

**Exhibit 5**  
**-- Filed Under Seal --**

# Controlled Application Review and Resolution Program (CARRP) Training Program



## Module 3: Identifying and Documenting NS Concerns

National Security and Public Safety  
Division

Updated September 2020

***[Instructor: If you have not previously been introduced, please tell students who are you and why are you qualified to teach this course.]***

***[Go to the next slide.]***

## Handling Official Use Only (FOUO) Material

Sensitive But Unclassified (SBU) materials and information are to be controlled, handled, transmitted, distributed, and disposed of in accordance with U.S. DHS policy, and is not to be released to the public or other personnel who do not have a valid "need-to-know" reason without prior approval from the originator. SBU material may be designated "For Official Use Only" (FOUO). It is important to note that the FOUO designation is NOT a security classification, but DHS requires that FOUO material be safeguarded against unauthorized access.

- FOUO material should not be left unattended on desks.
- FOUO material should be placed out of sight when not in use, unless it is in a room that has physical access control measures, as required by DHS MD 11042.1, section 1.1. (Jan. 6, 2005).
- Unauthorized personnel should not be allowed in the area when FOUO material is being reviewed.

\*Reminder: This course material is FOUO.

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Say:

We have seen this slide throughout the modules thus far. But again, the CARRP process and all materials related to CARRP are For Official Use Only (FOUO) and should be handled accordingly.

***[Go to the next slide.]***

## Terminal Objective

By the end of this module, participants will be able to identify and document potential national security concerns using all available information.

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Say:

The goal of Module 3, Identifying and Documenting NS Concerns, is that by the end of this module, participants will be able to identify and document potential national security concerns.

***[Go to the next slide.]***

## Enabling Objectives (EO)

- EO #1: Participants will identify, verify, and document Known or Suspected Terrorist (KST) National Security concerns.
- EO #2: Participants will understand the process by which an individual is nominated to the terrorist watchlist.
- EO #3: Given a case to review or adjudicate, participants will use available sources of information to identify Non-KST National Security concerns.
- EO #4: Given a case with indicators of a national security concern, participants will determine and document whether a Non-KST can be Confirmed as having an articulable link to the applicable NS ground(s).

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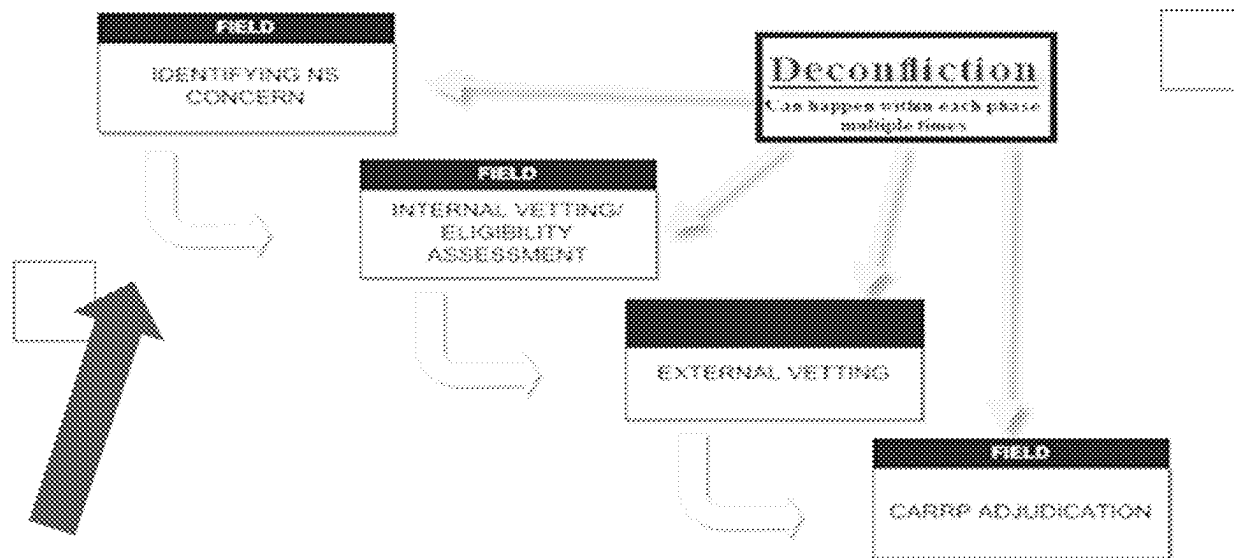
4

Say:

Here are our enabling objectives for this module. By the end of this module you will understand how to identify a potential NS concern using all available evidence; understand the difference between Known or Suspected Terrorists (KSTs) and non-Known or Suspected Terrorists (Non-KSTs); understand the process by which an individual is nominated to the terrorist watchlist; be able to identify sources of information for KST and Non-KST determinations; and differentiate between indicators of a national security concern and an articulable link to a national security concern as the connection between an individual and a NS ground.

***[Go to the next slide.]***

# CARRP Phase One



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Say:

For this module, we are going to talk about CARRP Phase 1: Identification of an NS concern. Just remember, deconfliction can occur at any phase of the CARRP process.

***[Go to the next slide.]***

## Identifying NS Concerns

### Three elements to Phase 1:

- Initial identification of a potential concern
  - What facts are present?
- Evaluation of the potential NS concern
  - Do those facts meet the definition for an NS concern?
  - What type of concern is it?
  - How strongly is the individual connected to the INA NS ground?
- Documentation of the NS concern
  - Is there an existing CME or does a new one need to be created?
  - What documentation elements are required based on concern type?

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Say:

There are three elements to CARRP Phase 1.

- First, we identify a potential concern. We are looking at what facts are present about that concern.
- Next, we evaluate the concern by deciding if the facts meet the definition of a NS concern, if so what type, and how strongly is the individual connected to the NS ground.
- Finally, we document the concern by first looking to see if there is an existing CME in FDNS-DS or if a new one needs to be created, and then determine what documentation elements are required based on concern type.

***[Go to the next slide.]***

## EO #1

Participants will identify, verify, and document Known or Suspected Terrorist (KST) National Security concerns.

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Say:

As we learned in the Overview module there are two types of NS concerns – KSTs and Non-KSTs. So when we get to the evaluation of our concern type, that's one decision we'll be making. But in the meantime, what about the initial identification? How do we initially identify KST or Non-KST concerns? Where do they come from? We are going to discuss that in this section.

You were introduced to this concept in Module two, and folks had a lot of questions. Let's do a deeper dive into the difference between Known or Suspected Terrorists (KSTs) and Non-Known or Suspected Terrorists (Non-KSTs).

***[Go to the next slide.]***



## Identifying KST NS Concerns: TECS Mod Interface



LE

Examples for Training Purposes  
Only

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Say:

So, at USCIS we identify KSTs via the TECS system. Does anyone know why we use TECS as the source for National Security information, rather than PCQS or another consolidated query system? ***[Answer: Because TECS accesses archived records, and the other systems do not. Remember: National Security concerns to not have a time limitation.]***

When we run a query in TECS Mod, we can get both TECS records and NCIC records.

***[Go to next slide]***

*Screenshot from TECS Training Environment.*

# Identifying KST NS Concerns: TECS Hit List

TECS Mod platform View

LE

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Say:

KST TECS records begin with the letter **LE** and end in “**LE LE**” tells us the record came from the Terrorist Screening Center. The NCTC TIDE Code defines those who qualify for watch listing and lays out the corresponding **LE** codes based on types of national security concerns. Watchlist exceptions are those whose category codes are NOT considered known or suspected terrorists, but are considered eligible for inclusion in downstream screening systems in support of immigration and border screening processes. Only two of the watchlist exception codes, **LE** are treated as watchlist exceptions by USCIS. All other watchlist exception codes are treated as KSTs by USCIS.

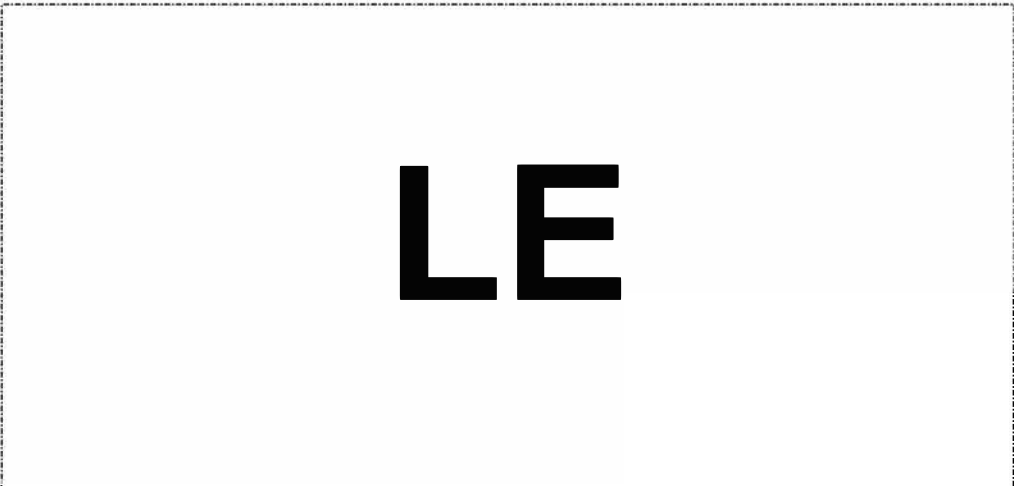
This is an example of what a Hit List for a **LE** record looks like in TECS Modernization. Please notice the records will be **LE**. Be advised, this will not look this way in TECS by ELIS, ELIS, or PCQS. Also the **LE** of the TECS record, commonly called the **LE** code, will be

**LE**

***[Go to the next slide.]***

# Identifying KST NS Concerns: TECS LE Record

TECS Mod platform View



Examples for Training Purposes  
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Say:

If we drill down into a single record, this is what it would look like. This is a printout version from TECS Mod as viewed in a PDF file. Note the Record status indicates **LE**



# Identifying KST NS Concerns: NCIC Records in TECS Mod Interface

**LE**

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Say:

***[Instructor: Point students to the green boxes on the screen]***

***[Go to next slide]***

# Identifying KST NS Concerns: NCIC Records

**LE** Record Results

**LE**

Examples for Training Purposes Only

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Say:

This is an example of a list of **LE** records from TECS Modernization.

***[Go to the next slide.]***

# Identifying KST NS Concerns: NCIC Record

**LE** Record, Terrorism: TECS MOD

**LE**

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Say:

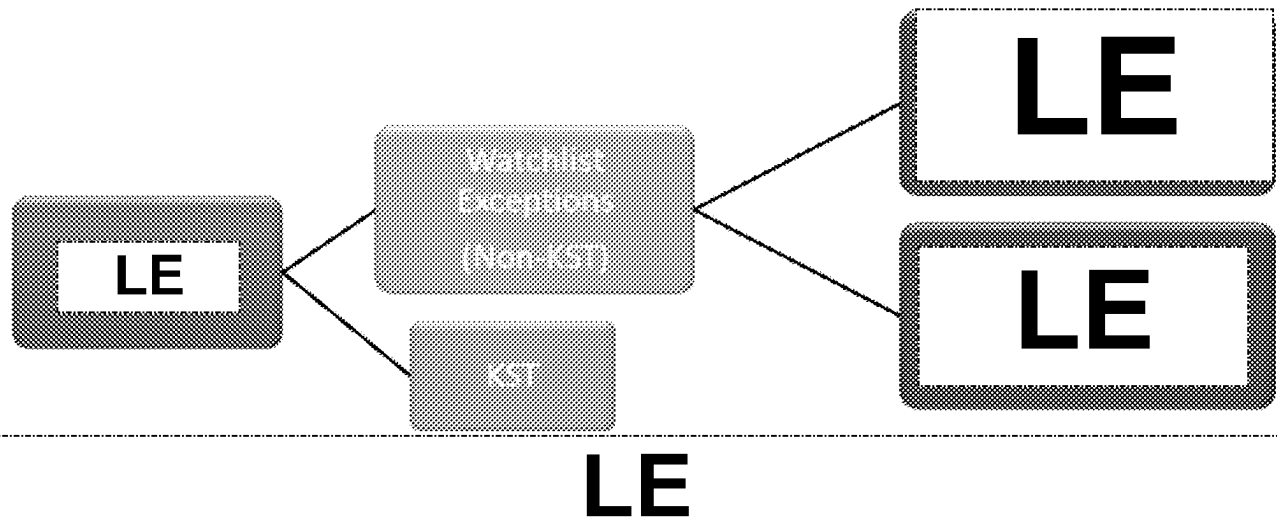
This is an example of a **LE** record from TECS Modernization. Note that the NIC/ record starts with a **LE**

NCIC records contain a **LE** number. This indicates that the subject is a possible terrorist organization member or international extremist. And NCIC records do not reflect a record in the Violent Gang and Terrorist Organization File.

All **LE**s should have a corresponding **LE** record. But you may encounter a **LE** without a **LE** and vice versa. A **LE** without a **LE** is still a **LE** and contact with the Terrorist Screening Center is still required. A **LE** without a **LE** is probably not a KST. It could either be a gang affiliation or it could be a different person (not the subject).

***[Go to the next slide.]***

# Identifying KST NS Concerns: Watchlist Exceptions – LE



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Say:

As we have previously alluded to, not all LE records are KSTs. There are actually two types of watchlist nominations: KST and exceptions. Exceptions are indicated with an [redacted] code of LE in the TECS LE record. Data on [redacted] LE is exported from TIDE (the highly classified database shared by the intelligence community) downstream to the Terrorist Screening Database (TSDB), which produces LE records. Since they are in TSDB, which is where the LEs come from, they show up in TECS as LE but they are not on the watchlist.

LE is a watchlist exception code that means that the [redacted] LE [redacted] LE. So they are considered an exception and they are a Non-KST even though there is a LE record. Per USCIS policy (which aligns with broader U.S. Government watchlisting efforts) LE are Non-KSTs.

LE is the other exception. LE records with the LE code are those individuals who are [redacted] LE

LE are to be treated as Non-KSTs. You still call the TSC to confirm and you still put them in CARRP, but they are Non-KSTs because they are

watchlist exceptions.

Say:

There is still the requirement to contact the TSC for these records.

**[Instructor: Additional Info LE are also considered watchlist exceptions by the interagency community – however, present USCIS policy treats them as KST. LE**

**LE**

***Watchlist exceptions are only eligible for inclusion in the TSDB to support immigration and other appropriate screening activities. US Citizens are not exported to TSDB as watchlisting exceptions.]***

***[Go to the next slide.]***



# Identifying KST NS Concerns: Verifying KSTs

## How does USCIS handle KSTs?

- For any match to a **LE** TECS record, the USCIS designated official *must* contact the Terrorist Screening Center (TSC) for verification of a match (including **LE** category codes).
- The TSC will:
  - Verify that the subject being vetted by USCIS is a match to the TSDB.
  - Alert the Terrorist Screening Operations Unit (TSOU).
  - TSOU will contact the case agent, who may then contact USCIS.
- USCIS does not contact the National Targeting Center (NTC) on

**LE**

USCIS does not externally vet or deconflict with the TSC

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Say:

So, how does USCIS handle KSTs? For any **LE** TECS record, the USCIS designated official must contact the TSC for verification of a match (including **LE** **LE** category codes).

Do not contact the National Targeting Center (NTC), only CBP contacts the NTC!

Please note that you are to call the Terrorist Screening Center or email the "██████████" mailbox to confirm a KST hit. Per policy, if an officer in the field cannot determine that a **LE** TECS hit clearly does not relate, *they* must contact the Terrorist Screening Center (TSC) by email a ██████████@tsc.gov to confirm whether the subject of the KST hit relates to the individual seeking an immigration benefit. *For guidance, see "Criteria to Consider for Determining if a NS TECS Hit Relates to an Applicant" in the NaBISCOP at V. Security Checks: TECS, Section K. Resolution Process (pages 94-96 and page 99).*

The TSC will verify whether the subject is a match to the TSDB. If the subject is a match, the information will be forwarded to the Terrorist Screening Operation Unit (TSOU). The Terrorist Screening Operation Unit may then contact USCIS. Remember that we do not externally vet or deconflict with the TSC. We are merely confirming a match.

***[Go to the next slide.]***

## Identifying KST NS Concerns: TSC Requests

What will the TSC need to confirm the match?

- A TSC Request Form.
- Copy of the completed application/petition, including G-325A (except for asylum-related applications).
- Photos ( [REDACTED] ) including any pictures provided in support of the application.

Contact TSC via email: [REDACTED]@tsc.gov

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Say:

So, what does the TSC need to confirm the match for us?

- A TSC request form. The TSC request form is a template and the link is on the next slide. Likewise, the TSC request form is posted to your class page under Handouts.
- Copy of the completed application/petition including the G-325A (except for asylum-related applications). Prior to sending a copy of the application, please mask all references to underlying eligibility when based on protected status. This is highlighted in Red on the TSC request form.
- Photos [REDACTED] including any pictures provided in support of the application.

Contact with the TSC is done via email. Their email address is shown on the slide. Please remember PII requirements. Since this email box is not within DHS, everything must be encrypted followed with a password. Please follow your local officer policy requirements for encryption methods.

***[Go to the next slide.]***

Handout:  
TSC Request Form

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Say:

This link is to the TSC request form. The form is for the information we have on our applicant. Do not put information from the TECS record on this form. Complete the form in its entirety as much as possible. There are instructions for filling out the form and the email format. Please follow the guidelines. This will help speed up the processing time for the request.

***[Facilitator will paste link in chat. Instructor: If time permits, go over the instructions in the request form.]***

Please note some very important instructions:

- Complete as much of the information as possible.
- Make sure the attachment is encrypted prior to sending to the TSC Mailbox.
- Prior to scanning the application, mask all references to underlying eligibility when based on protected status.

***[Go to the next slide.]***

Link:  
<https://>





# Identifying KST NS Concerns: Summary

KST NS Concern Recap:

- ✓ To have a KST you must have a **LE** TECS hit.
- ✓ The **LE** hit must have a KST category code indicating the individual is on the watchlist.
- ✓ Category code should not be **LE** (because **LE** are watchlist exceptions which are processed as Non-KSTs).
- ✓ There *should* be an associated **LE** record, but the KST determination is based on the **LE**.
- ✓ There is no way to have a KST concern other than a **LE** TECS record with a KST category code.
- ✓ The TSC must confirm the record relates before USCIS determines it's a KST NS Concern.
- ✓ If an individual has a **LE** with a KST code, they are a KST for as long as that record exists in TECS, regardless of any other vetting.

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Say:

Let's do a knowledge check.

***[Instructor: Randomly call on students to answer the questions one by one. The selected student can place the answer in the chat box. Process the response and add the script below.]***

In TECS Mod we can query which two systems at the same time? ***[TECS and NCIC]***

Which two Watchlist exceptions are not KSTs for purposes of USCIS handling procedures? **LE**

**LE**

For a Match to a **LE** record who do you contact? ***[the Terrorist Screening Center/TSC]***

In order for a NS Concern to be considered a KST, you must have a **LE** TECS record. The **LE** TECS record cannot be category **LE** as those are treated as Non-KSTs. The KST **LE** record should have a relating **LE** record. That **LE** record number will also be included in the miscellaneous

numbers portion of the TECS record. The **LE** must have either been confirmed as a positive or inclusive match to the applicant. The FDNS record and the subject will be considered as KST for as long as the **LE** record exist in TECS.

***[Go to the next slide.]***

## Identifying KST NS Concerns: Case Study

Studies in National Security – KST Case Study:

- Subject filed an N-400; not designated as CARRP.
- TECS reveals no records and FBI Namecheck and Fingerprint checks are negative.
- An NCTC screening pilot revealed a potential nexus to terrorism.
- An NS Concern CME was initiated as a Non-KST.
- Vetting was conducted with FBI and JTTF, who had no open investigations/derogatory information/interest in the applicant.
- RFA to HQ FDNS Intel Division returned **LE** records on an alias that was conclusively tied to the applicant.
- The field office located the **LE** records and contacted TSC to confirm that they relate and that the category code was a KST.

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Say:

Let's look at a case study.

***[Instructor: This can be a discussion point, unmute the lines for input. Primary question is how would this concern be labeled, KST or Non-KST and can the concern change from a KST to a Non-KST and visa versa.]***

Ok, let's answer a few questions about our case study:

***[Instructor: Ask the below questions one at a time, pausing for discussion either via audio or in the Chat box. Pause for each answer and call on one random student for each question.]***

- What are the facts in this case?
- When the NS Concern is created, is it considered a Non-KST or KST?
- Should this case be considered NON-NS since neither the FBI or JTTF has an open investigation, derogatory information or interest in the applicant?

***[Instructor: Major Point is that it is a KST because there is a **LE** record with a KST code which relates to the subject]***



Initially the NS Concern would be considered Non-KST. After the alias was discovered, the NS Concern would then be changed to KST. Likewise, now that the intelligence community from the NCTC has new identification information provided by USCIS, it would be a recommended action to rerun the TECS check to see if new TECS record was inputted into the system. Additionally if new TECS records are created, SGN CIV records should have been initiated. CIV stands for continuous immigration vetting. If so, the DS record should be updated accordingly to reflect the new data.

***[Go to the next slide.]***

## Documenting KST NS Concerns:

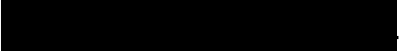

LE

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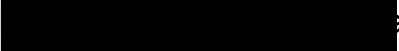
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Say:

***[Instructor: These slides are discussion based only and are meant to show the class different requirements for KST NS Concern documentation.]***

There are several unique things that you're going to do for KST concerns in FDNS-DS. When you create the NS Concern you must identify the case as a KST in the . If you identify it as a KST, what is your source of information? TECS!

***[Instructor: The FDNS User guide does identify the Source requirement to be Original agency or medium that identified the Subject as an NS Concern.]***

If you have a  TECS record, you document the TECS record number and other information from the TECS record  as shown on the screen.

***[Go to the next slide.]***

*This slide contains mock data used for training purposes only.*

## Documenting KST NS Concerns:

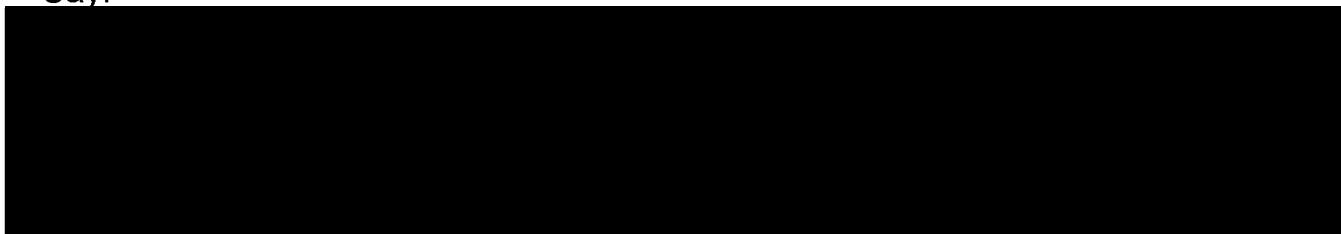


LE

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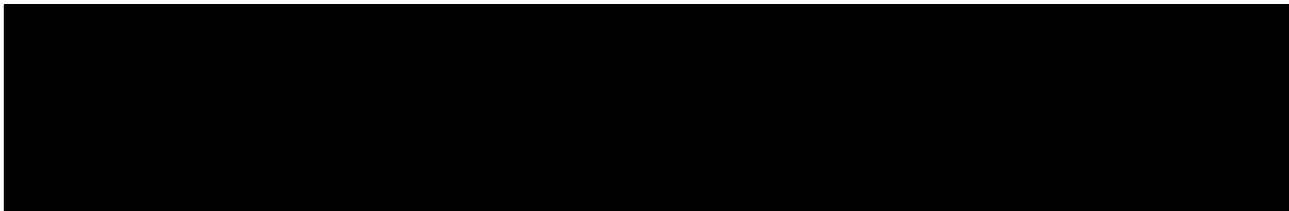
Say:



***[Go to the next slide.]***

*This slide contains mock data used for training purposes only.*

# Documenting KST NS Concerns: Contact with TSC

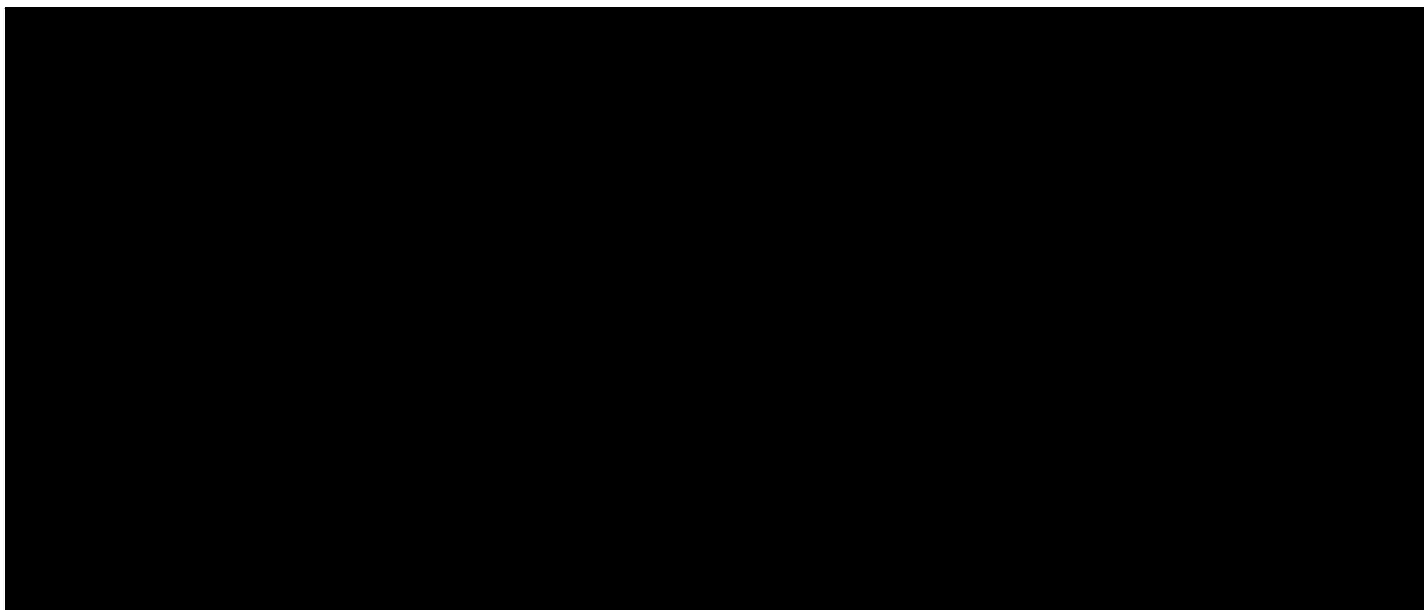


**LE**

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Say:



***[Go to the next slide.]***

*This slide contains mock data used for training purposes only.*

## EO #2

Participants will understand the process by which an individual is nominated to the terrorist watchlist.

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Say:

We have discussed the various watchlists and how they provide us information that we need to do our work. Of course, the AUTHORITATIVE watchlist for identifying KSTs is the Terrorist Screening Database (TSDB). Next, we are going to learn how those KSTs get on the Watchlist.

***[Go to the next slide.]***

# Identifying KST NS Concerns: Watchlisting

Where do KSTs (and certain Non-KSTs) come from?

Nominations to include a subject in the Terrorist Identities Datamart Environment (TIDE) are made by agencies holding derog.

The National Counterterrorism Center (NCTC) evaluates the nominations and enters them in TIDE.

Individuals whose nominations included placement on the watchlist are pushed to the Terrorist Screening Center (TSC).

The TSC reviews and accepts the watchlist nominations into the Terrorist Screening Database (TSDB).

TSDB pushes records to TECS with the code **LE** to indicate that the record came from the TSC.



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Say:

So, where do KSTs (and some Non-KSTs) come from? Nominations to include a subject in the Terrorist Identities Datamart Environment (TIDE) are made by agencies holding derogatory information. This could be the **LE**

**LE** The NCTC then evaluates the nominations and enters them in TIDE. If the nomination for an individual includes placement on the watchlist, it is pushed to the Terrorist Screening Center (TSC). The TSC then reviews and accepts the watchlist nominations into the Terrorist Screening Database (TSDB). The TSDB pushes records to TECS with the code **LE** to indicate that the record came from the TSC.

There are records that stay only in TIDE and do not get pushed downstream. These records are generally lacking either derogatory or biographic information. They tend to be ambiguous such that they don't have a lot of utility in adjudication.

TIDE sits on C-LAN at the TS/SCI level, although HQ FDNS and some Joint Terrorism Task Force Immigration Officers will have access to it in their SCIFs. TIDE then exports watchlist records to TSDB. TSDB sits on B-LAN at the secret level and is actually available on the A-LAN as well, but access to it is tightly restricted. TSDB contains the US government Terrorism

Watchlist. And then information that came in to TSDB from TIDE subsequently flows downstream again into TECS. In the same way that nominations flow downhill (you're nominated in TIDE, it pushes to TSDB, and that pushes to TECS) – if your nominations is removed, the information should be pushed in the same way (TIDE – TSDB – TECS). Which means... the **LE** hat you're seeing would be removed.

Determinations to put someone on the watchlist follow a similar weighing of the evidence that we use to determine the connection between a person and an activity. It requires factual evidence – “articulable intelligence”. Equal credence is given to past, present, and future actions and associations. Basically, if there is a reasonable suspicion that a subject did any of the things listed, they'll be nominated as a KST.

***[Instructor: 2015 Watchlisting Guidance is uploaded to the FOBTC “References” folder – password for the document is: **LE*****

***[Go to the next slide.]***

*Image Attribution: The image and graphics this slide were created by the Terrorist Screening Center and are the property of the United States government.*

Handout:  
TIDE Category Codes

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Say:

**[Facilitator: Paste the link in chat. Instructor: Allow the students a couple of minutes to open and review**

**https://**  
**[Redacted]**

The link in Chat is to the TIDE Category code Definitions. The category codes most encountered by USCIS that are considered Non-KST are category codes

**LE**  
Category code **LE**s for **LE** To be considered a  
**LE** the subject must **LE**  
**LE**

Category code **LE**s for those individuals or subjects **LE**  
**LE**

The individuals identified in these categories will be considered Non-KST for CARRP processing.



***[Go to the next slide.]***

## Identifying KST NS Concerns: Types of Watchlist Nominations

How is someone nominated to the watchlist?

- Nominations to the watchlist are made by law enforcement, intelligence, and homeland security agencies.
- There are two categories of watchlist nominations:
  - KST: KST watchlist nominations require sufficient biographic info AND *reasonable suspicion*.
  - Watchlist exception: people who are exported to TSDB for screening purposes, but are not actually on the watchlist.
- Both categories of watchlist nominations result in LE *in TECS*.

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Say:

We saw on the previous slide that nominations to the watchlist are made by law enforcement, intelligence, and homeland security agencies.

There are two types of watchlist nominations – those on the watchlist and those who are watchlist exceptions. KST watchlist nominations require sufficient biographic info AND *reasonable suspicion* – these are the ones that were named in the funnel chart on a previous slide. The watchlist exception category are people who are exported to TSDB for screening purposes but are not actually on the watchlist. If the derogatory information doesn't rise to the reasonable suspicion standard, other category codes (including exceptions) exist.

Both categories result in a LE record.

***[Go to the next slide.]***

## Identifying KST NS Concerns: Requirements to be Watchlisted

How is someone nominated to the watchlist?

- Nomination as a KST requires a reasonable suspicion that the subject is:
  - Known or suspected of being engaged in terrorist activity;
  - Known or suspected of having previously engaged in terrorist activity;
  - Known or suspected of being a member of a terrorist organization;
  - Known or suspected of having been a member of a terrorist organization;
  - Known or suspected of preparing to engage in terrorist activity.

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Say:

To be nominated to the watchlist, the subject must meet certain criteria. There must be reasonable suspicion that the subject is known or suspected of being engaged in terrorist activity, or has previously engaged in terrorist activity, or is a current or previous member of a terrorist organization. Lastly, the subject is known or suspected to be preparing to engage in terrorist activity.

In summary and to further emphasize: the subject must have been previously engaged, preparing to engage in, or engaged in terrorist activity and/or is a current or former member of a terrorist organization.

Let's do a knowledge check.

***[Instructor: Randomly call on students to answer the questions one by one. The selected student can place the answer in the chat box. Process the response and add the script below.]***

How are subjects placed on the watchlist? ***[Nominations to the watchlist are made by law enforcement, intelligence, and homeland security agencies]***

Can USCIS nominate subjects to the watchlist? **[Yes]**

Are all **LE** KSTs? **[No]**

**[Go to the next slide.]**

## EO# 3

Given a case to review or adjudicate, participants will use available sources of information to identify Non-KST National Security concerns.

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Say:

Before moving on to the next Enabling Objective, let's take a minute to check in. Please raise your hand or write it in the Chat if you have any questions.

***[Instructor: Process any questions or clarifications.]***

As we have just seen, KSTs are pretty straightforward. They are tagged and identified as needing additional work before they can move forward. Non-KSTs on the other hand, can be identified through a number of sources – some of which belong to USCIS, but most of which do not.

***[Go to the next slide.]***

## Identifying Non-KST NS Concerns

### What is a Non-KST NS concern?

- Non-KSTs are NS concerns that have not been nominated to the Watchlist as a KST but still have a connection to the INA NS grounds.
- Non-KST NS concerns include (not an exhaustive list):
  - Watchlist exceptions [LE]
  - [LE]
  - Saboteurs.
  - Weapons or technology proliferators.
  - Agents of foreign governments, etc.

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Say:

Now, let's move on to Non-KST NS Concerns. Remember, from Module 2, Non-KSTs are NS concerns that have not been nominated to the Watchlist as a KST, but still have a connection to the INA NS grounds. We talked earlier about the [LE] watchlist exceptions when we were discussing TECS hits. A [LE] and a [LE] [LE] Other examples could be saboteurs, weapons or technology proliferators, agents of foreign governments, etc.

Why is the entire phrase "Non-KST NS Concern" important? It emphasizes that a Non-KST is still a national security concern. Non-KST doesn't mean it's trivial or unimportant, it's still a national security case. Non-KSTs should be treated the same as KSTs in terms of the vetting process and ascertaining the threat of the NS concern. They are merely documented differently in FDNS-DS and have different processes for ultimate resolution on the case depending on eligibility for the benefit.

What other types of indicators can be considered as NON-KST? Please place your answers in the chat box.

***[Go to the next slide.]***

# Identifying Non-KST NS Concerns: Other Examples

## Other Potential Non-KST NS Concern Examples:

- TECS record indicates ongoing/closed JTTF investigation/interest.
- Association with KSTs (travel, addresses, business, religious or social activities).
- Indicators of Investigative Hits involving NS Activity:
  - Suspected illegal export of "dual use" items.
  - Breaking transactions larger than \$10,000 into smaller amounts (structuring) in support of terrorist activity.
- NaBISCOP Appendix C has a listing of common terms and acronyms in TECS that may relate to national security.

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Say:

There are other areas, other than LE records, that can identify potential NS indicators. There are TECS record that may indicate ongoing or closed JTTF investigation and/ or interest. Likewise, TECS records can identify subjects who may have associations with KSTs or other subjects of national security interest by either LE etc.. Please remember the areas that are considered of national security such as espionage, sabotage, terrorist financing, etc. If any derogatory is discovered in the background check areas that have an indicator that may lead to these areas, then those would be considered Non-KSTs.

We are putting the link to Appendix C in Chat.

**[Facilitator: Copy and Paste link to NaBISCOP in chat: [https://\[REDACTED\]](https://[REDACTED])**

Please note that there are numerous terms and acronyms listed in the tables of appendix C. Not all of them are indicators of NS Concerns. Likewise, this list is not all inclusive. New terminology and anacronyms are coming out every day.

***[Instructor: If time permits, discussion on Appendix C terminology]***

***[Go to the next slide.]***



## Identifying Non-KST NS Concerns: Sources of Information

How does USCIS identify Non-KST NS Concerns?

- FBI Namecheck – Letterhead Memorandum (LHM);
- FBI Fingerprint check – IDHS sheet, previously known as a RAP sheet;
- TECS / NCIC;
- Consular Consolidated Database (CCD);
- Department of State Security Advisory Opinion (SAO);
- IDENT database/CPMS-IVT;
- Relationships with law enforcement; and
- Self-reporting – interview, application, or supporting documents.

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Say:

There are several areas during the background check process that can identify national security concerns.

FBI name checks are done on numerous status granting applications. The most common types of forms include the N400 and I485 applications. USCIS sends the applicant's name including aliases to the FBI for a search of FBI files. The FBI returns positive results in the form of a Letterhead Memorandum, commonly known as an LHM. Responses are indicated in CPMS. You can view unclassified LHMs in CPMS and classified LHMs in CIDR on the HSDN.

Another area is the IDHS Sheet (formerly known as the RAP sheet). IDHS information can be found within ELIS for ELIS filed applications and in CPMS for all applications that require fingerprinting. We have already discussed TECS/NCIC checks. Although not as frequent, other areas include the CCD system from Department of State, the Security Advisory Opinion, and relationships with federal, state and local law enforcement. The applicant may even self report.

***[Instructor:***

- ***SAO's are used by the refugee program***
- ***IDENT is frequently used by asylum***
- ***Testimony based and self-reported NS Concerns are common in RAIO, but aren't limited to that directorate (as we saw from the N-400 indicators exercise)]***

***[Go to the next slide.]***

## Identifying Non-KST NS Concerns: Knowledge Check

FBI has closed their investigation:	
No NS Indicator	NON-KST indicator

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Say:

A TECS record was sent to you for evaluation based on a closed FBI investigation relating to one of the national security grounds from the INA. No other information was provided.

Answering in the chat, which option do you believe is the correct answer?

***[Instructor: process responses, answer on next slide.]***

***[Go to the next slide.]***

## Identifying Non-KST NS Concerns: FBI Letterhead Memorandums

FBI Letterhead Memorandums (LHMs):

- LHMs are not always for open concerns.
- Not all LHMs indicate that there is an NS concern.
- No NS concern exists if a law enforcement or intelligence agency indicates all of the following in an LHM:
  1. They have completed and closed their investigation,
  2. They make a definitive finding of no nexus to national security in relation to the USCIS subject, and
  3. There is no other indicator of a NS concern.

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Say:

Just because the FBI says they closed their case, does that necessarily mean they resolved the NS concern? The answer is no. We need to check with LEA (normally FBI) to find out if they have made a definitive finding of no nexus to national security or if the investigation was closed for another reason. The

**LE**

Just because they don't have a concern, could USCIS find another indicator in some other vetting? Definitely.

LHMs are general screening tools and can be used to collect information related to criminal, public safety, fraud, NS, or other activities. LHMs may even provide information that is not derogatory or that supports eligibility. There is no reason to presume a case is a CARRP case or has a potential NS concern because there is an LHM. Rather, you'll need to review any FDNS-DS record or other relevant information to understand the LHM and its

potential relevance to the case.

***[Go to the next slide.]***

## Identifying Non-KST NS Concerns FBI LHMs, Continued

LHM Classes of Investigations that relate to NS concerns:

- Foreign Counterintelligence
- Acts of Terrorism (International, Domestic)
- Hostage-Taking
- Terrorism
- Arms Control Treaty Measures
- Sabotage
- Actual & Attempted Bombings & Explosive Violations
- Threaten or Attempt to Use, Possess, Produce or Transport of Weapons of Mass Destruction (WMD)
- Use, Possession, Production or Transport of WMD

\*This is not an exhaustive list

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Say:

These are some of the terms or types of investigations you may see in an LHM. If you see one of these referenced, do you think that's enough evidence for to support a referral to CARRP? Yes, this list is found in NaBISCOP (page 141) and considered indicators for national security concerns. Be advised, this list is not all inclusive. More indicators are contained in the "Guidance for Identifying National Security Concerns" issued with the CARRP Operation guidance on April 11, 2008. Additionally, even though you may refer such cases to CARRP, further vetting or context from the record you receive, in the totality of the circumstances, may help you to resolve any potential concern and may result in the case being processed routinely.

***[Go to the next slide.]***

# Identifying Non-KST NS Concerns: Letterhead Memorandums Exceptions

When might an LHM be Non-Derogatory:

- When the LHM references an LE
  - The case goes into CARRP (RFA to HQ FDNS) to obtain the information...
  - But the LE may end up not being derogatory
- When the applicant is not the subject of an investigation—

- LE
- 
- 

Say:

Not every record from the sources we just covered ends up being national security-related. We talked about SAOs not always being derogatory. We also talked about the LE hits already – if it’s gang related, it may not be NS. It can be derogatory information, but not NS information. We see derogatory information that isn’t NS from LHMs, TECS and USVISIT. Things like money laundering, fraud, etc. So just because it’s in one of the systems we just talked about – does not equal NS concern. What’s important is the actual information contained in the background check result. In the same way that our sources of information do not always give us NS info, some of it may not even be derogatory at all! A positive fingerprint or namecheck, an IDENT encounter, a LE a FDNS-DS record... are not automatically CARRP referrals.

This slide discusses two examples of when an LHM might not be derogatory:

- An LE might determined to be non-derog after an RFA to HQ FDNS.
- The applicant might not have been the subject of an investigation. We see this where someone has a positive name check LE  
LE
- Any LHM can be non-derogatory or relate to a non-NS matter (such as a criminal, public safety, or fraud matter). That is why reading the LHM, collecting relevant information from the record owner, and considering the totality of the circumstances is so important.

***[Go to the next slide.]***

# Identifying Non-KST NS Concerns: Fingerprint Categories

## FBI Fingerprint Categories

- Examples that may relate to NS concerns:

- 
- 
- 

**LE**

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Say:

Some examples of FBI fingerprint categories that may relate to NS concerns:

- 
- 
- 

**LE**

Similar to the categories listed a few slides earlier on the FBI Namecheck, these are the fingerprint categories that are likely to indicate an NS concern. And again like Namecheck, seeing a fingerprint record that says someone is a known terrorist DOES NOT make them a KST for our purposes – only the watchlist does that (LE TECS record). Please note on the 3rd bullet – that says ‘LE’ It does not say ‘LE’ – there is a substantive difference. One place you could check for additional information on these types of indicators involving ‘LE’ is BI2R. BI2R stands for Biometric Identity Intelligence Resource and is the DoD-owned database. This database tracks DOD encounters. This system is only on the HSDN.

In any of these scenarios, we have a non-watchlisted NS concern.



Question: Could USCIS recommend that the individual be watchlisted if they meet the reasonable suspicion standard? Please place your answers in the chat box.

***[Instructor: Process responses.]***

YES, USCIS can nominate individuals to the watchlist.

***[Go to the next slide.]***

# Identifying Non-KST NS Concerns: Fingerprints & TPS

When Fingerprint Records May be Non-Derogatory:

- Fingerprinted by the US military—

- 
- 

**LE**

When FDNS-DS records may be Non-derogatory:

- 

**LE**

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Say:

Here we have examples of when fingerprint records might not be derogatory. This occurs frequently when people are fingerprinted by the U.S. military

**LE**

Also, with Syrian TPS cases. Once the Syrian TPS cases that aren't cleared are reported back to Vermont Service Center (VSC) via HQ FDNS, VSC enters these cases in FDNS-DS. Frequently, upon vetting, these applicants are not found to be associated with KSTs as they were initially reported to be. In these cases, many of the **LE** which can be vetted and often times resolved by the HQ FDNS Intelligence Division. The DS record is then closed out as Non-NS.

**[Go to the next slide.]**

# Identifying Non-KST NS Concerns: RAP Sheets

RAP Sheet: Non KST NS Concern indicator:

Example for Training Purposes Only

LE

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Say:

This is a sample IDHS Sheet. As you can see, it says the subject is a known or suspected terrorist.

If this subject has been identified by fingerprints as a known/suspected terrorist, then why is it considered to be in the Non-KST category?

***[Instructor: give students time to answer, either in chat or via voice.]***

Answer - KSTs aren't sourced from LHMs or IDHS Sheet; they come from **LE** TECS records with a KST TIDE category code.

***[Instructor: This is a great slide for additional open-ended discussion, if time permits.]***

***If a USCIS officer saw this IDHS Sheet at the I-485 stage, what questions should the CARRP officer be considering?***

- ***How did this individual legally arrive in the US?***
- ***Was this previously resolved by CBP, Department of State?***
- ***What systems would you look at? FNDS-DS CCD, TECS, UPAX for secondary inspection results, MOIRs, Incident reports, etc.***

***If a USCIS officer saw this IDHS Sheet at the N-400 stage, what questions would you consider?***

- What systems would you check?***
- Would you expect to find information in the file from the adjustment of status was filed in the US?***
- Should this have been already resolved if in the US?***
- Under what circumstances would this not be resolved at the N-400 stage?]***

***[Go to the next slide.]***

## Weighing the Evidence

Studies in National Security – Seemingly innocuous arrests:



Say:

Please take time to review this example.

***[Instructor: Pause to give students time to read the slide.]***

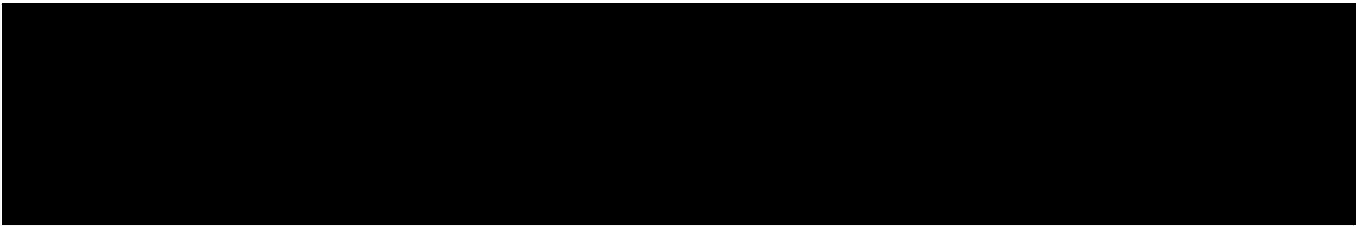
Would you create a NS Concern in FDNS-DS on this case? Please respond in Chat.

***[Instructor: Allow for answers to populate in chat.]***

If you created a FDNS-DS CME on this case, how would it be classified, KST or Non-KST? Again, please respond in Chat.

***[Instructor: Allow for answers to populate in chat.]***





Important to point out and consider, the nexus to NS isn't immediately obvious if you just skimmed the first page of the IDHS, checked the one disposition and moved on with your case. We want to carefully examine all information associated with a CARRP case.

***[Instructor: This is another great slide to unmute participants and allow for open discussion. Sample questions to ask:***

- ***If this case was referred for CARRP Processing, what systems would you check and what information or data would you be looking for in relation to this case? EARM or PCQS DOJ-EOIR would be the primary answer, what happened to the ICE Deferred action?***
- ***Was the applicant placed into removal proceeding and what the final action or is the case still pending?***
- ***Under what circumstances would this case not have been processed through CARRP? - plausible answer, file review indicated charges dropped due to no espionage activity and no association with terrorist organization?]***

***[Go to the next slide.]***

# Identifying Non-KST NS Concerns: Other ASC Codes in TECS

[REDACTED] LE records come from the Terrorist Screening Center.

• Other common person record endings:

- [REDACTED] LE are entered by USCIS;
- [REDACTED] LE come from [REDACTED] LE
- [REDACTED] LE come from [REDACTED] LE
- [REDACTED] LE are [REDACTED] LE
- [REDACTED] LE come from [REDACTED] LE
- [REDACTED] LE s entered by [REDACTED] LE
- [REDACTED] come from other offices (mostly [REDACTED] LE but not all).

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Say:

Keeping in mind what we just learned – that [REDACTED] LE (with the exception of the ones with [REDACTED] LE are KSTs. We have also looked at a number of sources for identifying non-KSTs. Is there a way to identify Non-KST National Security concerns in TECS?

Let's review some of the other "endings" of TECS person records that are not [REDACTED] LE and what they may or may not tell us about the subject.

We're talking about the ending on the person record, commonly called the [REDACTED] code – the part where you see [REDACTED] LE here are a list of them on the screen, along with their sources

- [REDACTED] LE are entered by USCIS;
- [REDACTED] LE come from [REDACTED] LE
- [REDACTED] LE come from [REDACTED] LE
- [REDACTED] LE are [REDACTED] LE
- [REDACTED] LE come from [REDACTED] LE
- [REDACTED] LE s entered [REDACTED] LE
- [REDACTED] come from other offices (mostly [REDACTED] LE but not all).

Not all of these TECS records are considered NS indicators and just based on the code, you can't tell. You need to consider the nature of the record, the text of the record, and the other facts of the case. How many of these could possibly indicate a potential NS concern?

In Chat, please write which code or codes you think could indicate a potential NS concern?

***[Instructor: Process responses. The correct answers are CIQ and CHS.]***

Although they may indicate an NS indicator, please read and evaluate the remarks to make a final determination.

***[Go to the next slide.]***



# Identifying Non-KST NS Concerns: Knowledge Check

Consider:

- In the remarks of [redacted] LE [redacted] hits, they may talk about the individual being in the Terrorist Screening Database (TSDDB). That's most of the same language that we see in [redacted] LE [redacted]
- [redacted] LE [redacted] are based on pre-defined criteria entered by [redacted] LE [redacted]
- One way to resolve [redacted] LE [redacted] hits is to look in [redacted] LE [redacted]  
[redacted] LE [redacted]

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Say:

*[Instructor: This would be a good slide to conduct open ended questions. Unmute lines for discussion]*

I am going to unmute the lines for a discussion. Please review the slide and I will ask you a few questions.

*[Instructor: Pause to give students a moment to read the slide, then pose these questions one at a time]*

- How would we handle these records?
- Would this be considered a referral?
- As a CARRP designated officer, where would you look for additional information?

• summarize, a look at the [redacted] LE [redacted]  
[redacted] LE [redacted] it is warranted. The [redacted] LE [redacted] can indicate the applicant was a negative match to the possible TSDDB [redacted] LE [redacted] Sometimes, there may also be an incident report in [redacted] LE [redacted]  
[redacted] LE [redacted]

If the application was a positive match according to [redacted] LE [redacted]

If the application was a positive match according to **LE** report, would this be considered a KST and why or why not? Please place your thoughts in Chat.

**[Instructor: Process answers in chat.**

**LE**

**if the question is asked]**

**LE**

**[Go to the next slide.]**

# Identifying Non-KST NS Concerns:

**LE** Field

**LE** – TECS MOD:

**LE**

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Say:

I know you have seen this slide before but lets look at this record a little bit closer. As you can tell, this is a **LE** record relating to terrorism. The **LE** field clearly states “**LE**” FYI – **LE** for those who care, stands for **LE**

**[Instructor: use cursor to highlight the **LE** if necessary]**

There are also **LE** hits for gang members. The **LE**” on gang hits doesn’t say **LE** like this one. Rather, it would say **LE**

Now here’s the curveball – is gang membership a national security or egregious public safety (EPS) case? It could be NS, if there is other derogatory information about the person or the group – if there’s an articulable link using the gang affiliation as the nexus between the individual and an assassination, for example. The record could just be an Egregious Public Safety case, which is not national security. In which case, you would not contact the TSC on these hits.

So again, make sure you are carefully examining system checks, documents

in the A-file, and anything associated with a CARRP case.

***[Go to the next slide.]***

# Identifying Non-KST NS Concerns:

## Codes ( LE

- LE codes can reflect the watchlist category code – What else can be in that field?

- 
- 
- 
- 
- 
- 

LE

LE

Say:

On the LE records, we have discussed that the LE code could reflect a watchlist category code. But can this data-block indicate additional information on other types of TECS records? In short: definitely. Some examples of other things you might see in the LE code field are listed on the slide.

- 
- 
- 
- 
- 
- 

LE

We do need to spend some time on the Department of State LE codes. Be advised that on the LE LE The LE would stand for LE 9 FAM 403.10-3(C) (U) Quasi-

Refusal Cases: “A quasi-refusal, by definition, is not a refusal. It is not a determination of eligibility. You cannot conclude a case by entering a quasi-refusal; you must enter a “hard” refusal or issue the visa. You may not deny or revoke a visa based solely on “quasi-ineligibility.” If an alien applies for a visa, the alien’s eligibility must be definitively resolved.”

The 3A would apply to a section of the INA. So a **LE** would be a quasi refusal under 212(a)(3) of the INA. In most cases, there is further classification with the subsection of law. So a **LE** is related to espionage and tech transfer, overthrow of the US government, and other unlawful activity. **LE** is quasi refusal relating to terrorism. **LE** is quasi refusal for foreign policy. You can also see these **LE** codes without the **LE** that means they were found inadmissible. Officers should be aware that the Department of State places the word **LE** in front of any type of INA 212 inadmissibility, not just 212(a)(3).

Are all of these codes and all the 212a3 referrals inherently NS? No, they are not.

***[Instructor: if time permits, ask the students “which of the **LE** would be considered a national security indicator?” Ask students to place answers in chat. Correct answers are **LE*****

But what about System Generated Notices (SGNs)? System generated notices are automated systems run through ATLAS and housed in FDNS-DS). Just because something gets referred because of an SGN doesn’t mean it’s automatically National Security. For example, not all TECS hits that trigger an SGN to fire end up indicating an NS concern. **LE** fires on keywords and the officer needs to review the information and evaluate if it indicates an NS concern. Those referrals are no different than adjudications referring a case.

The CARRP trained officer still needs to determine – independently, using their own judgment, based on the definition of an NS concern and all of our models and equations and paradigms – if an NS concern is present. The only automatic CARRP case is a TECS record ending in **LE** – that is it. Do not rely on labels and record endings to tell you if something is an NS concern that needs to be processed through CARRP.

***[Go to the next slide.]***

# Identifying Non-KST NS Concerns: Other CBP Systems & Queries

- Unified Passenger System (UPAX):
  - Contains travel records and information;
  - Also includes secondary inspection results and information, including notes from CBP;
  - LE
- ADIS = Arrival / Departure Information System (can also be accessed through TECS now):
  - Older system but provides a detailed display of entry / exit records;
  - Permits searches by multiple criteria with a different name search algorithm than ATS-P.

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Say:

Unified Passenger system or UPAX is the replacement program for ATS-P, which stands for Automated Targeting System (Passenger). UPAX is primarily operated by DHS CBP. It is a decision support tool that compares traveler data, cargo, and conveyance information against law enforcement, intelligence, and other enforcement data using risk-based scenarios and assessments. Used to enhance identification of possible threats and to assist in securing the border and transportation security. UPAX contains travel records and travel information, secondary inspection results, and other notes from CBP.

LE LE

The Arrival Departure Information System, hereafter referred to as ADIS, is a system for the storage and use of biographic, biometric, and encounter data on aliens who have applied for entry, entered, or departed the US. ADIS consolidates information from various systems in order to provide a repository of data by DHS for pre-entry, entry, status management, and exit tracking on immigrants and nonimmigrants. Its primary use is to facilitate the investigation of subjects of interest who may have violated their immigration status by remaining in the US beyond their authorized stay. Other uses include assisting in determining visa or immigration benefits and providing information in support

of law enforcement, intelligence, and national security investigations.

***[Go to the next slide.]***



Case Study:  
Indicators from Travel

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Say:

***[Instructor: This activity should produce a discussion with open ended questions.]***

***Facilitator will copy and paste the link into Chat:***

***https://***

We are putting a link in the Chat. Please read through the information and think about whether this warrants a referral to CARRP?

***[Instructor: Give the students a few minutes to review the case study.]***

We are going to unmute the audio or you can use the chat.

***[Facilitator: Unmute students.]***

So what do you think? Does this warrant a referral to CARRP?

***[To facilitate the discussion, pose the following:***

- ***Not everyone who travels to Pakistan is an NS Concern.***
- ***Why the trip to Afghanistan? He said his reason was to renew a visa and visit family. Does this make sense.***
- ***Quetta is known to house Taliban leadership and their families. What do you think about that piece of information?***
- ***What systems would you check and what actions would you take based on those checks?]***

***[Go to the next slide.]***

Case Study:  
Sen. Cruz Rahami Letter

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Say:

Take a few minutes to read the letter from Senator Cruz to DHS. Please annotate in the chat box when you have completed.

***[Facilitator; post the link in the chat.***

https://  
[REDACTED]

***Allow students time to read letter.]***

This is a letter to DHS from the Senate Judiciary Committee in regards to the bombing attacks in New York and New Jersey committed by Ahmad Khan RAHAMI. Please focus on the bottom of page 1 through midway on page 2. This is a similar fact pattern to what we just saw on a totally different case in ATS-P. We're still not saying that last case should have been in CARRP, and we're not necessarily saying that USCIS did anything wrong in RAHIMI's case, but these are the kind of things we need to be paying attention to.

This letter is available in the public domain – it is posted to Senator Cruz's website in its entirety.

***[Go to the next slide.]***

# Identifying Non-KST NS Concerns: IDENT

## IDENT:

- IDENT is the DHS biometric database:
  - Next Generation Index (NGI) is the FBI biometric database.
  - Automated Biometric Information System (ABIS) is the Department of Defense (DoD) biometric database.
- IDENT data set is accessed through CPMS.
- USCIS, CBP, ICE and other DHS component data is fed into IDENT.
- IDENT may contain hits from DoD holdings, information on immigration violations, and encounter data.
- Everyone has a watchlist, but:
  - IDENT watchlist is not the same as TSDB watchlist.
  - IDENT watchlist contains arrests, DOS records, DoD encounters, fraud, etc.

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## Say:

The Automated Biometric Identification System (IDENT) is the DHS Biometric database which can be accessed through CPMS. Numerous DHS components, such as USCIS, CBP, and ICE, feed data into IDENT. DHS is not the only data providers for IDENT:

- The Department of State searches and enrolls data it collects directly from visa applicants. The information returned from IDENT assists in determining identity and visa eligibility. If visas are denied for a derogatory reason, State transmits the relevant derogatory information for storage in IDENT. If visas are revoked for serious reasons, State transmits the notice of revocation for storage in IDENT.

LE

- The Department of Defense (DOD) searches and enrolls data in IDENT. US-VISIT works across the federal Intelligence Community and DOD to promote intelligence efforts in identifying persons who may be a threat to the United States. DOD collects information to

LE

LE

# LE

- USCIS references the IDENT watchlist in CPMS. Be advised, just because the term watchlist is used, this does not mean it is TSDB watchlist. There are also IDENT watchlist entries that may contain arrests, DOS records, DoD encounters, fraud, etc.

***[Go to the next slide.]***

# Identifying Non-KST NS Concerns: IDENT CPMS View

CPMS Example

Examples for Training Purposes Only



LE

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Say:

This is an example of a CPMS IVT display. We don't access IDENT through US VISIT anymore, but the query results look pretty similar. It reports biometric encounters, including at our Application Support Centers.

***[Go to the next slide.]***

# Identifying Non-KST NS Concerns: CPMS View: FBI and DOD Records

**LE**

Examples for  
Training  
Purposes Only

**LE**

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Say:

CPMS also enables you to check some DoD records and display the results of FBI queries. But an FBI Fingerprint response of IDENT is still different than the DHS database IDENT.

***[Go to the next slide.]***



# Identifying Non-KST NS Concerns: CPMS Record

CPMS:

Example for

**LE**

Say:

This is some of the language or example that someone actually found in CPMS for a military biometric encounter.

***[Instructor note: Allow students time to read.]***

You can see that it reads

**LE**

**LE**

***[Go to the next slide.]***

## Identifying Non-KST NS Concerns: Consular Consolidated Database (CCD)

System used to process all consular services and contains adjudicative records for all applicants for consular services

- Includes information about US passport and visa adjudicative decisions and copies of the applications
- Performs automated screening of applicants in the Consular Lookout and Support System (CLASS)
- Performs automated checking of applicant fingerprints
- Registers and receives applicant images for Facial Recognition (FR)
- Reports requesting data on a particular applicant or post, or data from multiple applicants or posts
- Distributes data to interagency partners for visa and passport vetting

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Say:

The Department of State's Consular Consolidated Database is a data warehouse that stores current and archived data from all of the Consular Affairs (CA) post databases around the world. CCD provides a near real-time aggregate of consular transaction activity collected domestically and at post databases worldwide, including both visa and American citizen services. The data is replicated from post databases to central CCD databases, and serves as a backup for post's transaction activity.

CCD is also the repository of data flows between the Department of Homeland Security (DHS), the Federal Bureau of Investigation (FBI), the Department of Defense (DOD), and other federal agencies that provide input into the visa and passport review and approval process. Data from outside systems, including TECS and IDENT, feed into CLASS. As part of the visa adjudication process, visa applications generate biographic and biometric checks that are replicated to the central CCD databases. Central CCD then processes the checks or routes them to other agencies. Biometric checks include facial recognition and fingerprint checks. Biographic data is used for namechecks against data within central CCD and for interagency vetting. External agencies provide responses to central CCD, and central CCD returns the results to submitting posts. CCD is used by internal and the external users/systems for the following purposes:

For example, if there is a Department of State TECS record with a refusal, you may be able to find the reason why in CCD.

**LE**

***[Go to the next slide.]***

# Identifying Non-KST NS Concerns: Security Advisory Opinions

Advisory Opinion AO/Security Advisory Opinion (SAO):

- Tool used by consular officers to ask DOSHQ and other agencies in the US government for information/input
- Some SAOs are submitted based upon a security hit in CLASS
- Some SAOs are submitted selectively based on the profile of the visa applicant
- SAOs help Consular Officers to make accurate adjudicative decisions, as well as determine whether to watchlist
- Within USCIS, SAOs are an adjudicative tool in refugee cases

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Say:

CCD uses **LE**  
**LE**  
**LE** does not  
 collect data from individuals, but accesses information contained within the  
 CCD.

When a consular officer sees a hit in CLASS, or has another concern related to an applicant, they can submit an Advisory Opinion through the CCD.

Advisory Opinions could be something as simple as **LE**  
**LE**

A more complicated situation – and one that would most likely be relevant to you, as a CARRP officer – would be a specific type of Advisory Opinion, the Security Advisory Opinion. In this case, the hit would **LE**

**LE**

Not all SAOs are based on a derogatory hit.

**LE**

**LE**

**LE** SAOs help consular officers to make accurate adjudicative decisions and are an adjudicative tool in refugee cases. SAOs are only viewable by IOs.

***[Go to the next slide.]***

## Identifying Non-KST NS Concerns: CCD Interfaces

- Adoption Tracking Service (ATS)
- American Citizen Services (ACS)
- Automatic Biometric Identification System (ABIS)
- Consular Electronic Application Center Portal (CEAC)
- **Consular Lookout and Support System (CLASS)**
- Consular Shared Tables (CST)
- Diversity Immigrant Visa Information System (DVIS)
- Consular Data Information Transfer System (CDITS)
- electronic Document Processing (eDP) Web
- Immigrant Visa Allocation Management System (IVAMS)
- Immigrant Visa information System (IVIS)
- International Parental Child Abduction Law Enforcement Sensitive
- Internet-based Registration Service/Consular Task force (IBRS/CTF)
- Enterprise Visa Application Forms (EVAF)
- Smart Traveler Enrollment Program (STEP)
- Immigrant Visa Overseas (IVO)
- Non-Immigrant Visa (NIV)
- Ten Print Live Scan (TPLS)
- Online Passport Status Service (OPSS)
- Passport Information Electronic Records System (PIERS)
- Passport Lookout Tracking System (PLOTS)
- Passport Records Imaging Systems Management (PRISM)
- Travel Document Issuance System (TDIS)
- Visa Opinion Information System (VOIS)
- Waiver Review System (WRS)

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Say:

Keeping in mind that the Consular Consolidated Database is a data warehouse, you can easily see that there are a lot of interfaces with other systems. The list on this slide gives you an idea of what is going on behind the scenes. Do you recognize any of them from your work? You can indicate in chat.

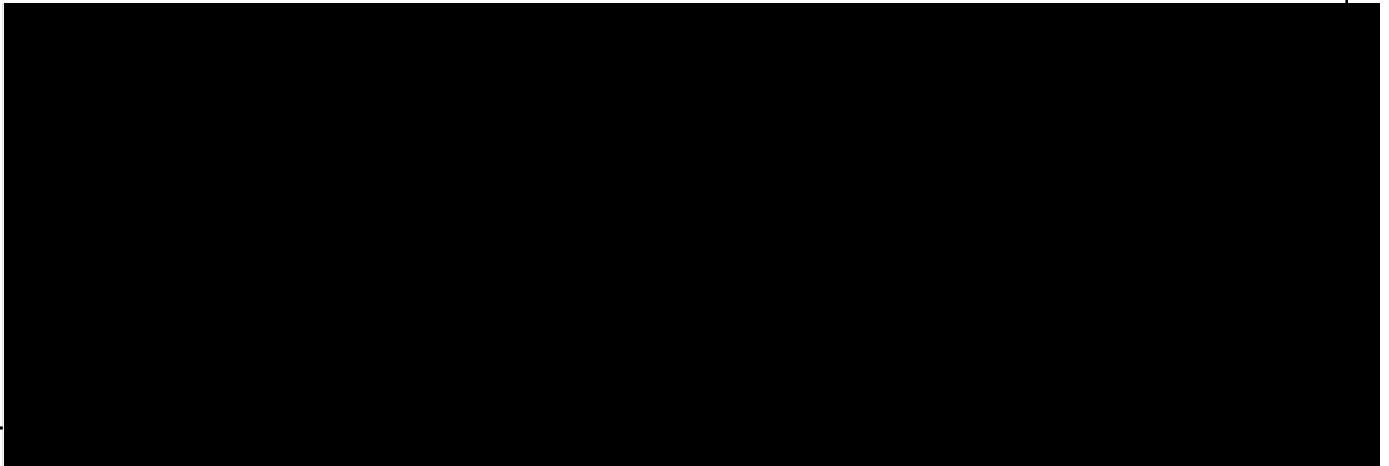
***[Give participants a moment to respond. Make any pertinent observations.]***

***[Go to the next slide.]***

## Identifying Non-KST NS Concerns: Self-Reporting

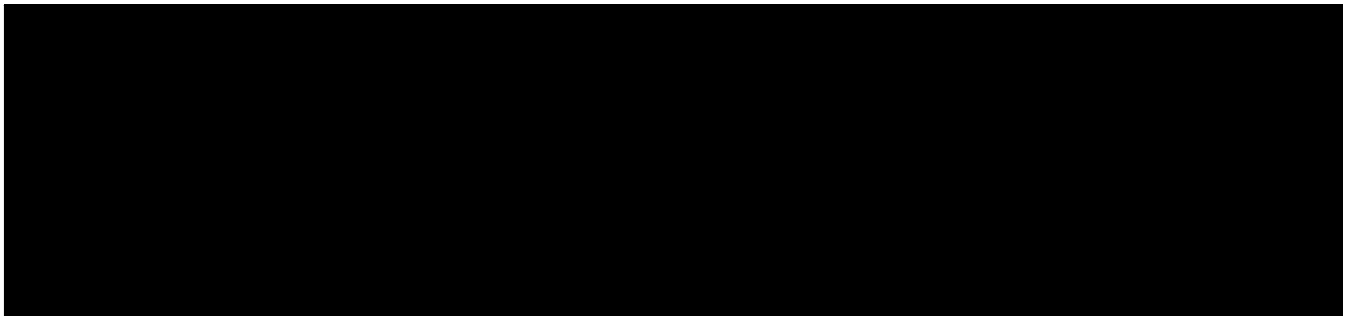
Self-Reporting/Identification of a Non-KST NS  
Concern:

- Indicators that might arise from self-reporting:



Say:

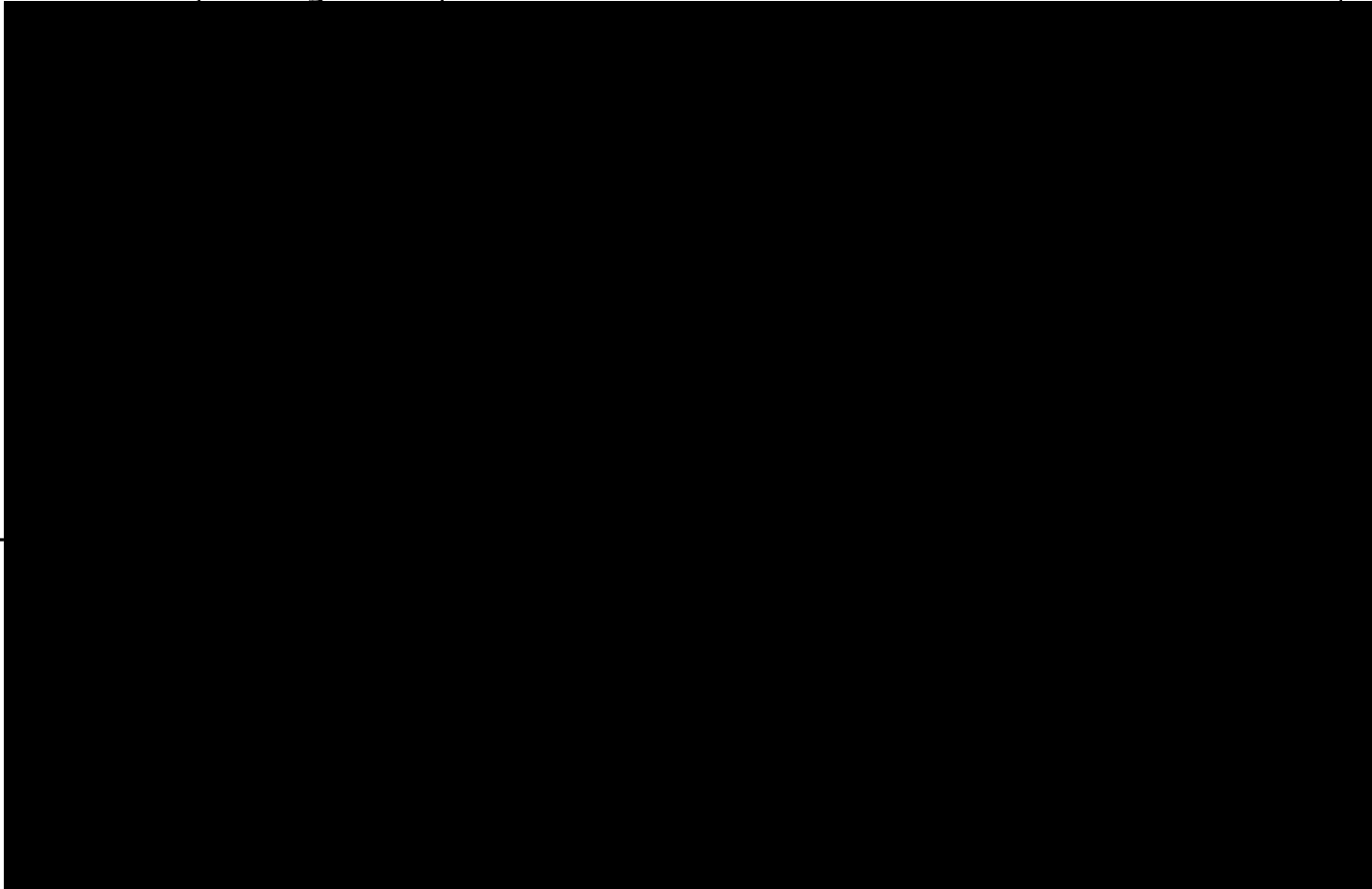
Self-Reporting happens when someone provides information during the application process or another encounter. You might find this information in a



***[Go to the next slide.]***

## Identifying Non-KST NS Concerns: Examples of Self-Reporting

Self-Reporting Examples of Non-KST identification:



*[Go to the next slide.]*



# Weighing the Evidence

Studies in National Security – a Non-KST Case Study:



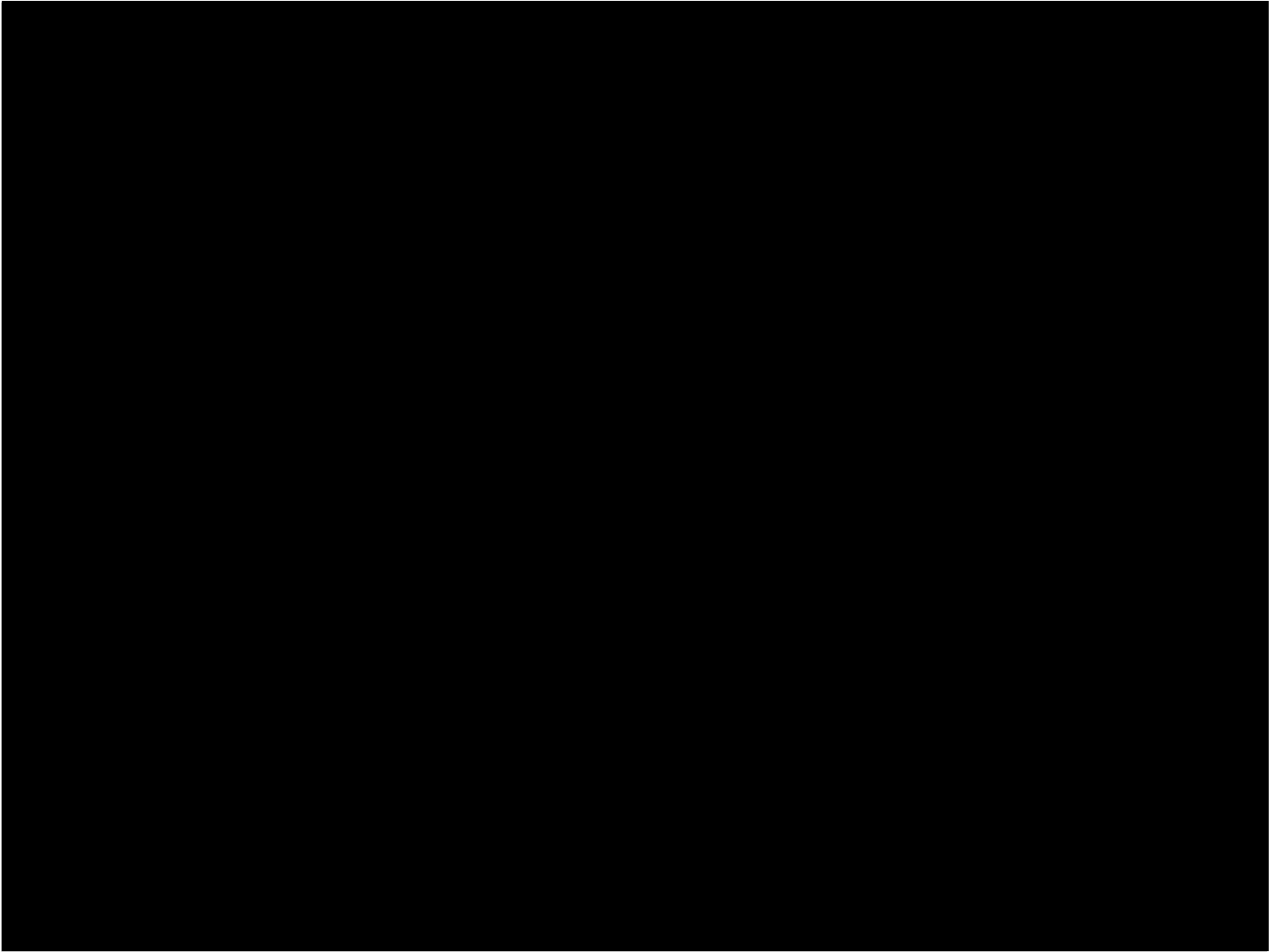
***[Facilitator: Copy and paste link into chat: <https://www.treasury.gov/about/organizational-structure/offices/pages/office-of-foreign-assets-control.aspx>]***

***[Go to the next slide.]***

## Identifying Non-KST NS Concerns: Discussion

Is it Self-Reporting?:





Case Study:  
Death Certificate

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Say:

Please take a few minutes to read and evaluate the death certificate in the link. Please write in Chat or use the hand raising function to indicate when you are done.

***[Facilitator: Copy and paste the link into***

***Chat: https://*** [REDACTED]

This is an actual piece of evidence provided by an applicant. In the parts that are translated, note a couple of interesting phrases:

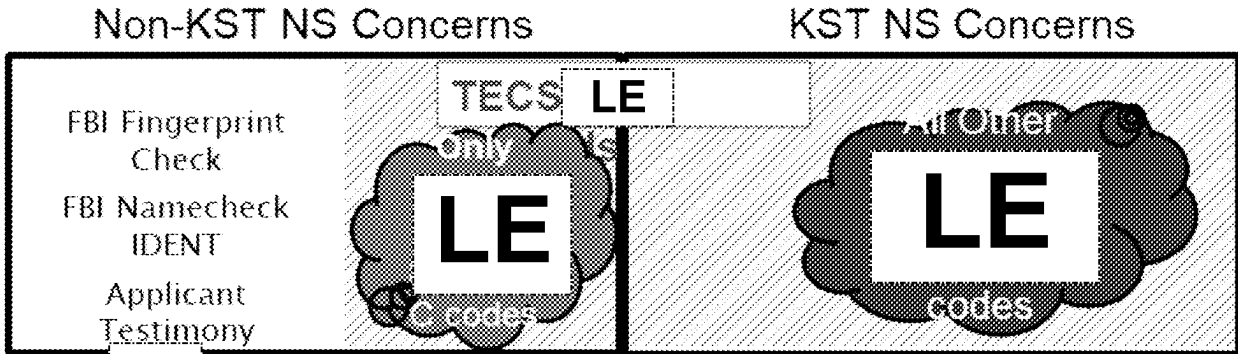
- 
- 

**LE**

***[Go to the next slide.]***

# Sources of Information

## Recap: KST vs Non-KST NS concerns



- TECS **LE** records can be either a Non-KST... or a KST NS Concern
- Non-KSTs can be identified in a variety of ways, including through **LE** records with a watchlist exception code of **LE**

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Say:

To recap KST and Non-KST **LE** records, the **LE** code (representing the TSDB category code) indicates whether an individual is in TSDB under a KST category code or is a watchlist exception. All KSTs are in TSDB with a KST category code, and therefore are represented in TECS by a **LE** record. Non-KST **LE** records are only a very small category of all Non-KST NS Concerns.

**[Go to the next slide.]**

## Identifying Non-KST NS Concerns: Recap

### Non-KST NS Concern Recap:

- Non-KSTs can come from anywhere, not just records/hits or law enforcement
- The information in a record or in testimony is what's important – not the mere existence of a hit or a record
- Testimony and/or what's in the immigration record is just as important as law enforcement records.
- Non-KSTs can be based on the officer's judgment in the totality of the circumstances, especially when they're not coming from TECS, the FBI, or fingerprint records – Therefore, properly weighing the evidence is critical

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Say:

Let's recap Non-KST Concerns. Non-KSTs can come from anywhere, not just records or hits, or law enforcement. The information in the record or testimony is what's important, not the mere existence of a hit or record. Non-KSTs can be subjective, especially when they're not coming from TECS, the FBI or fingerprint records. It is critical that the evidence is weighed based on the totality of the circumstances.

Let's do a knowledge check.

***[Instructor: Randomly call on students to answer the questions one by one. The selected student can place the answer in the chat box. Process the response and add the script below.]***

True or False: An LHM makes a subject a KST. ***[False. KSTs must have TECs hits. An LHM with derogatory information that relates to NS information may indicate that the subject is a non-KST.]***

LE

Are all LHMs derogatory? ***[No]***

Is the IDENT watchlist the same as the TSC watchlist? ***[No]***



True or False: an applicant may self-report information that may make them a national security concern. ***[True. Review testimony for potential indicators of an NS concern.]***

Before moving on to the next Enabling Objective, let's take a minute to check in. Please raise your hand or write it in the Chat if you have any questions.

***[Instructor: Process any questions or clarifications.]***

***[Go to the next slide.]***

## EO #4

Given a case with indicators of a national security concern, participants will determine and document whether or not a Non-KST can be Confirmed as having an articulable link to the applicable NS ground(s).

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Say:

As we continue to work through CARRP Phase 1 (Identifying NS Concerns), we need to evaluate the information we have. We've covered where the concerns come from – how a potential NS concern gets discovered and referred. At this point, we have an Indicator of a NS concern that resulted in our identifying an individual or organization as a Non-KST. We now need to be able to confirm whether or not we can articulate a link between the Non-KST and the grounds for being a national security concern, as defined in the INA. **Does anyone recall which sections of the INA contain the legal grounds to be deemed a national security concern?**

***[Instructor: Pause to allow people to answer in chat. Correct answer is INA § 212(a)(3)(aA), (bB) or (fF) and INA § 237(a)(4)(aA) or (bB)]***

Some of you may be wondering why are we only looking at evaluating Non-KSTs here. Because KSTs are definitive. Someone is either on the watchlist or they're not and if they're on the watchlist, we don't question why (as part of identifying a concern up front). With KSTs we've covered how you evaluate post-referral – contact the TSC and decide if it's a KST or a watchlist exception. So this section is going to focus on the evaluation step of Phase 1, as they relate to Non-KSTs.

***[Go to the next slide.]***

# Identifying NS Concerns Cont.

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

Form: I-485  
I-589  
I-924  
N-400

Based on:  
- Membership  
- Money  
- Employment

Statutory ground:  
- INA § 212(a)(3)(A), (B) or (F)  
- INA § 237(a)(4)(A) or (B)

**National Security  
Concern  
Handled under CARRP**

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Say:

This is our equation that we looked at before. This is the paradigm for determining if there's an NS concern based on each individual element. You need a nexus to one of the statutory NS grounds, you need a person or organization, and you need something to link them together. Our person or organization comes from any of our forms that are submitted. Our NS grounds come from the law. We're about to go more in depth on each part of this definition.

***[Go to the next slide.]***

## Identifying NS Concerns: Benefits of Decentralization

### Roles:

- RAIO – AOs and ROs conducting interviews must be able to spot NS indicators when an applicant is already sitting in front of them.
- SCOPS—Officers work applications from all over the country and encounter a broad range of populations, organizations, and case types.
- FOD—May have familiarity with groups/populations in their office area, but generally have less time and depth of research than RAIO officers identifying concerns.

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### Say:

Let's talk a little bit about roles. Why has this role been decentralized to incorporate officers in the other directorates?

All officers in RAIO inquire into all activities or associations of possible NS concern identified pre-interview or during the interview itself. RAIO adjudication and refugee officers conducting interviews must be able to spot NS indicators when an applicant is already sitting in front of them.

For SCOPS, Officers work applications from all over the country and encounter a broad range of populations, organizations, and case types.

FOD may have familiarity with groups/populations in their office area, but generally have less time and depth of research than RAIO officers identifying concerns.

***[Go to the next slide.]***

## Identifying NS Concerns: RAIO Roles

Refugee Asylum & International Operations Directorate (RAIO):

- Refugee Affairs Security Vetting and Program Integrity (SVPI) automatically pre-screens certain cases for NS indicators (including through classified system checks) and provides additional guidance for the interview as necessary.
- Asylum pre-screens certain cases based on local FDNS jurisdiction and RAIO FDNS IOs conduct case-by-case review upon request.
- NS concerns may be identified during pre-screening in systems, but are more frequently derived from the interview.
- Recall that NS concerns can be identified at any point while working a benefit request.

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Say:

IRAD – Officers are required to ask certain inadmissibility questions that are related to NS concerns for every applicant and dependent. Asylum – In asylum interviews, the mandatory bar questions are addressed to all applicants, regardless of age. However, the questions are posed to the applicants in a manner that is appropriate for the age level. The Asylum Division developed an Adjudicative Aid for Mandatory Bars Questions that is used for posing the mandatory bar questions to children in a “child-friendly” way. For very young children, a parent or guardian may be asked on behalf of the child. For more information, RAIO lesson plans are available as guidance.

***[Go to the next slide.]***

## Identifying NS Concerns: FOD & SCOPS Roles

FOD and SCOPS—focus is on the activities with which an individual is connected, without deep consideration of timeframe and target in the identification phase:

- Remember CARRP as a yellow traffic signal: use the process to get country condition research, group histories, etc.
- Potential concerns in SCOPS are referred to CARRP BCUs for evaluation.
- Potential concerns in FOD are referred to local FDNS units for evaluation.

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Say:

So, in the initial identification, what is your role? What does this look like for you? Generally, you need to focus on the activities with which an individual is connected. There is not much consideration for timeframe and target in the identification phase. Think of CARRP as that yellow traffic sign again. Slow down and use the process to perform country condition research, group histories, etc. These challenges are the reason we tell people to focus on activities with which a person is connected and the intent of those activities, rather than when the activities happened or whom they were directed against.

For SCOPS, referrals are made to the CARRP BCU units for evaluation. For FOD, potential referrals are made to the local FDNS unit to include the NBC.

***[Go to the next slide.]***

## Identifying NS Concerns: Individuals

- Individuals are identified through forms they file...
- But policy differentiates between status-granting forms and other types of forms and petitions...

Benefit Type	CARRP Phase 1?
I-90	Yes
Ancillary Benefits (e.g. concurrently filed I-765 or I-131)	Yes
Non-status granting applications / petitions (e.g. 3 <sup>rd</sup> preference I-140)	Yes
Petitions filed with a primary application (e.g. I-130 / I-485)	Yes

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Say:

The first element in our CARRP “equation” is People/Organizations. People and Organizations are identified through the Forms/Applications for benefits that they file. USCIS reviews and develops information about People and Organizations from Forms, background checks, and interviews. USCIS then evaluates that information to determine if a person or organization is an NS concern.

As we talked about in Module 2, USCIS does not process all applications and petitions the same way. Form types that confer a status-granting benefit such as asylum, adjustment of status, naturalization – get referred to CARRP and go through all of the phases. But what about other benefit types? Not all forms may go through ALL of the phases of CARRP, but they’re all still subject to Phase 1. For all Forms, USCIS identifies all concerns, and documents them – that’s Phase 1. It is still Phase 1 if it happens post-adjudication (perhaps on a Form I-90). Even if USCIS does not ultimately vet and resolve the NS concern (for example, when there is a basis to deny a case), it’s still Phase 1, and still CARRP.

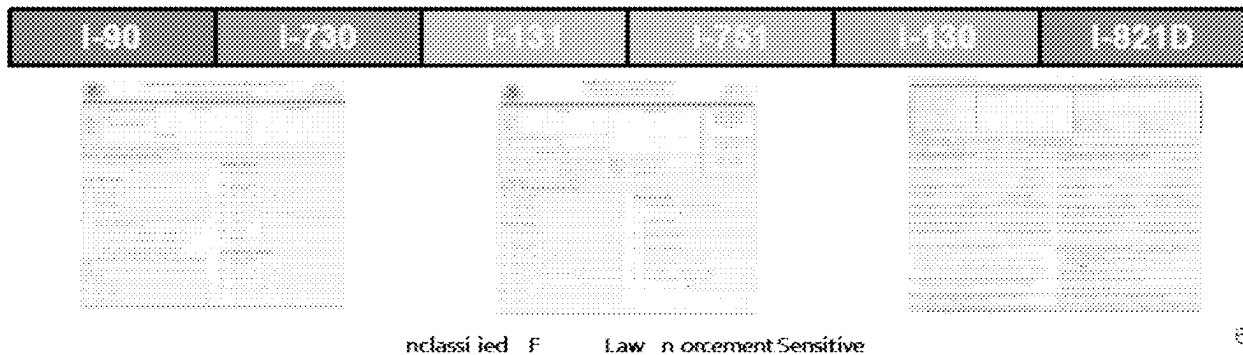
***[Go to the next slide.]***



## Identifying NS Concerns: Form Types

For ALL form types (even if post-adjudication)...

1. Identify an NS concern.
2. Document the NS concern in FDNS-DS.
3. Deconflict the NS concern.



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Say:

The last slide discussed ancillary and non-status granting benefits and how they all go through some part of the CARRP process. These types of forms go into CARRP for, at minimum, the purpose of Identifying and Documenting the Concern (Phase 1) and then conducting deconfliction.

Form I-90s are adjudicated without resolving NS or EPS concerns. The NS concern may not matter for adjudication – if the person is who they say they are, and they're actually an LPR, we must approve the I-90. But you still want to document the concern in DS.

As an officer however, you want to think – does the NS concern affect their LPR status? Is the subject removable? Does USCIS need to refer the subject to ICE? Even if the subject may be referred to ICE, they are entitled to the I-90 until their LPR status has been rescinded or they are removed after proceedings.

Forms I-765 and I-131, when filed concurrently with a primary application, are adjudicated without regard to NS or EPS concerns. USCIS still wants to deconflict with law enforcement. Make sure to inform LEAs that the ancillary benefits are going to be approved. USCIS granting a travel document could

be highly relevant to an investigation.

***[Instructor: If time permits, ask the open-ended question, "Why might the approval of a travel document be highly relevant?" Discuss via audio or Chat.]***

What about standalone (not filed in connection with an I-130/I-485) Forms I-131 and Form I-765? These forms are handled differently from what we talked about a minute ago and require more work in the CARRP process. USCIS wants to consider if action needs to be taken on the underlying benefit. Did the officer know there was a concern when the underlying status was approved? Should they have? Did the applicant misrepresent something to hide the concern?

Form I-730 (Follow to join) and Form I-751 (to remove conditions on lawful permanent residence) – seem like non-status granting, right? But they are still a priority that need to be fully worked through CARRP because both of them result in a permanent benefit.

CARRP guidance generally only applies to status-granting immigrant and nonimmigrant applications and petitions. We'll refer Form I-129 (for non-change or extension of status), I-129F, I-130, I-140, I-360 (for Religious Workers), I-600, I-800, I-824 to CARRP in order to document in DS and deconflict, but these really aren't going to be worked in CARRP. The I-526 used to be on the list of non-status granting (and therefore not referred) petitions, but remember the policy memos from the previous module? The EB-5 policy memo from 2012 amended this to allow petitions for alien entrepreneurs and the application for a regional center to be referred for CARRP processing.

DACA is non-status granting – is it subject to CARRP? Yes, but it looks a little different.

Our major takeaway: DECONFLICT and document EVERYTHING IN FDNS-DS, no matter the benefit type; however, some benefits must be granted while the NS concern remains.

***[Go to the next slide.]***

# National Security Grounds

Area of National Security Concern/Incident	Section of the INA
Espionage	
Sabotage	
Exporting sensitive goods, technology, or information, or any other kind of criminal behavior that endangers the national security of the U.S.	§212(a)(3)(A) and §237(a)(4)(A)
Overthrowing the U.S. government by force or violence	
Hijacking or sabotaging transportation	
Hostage-taking	
Attack or assassination of any government official (U.S. or any other government)	§212(a)(3)(B) and §237(a)(4)(B)
Using biological, chemical, or nuclear weapons	
Using other weapons to harm people or cause damage (other than for personal monetary gain)	
Persons or groups the Secretaries of State and/or Homeland Security have found to be engaged in terrorist activity or associated with a terrorist organization	§212(a)(3)(B), (a)(3)(F), and §237(a)(4)(B)

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Say:

We've reviewed this chart before and emphasized that some things – drugs, money laundering, human rights – aren't listed here. Let's add another important point. For the most part, this chart doesn't specify "targets." Bombing a government building in country X is the same as bombing a government building in country Y for the purposes of establishing an NS concern, even when country Y is a state sponsor of terror and country X is an ally.

Looking at timeframe and intent:

- 212(a)(3)(A) is contemporaneous, prospective, and retrospective. If the applicant is planning to commit espionage but hasn't done it yet, it's still an NS ground. If the applicant has committed sabotage, it's an NS ground. If the applicant is trying to overthrow the government of the US, it's an NS ground.
- 212(a)(3)(B) is a little different. Using chemical weapons is contemporaneous. Using other weapons is a present-tense statement. If someone used biological, chemical or nuclear weapons in the past, does that mean they're not a concern? No – they're still a concern, but that's one area where we read the statute a little more broadly in terms of identifying CARRP cases.

- 212(a)(3)(F) is different yet again – it's retrospective – you can't be about to be designated – the individual has to have already been designated

Past, present and future activities can all be part of our analysis, depending on the activities committed, in progress, or intended. But why is that? Remember that priorities and alliances shift over time. For example, if the applicant was part of a group many years ago that the USG supported, and the applicant was fighting against an entity the USG didn't really like, who's to say that the applicant's group wasn't also engaging in activities that the USG didn't support at the time? Could the applicant's group have gone on to do other things that USG didn't support later on? Could the applicant have met some other people and groups (associates!) that the USG didn't like quite so much?

***[Go to the next slide.]***

Handout:  
DOS Mantis Tech Alert List

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Say:

***[Instructor: Give students time to review the DOS Mantis Tech Alert list.***

***Facilitator: Copy and paste link into Chat:***

***https***



**LE**

***[Go to the next slide.]***

## Evaluating NS Concerns

### Additional considerations about NS Grounds:

- The grounds are part of identifying a concern – but even though they are from the INA, they are generally not what we're going to cite as a basis for ineligibility in a decision.
- Although the basis of a concern is connected to an INA ground this may not directly be reflected in the final adjudicative decision (i.e., an NS case can be denied on other grounds unrelated to the NS concern, such as an ineligibility provision).

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Say:

The INA grounds used for identifying an NS Concern are generally not what will be cited as a basis for ineligibility in a decision because the relevant facts are often classified or are based on third agency information USCIS does not have permission to use. In those cases, classified or unavailable information may be considered, but cannot be relied upon in deciding the case. If the facts of the case support it, a national security case can be denied on other grounds unrelated to the NS Concern, such as an ineligibility provision.

***[Instructor: Topic for discussion, if time permits, "Under what circumstance would you not be able to use a NS ground for a denial of a benefit? Under what circumstance could you perhaps use a NS ground for denial a benefit?"]***

***[Go to the next slide.]***

Application Exercise 3.1  
“Open Source Fact Patterns”  
(continued)

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Say:

We are now going to continue our exercise from Module 2. For those of you who were assigned an article and have not yet discussed your case, now is your turn. Remember you are going to explain the relevant facts of your case and tell us if the case is NS or Non-NS, and if it is NS, which INA ground led you to that determination. I will give those of you who will present now a moment to refresh your memory. Let's come back in 10 minutes or so.

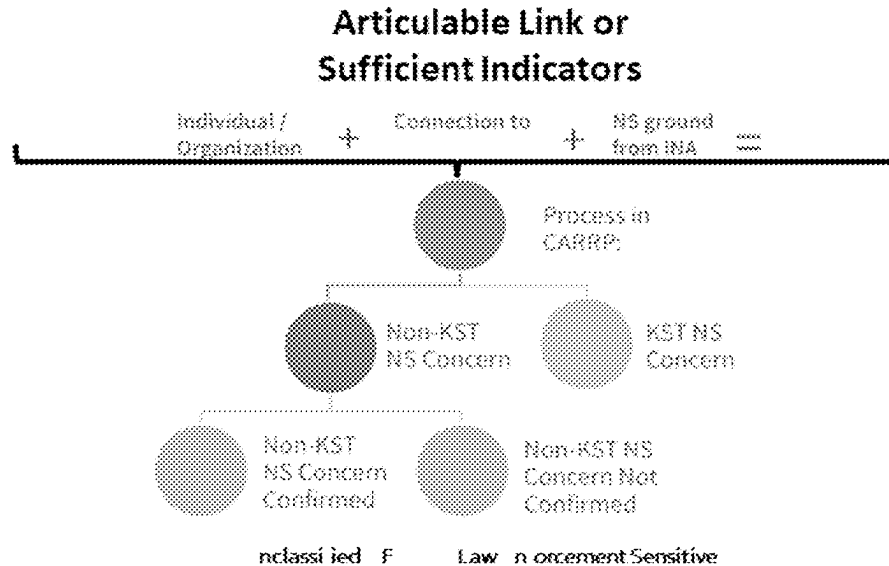
***[Instructors: Use the Answer Key in the Facilitator/Instructor Channel. Allow the students who didn't present in Module 2 a few minutes to refresh their knowledge of their article. Then, call on them according to the answer key. This second set of articles is more challenging and nebulous and should lead to broader discussion of the gray areas of relying on the NS grounds. Additional examples can be brought in at the instructor's discretion, including incidents such as school and movie theater shootings and the 2002 Washington DC sniper attacks.]***

Thank you all for your participation in this exercise. As you can see from the articles/individuals we just discussed, sometimes there are grey areas when relying on the NS grounds in the INA to drive our determination.



*[Go to the next slide.]*

# Identifying NS Concerns: The Connection



72

Say:

So this is the chart where it all starts to come together. We've been talking about the equation, and how those three elements equal an NS concern. What was the summation of the equation? If you have all three elements, you have an NS concern. This is how the two models fit together.

Every time, you should think to yourself and ask these questions:

- Do I have an individual or organization?
- Do I have an NS ground?
- Do I have a connection between them?
- If I do, is my NS concern a KST or Non-KST?
- If it's Non-KST, is it confirmed or not confirmed?

Now we've covered the individual / organization part. And we've covered the NS ground. The connection to the NS ground is really either an articuable link or sufficient indicators (and / or both). And that's what we're going to talk about at some length in the next two sections. Please note the placement of the equation – it's BEFORE you determine KST vs. Non-KST and BEFORE you determine Confirmed or Not Confirmed.

*[Go to the next slide.]*

## Identifying NS Concerns: The Connection Cont.

### Sufficient Indicators vs. Articulable Link:

- Both sufficient indicators and an articulable link tie a person/organization to an NS ground
- Both are based on evidence – known facts from the case
- Sufficient Indicators and articulable links are not in opposition to each other
- Sufficient Indicators (or a single, sufficient indicator) can equal NS Not Confirmed, and the officer may place the case in CARRP for review
- Multiple strong indicators and/or Articulable Link is NS Confirmed, place case in CARRP for review
- Vetting process is the same for both Confirmed and Non-Confirmed

Non-KSTc

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Say:

“Indicators” and “Articulable Link” are simply different levels of evidence. Evidence is nothing more than the facts that we have in the case. So when we’re talking indicators and articulable link, what we’re really asking is “How good is our evidence?” and “What facts are present that are leading us to think there’s a connection between the person and the NS concern?”

And the same as any other evidence, the facts we’re looking for must be relevant and material. So, when you think of indicators and articulable link, they are not a two-tiered system of more important and less important concerns; they’re different levels of evidence on the same spectrum. If a case starts out as Non-KSTNS Not Confirmed, as you move through the phases of CARRP you can find more information that shows you a clear link and allows you to change the case to NS Confirmed.

KST require an individual and a nexus to NS – the articulable link is already given to us by law enforcement: the person has been accepted for placement on the terrorist watchlist.

Why is this important? It impacts how we report the NS caseload to leadership, and it affects prioritization of NS cases. But, in the field, vetting is the same for

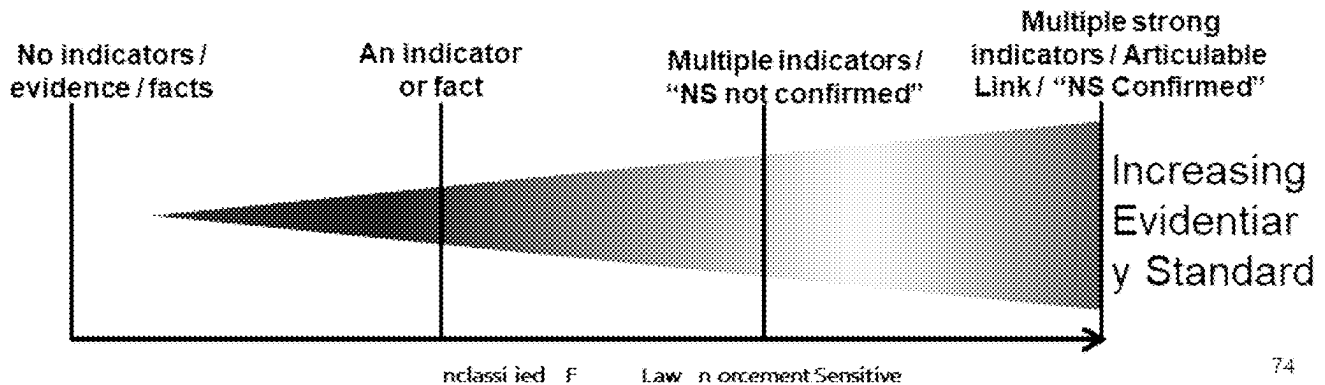
leadership, and it affects prioritization of NS cases. But, in the field, vetting is the same for both Confirmed and Not Confirmed Non-KSTs.

***[Go to the next slide.]***

## Identifying NS Concerns: The Connection Cont.

### Sufficient Indicators vs. Articuable Link

- Both connect a person / organization to a potential NS ground
- Both based on evidence – known facts
- They're both intervals on the same spectrum



Say:

Both indicators and articulable links connect a person or an organization to an NS ground in the INA. Similar to varying standards of proof, they are different intervals on a spectrum.

As seen in the graphic, we start with an indicator with the NS Not Confirmed. As we process the evidence and reveal additional facts through research and de-confliction, the indicators can become an articulable link and the NS concern might become NS Confirmed.

***[Go to the next slide.]***

## A Practical Example

Consider the following:

- You come home from work one day, and...
  - There are tire marks in your driveway
  - There are also muddy boot prints all over your front walk
  - A window is broken in the yard next to your backdoor
  - Your 4k TV is missing

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Say:

We're all familiar with criminal TV shows which describe evidence and evidentiary standards from criminal cases. Everyone has probably seen Law and Order or NCIS or one of these criminal procedural TV shows. So let's consider for a moment indicators and articulable link in a criminal context. If there are tire marks in your driveway, are you worried about anything being wrong?

***[Instructor: Pause for answers in chat or over voice.]***

What if there are also muddy boot prints on your front walk? Do you think something nefarious has happened? Is there any evidence that suggests a criminal activity? Are there other plausible explanations?

***[Instructor: Pause for answers in chat or over voice.]***

What if now you see that the window by your back door is broken? Do you think that all the evidence you can see is enough to call the police? If you're going to call the police, are you sure that a crime has taken place?

***[Instructor: Pause for answers in chat or over voice.]***

And now you go into the house and your 4k TV is gone. So, at what point did we have sufficient indicators that a crime occurred, and we weren't comfortable just going about business as usual?

And at what point did these facts add up to an articulable criminal activity?

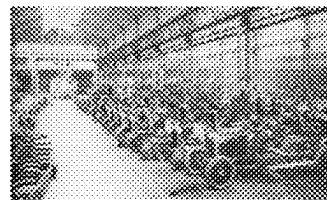
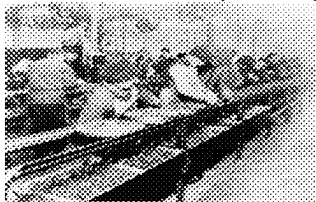
***[Instructor: Pause for answers in chat or over voice.]***

***[Go to the next slide.]***

## Another Way of Looking at Indicators

Another way of thinking about indicators:

- Consider an assembly line...
  - Each step in the process of building a car is small enough
  - But by the time those little things add up, the end result is significant
- Indicators work the same way...
  - Each one by itself is small
  - But a bunch of them put together can add up to something big



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Say:

Consider all of the small parts that make up an automobile. There's the tires, engine, transmission, seat, body, etc. Each step in creating these and putting them together is a small step. But by the time all of small parts and pieces are together, they add up and the end result is significant. They end up being something big.

***[Go to the next slide.]***

*Image Attribution: All images on this slide exist in the public domain.*

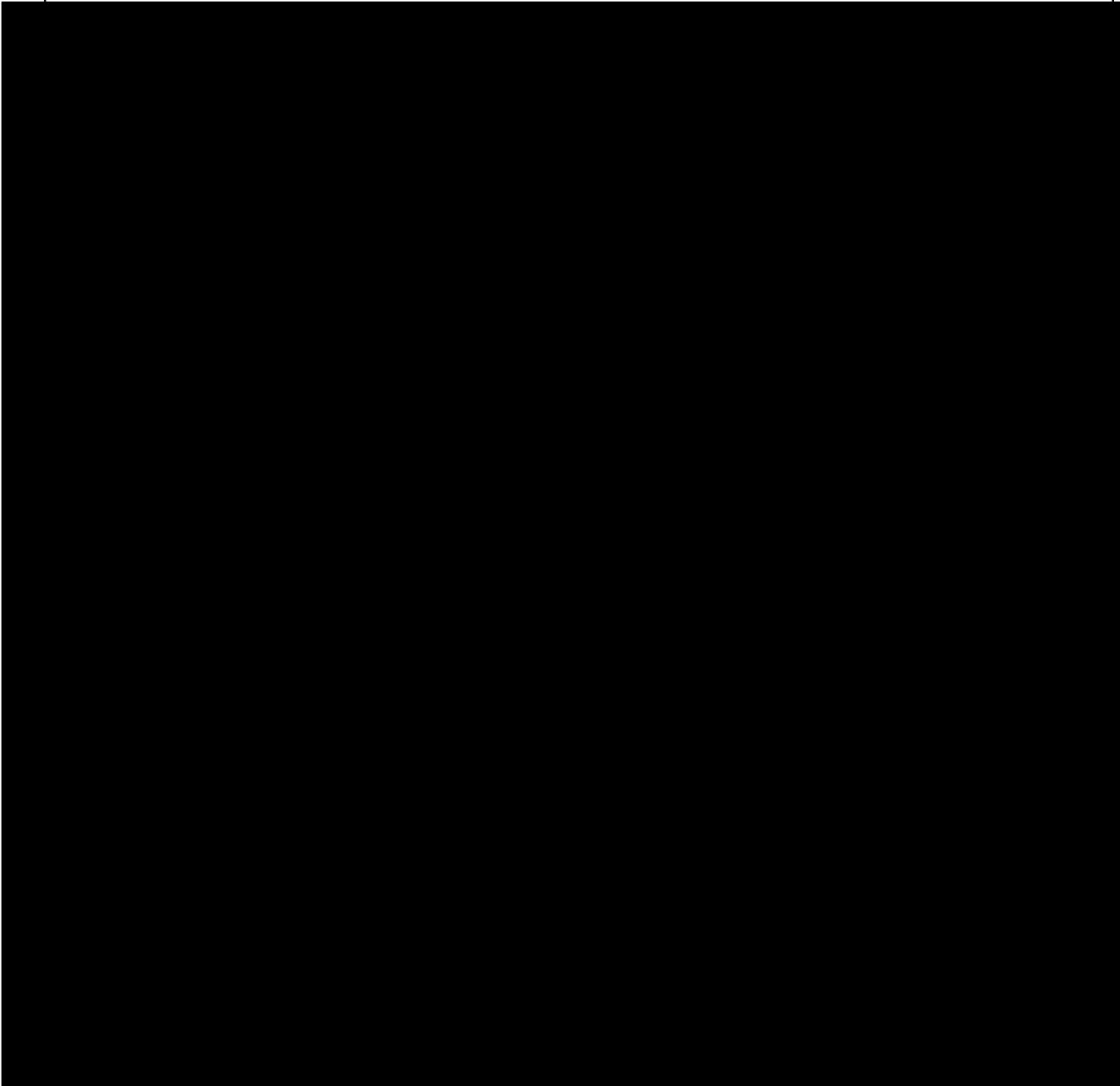
- *Ford Assembly Line – 1913:*  
([https://commons.wikimedia.org/wiki/File:Ford\\_assembly\\_line\\_-\\_1913.jpg](https://commons.wikimedia.org/wiki/File:Ford_assembly_line_-_1913.jpg))
- *Chaine Citroen Type A - 1918:*  
([https://commons.wikimedia.org/wiki/File:Chaine\\_Citroen\\_typea.jpg](https://commons.wikimedia.org/wiki/File:Chaine_Citroen_typea.jpg))



## Indicators: Examples

**DISCLAIMER: NONE OF THESE INDICATORS BY THEMSELVES  
MEAN SOMEONE IS A POSSIBLE NS CONCERN**

Examples of possible indicators (a non-exhaustive list):



None of these things along are derogatory or constitute a nexus to NS... but if you look at the entire body of evidence, maybe then it relates to an area of NS concern. Can you refer a case to CARRP just based on sufficient indicators? YES – we do it all the time. Just because the link between the person and the NS ground does not rise to the evidentiary level of articulable link, it can still be a CARRP case. NS Not Confirmed is based on sufficient indicators in the totality of the circumstances. NS Confirmed rises to the level of an articulable link.

But if there are many, many indicators, then based on the totality of the circumstances, this may cause us to take a closer look via CARRP.

***[Go to the next slide.]***

Handout:  
National Science Foundation Federally Funded Research  
and Development Centers 2015

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Say:

The last slide mentioned that access to sensitive or critical infrastructure could be an indicator. What sorts of things are critical infrastructure?

***[Instructor: Give students a moment to post in chat.]***

Critical infrastructure can include utilities, power, water and food.

Please think about the following and type your responses in Chat:

***[Instructor: Go through each question one at a time.]***

- Is the computer industry sensitive?
- What about military or university or research laboratories?
- How about a private lab that's working on a DoD contract?

Again, these are just indicators, but if you're picking up other facts that start to suggest an NS concern, considering what an individual might have access to at their job or university could be useful. NSF (and many other places) keep a list of federally funded Research and development projects. This one just happens to be sorted already to look for DoD projects.

*[Facilitator: Copy and paste the link into*

*Chat: https://e*



As you can see, highlighted is Lincoln Labs which is associated with MIT. All sorts of DARPA work on everything from military sensors and communications to space and missile technology. Another good open source tool is the site EVVE – Electronic Verification of Vital Events. EVVE is operated by the National Association for Public Health Statistics and Information Systems (NAPHSIS) and provides customers with the ability to quickly, reliably, and securely verify and certify birth and death information.

*[Go to the next slide.]*

## Application Exercise 3.2

### “Indicators”

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Say:

We just considered evidentiary standards in criminal, Non-NS example. Now let's look at weighing evidence in an immigration specific context to see if we can identify an NS concern. There isn't anything for you to access to do this exercise. All you need is a pen/pencil and a sheet of paper or you can use a blank work document- anything to jot things down.

Envision that you are an Immigration Services Officers in a field office prepping for an N-400 (Naturalization) interview. I will read one fact at a time to you from the N-400. Your job is to make a determination as to whether or not the totality of circumstances indicates a national security concern. As soon as you feel comfortable making a determination, you should write "NS Confirmed", "NS Not Confirmed", or "Non-NS" on a piece of paper along with the fact(s) that contributed the most to your determination. You don't need to wait to hear the entire fact pattern before making a determination! Just write down NS Confirmed or NS Not Confirmed as soon as you feel there is an articulable link or sufficient indicators to do so. Okay let's begin.

***[Instructor: Refer to Answer Key N-400 is not available to students yet. They use the N-400 later on for the timeline exercise. Ask students in the chat to tell you the fact(s) that resulted in their determination.]***

The exercise is designed to illustrate the range of judgments that are possible in determining if an articulable link exists or if there are sufficient indicators that add up to a national security concern.

*[Go to the next slide.]*

## Articulate Link: Can You Describe It?

- A connection may be:
  - Conducting a criminal act,
  - Belonging to or speaking for a particular organization,
  - Providing money or material support,
  - Many other associations between an individual and an area of an NS concern, or
  - An articulable link requires more than a “gut feeling.”
- The key is whether you can define the nature of the connection.

Caveat: It is impossible to list all of the ways that an individual might have an “articulable link” to a national security concern

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Say:

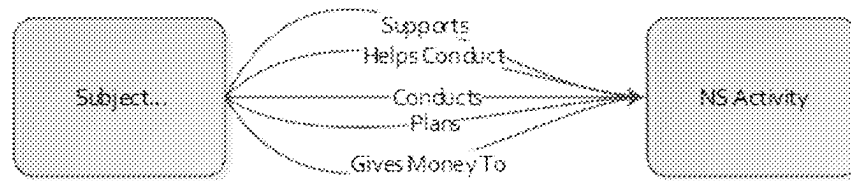
This looks very similar to the indicators slide, right? That’s because your evidence for both, the facts that support your determination, are the same kinds of things. A connection can be a criminal act, belonging to or speaking for a particular organization, providing material support, or any other association between an individual and an area of NS Concern.

Be advised an articulable link takes more than a “gut feeling” – and more than sufficient indicators in the totality of the circumstances. You must be able to define the connection.

It’s impossible to list all of the ways that there might be an “articulable link” to a national security concern. But, let’s look at some examples of those links.

*[Go to the next slide.]*

## Strong Direct Link



- The strongest link is apparent when the Subject is actively participating in those activities:
  - “Bob Smith has filed an I-485, and was arrested for trying to plant a bomb at the United Nations.”
- Here, you can draw a single, direct line between the Subject and the national security activity.

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Say:

Now we all know that real life isn't quite this simple. But the goal of the structured framework is to get everyone thinking in the same way

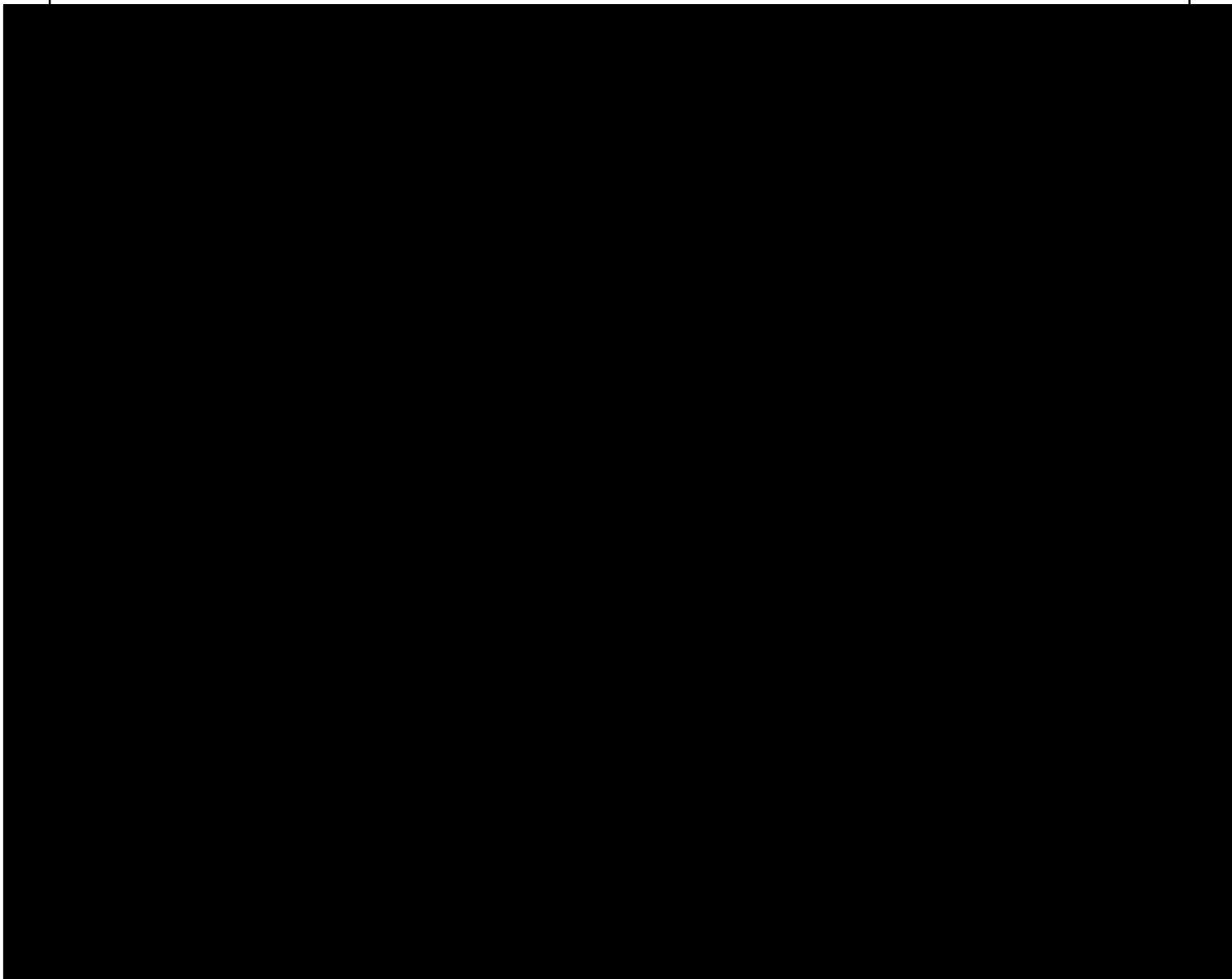
You will see cases with very straightforward fact patterns, and some with more complicated issues. But the method of thinking of them is the same.

In the example provided we can see that Bob is our subject and conducted an activity associated with one of the NS activities. It is a direct link.

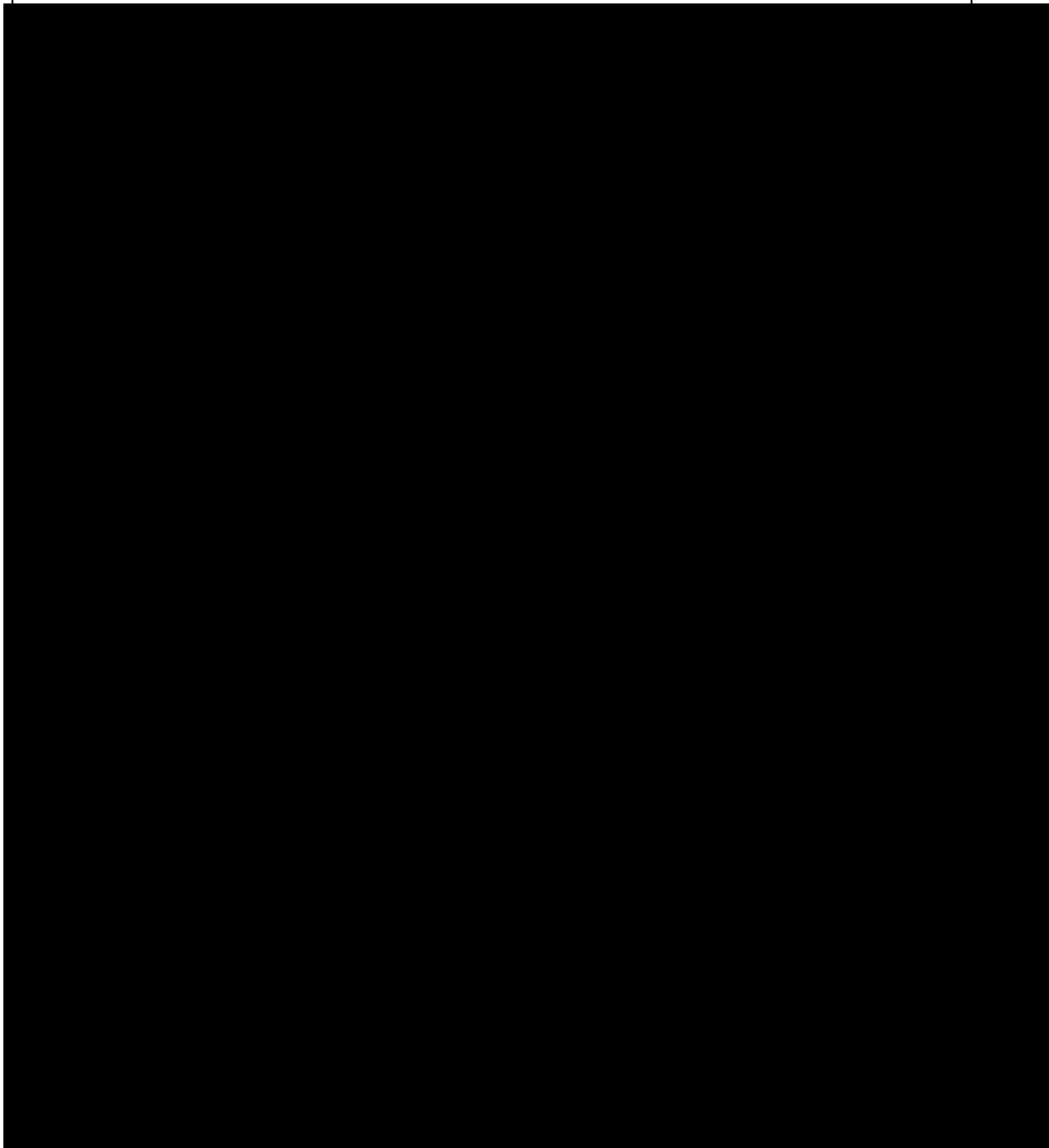
*[Go to the next slide.]*

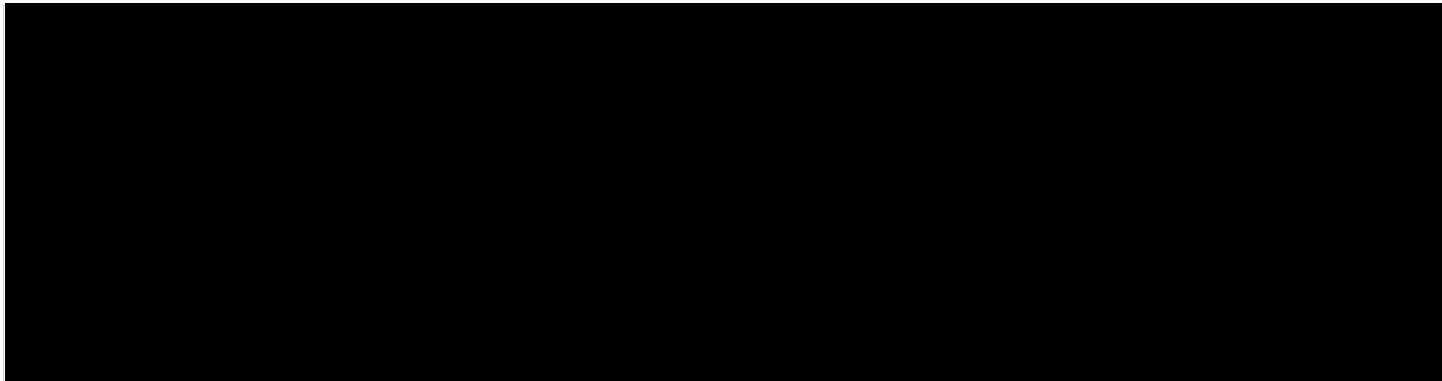


## Indirect Link

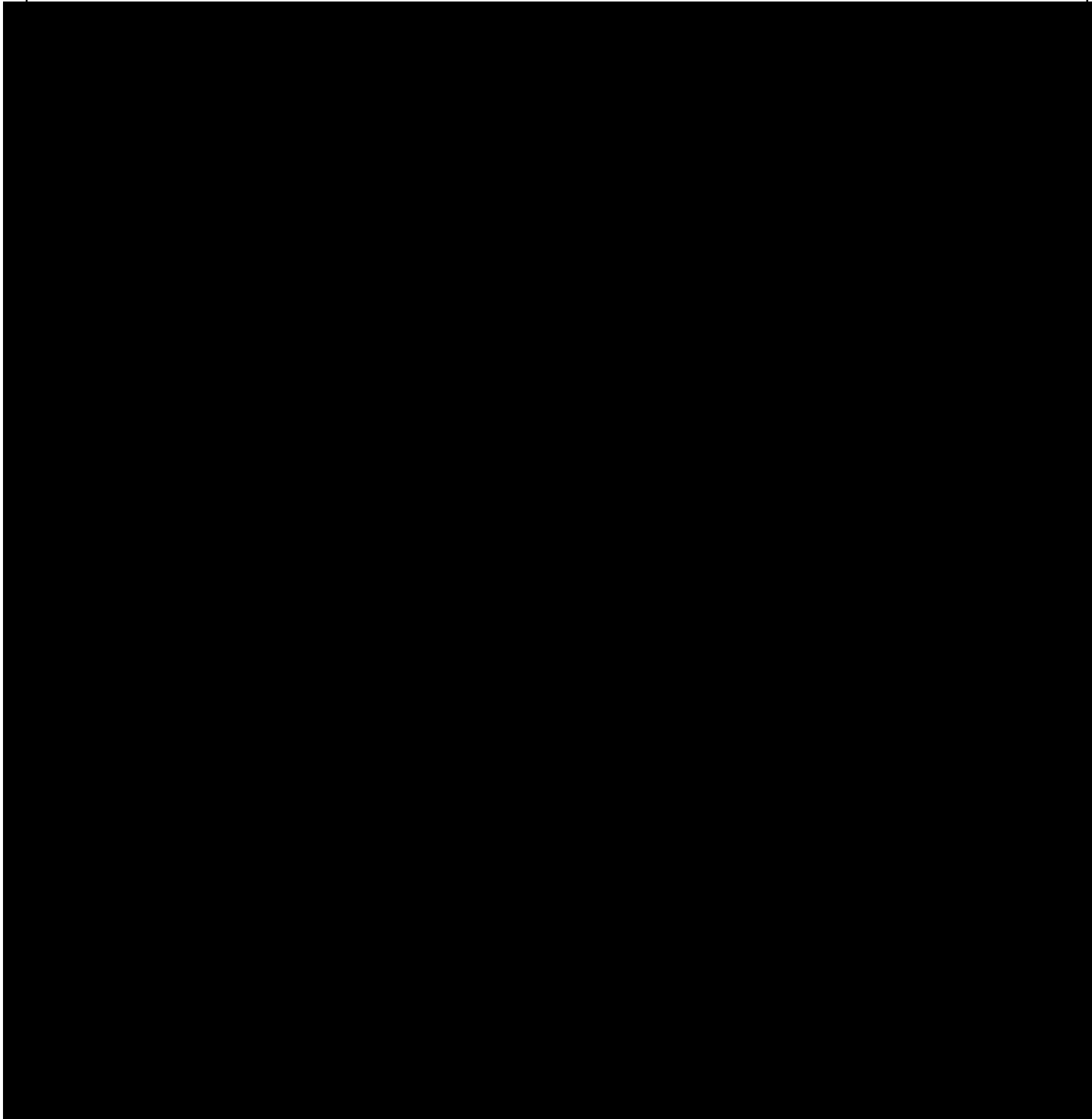


## Links Requiring Further Work





## No Articulate Link



Handout:  
Structured Framework for Articulating Links to National Security

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Say:

I am placing a link in the chat to a document that summarizes the last few slides for your convenience. Please take a moment to review it and write any questions that you may have in Chat.

*[Instructor: Provide students time to review information.]*

*Facilitator: copy and paste the link into Chat:*

*https://*

*[Go to the next slide.]*

## Application Exercise 3.3 “Articulable Link Writing”

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***[Instructor: Each student has been assigned to a color folder They can work together via breakout session, separate chat, or Skype. Folders should be labeled in the MS Teams Module 3 Exercises Channel. Have one student from each “color” group present their response. After discussing the instructions below click to the next slide and leave that slide on the screen for students to review while working on their scenario.]***

Say:

You have all been assigned to a color folder in groups of 4 on your exercise assignment sheet. You can work with your group however you would like (conference call, skype chat, MS Teams Chat...) Please review the facts in the file and make an assessment with your group if the applicant belongs in CARRP and if so, what type of concern (KST or Non-KST?). You should also be able to clearly state what the NS concern sub-status would be: Confirmed (articulable link) or Not Confirmed (based on indicators). If there is an articulable link, you must state the articulable link (i.e. person, connection and NS ground). Please take some time to discuss with your team and be prepared for one person in your group to discuss your answers. I'm going to move on to the next slide which will remind you what to think about as you go through your folders.

move on to the next slide which will remind you what to think about as you go through your folders.

***[Instructor: Give groups about 15 minutes to meet with each other. Use the Answer Key located in the MS Teams Facilitator/Instructor Channel]***

***[Go to the next slide.]***

## Application Exercise 3.3 “Articulable Link Writing”

- Does the applicant belong in CARRP?
  - If so, what type of concern (KST or Non-KST)
- What is the NS concern sub-status?
  - Confirmed (articulable link)
  - Not Confirmed (based on indicators)
- If there is an articulable link, what is the articulable link (i.e., person, connection and NS ground)?

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***[Instructor: Leave this slide displayed while the students discuss their folders. After approximately 10 minutes, lead the discussion using these questions for each scenario.]***

***[Go to the next slide.]***



Handout:  
DOS Country Reports on Terrorism

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Say:

In the exercise we just completed, what would you do if you weren't certain if one of the groups someone was connected to (like Sendero Luminoso) was a terrorist organization? Where could you look?

***[Facilitator: Copy and paste link into Chat: <https://www.state.gov/key-topics-bureau-of-counterterrorism/>]***

Helpful places to look are the DOS Country Reports on Terrorism and the TRIG ECN. The link just provided in Chat provides numerous reports and information related to terrorism. Some of the information provided is the Country Reports on Terrorism and Terrorist Designations and State Sponsors of Terrorism.

***[Go to the next slide.]***

*Key Topics – Bureau of Counterterrorism <https://www.state.gov/key-topics-bureau-of-counterterrorism/>*

## Evaluating NS Concerns

### Evaluating NS Concerns Recap:

- It's all about the facts – identifying concerns is about assessing the facts we know, regardless of where they came from, but...
- Facts come from a variety of sources – some of those sources are more reputable than others.
- Some facts are also more derogatory than others – do the facts suggest that the subject of concern was knowingly or deliberately involved with one of our NS grounds?
- Identification is just the beginning – we can still resolve concerns after they're identified – identification just means that there is a potential concern that we need to carefully consider and thoroughly document.

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Say:

In this module, we've shown you that it's all about the facts used to identify concerns. We know that facts come from a variety of sources- forms, testimony, TECS records, FBI LHMs and even newspaper articles. Some facts are also more derogatory than others – do the facts suggest that the subject of concern was knowingly or deliberately involved with one of our NS grounds?

Identification is just the beginning – we can still resolve concerns after they're identified – identification just means that there is a potential concern that we need to carefully consider and thoroughly document. Identifying concerns isn't all about where the facts come from – it's about consistently weighing those facts using our models and our thought process to identify if a concern is present.

***[Go to the next slide.]***

## Wrap-up: Evaluating NS Concerns

### Relying on Law Enforcement:

- If a law enforcement or intelligence agency tells us that their investigation uncovers a threat to national security, we will consider that case a national security concern.
  - This concern could be NS Confirmed or NS Not Confirmed, depending on the specific information provided.
- The opposite, however, is not necessarily true: Even if another agency tells us that an individual does not threaten the national security, USCIS can still handle a case under CARRP.
  - If you identify an area of NS concern, and suspect that the applicant may be involved with it, USCIS may still be able to articulate a link.

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### Say:

If a law enforcement or intelligence agency tells us that their investigation uncovers a threat to national security, we will consider that case a national security concern. This concern could be NS Confirmed or NS Not Confirmed, depending on the specific information provided.

The opposite, however, is not necessarily true. Even if another agency tells us that an individual does not threaten the national security, USCIS can still handle a case under CARRP. If you identify an area of national security concern, and suspect that the applicant may be involved with it, USCIS may still be able to articulate a link.

Similar to law enforcement determinations, when it comes to country determinations, it doesn't matter if the country accusing the person is credible – if a foreign government designates that person as a terrorist, then that's an articulable link. It may be disproven in the course of vetting or we may grant a waiver for the activity but it's still an articulable link.

***[Go to the next slide.]***

# Phase 1 Recap

**FACT or FICTION**

Identifying NS concerns

**FACT or FICTION**

All **LE** are KSTs

Positive FBI Namechecks are always an NS Concern

Individuals can be removed from the terrorist watchlist

If you resolve the articulable link, there is no NS Concern.

All **LE** are related to terrorism

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Say:

So let's play a fact or fiction game. As I say a statement, place in chat if the statement is fact or fiction.

**[Instructor: Allow students to answer in chat. If time permits, call on student individually to explain their answer.]**

All **LE** are KSTs – this would be fiction. **LE** with **LE** code of **LE** or **LE** are considered to be Non-KSTs.

Positive FBI Namechecks are always a NS Concern – this would be fiction. LHM can contain all types of information some of which can be criminal, EPS, Fraud, or insignificant.

Individuals can be removed from the terrorist watchlist. This is a fact. Subject can be nominated and removed from the watchlist.

If you resolve the articulable link, then there is no NS Concern – this is fact. Without an articulable link to one of the grounds for NS indicators, you cannot have a NS Concern.

All **LE** records relate to terrorism – this is fiction. Some of the **LE** records related to gang members.

***[Go to the next slide.]***

## Phase 1 Recap Cont.

### NS Determination Questions:

- Does derogatory information exist?
- Does the derogatory information relate to the subject?
- Is the derogatory information still applicable?
- Does the derogatory information relate to an NS ground from the INA?
- Are you familiar with all of the employers, addresses, institutions, people, etc. listed or discussed by the applicant?
- Does the evidence add up to a strong enough connection between person and NS ground?

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Say:

When making a National Security Determination, ask yourself the questions on this slide:

- Does derogatory information exist?
- Does it relate to the subject?
- Is the information still applicable?
- Does the information related to one of the national security grounds of the INA?
- Does the evidence add up to a strong enough connection between the subject and the national security grounds on inadmissibility?
- Are you familiar the employers, addresses, and other areas listed by the subject in the application or petition?

If you have a connection, process as CARRP.

Let's do a knowledge check.

***[Instructor: Randomly call on students to answer the questions one by one. The selected student can place the answer in the chat box. Process the response and add the script below.]***

True or False: NS concerns can be identified at any point while working a benefit request. ***[True. NS concerns may be identified during security checks and file review, during interviews and at all times working a benefit request.]***

True or False: Some forms are not subject to CARRP. ***[False. Even if it is just Phase 1, all forms are subject to CARRP and may need deconfliction.]***

True or False: Vetting process is the same for both Confirmed and Non-Confirmed Non-KSTs. ***[True]***

Cases with an articulable link to national security must be handled according to \_\_\_\_\_ ***[CARRP procedure]***

***[Go to the next slide.]***

## Phase 1 Recap Cont.

### Roles:

- All RAIO FDNS and SVPI officers and field and service center ISOs are on the front lines
- Identifying concerns: EVERYONE!
- Confirming with TSC:
  - FDNS IO (field and asylum offices)
  - BCU CARRP ISO (service centers)
- Writing articulable links: CARRP ISOs, FDNS IOs, or AOs
- Concurring with articulable links: Supervisor or designated officer
- FDNS-DS entry: FDNS IOs, CARRP ISOs, SVPI ROs
- Who in your office reviews CARRP referrals and assigns CARRP cases?

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### Say:

It is everyone's responsibility to identify NS Concerns. All RAIO, FDNS, SVPI, Field and Service Center ISOs are on the front line for NS Concern identification. If a **LE** is encountered, confirm with the Terrorist Screening Center. CARRP ISO, FDNS IO and AO all write articulable links for NS Concerns. These same individuals perform FDNS entry. A supervisor should concur if there is an articulable link.

Who in your office reviews CARRP referrals and assigns CARRP Cases? Write your answer in Chat.

***[Instructor: Process Chat responses, may be a wide variety of answers depending on class student makeup.]***

***[Go to the next slide.]***



## Documenting an NS Concern Sub-Status, Process Phases and Articulate Links in FDNS-DS

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Say:

***[Instructor: The next few slides are discussion based only and are designed to show the class where to document articulable link and how to update the sub-status.]***

Let's take a few minutes to discuss how to update the FDNS-DS System with the NS Concern information.

***[Go to the next slide.]***

# Documenting in FDNS-DS Changing Process Phase



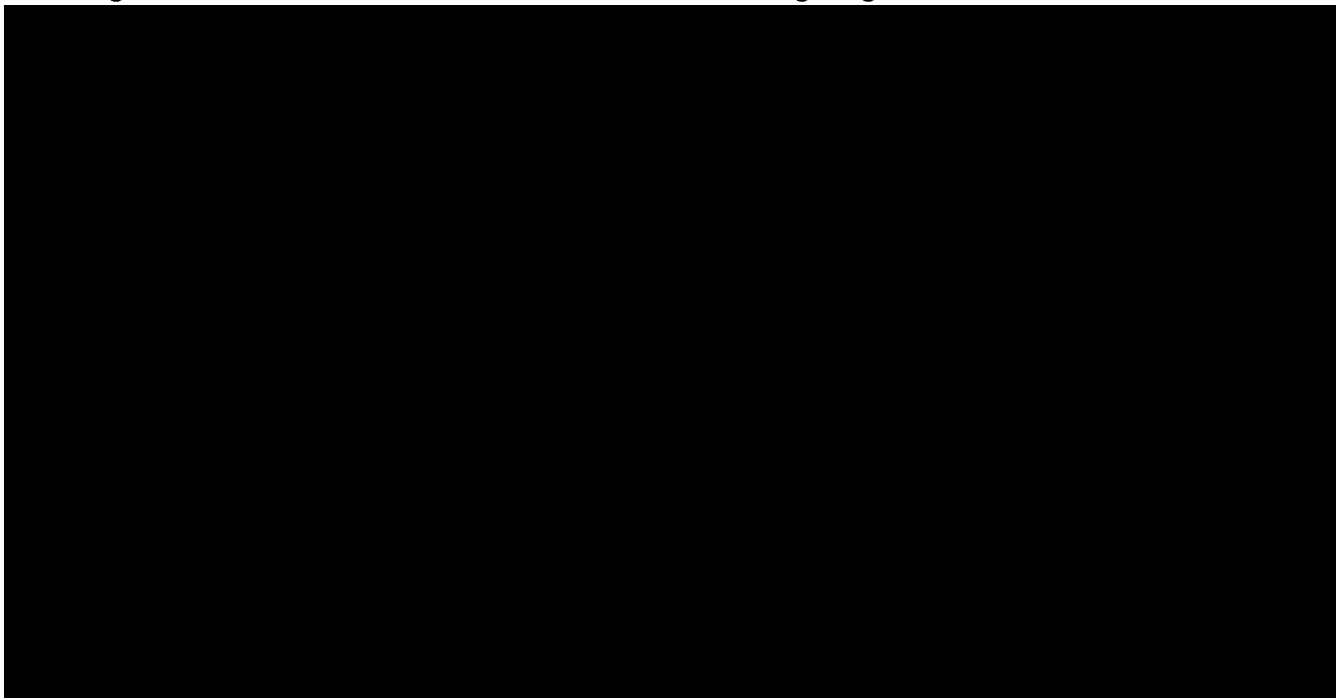
**LE**

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Say:

Since we are close to the end of our lesson for Phase 1 and we're almost ready to move to Internal Vetting, but we need to change our Process Phase. Right now, we're in Field Confirmation – we're going to move to Internal



***[Go to the next slide.]***

*This slide contains mock data used for training purposes only*

# Documenting in FDNS-DS Concern Type: Non-KST

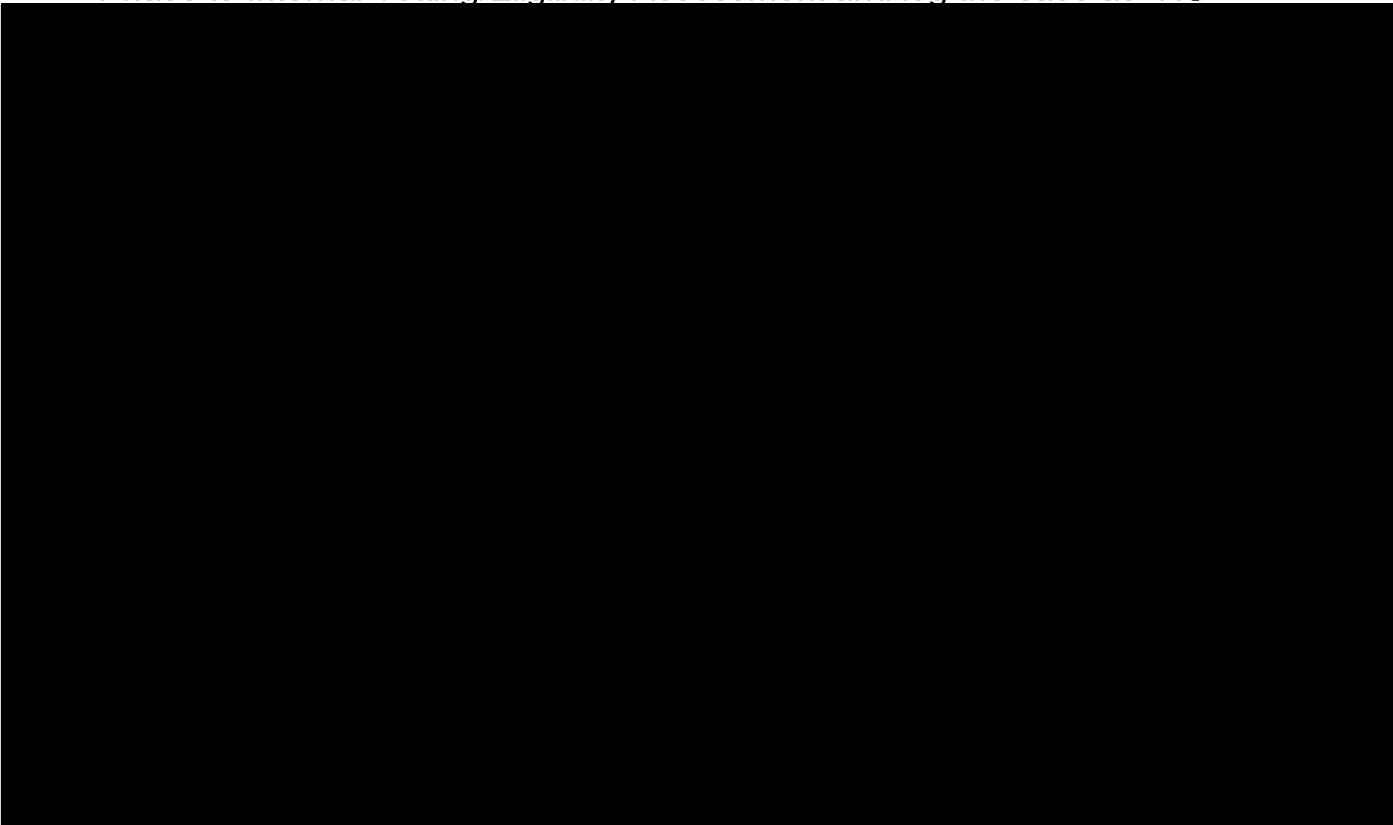
**LE**

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Say:

If you have an articulable link, the Officer can request to change their Process Phase to Internal Vetting/Eligibility Assessment and log the case as "NS





***[Go to the next slide.]***

*This slide contains mock data used for training purposes only.*

## Documenting in FDNS-DS

### REMEMBER...

- Recommendations get lonely, so they come in pairs (or more):
  - Officer
  - Supervisor
  - Senior Official

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Say:

Remember that recommendations always come in pairs or more (e.g., for Non-KST approvals, need ISO, Supervisor, and Senior Official). We'll go over this more in Module 6.

***[Go to the next slide.]***

## Practical Exercise: CARRP Phase 1

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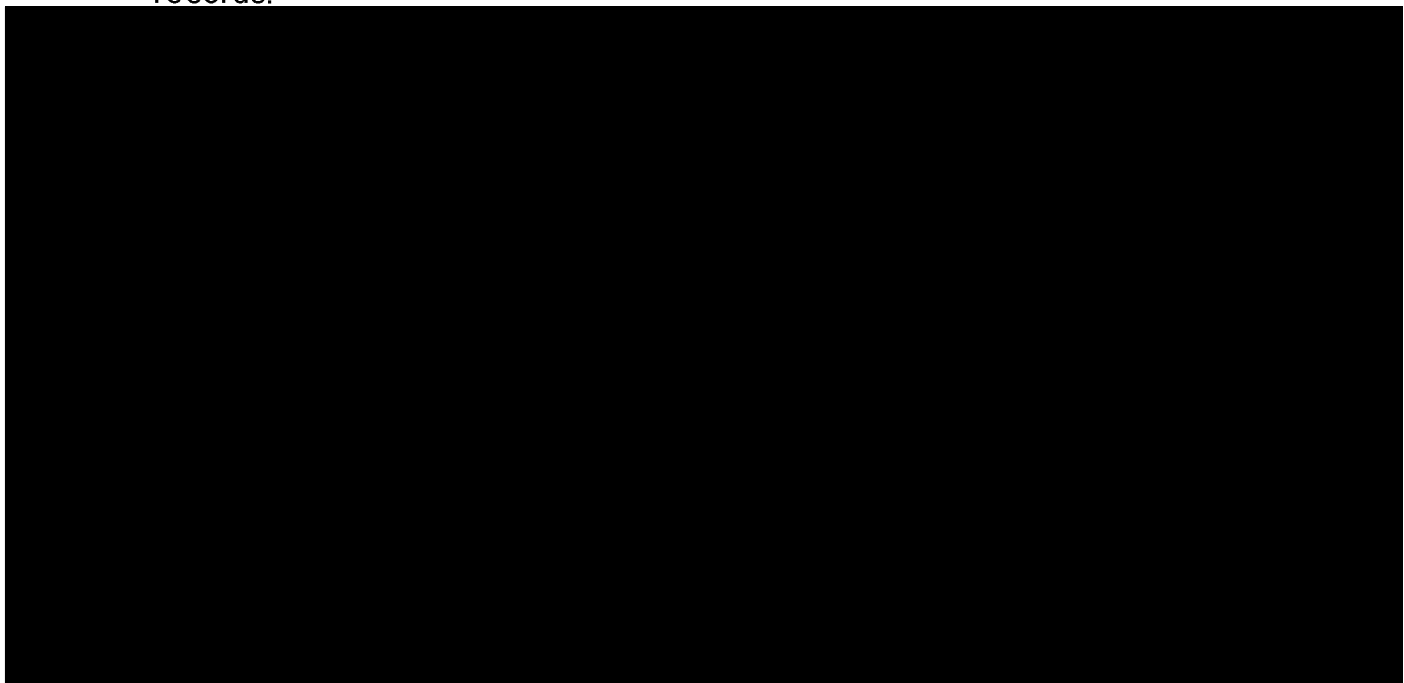
103

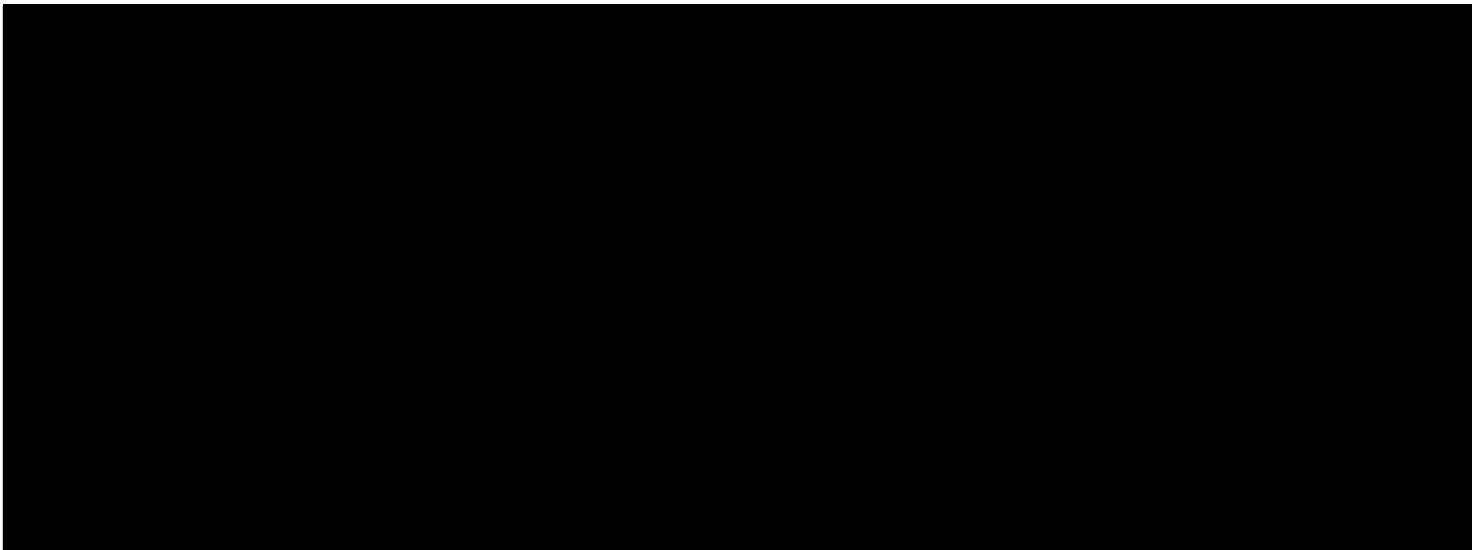
Say:

We will now go back to FDNS-DS and update our NS Concern CME.

**[Instructions for Instructor below]**

- Have students log in to the FDNS-DS Training Environment to update their records.







## About this Presentation

- Author: HQ FDNS National Security and Public Safety Division (NSPSD)
- Date of last revision: September 2020
- 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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Say:

As with all of the other CARRP modules, this presentation was last updated in September 2020. It does not contain PII and any references in documents or text, with the exception of case law, relate to fictitious individuals.

*[Go to the next slide.]*

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*[Instructor: Please remind students of the CARRP training disclaimer]*

*[Go to the next slide.]*

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*[Go to the next slide.]*



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