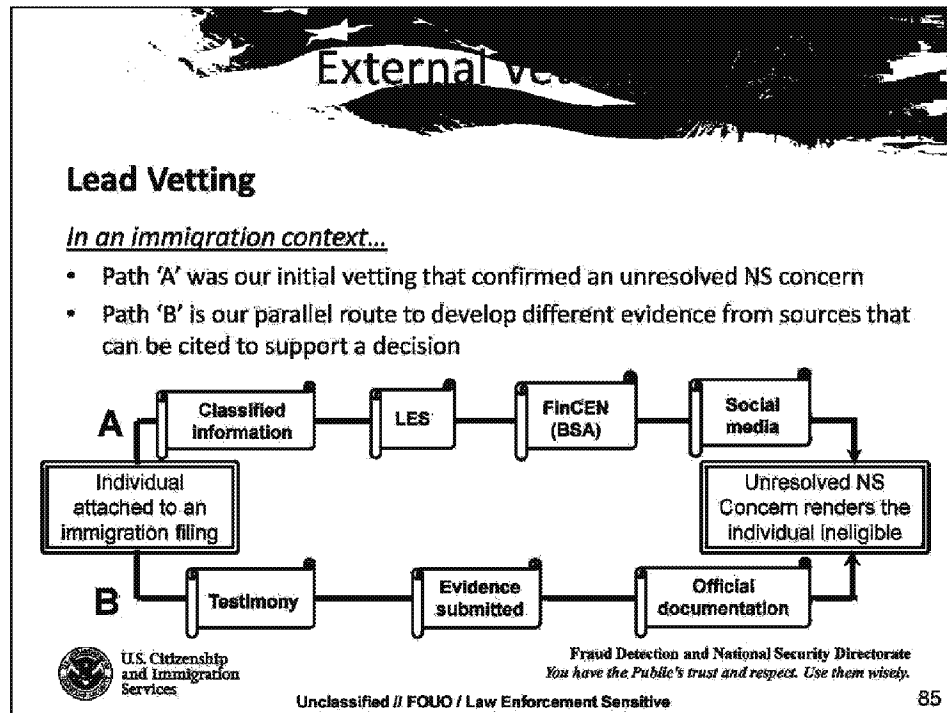
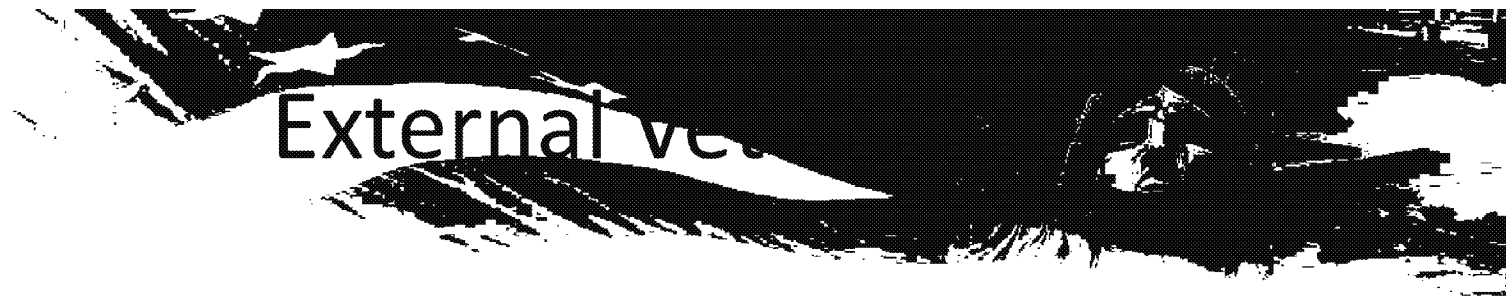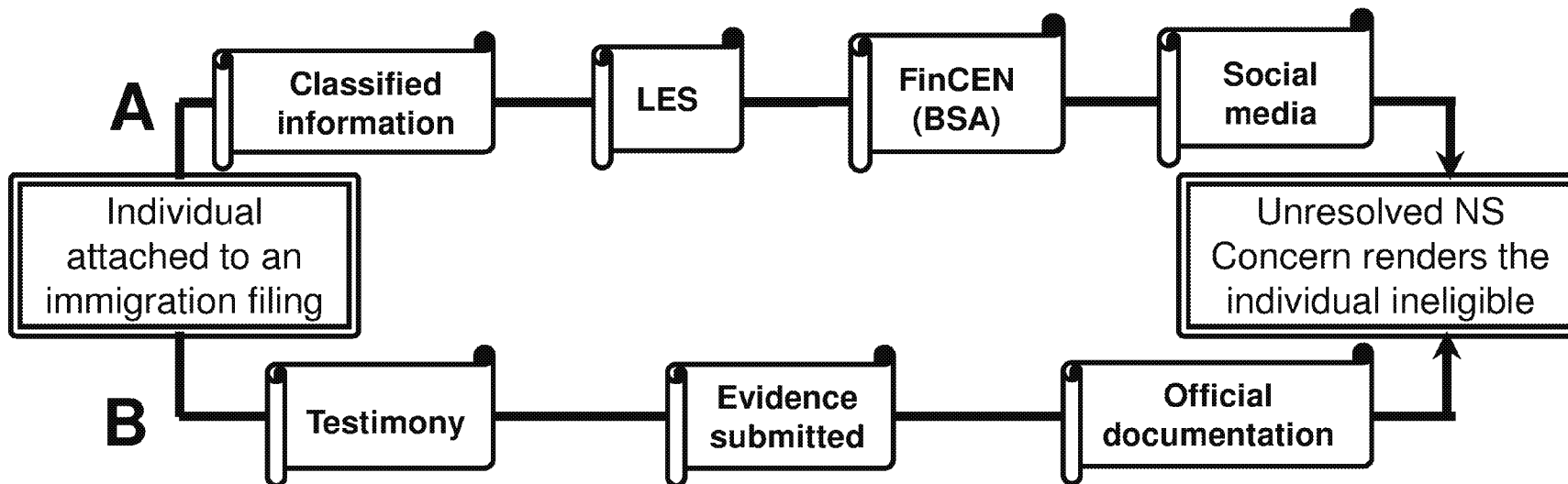- For our NS cases, lead vetting is the same thing
- Same beginning, same end – it's how you get there that changes
- Instead of avoiding highways, we're avoiding classified material, or things that could compromise and investigation, or things we don't have permission to use
- There are all kinds of things USCIS finds in our vetting that come from sources that we're not going to cite in a decision
    - We're not going to cite classified information in a decision
    - We're not going to cite anything without permission from our partners
    - We're not going to cite anything that could compromise an investigation
    - We're not going to cite anything from social media (when we have access) or commercial databases
- Instead, we're going to use things the applicant provides
    - Official documentation (passport, birth certificate, etc.)
    - Testimony in the interview
    - Other things from their A-file

- *** Disclaimer – FDNS is not currently authorized to use social media! ***

External ve...

HQ Engagement Glossary

- **RFA** = **R**equest **f**or **A**ssistance submitted by the field to HQ

- **CAPT** = **C**ase **A**ssessment, **P**rioritization, and **T**racking process

- **CATS** = **C**ase **A**nalysis and **T**hreat **S**ummary received by the field in response to an RFA or on cases prioritized by CAPT

- **CPIA** = **C**ase **P**rioritization and **I**ntelligence **A**nalysis unit of HQ FDNS ID who prioritizes cases and performs vetting

- **CRB** = **C**ase **R**esolution **B**ranch of HQ FDNS NSD that liaises with the field on high priority cases and manages the SLRB process

- **SLRB** = **S**enior **L**eadership **R**eview **B**oard is the forum for reviewing confirmed NS concerns requiring Deputy Director approval

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HQ Engagement Glossary

CAPT is the overall process for HQ engagement within CARRP

SLRB is a review body

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- The point of this slide is that all of these things are intertwined
- CAPT is part of CARRP and is the overarching process for engaging with HQ on NS cases
    - It involves work by HQ FDNS (the CRB and CPIA units)
    - It is an effort to prioritize confirmed NS concerns (those with articulable links) and target HQ vetting resources and expertise to the highest priority cases
    - The goal is to devote resources to working cases *before* they become mandamus or are elevated to the senior leadership review level
- As soon as you enter a confirmed concern in DS (either as a new CME with an articulable link, or by changing the concern type and substatus of an existing concern to KST or Non-KST NS Confirmed) you've kicked off the CAPT process
- Within the process, CPIA and CRB are the operational units that do the work
    - CPIA is part of the HQ FDNS intelligence division and does the prioritization and high side vetting of confirmed NS cases
    - CRB is part of the HQ FDNS National Security Division and

does outreach to the field, declassification, and assists with turning CPIA information (often classified) into something the field can use (interview questions, lines of inquiry, denial grounds, etc.)

- The SLRB is the HQ body that reviews unresolved, approvable NS cases
    - Since the SLRB is an HQ body, HQ has to prep cases to be presented
    - That prep involved a lot of coordination with council, additional vetting, working with the field to make sure everything that could have been done was, etc.
    - The goal of CAPT was to identify high priority cases and then do all the things that would in theory be required to present to the SLRB *before* there was an actual deadline to present to the SLRB
    - In this way, either we could avoid SLRB altogether by getting more information to the field earlier in the process, or, if SLRB was required, the case would already be ready to go – the field and OCC and HQ would already have worked together to make sure everything was completed

External Vetting

CAPT Prioritization

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CAPT Prioritization

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Externa͟l v̶e̶

Engagement with HQ

A confirmed NS concern is documented in DS...

- What does CPIA do?
  - Prioritizes confirmed NS concerns
  - Conducts high side research on confirmed NS concerns
  - Drafts intelligence assessments on high priority cases
  - Populates the CATS form with the results of screening
- What does CRB do?
  - Assess the relevance of high side data to the field
  - Translates high side date in to a usable form (lead vetting)
  - Coordinates with the field on how to work high priority cases

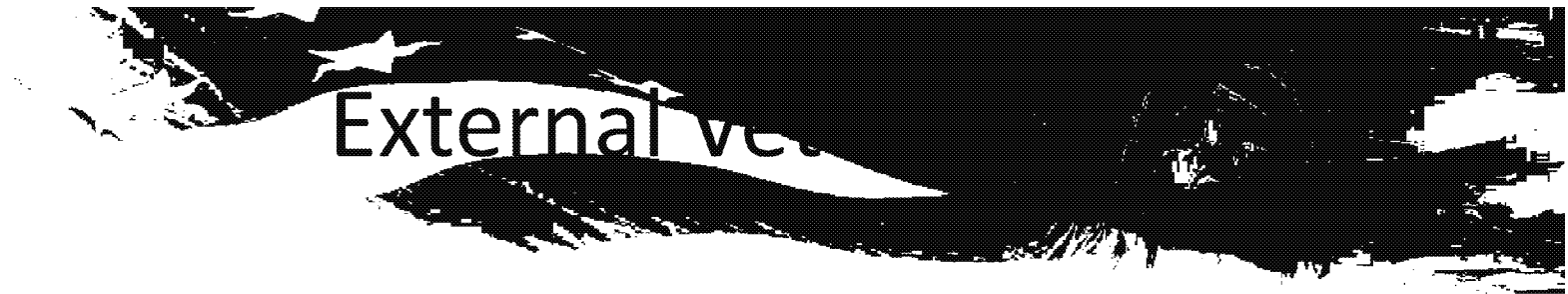*CAPT starts with the a determination in the field that an articulable link exists*

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External v...

Engagement with HQ

A confirmed NS concern is documented in DS...

- What does CPIA do?
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  - Drafts intelligence assessments on high priority cases
  - Populates the CATS form with the results of screening
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CAPT starts with the a determination in the field that an articulable link exists

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- So what happens in this parallel HQ process?
- CRB has described it as "vetting on steroids" but what does that actually entail?

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External ve...

Benefits / Results of Prioritization #1

- High-side checks are run earlier in the process, *and...*

- Intelligence assessments can be prepared as necessary, *meaning that...*

   ➤ **The field has to spend less time sending RFA's to HQ – instead, the information is provided before an office knows it's needed**

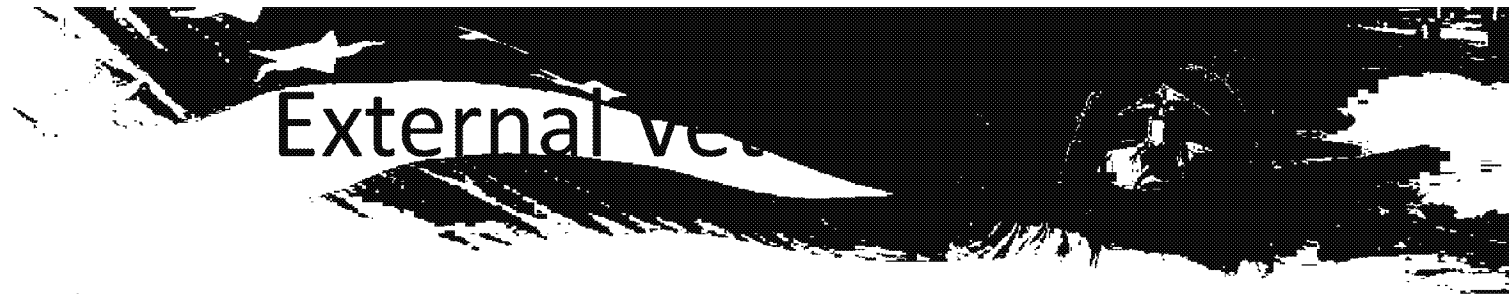U.S. Citizenship
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External v...

Benefits / Results of Prioritization #2

- USCIS senior leaders who may have to approve a case can be prepared in advance, and...

- Engagement with external partners to request declassification can begin earlier in CARRP, *plus...*

- HQ has time to leverage additional vetting resources, including detailees , *meaning that...*

  ➢ **A fuller picture of the CARRP case can be provided to the field before the case becomes mandamus or is subject to litigation, Congressional interest, or multiple abeyance requests.**

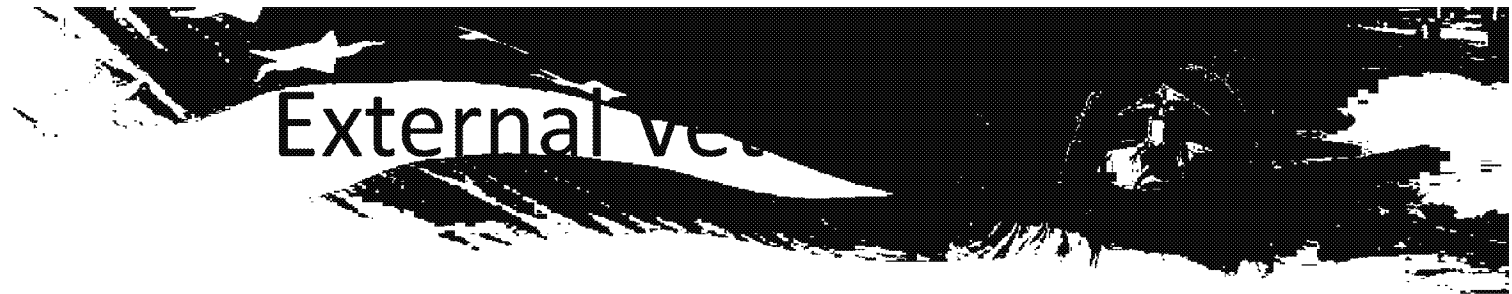U.S. Citizenship
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Benefits / Results of Prioritization #3

- HQ has the opportunity to liaise with law enforcement partners in order to advocate for criminal prosecution, *and...*

- Intelligence analysts performing high-side checks can ensure that watchlist records are current, correct, and complete, *in order to...*

- Alert NCTC of needed enhancements or USCIS field components of any downgrades or category changes, *meaning that...*

  ➤ **CARRP work is performed based on the most accurate information available**

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External ve...

Requests for Assistance (RFA's)

- Submitted when information is needed from HQ (that hasn't already been provided via prioritization)

- What information can you RFA for?
  - High side checks
  - Contact information for unknown record owners
  - Declassification
  - Coordination with the Intelligence Community
  - Retrieving 3rd agency referrals from LHMs

Completed

Resolved
No Action

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External Ve...

RFA Step-by-step

1. Change the Process Phase in the CME to "HQ – External Vetting Assist"

2. Create a new Special Action within the NS concern CME; the Special Action type will default to "CPIA (RFA)"

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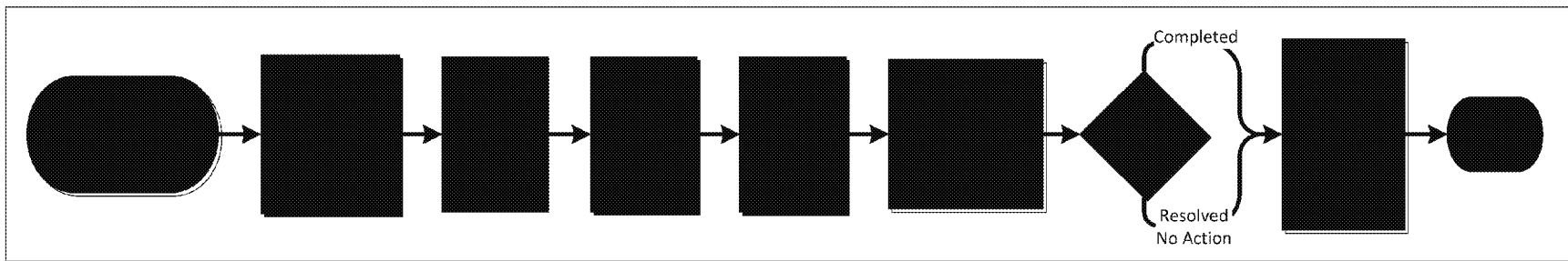
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Handout:

CATS Form

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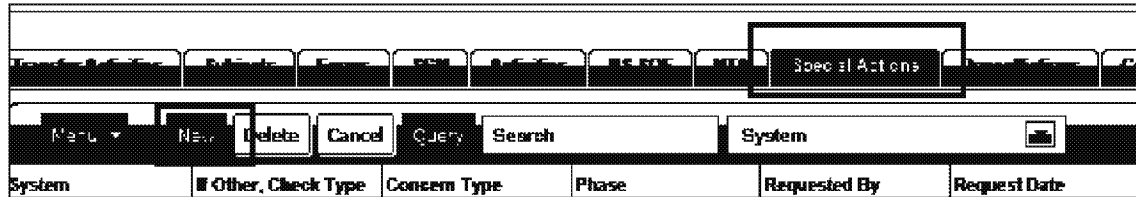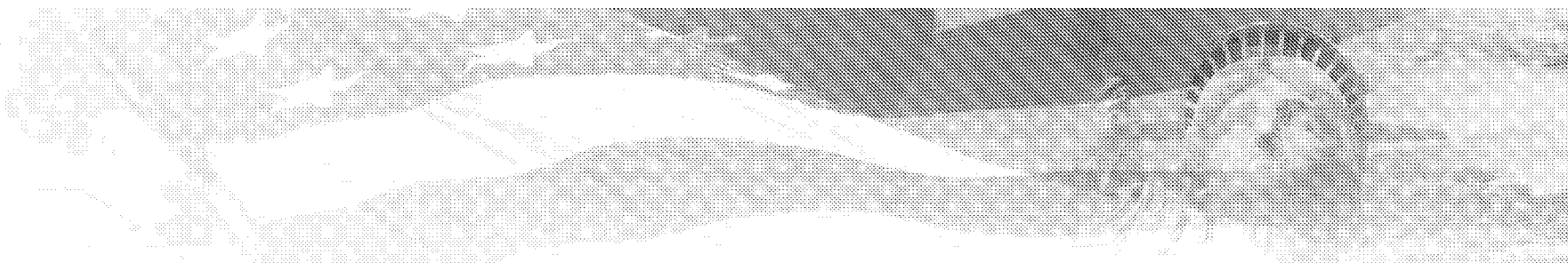**Confidential - Subject to Protective Order**

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External vetting

Vetting Breakdown

What You Do	What HQ Does
• Background checks in unclassified and limited high-side systems	○ Suite of high-side background checks
• Review classified information for applicability to a decision	○ Request declassification from appropriate entities

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Vetting and Eligibility

CARRP Stages 2 & 3 Recap

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Stages 2 & 3

Externally Vetting with Law Enforcement

Are you investigating the subject?

Yes   **No**

What is the nature of your investigation?	Why was your investigation closed?
Has any derogatory information has resulted from the investigation?	Did any derogatory information result from the investigation?
Are any associates / family / organizations affiliated with the subject part of the investigation?	Is there anything else you can tell me about the subject?

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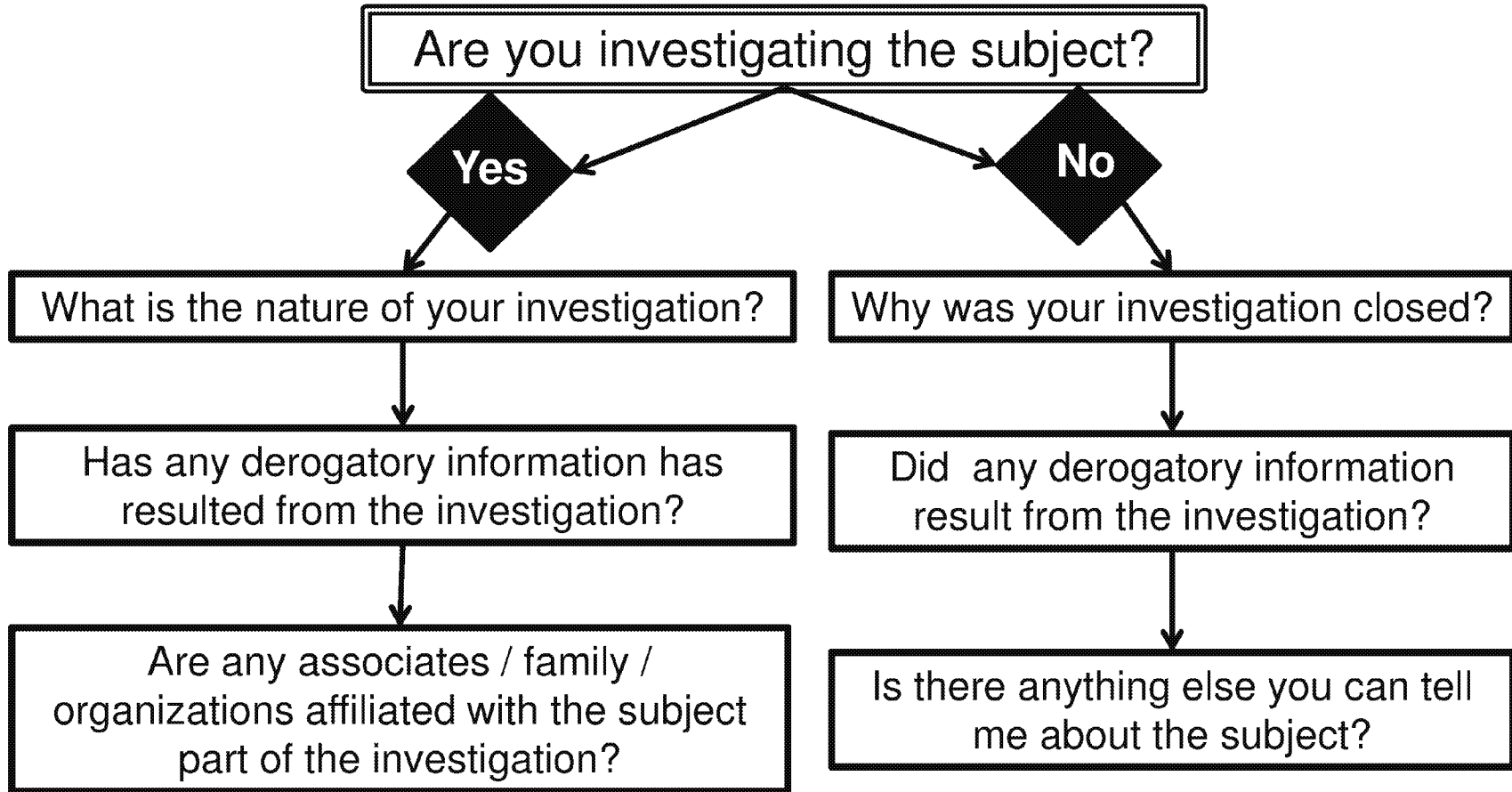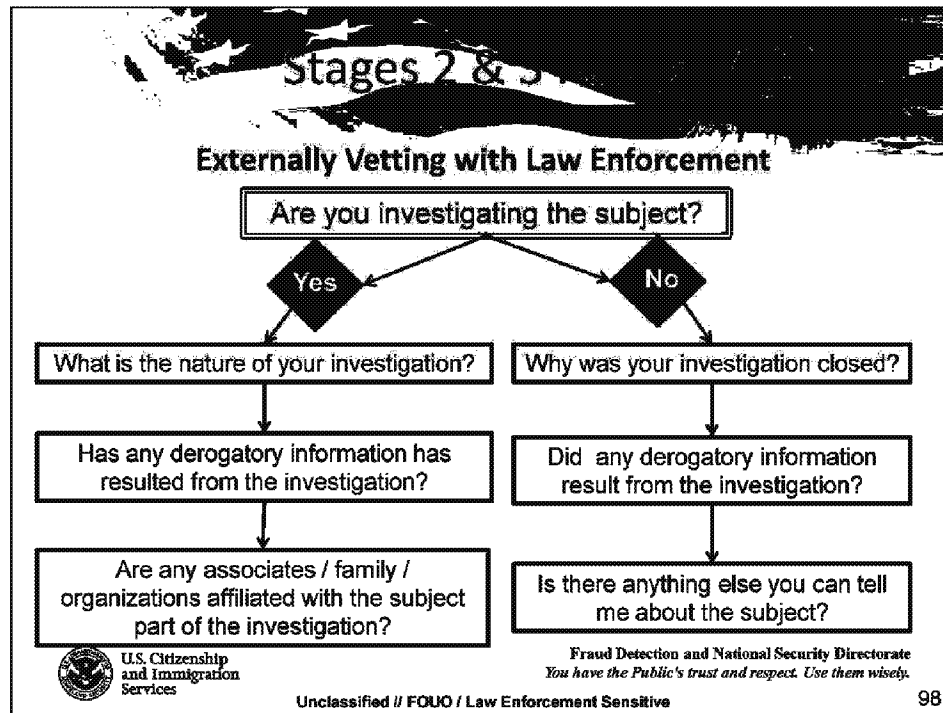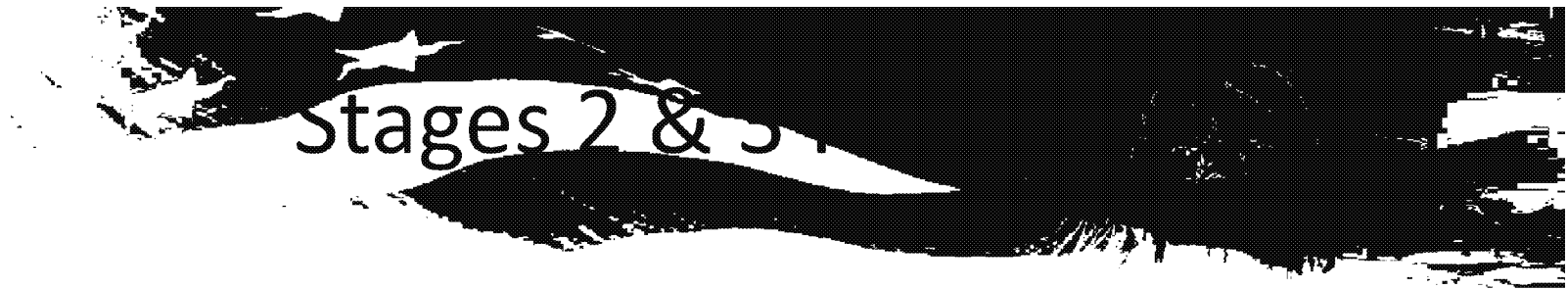*You have the Public's trust and respect. Use them wisely.*

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Stages 2 & 3

Externally Vetting with Law Enforcement

Are you investigating the subject?

Yes → What is the nature of your investigation? → Has any derogatory information has resulted from the investigation? → Are any associates / family / organizations affiliated with the subject part of the investigation?

No → Why was your investigation closed? → Did any derogatory information result from the investigation? → Is there anything else you can tell me about the subject?

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- Remember some of our key questions with law enforcement
- If the investigation is closed, please remember to ask why
- Do not assume just because there is a TECS record or a positive namecheck that there is an open investigation
- Do not assume that the LEA has derog
- These conversations are actually not too dissimilar – the goal of both is to get any information that may be available

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Stages 2 & 3

Roles

- Supervisors play substantial role in elevating concerns to HQ

- SCOPS ⟶ ISOs working in the BCU perform external vetting

  ⟶ ISOs working in the BCU contact law enforcement

- FOD ⟶ Most offices have an FDNS IO on the local JTTF

  ⟶ FDNS IO have much more local contact with law enforcement

- RAIO ⟶ Many background checks that typically fall under external vetting are highly automated at different phases of the process
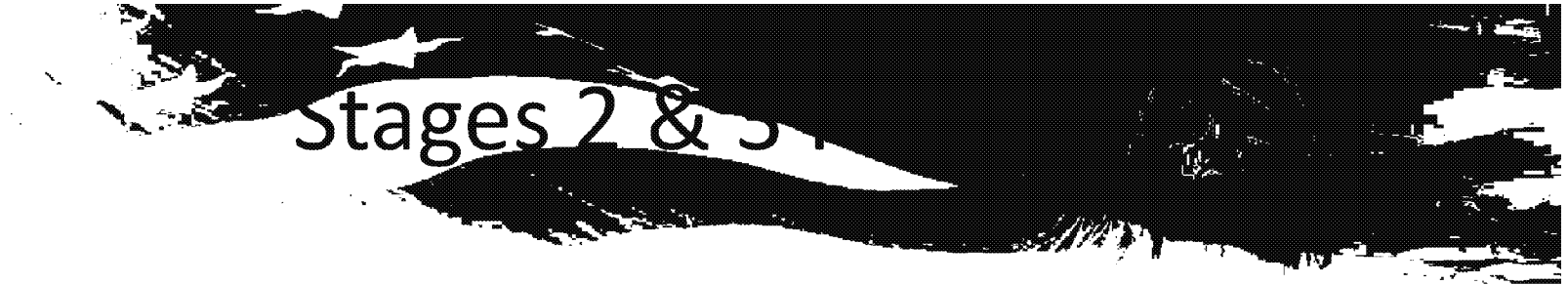
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Stages 2 & 3

Roles

- Internal vetting & the eligibility assessment can done by ANY designated officer

- Supervisors must approve process phase changes

- SCOPS ⟶ ISOs working in the BCU perform internal vetting

  ⟶ ISOs working in the BCU conduct the eligibility assessment

- FOD ⟶ Interviews are generally conducted by ISOs

  ⟶ CARRP ISOs and FDNS IO's share responsibility for internal vetting & the eligibility assessment

- Asylum ⟶ Interviews are generally conducted by AOs

  ⟶ Not all Asylum offices have FDNS supervisors
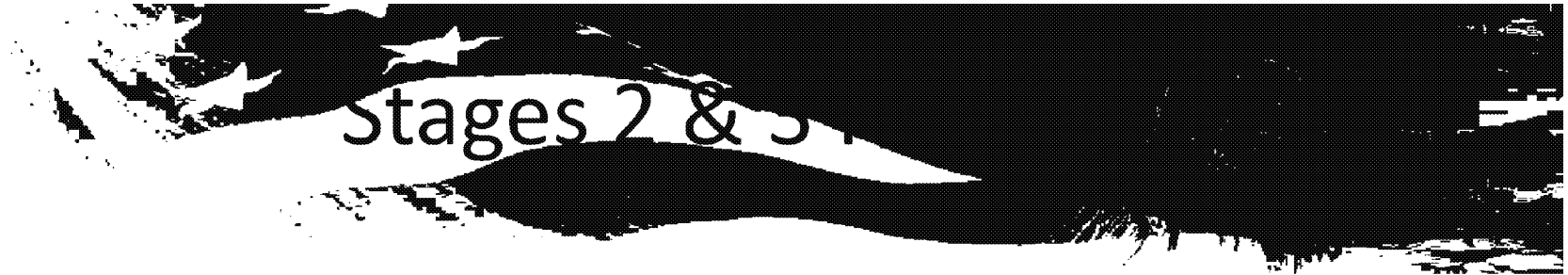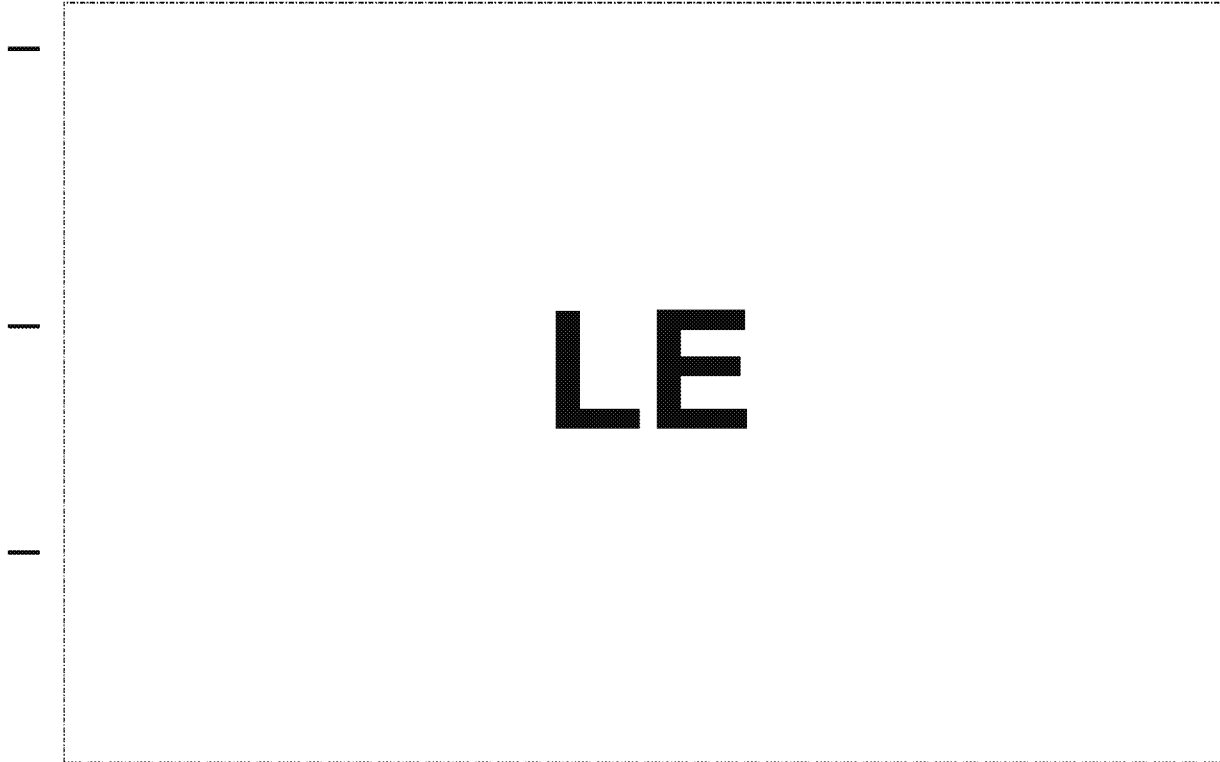
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Stages 2 & 3

FDNS-DS Entry

- Frequently used sub-tabs:

  -
  - **LE**
  -

- Data entry idiosyncrasies:

  -

  - **LE**

  -

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Stages 2 & 3

FDNS-DS Entry

- Frequently used sub-tabs:

  -

  -

  -

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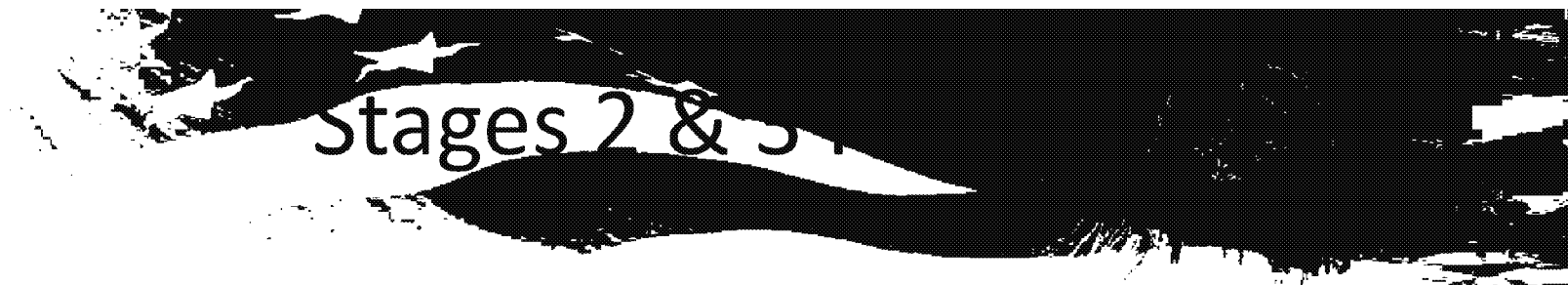
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Stages 2 & 3

FDNS-DS Entry

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Stages 2 & 3

FDNS-DS Entry

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Stages 2 & 3 Recap

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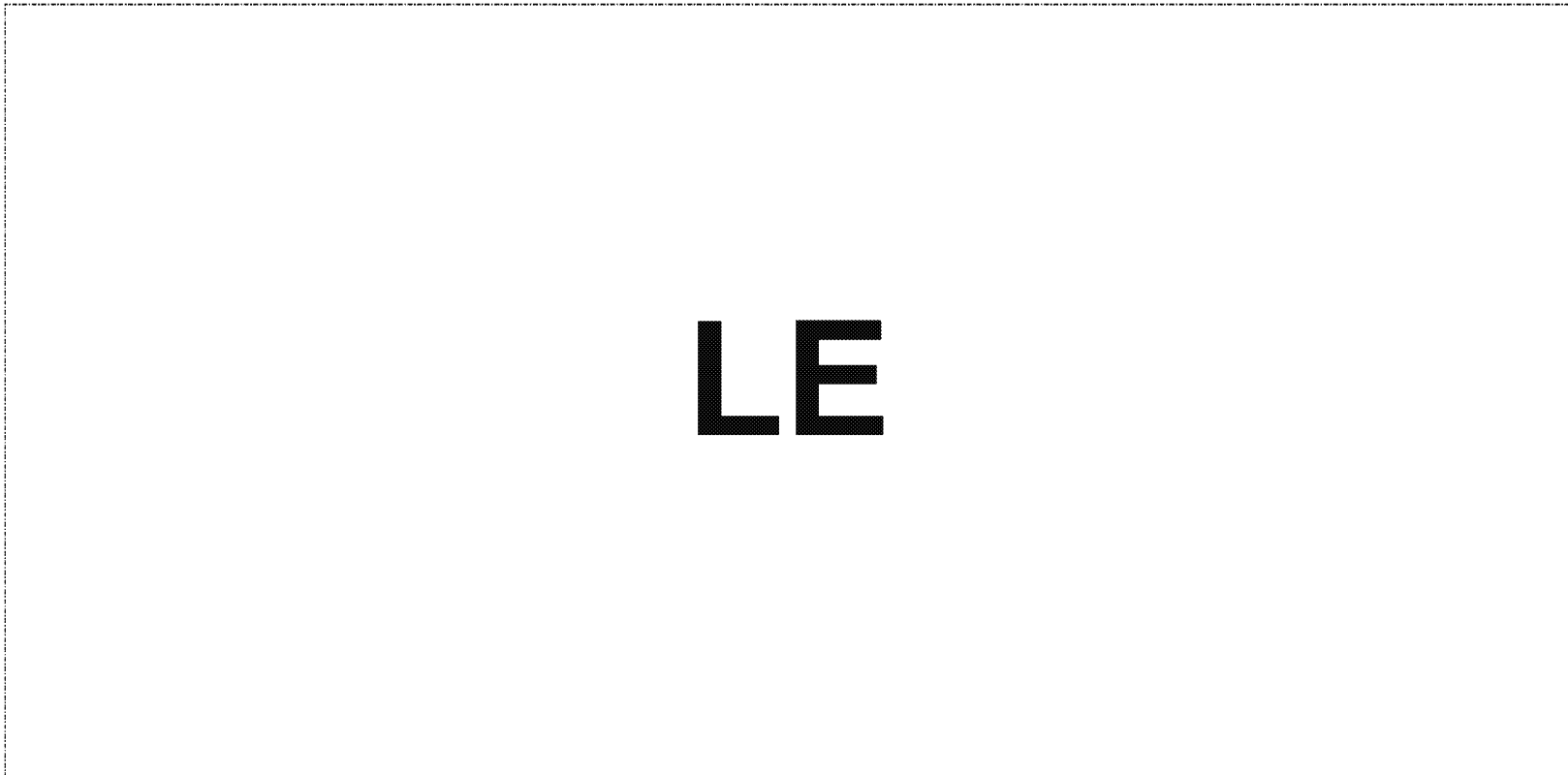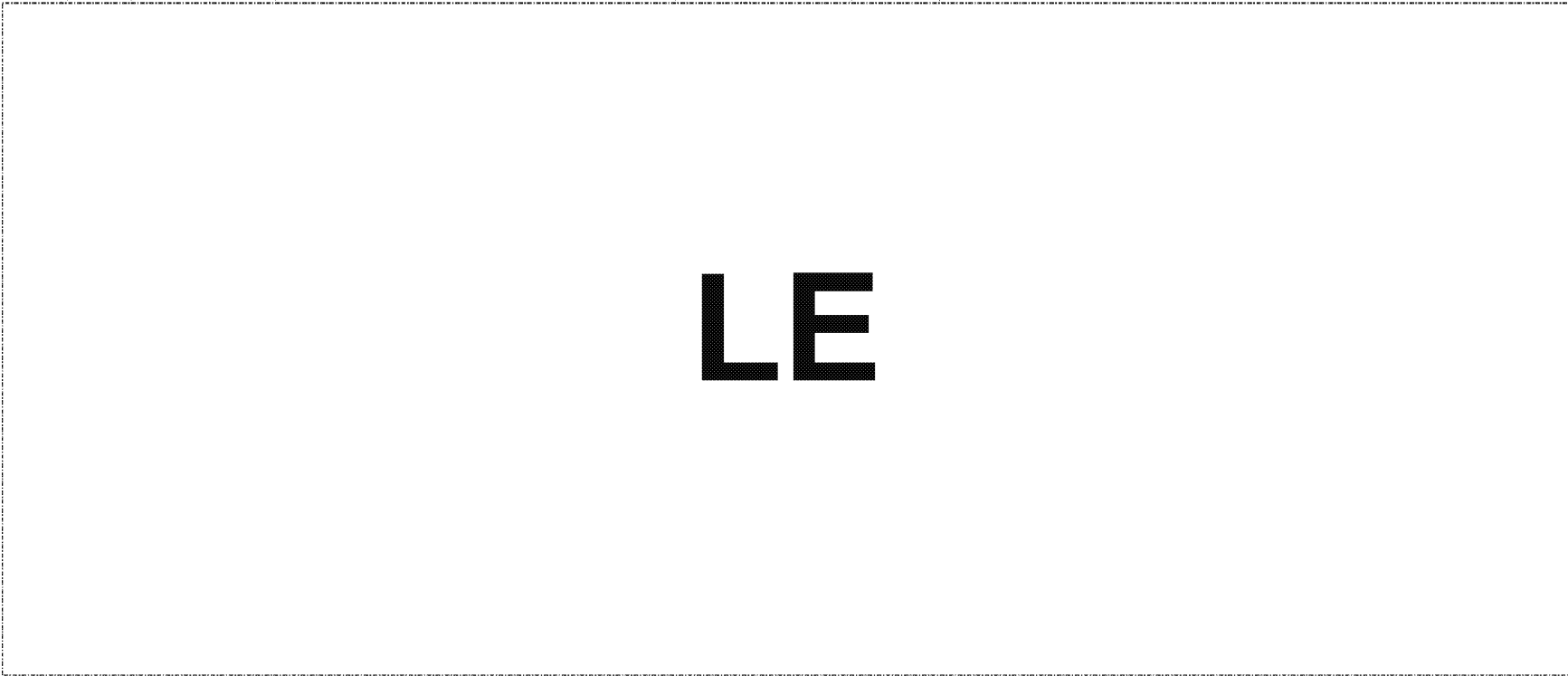Unclassified // FOUO / Law Enforcement Sensitive

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LE

LE

- If we're going to move on to phase 3 (which we are) we could recommend that the process phase be changed
- But what if our eligibility assessment is really good and we find a way to deny the person?

LE

Stages 2 & 3 Recap

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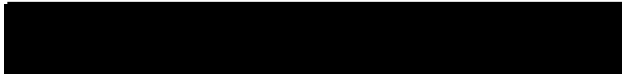*You have the Public's trust and respect. Use them wisely.*

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Stages 2 & 3 Recap
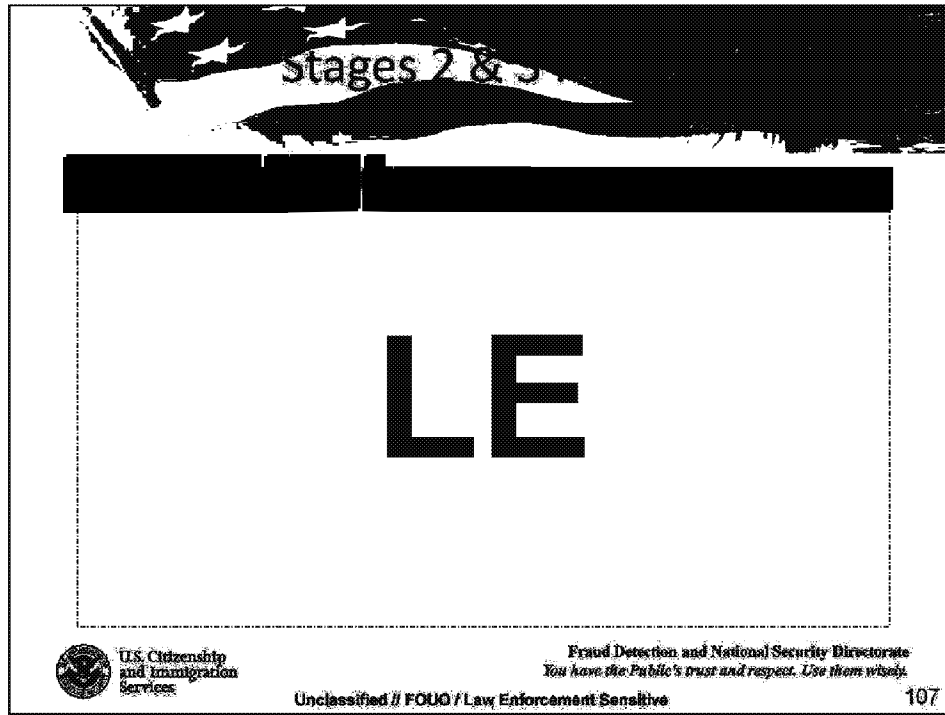
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Stages 2 & 3 Recap

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- What could you end up attaching to DS during phase 2?

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Stages 2 & 3 Recap

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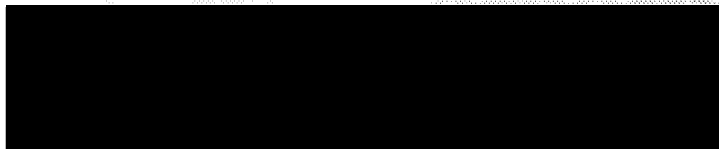*You have the Public's trust and respect. Use them wisely.*

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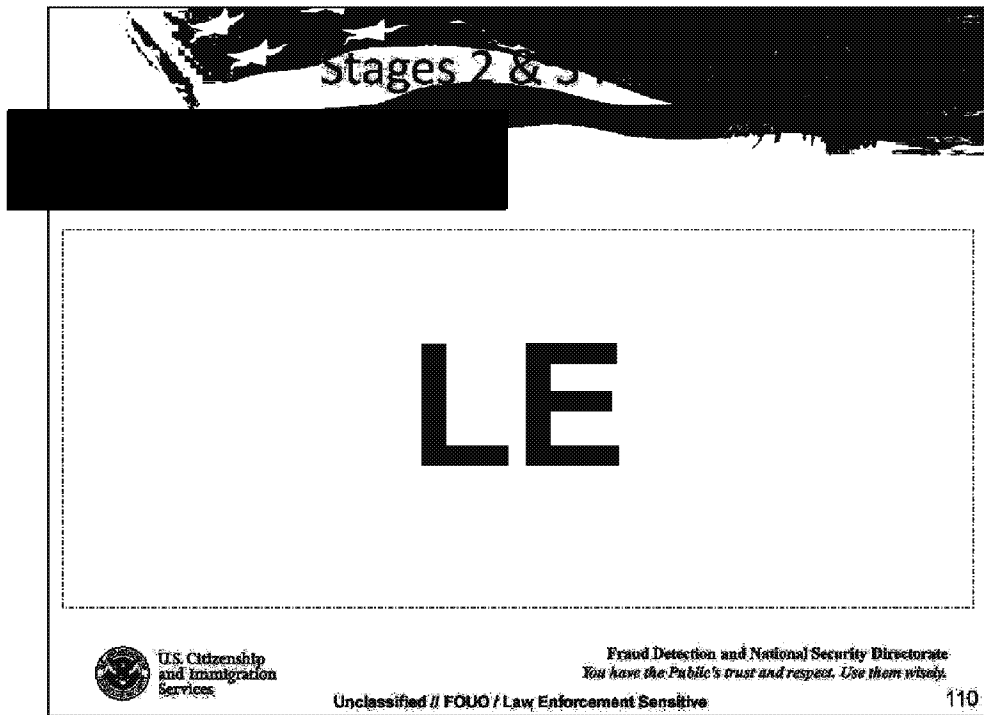
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- This is external vetting in a nutshell
- It's not a systems check
- It's not a deconfliction (although that could have been part of the conversation)
- So where else would you put this? Because it's important – that conversation NEEDS to be documented

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Studies in National Security:

FDNS-DS Data Integrity (Part II)

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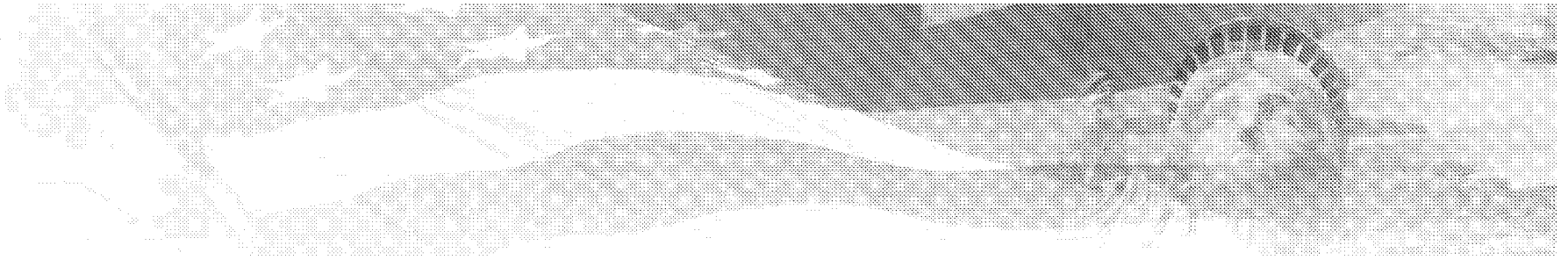
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Stages 2 &: Vetting a...

- ✓ Review the systems used for vetting.

- ✓ Discuss form-specific areas of ineligibility and the importance of continuously assessing eligibility.

- ✓ Describe the collaboration between ISOs and FDNS IOs.

- ✓ Discuss good interview technique.

- ✓ Identify lines of inquiry for interviews or RFEs.

- ✓ Examine the role and function of the JTTF.

- ✓ Consider law enforcement and headquarters resources that may help resolve a concern.

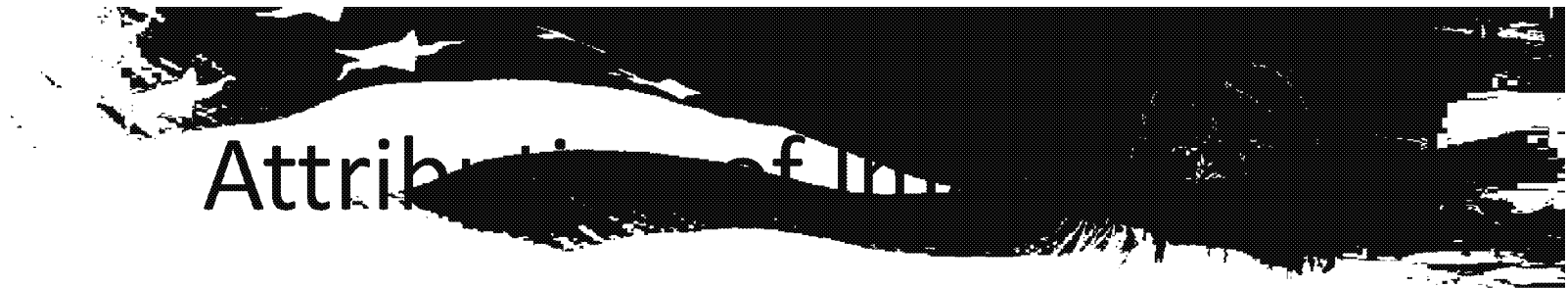U.S. Citizenship and Immigration Services

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Slide 73   Link Map

                Northern Pacific Map

                Submarine Telegraph Map

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Practical Exercise 2B: CARRP Stages 2 & 3 (FOBTC Classes)
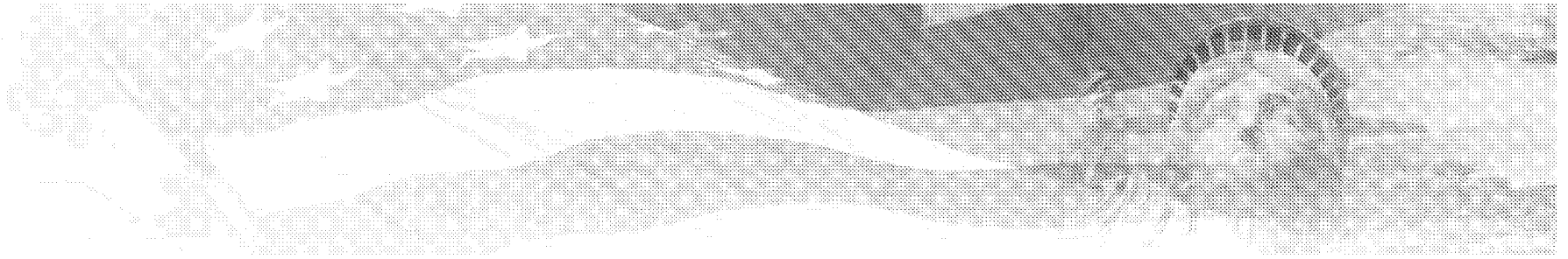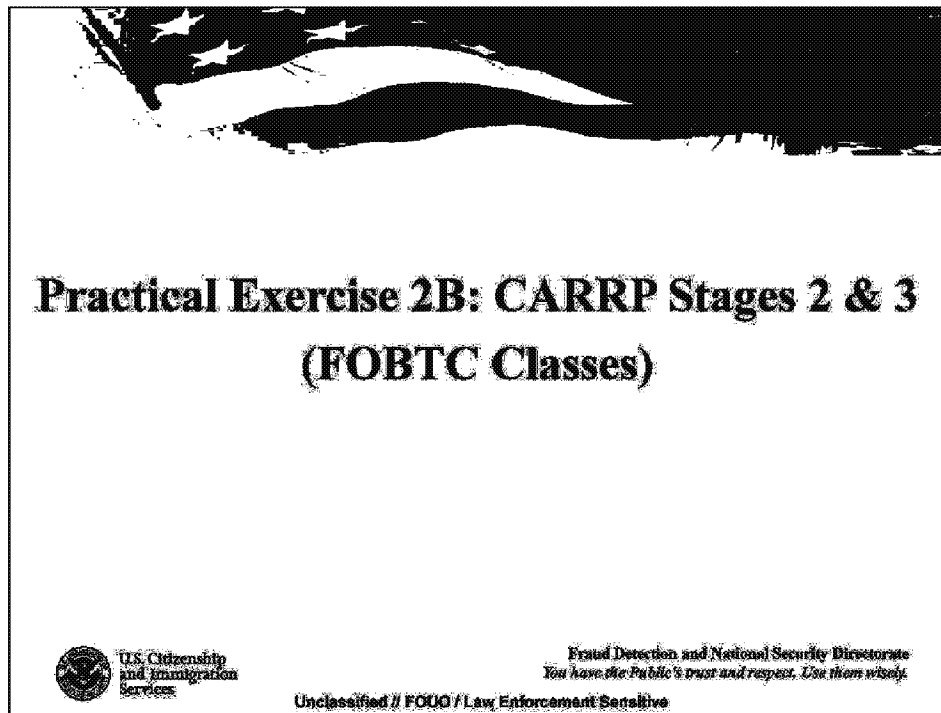
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Practical Exercise 2B: CARRP Stages 2 & 3 (FOBTC Classes)

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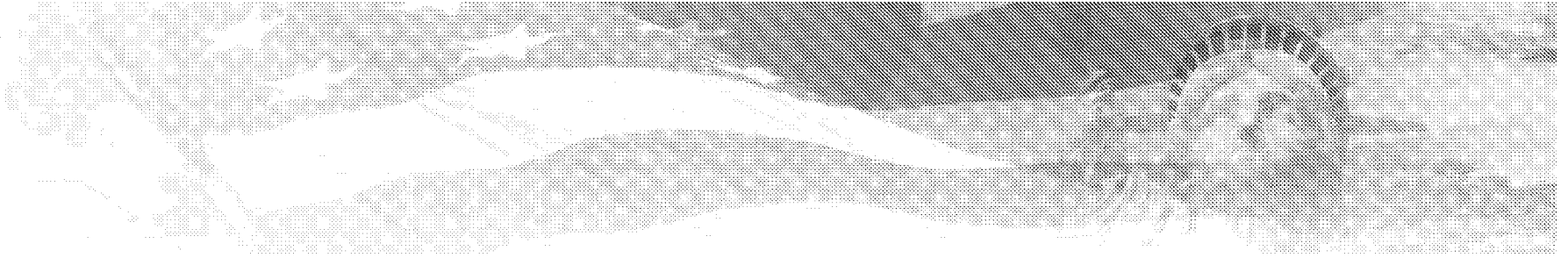You have the Public's trust and respect. Use them wisely.

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- In FOBTC classes with FDNS IO's, do practical exercise 2 at the end of the eligibility / vetting module 5

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