


Exhibit 19
-- Filed Under Seal --



Controlled Application Review and Resolution Program (CARRP) Training Program



Module 4: Determining Eligibility and Vetting National Security 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.]

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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



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By the end of this module, participants will understand how eligibility for an immigration benefit with national security concerns is determined and how it relates to internal and external vetting.

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Say:

In this module, we are going to talk about how eligibility for a benefit with national security concerns is determined and how it relates to the internal and external vetting processes.

[Go to the next slide.]

Enabling Objectives (EO)



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- EO #1: Participants will perform Eligibility Assessments, applying form-specific areas of ineligibility and utilizing timelines as part of the process.
- EO #2: Participants will utilize Requests For Evidence (RFE) and Interviews to elicit information necessary to perform internal vetting.
- EO #3: Participants will utilize information acquired from a variety of tools to conduct internal vetting.

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Say:

Here are our enabling objectives:

EO #1: Participants will perform Eligibility Assessments, applying form-specific areas of ineligibility and utilizing timelines as part of the process.

EO #2: Participants will utilize Requests For Evidence (RFE) and Interviews to elicit information necessary to perform internal vetting.

EO #3: Participants will identify the various tools utilized during internal vetting.

[Go to the next slide.]

Enabling Objectives (EO)



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- EO #4: Participants will identify the various tools used during Phase 3, External Vetting, and the difference between External Vetting and Deconfliction.
- EO #5: Participants will understand the role and function of the Joint Terrorism Task Force (JTTF) and how they might assist in resolving national security concerns.
- EO #6: Participants will identify the various techniques used in external vetting and recognize the importance of lead vetting.

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Say:

EO #4: Participants will identify the various tools used during external vetting and the difference between External Vetting and Deconfliction.

EO #5: Participants will understand the role and function of the Joint Terrorism Task Force (JTTF) and Law Enforcement Agencies (LEAs) and how they might assist in resolving national security concerns.

EO #6: Participants will identify the various techniques used in external vetting and recognize the importance of lead vetting.

[Go to the next slide.]

EO #1



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Participants will understand the purpose of eligibility assessments and how they incorporate form specific eligibility criteria and timelines.

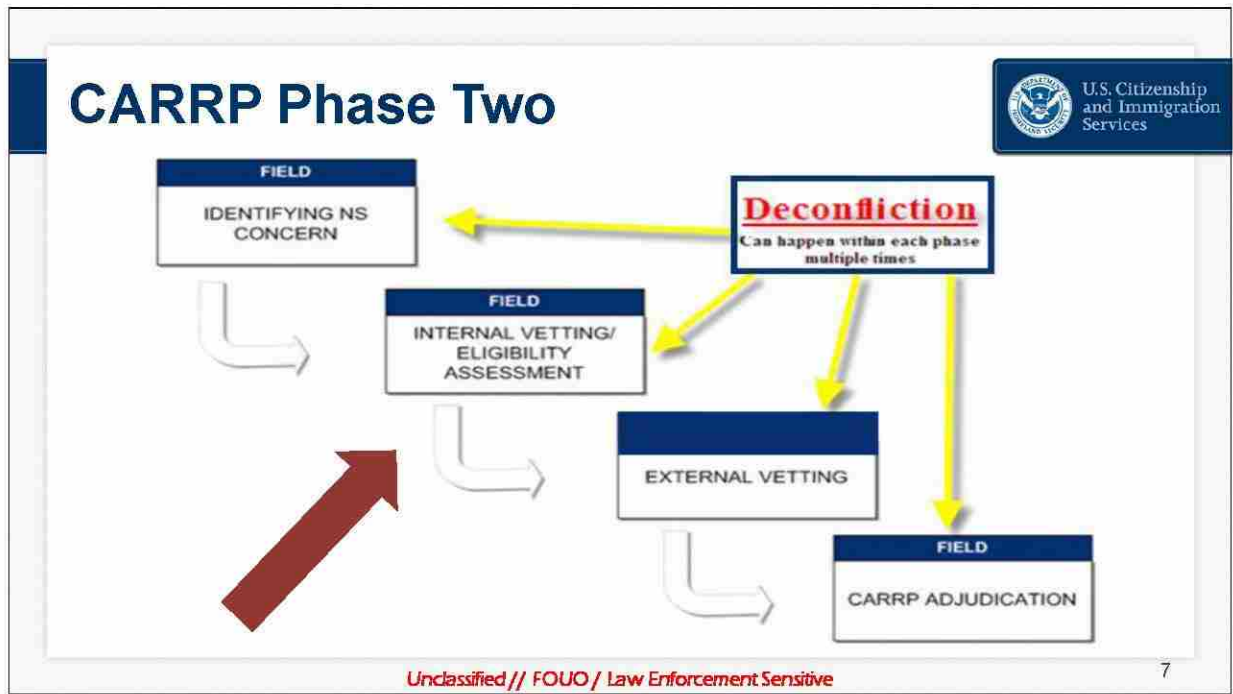
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Say:

We are going to start by discussing the importance of the Eligibility Assessment and the use of timelines during the internal vetting phase.

[Go to the next slide.]



Say:

We are now in Phase 2 of CARRP, "Internal Vetting/Eligibility Assessment." Just a reminder, Deconfliction can happen during any phase.

Who do you think is involved in Phase 2 of CARRP? Go ahead and type your answers in the chat.

[Go to the next slide.]

Internal Vetting



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What is Internal Vetting?

- The process of obtaining relevant USCIS information in furtherance of an adjudication and proper eligibility determination. *Focus is on applicants' eligibility for the immigration benefit.*
- Consists of DHS records, open source, or other systems checks; as well as file review, interviews, and other research, *but does not include vetting with outside agencies.*

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Say:

Internal vetting is geared toward obtaining information to aid in determining eligibility and the adjudicative process. It relies heavily on what is revealed through various immigration data systems, internal USCIS resources, and open source research.

Remember – vetting is not simply running systems checks – it involves evaluating the information and understanding its impact!

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

[Go to the next slide.]

Phase 2 Roles



Roles and Responsibilities :

CARRP Phase 2 - Consists of two elements:

- Eligibility Assessment is typically completed by CARRP-ISOs (adjudications personnel). RAIIO FDNS-IOs proceed directly to internal vetting.
- Internal Vetting is performed by everyone involved in the CARRP process.
 - FDNS-IOs, CARRP BCU-ISOs, perform systems vetting
 - CARRP-ISOs in the field office may conduct an interview
 - Adjudications and FDNS may jointly prepare a case history

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Say:

There are two parts of CARRP Phase 2:

Eligibility Assessment

Internal Vetting

The Eligibility Assessment is completed by adjudications officers because they have the adjudications expertise in applying grounds of inadmissibility. Remember, not all FDNS IOs have a background in adjudications or immigration law. For asylum and refugee cases, the interview itself serves as the eligibility assessment, as eligibility for refugee or asylum status is typically determined during an interview and documented in an adjudicative assessment that is prepared for every case.

Internal vetting is performed by anyone and everyone! This phase in particular must be a collaboration between FDNS and adjudications personnel. So as we proceed through this section, we will first look at what it is that adjudications personnel do, and then we will look at the vetting role.

[Go to the next slide.]

Internal Vetting / Eligibility Toolbox



Tools for internal vetting / eligibility:

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

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Say:


Here are some of your Internal Vetting tools for CARRP Phase 2:

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

We're going to review these tools and concepts so we are aware of some of the techniques officers may employ while internally vetting NS cases.

[Go to the next slide.]

Eligibility Assessment: Goals



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CARRP as a Process (with a defined end).
That end can be one of four outcomes:

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

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Say:

This chart shows you the four possible outcomes in a CARRP case. Remember, CARRP has a defined end!

If the initial assessment by adjudications finds a clear ground of ineligibility, then USCIS conducts deconfliction, performs the required system checks, and denies the case. Even if we haven't resolved the NS concern, or haven't done much work on the case, we've reached the end of the process because it is possible to complete the final adjudication. If the applicant is ineligible for the benefit, their application or petition will be denied.

[Instructor: The questions below can be posed to students as an interactive discussion. Direct students to use the chat box for their responses.]

Should we deconflict if we're going to deny based on the initial eligibility assessment? Could our adjudicative action to deny an application affect an investigation?

[Instructor: Process responses in chat.]

So, the answer to both of these questions is Yes.

If we've identified a connection to an NS ground found in section 212 or 237... aren't all of these cases ineligible? Not necessarily.

A "connection" for the purposes of starting our CARRP process isn't the same as a statutory ineligibility. Additionally, initial eligibility assessments must be based on information that's readily available to use and put in a decision letter.

You might be asking yourself, "Aren't people just going to refile?" It is possible an applicant would file again; however, the initial denial will remain, as long as it is legally sufficient. Facts or law would have to change for an applicant to later become eligible for the benefit, and whether or not they will reapply depends on the basis of the denial.

Also, the new filing may not necessarily be immediate. A lot can happen with an NS concern case between the time our decision is rendered and the refiling of an application. For example:

The subject could get removed or removal proceedings may be initiated against them; or

Investigations could be closed so there's no derogatory information on the subject when they refile; or

Additional investigation time could result in an arrest that may render the applicant ineligible.

[Go to the next slide.]

Eligibility Assessment: Purpose



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Purpose of the Eligibility Assessment (EA):

- To ensure that valuable time and resources are not unnecessarily expended externally vetting a case with a record owner when the individual is otherwise ineligible for the benefit sought.
- To document their review of eligibility, the ISO generates a work product to memorialize his/her findings and then attaches the EA to the FDNS-DS record.
- There is no template version of EA, so ISOs should use the format that works best for them.

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Say:

What is the purpose of an Eligibility Assessment? We want to make sure we don't waste our resources and time vetting a case when they are already ineligible for the benefit. We want ISOs and AOs to document their review of eligibility in the form of an Eligibility Assessment, which is also referred to as an EA, and attach it in FDNS-DS. There is no mandatory template for the EA. Many use the Memorandum format which we will look at later. You can also use the supplemental BCAA and insert the EA into that document. Check with your local office to see what the CARRP supervisors prefer.

[Go to the next slide.]

Eligibility Assessment Review



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In practice, the eligibility assessment is done in two parts:

1. Initial (*prima facie*) review
2. Detailed joint file review

Key questions:

1. Is the individual clearly ineligible for the benefit on some ground unrelated to the NS concern? (*pre-vetting*)
- versus -
2. Is the individual still eligible? (*post-vetting*)

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Say:

Normally, the EA is done up front, shortly after the case is referred for CARRP processing.

The practice has evolved in two directions:

First, is an initial review to determine if the applicant is eligible for the benefit, which is known as the *prima facie* review. Second, there's a continuing assessment based on vetting results and collective case factors prior to the final decision.

[Go to the next slide.]

Eligibility Assessment: Elements



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Key elements of the Eligibility Assessment:

- Highlight identified inconsistencies and questionable items to be pursued:
 - “Applicant has two SSN’s.”
- State the grounds that were considered:
 - “Reviewed the N-400 for GMC and attachment to the Constitution. Applicant appears prima facie eligible at this time.”
- Suggest directions for vetting:
 - “Request additional information about applicant’s travel history to address potential physical presence ineligibility.”
 - “Request information about xxxxxxxx charity.”

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Say:

The actual assessment is done by adjudications officers because, again, they have the most knowledge of potential ineligibilities. They are also the individual most likely to conduct the interview.

There are three elements that an EA should have:

It should highlight inconsistencies and questionable items that vetting personnel should pursue. Flag anything unknown or unfamiliar.

It should state the eligibility grounds that were considered. For example, if the application in question is the N-400 and you considered good moral character, that should be highlighted.

It should suggest directions for vetting. Tell the vetting officer what you want them to investigate!

In addition, there are two things the ISO should incorporate into the A-file:


Actual Eligibility Assessment; and

Timeline (which can be part of the EA itself).

The assessment should NOT just say “applicant appears eligible.” You must list out the grounds considered and what evidence is needed. Also, you cannot rely on NS grounds for the eligibility determination.

Remember, we are almost never going to be able to deny based on national security grounds given that facts necessary to support such denials are often based on classified information or information owned by third agencies that USCIS may not obtain permission to use. So, we need to consider all grounds of statutory ineligibility if unresolved NS information indicates that the case should not be approved.

[Go to the next slide.]



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Practical Exercise:
Sample Eligibility Assessment

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Say:

Let's take a moment and look at this sample Eligibility Assessment.

[Instructor: See Discussion Points Below

The major points from our sample Eligibility Assessment can be seen in the following:

The Eligibility grounds that were considered are highlighted in yellow

Residency and physical presence

Potential ties to communism

LPR for 5 years

The Other facts warranting vetting are highlighted in green

There are a couple of organizations for FDNS to look into

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

Results of security checks are clearly listed

This is a pretty good eligibility assessment. It was also probably not the initial assessment because it was updated as vetting progressed. So the initial eligibility assessment is a starting point and we add to it as new facts are learned that could impact eligibility. Even within phases, we see a lot of stopping and starting and circling back to the beginning to reconsider determinations.

Next, we are going to look into some of the specific elements we just saw in the EA example.

[Go to the next slide.]

Form-Specific Factors



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How does USCIS consider Ancillary & Non-Status Granting Benefits when NS concerns are a factor?

- Consider information on prior forms in eligibility assessment, **I-765**
- Consider the validity of the underlying immigration status,
- Consider any underlying petitions, and **I-131**
- Do not focus solely on the current benefit!

eligibility

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Say:

One of the points in our sample eligibility assessment was form-specific considerations. Our sample happened to be an N-400 application, but all forms have their own specific requirements that we consider when evaluating eligibility.

Turning first to ancillary benefits:

Why do ancillary benefits go in FDNS-DS? In a nutshell, so we can use the information in them when making eligibility determinations

Ancillary benefits and petitions are adjudicated quickly without resolving the NS concern, but they ask many of the same questions as I-485s and N-400s. Therefore, we want to compare answers between the forms as part of our eligibility determination.

For example, on the ancillary I-131 the individual might have to answer where they are traveling and why. And on an I-765 they might list their employer. And in connection with an I-140, they might submit supporting docs, such as a resume. So, we can use that information and compare it to the information provided on other forms.

The major point here is don't focus solely on the current benefit when determining eligibility... it's a comprehensive look at case factors.

[Go to the next slide.]

Form-Specific Factors: Asylum AOS



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Adjustment of Status based on Asylum Eligibility Factors to Consider:

- Adjudicate in accordance with 8 § C.F.R. 209.2 NOT INA § 245,
- Eligible to apply for adjustment one year after grant,
- Must be admissible,
- Continue to be a Refugee under the INA (meet the definition of a refugee), or spouse/child of one, and
- Not firmly resettled in any foreign country

asylum

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Say:

Now we are going to look at some eligibility factors for certain form types.

Now we are going to look at some eligibility factors for Asylees adjust status under section 209 of the INA, not section 245. INA section 209 lists the eligibility requirements for an asylee to adjust status to an LPR. They must:

Have been an asylee for at least one year,

Be admissible,

Continue to meet the definition of a refugee, and

Not be firmly resettled in any foreign country.

So, looking at our asylum-based I-485 that is in CARRP. Some questions an officer could ask applicant to find out if they continue to maintain their status would be:

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

Do you have any plans of returning?

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

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

How about forum shopping? Does the address on the form match where they filed?

Important to note that some inadmissibility grounds do not apply to asylees at all, while others can be waived.

[Go to the next slide.]

Form-Specific Factors: Refugee AOS



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Adjustment of Status based on Refugee-Eligibility factors to consider:

- Adjudicate in accordance with INA 209 NOT INA 245!!
- *Must apply for adjustment one year after admission to the US as a refugee under INA 207*
- Admission has not been terminated
- Physically present *in the United States* for at least one year
- Found to be admissible
- *Continues to be a refugee or spouse/child of one*
- *Not firmly resettled*
- Refugee adjustment may *not* be denied based on discretion
- May only be denied based on certain grounds of inadmissibility

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Say:

Now let's look at adjustment of status for refugees. Not all inadmissibility grounds which normally apply to 245 adjustments apply to refugee adjustments. There are also waivers available for these grounds.

Eligibility requirements for refugee adjustments include:

Must apply for adjustment one year after admission to the U.S. as a refugee,

Admission has not been terminated,

Physically present in the U.S. for at least one year,

Be admissible,

Continues to be a refugee (or spouse/child of a refugee), and

Not firmly resettled

Also, refugee adjustment may not be denied based on discretion and may only be denied based on certain grounds of inadmissibility.

Some things to note from applicant's testimony:

Was the claim based on being arrested? What was the arrest for? During adjustment, did they indicate on the I-485 that they have never been arrested?

Review family relationships. Where are they? Is the spouse/children still abroad? If so, where abroad?

Example: Applicant in Country X whose wife is still in Country Y keeps traveling to Country Y and claims his children were born in Country Y. RFE for birth certificates to see if the family is actually still in the country of claimed persecution.

[Go to the next slide.]

Form-Specific Factors: N-400



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N-400-Eligibility factors to consider:

- Failure to provide true and complete information during the applicant's N-400 interview regarding trips abroad
- Failure to disclose all addresses where the applicant resided during his N-400 interview
- False claims – many employment applications ask if the applicant is a USC
 - Police, Fire, Military
- Claiming disability on an N-648 related to military service but no evidence of service on any prior applications

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Say:

Let's take a look at some of the eligibility factors naturalization that we might consider: These may not lead to denial unless the applicant testified orally regarding the facts and specifically admitted the information in order to obtain an immigration benefit. False testimony for any other reason does not preclude the applicant from establishing good moral character.

Failure to provide true and complete information about trips abroad during the interview,

Failure to disclose all addresses where the applicant resided,

False claims to U.S. citizenship - many employment applications ask if you are a U.S. citizen (police, fire, military),

Claiming disability on an N-648 related to military service, but no evidence of service on a prior application, and/or

[Instructor: The question below can be posed to students as an interactive discussion. Direct students to use the chat box for their responses.]

When adjudicating an N-400, can we go back and look at the LPR grant? Does anyone know the section of law pertains to the lawful adjustment? Place your answers in the chat.

[Instructor: Process responses in chat.]

The answer is yes. Section 318 of the INA allows us to consider the lawfulness of the adjustment when adjudicating an application for naturalization.

[Go to the next slide.]

Internal Vetting: Possible Inconsistencies to Consider



Examples of Inconsistencies to consider:

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Say:

Our eligibility assessment sample also looked at some inconsistent items, where we scrutinized information that didn't seem to make sense. This is one of the ways an eligibility assessment guides vetting. As vetting further investigates and develops new information, those answers are used to update the assessment to determine if the applicant's eligibility has changed.

This slide shows examples of some things that we could look into in the internal vetting phase such as addresses, tax document information, business records, ties to organizations, and speaking foreign languages. None of the examples are necessarily or even likely to be problematic. However, the purpose of vetting is to examine an individual's history and explore potential inconsistencies or anomalies. These are examples of items that you may want to follow up on, vet to ensure consistency, and eventually ask the applicant about at an interview. You may learn information that would create a potential ineligibility. You may also learn completely reasonable explanations for something that appeared inconsistent or unusual to you at first.

Note that these items are about the applicant and their personal history – there's nothing directly related to the NS concern.

[Go to the next slide.]

Fraud in NS Cases: When Fraud Meets NS



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Studies in National Security:

- FDNS was vetting a KST subject who was the beneficiary of a pending marriage-based I-130 / I-485 when a [LE] reached out to the IO working the case to volunteer some information.
- [LE] informed FDNS that the KST beneficiary had been the subject of a traffic stop by a local police department. The subject was issued an administrative traffic citation and was not arrested or detained. Information shared with the IO regarding the traffic stop showed that subject had a different spouse than the one who petitioned for him.
- When confronted, the USC PET withdrew the I-130 and the I-485 was closed due to lack of underlying petition. The KST CARRP case was ultimately closed to NS Concern unresolved.

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Say:

Sometimes the potentially inconsistent items identified during the assessment relate to fraud. Here we see an example from our Study in National Security series where the relationships you build with LEAs in external vetting can help you in internal vetting. It's also an example of a case in which fraud and national security go hand in hand. This is commonly encountered when working CARRP cases.

[Instructor: Give students a few minutes to read the scenario on the slide, read it to them, or select a student to read to the class. Then discuss the points below.]

What did we learn in this scenario? Why did the [LE] call USCIS?

Turns out that the local jurisdiction that pulled the subject over for the traffic ticket wrote a particularly good report on the stop.

Local PD then called the [LE] because the subject was a KST.

Then [LE] called USCIS because the case agent had worked with the FDNS Office before and had a very positive rapport. So why does this matter to us?

Local PD noted the presence of another individual in the car with the KST.

The KST claimed the other individual was his spouse. Local PD noted this individual's name and passed it to the [LE] for vetting as an associate of a KST.

The [LE] gave the name of the "spouse" to FDNS. The "spouse" in the car with the KST subject was not the same "spouse" who was petitioning for the KST.

What happened next was textbook Internal Vetting.

The FDNS IO ran address histories in the open source Lexis Nexis database and pulled lease information on all three individuals.

Turns out the petitioner and the woman in the car with the KST lived in the same building, and the KST's name was on both lease.

When confronted with this information, the USC petitioner withdrew and the KST went into removal proceedings.

Do we know if the USC spouse will file for the applicant again? She was allowed to withdraw with no definitive finding of fraud. But even if she does try to refile, we've just bought time for ICE to work through removal proceedings.

[Go to the next slide.]

Timelines



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Building a timeline - a tool in CARRP processing:

- Chronological sequence of events that enables the viewer to quickly understand temporal relationships.
- Should include the following:
 - Applicant's name, Alias, DOB, COB, COA, SSN#, and A#
 - All visas / applications / petitions and dates of entry
 - Employment and education history
 - Encounters with law enforcement, including arrests
 - Organization affiliations
 - Military history etc.
- Place all elements in the same chronology-don't break up into sections.

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Say:

The other major element of the eligibility assessment is the timeline. The timeline can be part of your eligibility assessment and is useful for highlighting the questionable items or things that you want FDNS to pursue during the vetting process. The timeline is a chronological sequence of events that enables the viewer to quickly understand temporal relationships. It should include:

Applicant's name, Alias, date of birth, country of birth and citizenship, class of admission, social security number, and alien number

All visas, applications and petitions filed

Employment history

Education history

Encounters with law enforcement, including any arrests

Organization affiliation,


Military history etc.

The elements should be in the same chronology- do not break it up into sections!

Why don't we want to break it up into sections like (employment, education etc.)? Part of the goal of a timeline is to understand temporal relationships. Those relationships aren't limited to categories. Also, placing it in chronological order makes it easier for the next person to review.

Your timeline should help a reader to understand how all elements of an individual's history are connected. Therefore, it's often better to use one chronology of all events instead of sectionalizing. That way, a reader can see where travel overlaps with employment, where address history overlaps with education, etc.

[Go to the next slide.]



Handout:
[Sample Visual Timeline](#)

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Say:

We are going to put a link to the sample visual timeline in the chat box.

[Facilitator: Copy and Paste link in the chat:

[https://\[REDACTED\]](https://[REDACTED])

How about this as an example- Is it helpful or not?

[Instructor: Process chat responses.]

[Go to the next slide.]

Timelines: Bulleted List Format



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Sample Immigration Timeline:

- Form I-485 Filed on 04/01/2004, (Receipt Number MSC-XXXXXXXXXX)
- Form I-130 Filed on 04/01/2004, (Receipt Number MSC-XXXXXXXXXX)
- Interviewed: No
- FBI Name Check Results: [REDACTED] (DATE)
- FBI FP Results: [REDACTED] (DATE)
- 11/17/2002 Admission into the United States with new visa
- 09/12/2003 Admitted into the United States as a visitor for pleasure
- 01/25/2004 Married Jane Doe, a USC
- 04/25/2004 Form I-765 submitted and approved (expires 04/24/2005)
- 05/10/2005 Form I-765 submitted and approved (expires 05/09/2006)
- 06/08/2008 Form I-131 filed (Advanced Parole)
- 06/08/2008 Form I-765 submitted and approved (expires 06/07/2009)
- 09/25/2008 Advance Parole Approved

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Say:

Now let's look at another example.

This is an example of a simple chronology. It's fairly brief and far from exhaustive. But it's one way of getting immigration history, background check records, and other elements into one presentation.

[Go to the next slide.]



Application Exercise 4.1 “Building an Immigration Timeline”

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Say:

Locate the Module 4 Channel Exercise folder and access Exercise 4.1 (N-400). We will also paste a link in the chat. This exercise demonstrates the value of a chronological timeline and gives us an opportunity to look at the CARRP process in an organized manner. Looking at the N-400 which was used in the Indicators Exercise (when I read you the facts to jot down) take 10-15 minutes to review the N-400 and begin to make a timeline of relevant events. The timeline can be done on the computer in Word and saved somewhere that you can access it later. The

[Instructor: Use the Instructor Answer Key for Discussion Points. After 10-15 minutes, lead a discussion about what interesting facts or patterns students noticed from building the timeline that were not immediately evident from a cursory review during the indicators exercise. You can sk for a student or two to discuss their timeline with the class or email it to you/paste in channel and pull it up on the screen to facilitate discussion.]

[Go to the next slide.]

EO #1 Knowledge Check



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- ✓ True or False: The process of obtaining relevant USCIS information in furtherance of an adjudication and proper eligibility determination is external vetting.
- ✓ Does Internal Vetting include vetting with outside agencies?
- ✓ Can you name examples of sources that officers may use while conducting Internal Vetting?
- ✓ What is the name of the work product that memorializes confirmation that an applicant is individual is otherwise eligible for the benefit sought?

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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.]

True or False: The process of obtaining relevant USCIS information in furtherance of an adjudication and proper eligibility determination is external vetting. [False. This definition describes Internal Vetting, which focuses is on applicants' eligibility for the immigration benefit]

Does Internal Vetting include vetting with outside agencies? [No. Vetting with outside agencies is conducted in External Vetting]

Can you name examples of sources that officers may use while conducting Internal Vetting? [DHS records, open source, or other systems checks; as well as file review, interviews, and other research]

What is the name of the work product that memorializes confirmation that an applicant is individual is otherwise eligible for the benefit sought? [Eligibility Assessment]

[Go to the next slide.]

EO #2



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Participants will understand how to utilize Requests For Evidence (RFEs) and interviews to elicit information necessary to perform internal vetting.


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Say:

We are now going to cover the purpose of RFEs and discuss best practices and lines of inquiry when interviewing applicants. The information obtained from well-written RFEs and effective interviewing provides us with valuable tools that we will use in the internal vetting process.

[Go to the next slide.]



Requests for Evidence (RFE)

What can you RFE for? (a non-exhaustive list):

- Affidavits
- Employment Records
- Tax Records
- Bank Statements
- Transcripts etc.

Why are RFEs useful in a CARRP case?

- Applicant-provided information
- Unclassified

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Say:

Requests For Evidence can be used in advance of, or in lieu of, an interview. They may also be utilized following an interview to gather additional relevant information. RFEs must be relevant to the benefit sought. Make sure you do your research before issuing an RFE and know what you want to request. If possible, you only want to issue one RFE! So make sure everything that you want is included!

What can you RFE for? (a non-exhaustive list):

- Affidavits
- Employment Records
- Tax Records
- Bank Statements
- Transcripts

Why are RFEs useful in a CARRP case?

- The evidence gathered is provided by the applicant themselves
- They are unclassified

[Go to the next slide.]

Interviewing: Best Practices



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Best Practices:

- Videotape the interview (not applicable to RAIO cases)
- Use a semi-structured format
- Prepare primary questions and follow-ups in advance
- Evaluate any questions from an LEA
- Clear questions through local OCC
- Interview in pairs
- Always place the applicant under Oath
- Take a sworn statement (preferably typed)
- Consider who should interview

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Say:

During this section we will discuss best practices to prepare for an interview, how long CARRP interviews can last, some common office procedures, and who may be involved in the interview.

Let's talk about some best practices.

If your office has a policy that allows you to videotape your CARRP interviews, you should do so!

Familiarize yourself with the camcorder prior to the interview to ensure it is functioning properly.

Do a practice run prior to the interview.

Capture the entire body, not just face shots.

Use a semi-structured interview format.

Prepare both the initial question you're going to ask and follow up questions.

If an LEA has asked for questions to be inserted (must be approved by local office), find a place where they fit naturally into the dialogue. It's important to note that you cannot ask questions provided by an LEA that have NO bearing on the eligibility requirements for the benefit being sought.

Clear all questions with your local OCC and supervisor prior to the interview.

Interview in pairs. Why is that?

One primary person interviews, the other takes notes / writes down questions that may have been missed.

If your office usually has AOs or ISOs interview, it may be worth it to have the second officer be an FDNS-IO.

Don't forget to place the applicant under oath.

Decide who will conduct the interview.

Does it have the potential to become adversarial?

Are there participants (lawyers, interpreters, etc.) who are known to any of the adjudicators?

Are there adjudicators in your office who excel at building rapport, are more sympathetic, or who have a particular background or experience that could be useful?

Think about what approach is going to work best and which officer is best suited to conduct the interview. You want the first interview to be the only interview. Lastly, be prepared and go in with a plan so you can avoid having to call the

applicant back for missed questions, lack of a sworn statement, or a second interview. What do you think will happen if your applicant is brought in for a second follow up interview?

[Instructor: The question below can be posed to students as an interactive discussion. Direct students to use the chat box for their responses.]

What is the longest interview you've conducted?

What is the procedure in your office for interviewing?

How much time do you have to prepare?

How is OCC involved?

Who else is involved?

[Instructor: Process responses in chat.]

[Go to the next slide.]

Interviewing: Building Rapport



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During the interview, build rapport with your applicant:

- Be familiar with the case
- Place the applicant at ease in an informal manner
- Advise the applicant of the process
- Ask about their trip to the office – commute/parking/other events prior to the interview
- Properly pronounce the applicant's name
- Research where the applicant is from
- Ask about family (if they are present in the office) or a trip the applicant took that you're interested in

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Say:

During the interview it's important to build rapport with your applicant. Here are some ways to do so:

Be familiar with the case.

Be informal at the beginning of the interview to put them at ease.

Advise the applicant of the process.

Ask about their trip to the office (i.e. parking, traffic).

Pronounce their name correctly.

Research and know something about their home country.

Ask about family if they are present, or a trip that they recently took.

[Instructor: The questions below can be posed to students as an interactive discussion. Direct students to use the chat box for their responses.]

Why is it important to build rapport with your subject?

How do you build rapport?

How many of you get nervous?

Why were you nervous?

Did the interviewer do anything to make you feel at ease?

Can you share any interview you've had that went well because of rapport and vice versa?

[Instructor: Process responses in chat.]

[Go to the next slide.]

Interviewing: Managing the Encounter



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During the interview:

- Do not let the applicant or their attorney take over
- Listen and maintain eye contact
- Look for non-verbal cues
- Do not interrupt the applicant– give them an opportunity to fully answer the questions being asked

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Say:

[Instructor: The questions below can be posed to students as an interactive discussion. Direct students to use the chat box for their responses.]


How many of you encountered an aggressive attorney during your interviews?

[Instructor: Process responses in chat.]

Don't let the applicant or their attorney take over your interview. If the attorney takes over the interview, stop and remind the attorney of their role in an administrative interview. Also, make sure that you listen, maintain eye contact, and look for non-verbal cues. And do not interrupt the applicant, let them fully answer your questions.

If you need to take a break and review your notes prior to ending the interview, do so. Ask the applicant to go back to the waiting room while you review all documents to make sure you didn't miss anything. Offer the applicant (attorneys, representatives, or interpreters) breaks. Let them use the restroom. If you can, offer water or something similar. Some of these interviews can go for hours. This is part of your rapport building, it is not limited to the beginning of the interview, it should exist throughout.

[Go to the next slide.]



Interviewing: Specificity

Questioning:

- Ask open ended questions
- Start general at first then narrow down to more specific topics

Compare:

<u>Example 1</u>	<u>Example 2</u>
“Have you ever served in the military? When did you join? Which branch were you in? Why did you choose the Navy?”	“Did you join the Spanish Navy in 1987?”

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Say:

As for the actual lines of questioning, ask open-ended questions. So, looking at the examples on the slide, the question in example 1 is open-ended and is going to elicit detailed testimony. Example 2 is going to generate a “yes or no” answer.

You want to start general and then narrow down your questions to give the applicant room to elaborate and explain more fully.

Another example: “Have you ever donated money to any organization? Have you ever given anyone money, including family or friends?” vs. “Have you ever supported anyone trying to overthrow of the US government?” The first line of questioning is likely to elicit more information and not close off a line of questioning that we want answers to.

Also, these are just examples. In an actual interview, you’re not going to string questions together. NEVER ever compound your questions. Ask questions one at a time and wait for a response.

[Go to the next slide.]

Interviewing: Phrasing



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Questioning:

- Pay attention to phrasing of questions and answers

Compare:

Example 1

"Have you ever been
to Australia?"

Example 2

"Have you ever served
in Australia?"

Example 3

"Have you ever taken
a trip to Australia?"

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Say:

Pay attention to the phrasing of questions and answers. Compare the three examples on the slides.

Here's another example. If you ask someone if they participated or were involved in the Vietnam War, and the answer is "I was never in the military," that's not an answer to the question you asked. It could be a truthful response, or it could be omitting some non-military form of participation.

[Go to the next slide.]

Interviewing: Follow-up Questions



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Questioning:

- Let the applicant provide information, then follow up with additional questions as necessary.
- Clarify unclear statements and inconsistencies.
- Do not read an applicant's response back to them.

Compare:

Interviewer – "Have you ever been stopped or interviewed by law enforcement?"

Applicant – "I talked to them outside my house."

Follow-ups – "Who did you talk to?" "Did you talk to them anywhere else other than your house?" "Was it one time, or several times?"

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Say:

Let the applicant provide testimony, then follow up with additional questions as necessary. Don't give them answers. Clarify anything that is unclear or inconsistent. And do not read their responses back to them. Instead read the question that the applicant has already answered on the form "have you ever been arrested, indicted, etc."

Break down compound questions and give the applicant an opportunity to answer each question. Also, be sure to define terms that may not be familiar to the applicant. For example, what does "indicted" mean? Formal notice that it is believed that an individual committed a crime.

<https://www.justice.gov/usao/justice-101/charging>

Phrase the question differently to ask about other encounters and follow up on things that you don't fully understand.

[Go to the next slide.]

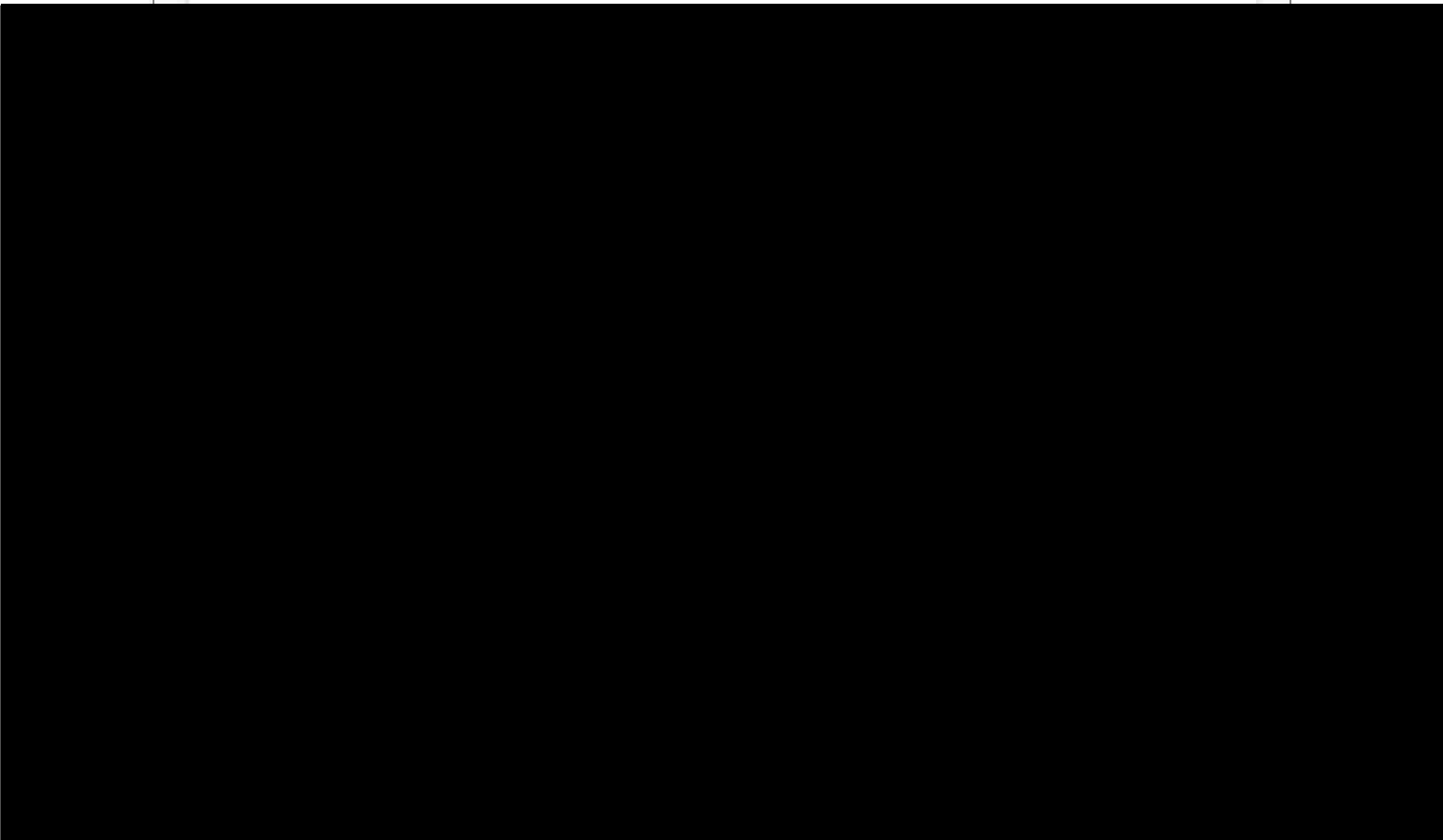
Interviewing: Recapping Testimony



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Questioning:

- Recap, recap, recap
- Make sure you fully understand every answer
- Restate testimony in chronological sequence (as opposed to topical area)



Interviewing: Refugee and Asylum



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Deep Dive - RAIO Officers and Interviewing:

- RAIO officers may identify NS concerns pre-interview, during the interview, or post interview
- RAIO work focuses on the interview to establish eligibility - as a result, the interview also plays a significant role in identifying NS concerns based on specific lines of inquiry relating to NS grounds
 - During refugee interviews, ALL applicants, regardless of age, are asked specific questions about bars to admissibility
 - During asylum interviews, the mandatory bars questions are addressed for all applicants, regardless of age. However, the questions are posed to the applicants in a manner that is appropriate for the age level

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Say:

RAIO officers may identify NS concerns pre-interview, during the interview, or post interview. At RAIO, they focus on the interview to establish eligibility - as a result, the interview also plays a significant role in identifying NS concerns based on specific lines in inquiry relating to the NS grounds.

During refugee interviews, ALL applicants, regardless of age, are asked specific questions about bars to admissibility. During asylum interviews, the mandatory bars questions are addressed for 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 provide testimony on behalf of the child.

[Go to the next slide.]



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

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Say:

[Instructor: Review the Interview Techniques Studies in NS with the class. Emphasize techniques from Page 1 and semi-structured topics from Page 2.

Facilitator: Copy and Paste this link into the chat

box:https://

[Go to the next slide.]

EO #2 Knowledge Check



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- ✓ Why are RFEs useful in a CARRP case?
- ✓ True or False: You should clear questions through local OCC.
- ✓ True or False: You don't have to put an applicant under oath during the interview.
- ✓ True or False: A way to build rapport with an applicant is to correctly pronounce their name.

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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.]

Why are RFEs useful in a CARRP case? [The information is Applicant-provided information that can be used by an adjudicator. The information is unclassified.]

True or False: You should clear questions through local OCC. [True]

True or False: You don't have to put an applicant under oath during the interview. [False]

True or False: A way to build rapport with an applicant is to correctly pronounce their name. [True]

[Go to the next slide.]

EO #3



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Participants will utilize information acquired from a variety of tools to conduct internal vetting.

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Say:

In this EO we will cover what tools are needed to perform your internal vetting.

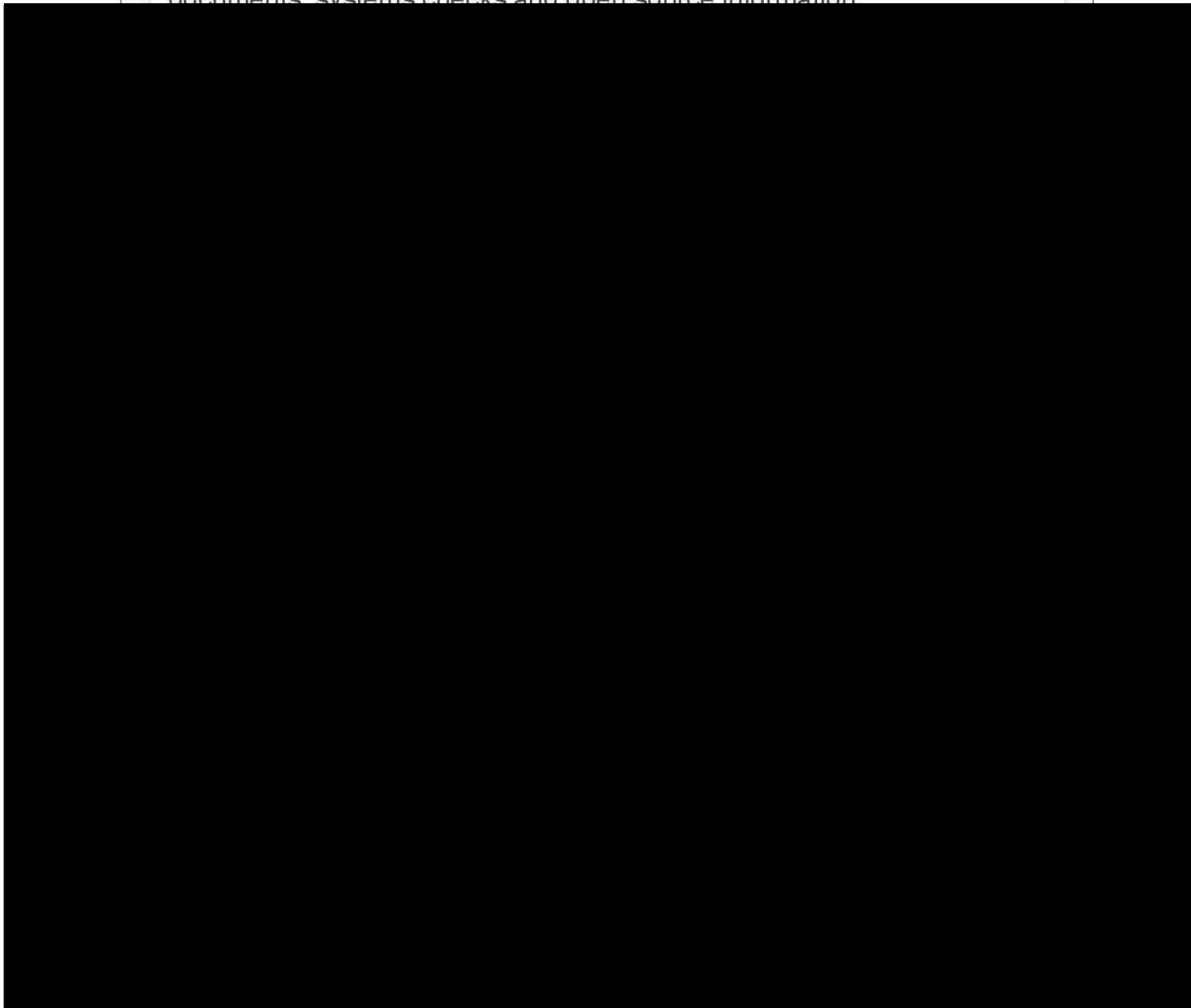
[Go to the next slide.]

Tools for Vetting: The Interview



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Post-interview: Compare interview responses with application, supporting documents, systems checks and open source information



[Go to the next slide.]

Tools for Vetting: Systems



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Internal Vetting Systems (a non-exhaustive list):

- Central Index System (CIS)
- CPMS
- CLAIMS 3
- CLAIMS 4
- EARM
- ELIS
- FDNS-DS
- PCQS
- TECS
- ADIS
- ATS-P/UPAX
- IDENT
- ACCURINT / CLEAR
- CCD

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Say:

Here are some of the internal vetting systems that you might use: CIS, CPMS, Claims, PCQS, ELIS, DS, TECS, CCD, Accurint/Clear, Ident, etc. If you are conducting the vetting, these are tools you can use to run down the questionable items the adjudicator flagged.

If focusing on an address you will ask, "Where does the person live? Is it an actual address?"

Compare addresses in open source with the address history the applicant provided.

Do an image search of the address – is it an actual residence?

Is the residence in line with income and family size?

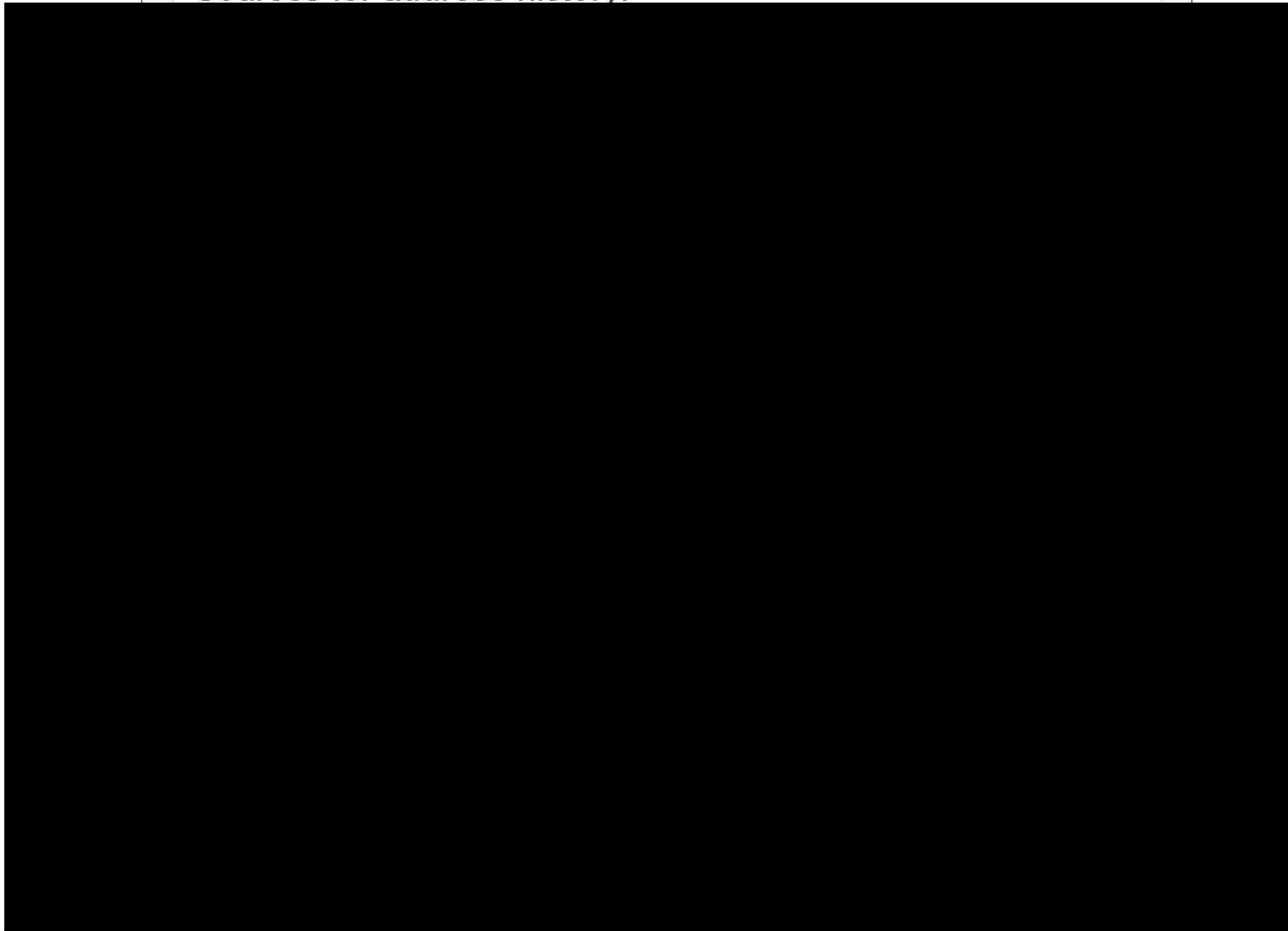
How many people did the applicant claim live in the residence?

[Go to the next slide.]

Tools for Vetting: Address History



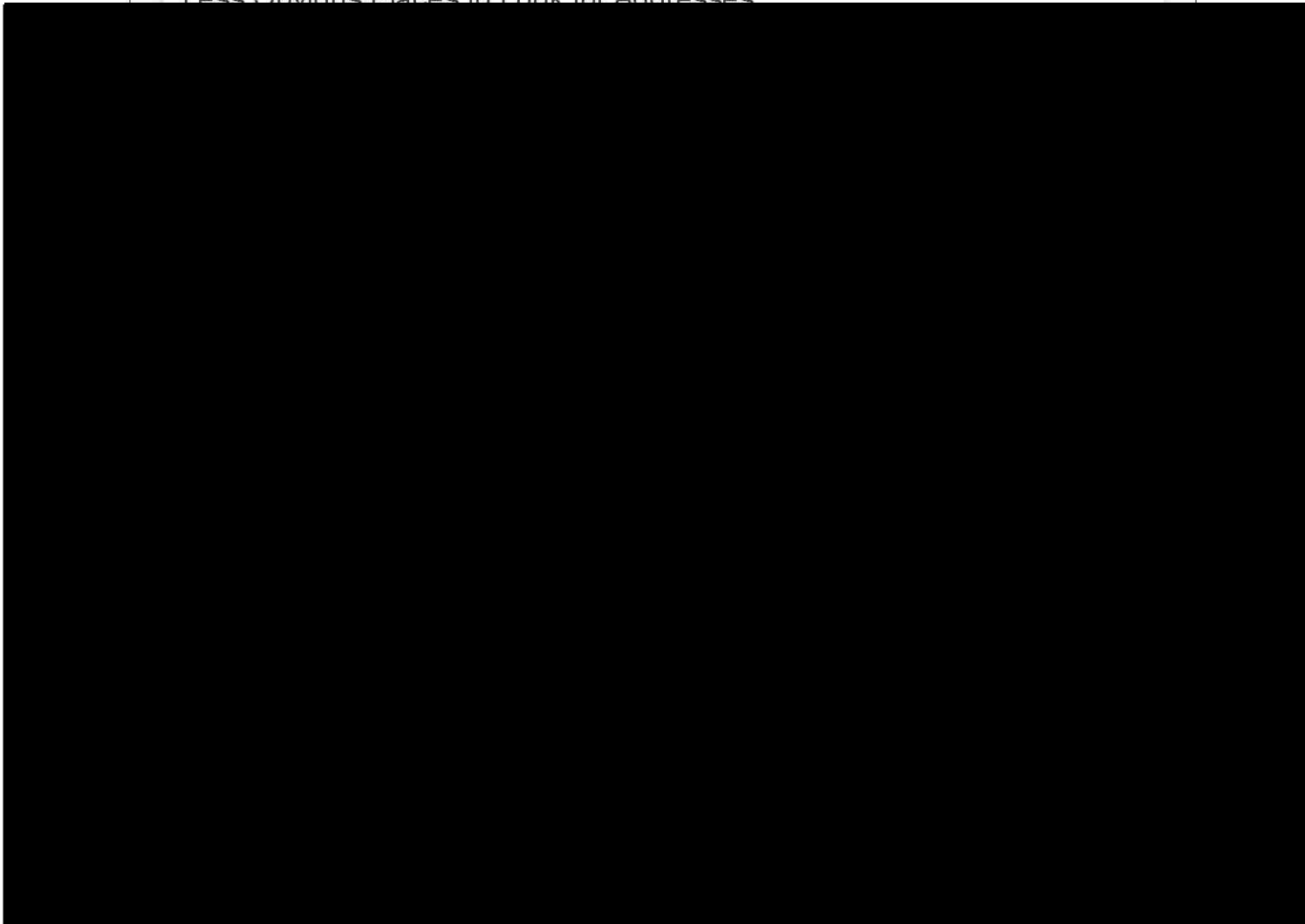
Sources for address history:




Tools for Vetting: Addresses in Other Places



Less Obvious Places to Look for Addresses



Tools for Vetting: Address Comparison



Sample Address Comparison:

TECS Address Query Result	Address	LE Reported Dates of Residence	Accurint Reported Dates of Residence	CLEAR Reported Dates of Residence	NOTES
				05/31/2015 – Current	
No Results Found	LE				
No Results Found					
No Results					

Say:

This is the level of detail that we need to get to with CARRP cases.

This is an address comparison chart that HQ FDNS prepared for a case. They compared the address listed, with the results from TECS, Accurint, and Clear.

There were actually more queries after this into the addresses that family members who we knew were coming to visit the applicant listed on their visa applications and encounters with CBP.

It turned out that in this case, the address line of inquiry didn't lead anywhere – the applicant was very consistent in how she listed the addresses.

There was also no derogatory information on the address themselves. But this is the thought process and the type of answers that are needed in CARRP.

[Go to the next slide.]

Considerations - When Subject Presents a National Security Concern



- What is subject's background?
- Immigration history?
- Travel history?
- Source of income?
- Occupation?
- Associates/friends/co-workers?



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Say:

In Phase 2 of the vetting process, you know that an individual is a potential national security concern. Therefore, the goal is to acquire and develop more information about the individual. So, here are some things we are going to consider: Background, immigration history, travel history, source of income, occupation, associates/friends/coworkers.

[Go to the next slide.]

Image Attribution: USCIS Esprit De Corp, created by USG (USCIS)

Internal Vetting Roles



Component Differences in Roles:

- Service Centers: Do not interview to adjudicate (even though they're ISOs)
- RAIO - Asylum Officers and Refugee Officers interview every applicant. The interview may occur before, during, or after the discovery of the NS concern, as some NS concerns are identified at interview or within supplemental documents presented.
- Field Offices:
 - May interview during Phase 2 or at other times
 - May use CARRP-ISOs, FDNS-IOs, or both

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

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Say:

Let's look at how the roles differ in SCOPS, FOD, and RAIO. An important disclaimer up front, all three components conduct internal vetting differently. In SCOPS, we know that they do not interview to adjudicate. In RAIO, AOs and ROs interview every applicant. The interview might occur before, during, or after the discovery of the NS concern as many NS concerns are identified during the interview or in supplemental documents presented at the interview.

In field offices the interview might be conducted during Phase 2 or another time and might use CARRP-ISOs, FDNS-IOs, or both. We talk about interviewing as part of Phase 2 because it's a logical fit – the interview is one of our immigration-specific, internal vetting tools. However, if you know you have a CARRP case, you may not want to interview in Phase 2. You might want to do your other vetting first.

CAUTION: N-400 Applications. You may want to be careful of starting a clock on the adjudication of naturalization applications. N-400s have to be adjudicated within 120 days of the interview.

You may want to consult with local counsel because once a naturalization interview takes place, USCIS is mandated by statute to complete adjudication of the N-400 within 120-days of the interview. So be careful of starting a clock on the adjudication. Most interviews do not take place during Phase 2. At the interview stage, the ISO would want to collect be armed with as much information as possible regarding the applicant, the NS Concern, the investigation, etc. Most interviews take place in Phase 4, CARRP adjudication. Reminder: If an ISO plans to interview in Phase 2, deconfliction must have taken place prior to the interview.

[Go to the next slide.]

<h2>Internal Vetting Roles Cont.</h2>	
SCOPS	<ul style="list-style-type: none"> • CARRP ISOs working in the Background Check Unit (BCU) perform internal vetting • CARRP ISOs in the BCU draft the eligibility assessment
FOD	<ul style="list-style-type: none"> • Most internal vetting will be done by FDNS, but should be directed and informed by an evolving eligibility assessment • CARRP-ISOs and FDNS-IOs share responsibility for internal vetting & the eligibility assessment
RAIO	<ul style="list-style-type: none"> • In Asylum offices, AOs and FDNS-IOs perform internal vetting depending on when the NS concern is identified • In the Refugee context, SVPI Officers undertake vetting efforts

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Say:

Any CARRP Designated Officer can perform internal vetting. However, the Eligibility Assessment should be drafted by adjudicators.

This slide just highlights the comparison in roles between directorates:

In SCOPS, BCU-ISOs perform internal vetting and draft EAs.

In FOD, most internal vetting is done by FDNS, but should be directed and informed by the ISO's EA. This is more of a shared responsibility.

In Asylum offices, AOs and FDNS-IOs perform internal vetting depending on when the NS concern is identified. And in the refugee context, SVPI officers undertake vetting efforts.

So if we want to compare Field Offices and RAD:

In field offices, CARRP ISOs should perform the eligibility assessment from the initial review and guide the vetting for FDNS-IOs to pursue.

In RAD, ROs should consider what information they need from HQ when referring a case to CARRP.

In both cases, adjudications personnel are identifying pieces of information they need – such as more background on a group, looking into inconsistent testimony. or facts, etc.

[Go to the next slide.]

Tools for Vetting-Case Summary



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Topics for completion after Internal Vetting:

- Do you have the complete name and all aliases of the applicant?
- Do you have all applicable addresses that relate to the applicant?
- Have you prepared a case Timeline that documents travel, employment, education, military history etc.?
- If applicable, have you prepared an Eligibility Assessment?
- Have you reviewed in its entirety the associated application (s) or petition(s)?
- Are the interview notes complete and accurate?
- Have you documented the derogatory information at issue that needs to be explored by the designated CARRP Officer?

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Say:

Some things to consider when you are completing the internal vetting process:

Do you have the complete name and all aliases of the applicant?

Do you have all applicable addresses that relate to the applicant?

Have you prepared a case Timeline that documents travel, employment, education, military history etc.?

If applicable, have you prepared an Eligibility Assessment?

Have you reviewed in its entirety the associated application (s) or petition(s)?

Are the interview notes complete and accurate?

Have you documented the derogatory information at issue that needs to be explored by the designated CARRP Officer?

When drafting your case summary, make sure you note everything you can find in your summary. Also, as you are drafting the summary, you may want to consider items you want to ask during an interview or documents you may need the applicant to provide for an RFE.

[Go to the next slide.]

EO #3 Knowledge Check



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- ✓ Can you name examples of sources where an officer may find applicant addresses?
- ✓ Who can conduct internal vetting?
- ✓ Who conducts eligibility assessments?

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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.]

Can you name examples of sources where an officer may find applicant addresses? [Current filing address on pending application, G-325, other supplemental collection forms, Affidavits of Support, AR11 filings, questions within an application asking for a list of previous addresses, commercial databases, other government benefit applications, Bank and credit card statements, tax filings, Driver's license address, visa applications for people visiting a subject, secondary inspection logs of people visiting a subject]

Who can conduct internal vetting? [Any designated officer]

Who conducts eligibility assessments? [Adjudications personnel]

[Go to the next slide.]

EO #4



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Participants will identify the various tools used during Phase 3, External Vetting, and the difference between External Vetting and Deconfliction.

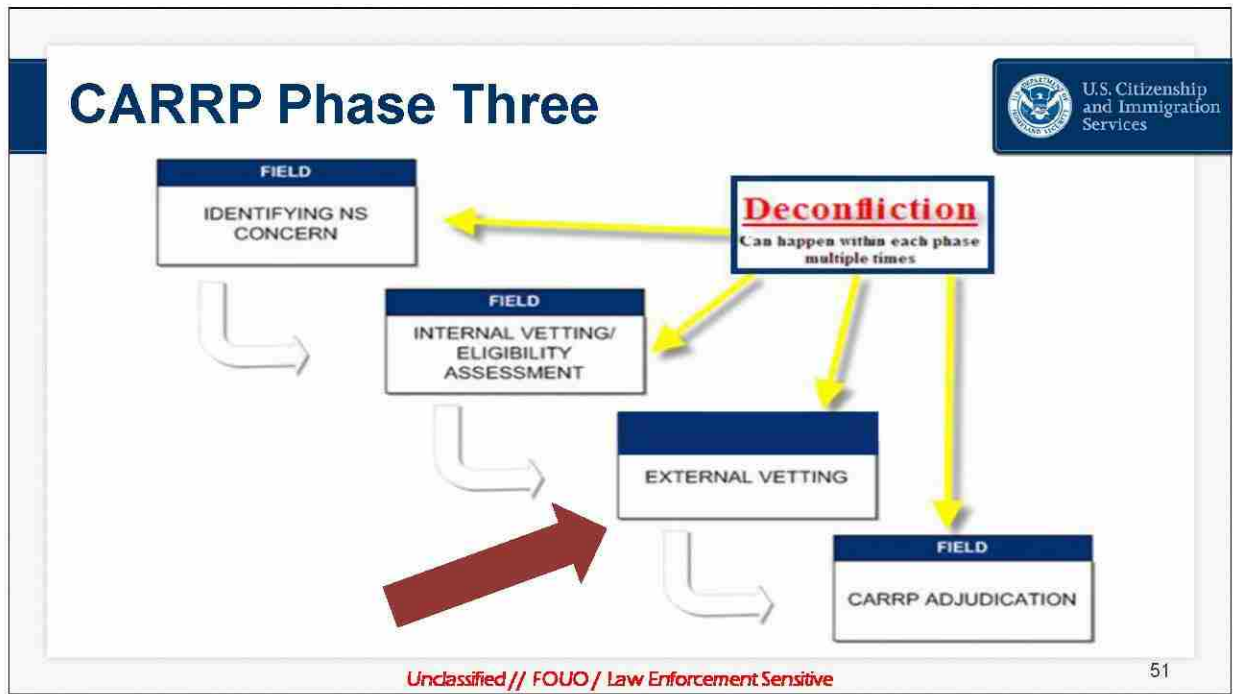
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Say:

Now we are going to shift focus to the various tools used during external vetting and talk about the difference between external vetting and deconfliction.

[Go to the next slide.]



Say:

We are now in the third Phase of CARRP which is "External Vetting". And remember that deconfliction can always happen at any phase and may occur multiple times.

[Go to the next slide.]

Phase 3: External Vetting



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What is External Vetting?

- The process of obtaining additional information regarding the nature of an NS concern and its relevance to the individual from a non-USCIS source such as an external agency or record owner
- Consists of inquiries to record owners in possession of the NS information to identify:
 - Status and result(s) of any ongoing investigation.
 - The basis for any prior investigation and reason for closure.
 - Information that may be relevant in determining eligibility and removability (when applicable).

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Say:

What is external vetting? External vetting is the process of obtaining more information about the nature of the NS concern from a non-USCIS source. You can see the difference between external and internal vetting in the very first bullet on the slide. External vetting is less focused on adjudication and more focused on the national security issues. It involves going beyond USCIS resources and reaching out to record holders, talking to case agents, asking WHY an individual is the subject of an investigation.

Clearly, there is overlap between internal and external vetting. You can develop NS information during internal vetting and you can develop adjudication or eligibility information during external vetting. But when you ask yourself why those are two distinct steps in the CARRP process, think of what the goal is, what you're trying to develop, and the tools you're using to do it – that's the difference.

[Go to the next slide.]

External Vetting Roles



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Roles and Responsibilities:

- Where classified system checks are required for external vetting, Immigration Vetting Division (IVD) of HQ FDNS performs vetting and produces Case Analysis Threat Summaries (CATS).
- In FOD, external vetting is primarily the work of FDNS-IOs.
- In SCOPS, external vetting is performed by ISOs assigned to the CARRP Background Check Unit (BCU).
- In RAIO:
 - FDNS-IOs perform external vetting for Asylum.
 - The Security Vetting and Program Integrity (SVPI) Unit in International and Refugee Affairs Division (IRAD) performs external vetting.

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Say:

As for the roles and responsibilities for external vetting, where classified system checks are required for external vetting, Immigration Vetting Division (IVD) in HQ FDNS performs vetting and produces Case Analysis Threat Summaries (CATS).

In FOD, external vetting is primarily the work of FDNS-IOs.


In SCOPS, external vetting is performed by ISOs assigned to the CARRP Background Check Unit (BCU).

In RAIO FDNS IOs perform external vetting for Asylum. The Security Vetting and Program Integrity (SVPI) Unit in International and Refugee Affairs Division (IRAD) perform external vetting.

Note that as of September 29, 2019, the International Operations Division (IO) no longer operates as a separate division in RAIO. International and Refugee Affairs Division (IRAD) is the new name of the division. We will explore more about CATS in the next few slides.

[Go to the next slide.]

External Vetting Toolbox



Tools for External Vetting:

- Systems & Queries
 - Open Source
 - Low Side (Unclassified)
 - High Side (Classified system checks)
- Contacting Law Enforcement
 - Questions to ask
 - What to do when... 3rd party NS concerns
 - What to do when... there is no record owner
 - What to do when... vetting **LE**

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Say:

This is our external vetting toolbox. We're going to review these topics to understand what types of vetting are conducted. These are the things we will do, who we will call, what systems we are using, and generally, what information we are looking for. So, we will look at open source research, low side checks, and classified systems checks. And we will talk about what we do/ask when we contact law enforcement.

External vetting differs from internal vetting in that we're looking more at the NS concern than at the immigration history / status of the applicant. Instead of operating primarily within USCIS, we're reaching out to other entities. However, it is more complicated than simply picking up the phone and calling an ICE agent who entered a TECS record.

[Go to the next slide.]

External Vetting Tools: Low Side Query (Unclassified)



Low Side Query Capability:

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

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Say:

With low side query capability, this is where there are some differences between FDNS IOs versus AOs and ISOs. Specifically, there are other resources available only to FDNS-los even within the systems we routinely use.

Everyone can query affiliated persons, such as:

Other people likely to be present at a site visit,

Lawyers,

Preparers,

Business associates (co-investors of an EB-5 project, other people named in a SAR with the subject), and etc.

Everyone can (and are required to in NS cases) query archived records:

Archived records are not routinely queried in batch TECS.

Archived records are supposed to be for investigations / lookouts that have been closed and are no longer be considered relevant by the LEA record owner.

However, if we're digging for every single thing, we can find in an NS case, there could be something useful there.

FDNS personnel are permitted to query NCIC III when:

A case is referred to FDNS due to links or a likely connection to criminal activity which warrants investigation.

There is a reasonable suspicion of fraud which may be referred to ICE.

When an individual has been determined to be involved with current or planned activity.

[Go to the next slide.]

External Vetting Tools: Open Source



Open Source Systems: Not Social Media, but...

- Unless you are an FDNS trained and certified IO serving as a Conductor, USCIS officers are otherwise currently not authorized to use social media when researching applicants.
- You can still learn a lot on the internet from sources like open source sites, blogs, or search engines that may link you to social media sites, but are not, in and of themselves, social media.

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Say:

In addition to our standard suite of systems, there's the plain old basic Internet. Just a reminder, Wiki Leaks is NEVER permissible; even from a home computer if you work for the US government.

Do not use social media unless you have been trained and authorized to do so by the Social Media Division and FDNS Training and Knowledge Management Division. See Best Practices for REQUESTOR Role in FDNS-DS Social Media Tab on the FDNS Social Media ECN page for instructions on how to make requests for Social Media checks.

Social Media Check Parameters:

Only FDNS-IOs are permitted to request a social media check.

Only FDNS trained and certified IOs serve as Conductors on a social media check.

FDNS is only authorized to conduct a social media check on individuals who are either in a matter before the agency or under an open administrative investigation pursuant to a matter before the agency.

FDNS does not conduct social media checks on US Citizens, unless the person is included in a matter before the agency or is the subject of an open administrative investigation.

FDNS does not conduct social media checks on attorneys or preparers unless they are subjects of an open administrative investigation.

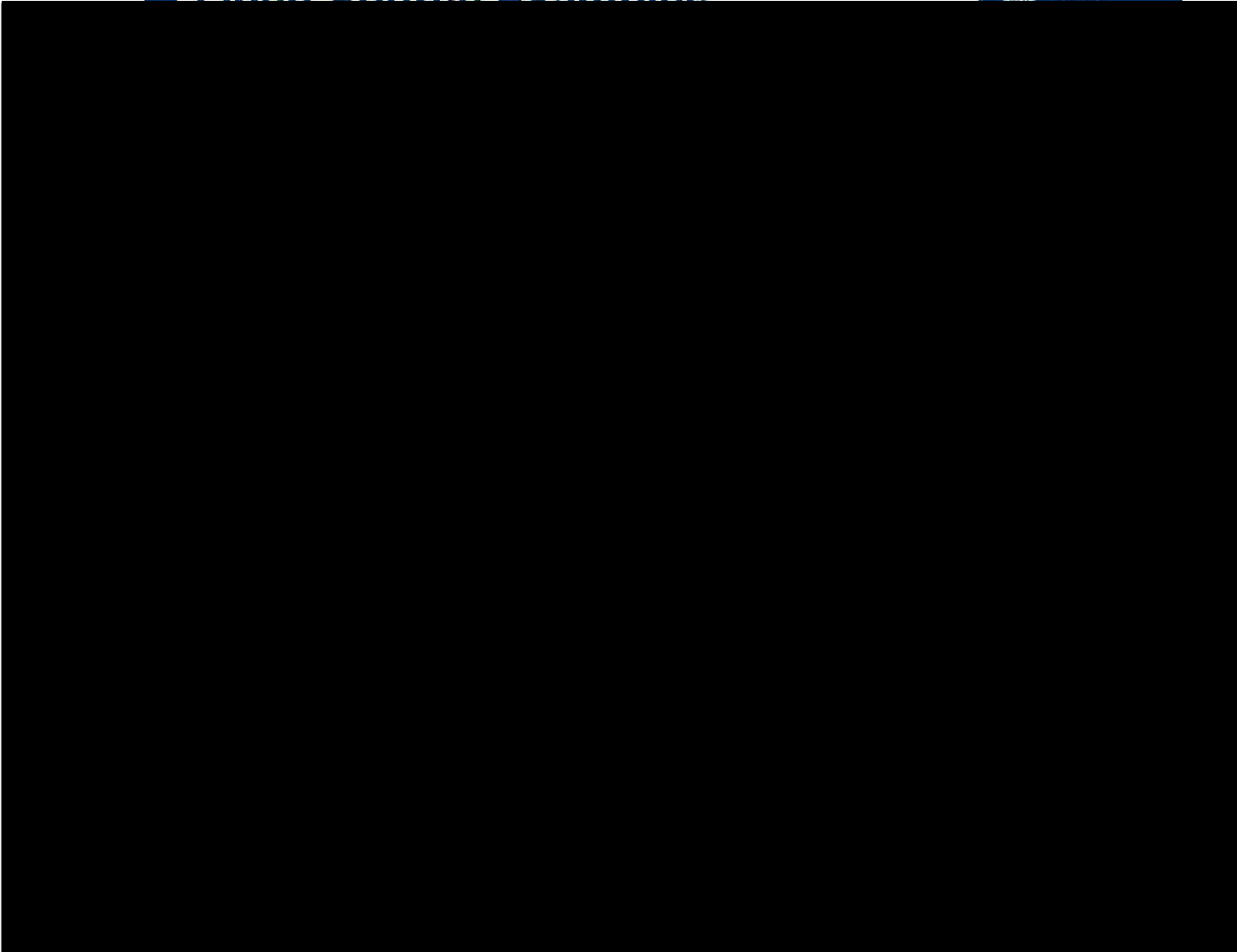
[Instructor: The question below can be posed to students as an interactive discussion. Direct students to use the chat box for their responses.]

Are any of you certified to work social media cases?

[Instructor: Process response in the chat.]


[Go to the next slide.]

External Vetting Tools: Open Source Examples



External Vetting Tools: Non-USCIS Systems

Unclassified Systems: The World Beyond TECS



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

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Say:

Moving past even Google, there are additional systems you should be able to gain access to such as HSIN, LEEP, and Clear/Accurint. None of these require you to be an FDNS-IO, although your office might have some limitations.

HSIN is the Homeland Security Information Network, owned by DHS. It includes: Nationwide Suspicious Activity Reporting Initiative shares SARs with potential terrorism links; intelligence reporting disseminated to state and locals; tips and leads to law enforcement.

LEEP is the Law Enforcement Enterprise Portal & N-Dex owned by the FBI. It includes: Criminal justice records; gang information; terrorism threat streams; intelligence reporting; INTERPOL notifications. You may request a LEEP account at www.CJIS.gov

And you probably already know about the commercial databases from Clear and Accurint.


There are a million potentially useful websites out there including:

- Pilots licensing,
- School accreditation,
- Charities and non-profits registered with IRS,
- Addresses and phone numbers,
- Public records, etc.

There is a ton of information out there. Become familiar with what you can access! The FDNS Connect page has a link list of additional resources.

[Go to the next slide.]

External Vetting Tools: High-Side (Classified)



High Side Systems: Not Just for HQ

System	Owner	Information
LE		

Say:

The term "High Side" can include both Secret and Top Secret classified systems. It is often used to indicate that HQ assistance is needed. However, check with your JTTF personnel prior to requesting assistance from HQ, they may have access to these systems. You don't always have to come to HQ FDNS for assistance.


LE

All of these systems are available on Homeland Security Data Network (HSDN); and may be accessible to you. HSDN sits at the Secret level of classification. HQ FDNS IVD has access to 18 classified systems for assisting the field with their RFAs.

[Go to the next slide.]

External Vetting Tools: More Systems on HSDN

Classified Systems: Not Just for HQ



System	Owner	Information
LE		
DHS I&A Website	DHS	I&A posts intelligence reports prepared by DHS

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Say:


More systems available on the HSDN!

LE

DHS I&A Website is owned by DHS. I&A posts intelligence reports prepared by DHS.

[Instructor: If you have personal experience with any of these systems please share with the class.]

[Go to the next slide.]



Application Exercise 4.2
“Systems Concentration”
(FOBTP classes only)

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Say:

Now we are going to do an activity to test your memory on the systems we just reviewed. In the Module 4 Teams Channel in the Exercises folder you will find a PDF worksheet for Exercise 4.2. There is a drop-down box that you will use to fill in the blank with the system that is described. Please take about 15 minutes to work on this and then we will reconvene and go over the answers.

[Instructor: Use Answer Key in the Facilitator/Instructor folder]

[Go to the next slide.]

External Vetting: Contacting the Record Owner



Preparing to Contact a Record Owner:

- Identifying information: TECS ID, ORI, Subject Name, etc.
- What can you tell the LEA about the subject or about USCIS?
 - Adjudication process—Remember Asylum confidentiality, VAWA and other confidentiality considerations
 - Benefit type
 - Last known address
 - Who's sponsoring the subject (if anyone)
- What do you need to get out of the call?
- Do you have secure communications if necessary?
 - Know how to use your STE / Viper line
 - Know your classified email address

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Say:

Once Internal Vetting is complete and you have completed researching your case, it's now time to contact the record owner of the national security concern.


To be prepared for the conversation, be familiar with the immigration status of the subject, pending immigration applications and the nature of the NS Concern. Develop your lines of inquiry in advance of your discussion and have any ORI, TECS ID, or case record numbers that may be needed. It is also a good practice to identify areas to explore with record owner prior to initiating discussions.

You will want to also be prepared to share information, to the extent possible. Remember, you have to give considerations to sensitive information, to include Privacy Act, VAWA, legalization, asylum, etc. Consult OCC if unsure about confidentiality considerations.

It's also ok to share your HSDN email address, so have it ready.

[Go to the next slide.]

External Vetting: Best Practices



Record Owner Contact Best Practices:

- DO** Send an email from your uscis.dhs.gov address identifying yourself, then follow up with a call.
- DON'T** Use immigration jargon or acronyms:
 - FDNS, CIS, LHM, ASC, FDNS-DS, SISO
 - I-129, bene, service center, non-confirmed
- DO** You may get more information from a secure call than you can on an unclassified line.
- DON'T** Ask if the LEA knows anything “relevant to adjudication.”

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Say:

Here are some best practices when contacting a record owner:

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

Speak in Plain Language (no immigration jargon). Many record owners have limited knowledge or USCIS and/or immigration procedure/policy. Educate them about USCIS's role in granting immigration benefits. Explain what happens when a form is approved. Travel, passport, etc.

Be polite, patient, respectful and understanding. Build rapport and be considerate of their position. And be prepared to elevate the discussion, when necessary.

Don't ask for anything “relevant to adjudication.” LEA's don't know what's relevant to immigration benefits. They're relying on you to tell them that.

You might get more information from a secure call than you would on an unclassified line.

[Instructor: Share an experience you had when talking to a record owner.]

[Go to the next slide.]

External Vetting: Questions to Ask



What kinds of questions should you ask a record owner?

- External vetting may involve a network of people, not just the applicant

[Go to the next slide.]

External Vetting: Data Elements to Pursue



Request all relevant information about:

- Aliases
- Family relationships
- Residences within or outside the U.S.
- Membership or involvement with organizations
- Military Training
- Foreign Travel
- Occupation
- Specialized Education, etc.

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Say:

When conducting external vetting you are not limited to questions regarding the investigation, you can also find out what biographical information the record owner may have on your subject. LEA's might know something that USCIS doesn't such as an alias, travels, associates, organizations, occupation, education etc.

[Go to the next slide.]

External Vetting: The Investigation



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Asking about investigations:

- Is your investigation open or closed?
- What is the nature of your investigation?
- Is there any nexus to national security?
- Are you close to an indictment or arrest?
- If the investigation has been closed, why was it closed?
 - Was it because the subject moved to a new jurisdiction?
 - Was that jurisdiction notified regarding interest in subject?
 - Was it because the agent retired/left the job?
 - Was it because the subject was cleared, and there were no national security concerns found?

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Say:

Be sure to get the final disposition from the record owner if the case is closed. A lot of times, even if the case is classified, the disposition isn't and you can cite it in the BCAA with permission.

You should ask the following at a minimum:

Is your investigation open or closed?

What is the nature of your investigation?

Is there any nexus to national security?

Are you close to an indictment or arrest?

If the investigation has been closed, why was it closed? Did they move to a new jurisdiction? Did the agent leave? Was the subject cleared?

[Go to the next slide.]

External Vetting: Criminal Activity



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Asking about criminal activity:

- Has the applicant been detained or arrested?
- Has the applicant been charged with a criminal offence?
- Is there an expectation that the applicant will be charged?
- Are there any other matters not relevant to the current criminal investigation?
- Are court documents, arrest records, or charging documents available for the applicant?

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Say:

Make sure you ask the record owner about any criminal activity.

Was the applicant arrested or detained?

Were they charged with a crime or will they be?

Are there any court or arrest documents?

[Go to the next slide.]

External Vetting: Documenting the Conversation



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

- Ask for an email or written correspondence relating to the conversation.
- Make sure the notes/emails are available to other officers.
- Remember that A-files may be subject to FOIA.
- Use FDNS-DS to document communication.

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Say:

Make sure that you adequately document the conversation.

Take detailed notes, including case agent name / position / agency (*pay attention to classification when writing notes).

Ask for an email or written correspondence relating to the conversation.

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

Remember that A-files may be subject to FOIA.

Use FDNS-DS to document your communication.

Load unclassified typed or scanned notes as an attachment and enter the case agent information in contacts.

Document the vetting conversations in the special actions subtab and don't forget the activities and deconflictions subtabs either.

[Go to the next slide.]

External Vetting: Abeyance Requests



Abeyance Requests during External Vetting:

- Often, an LEA request for withholding of adjudication or other action on a case.
- Not mandatory, automatic, or required. USCIS may grant an abeyance to avoid prejudice to an ongoing investigation that may affect benefit eligibility or discretion.
- The investigating agency submits a request in writing via formal letter, memo, or e-mail asking that adjudication of the case be withheld.
- Use FDNS-DS to document communication and status:
 - Load letter as an attachment,
 - Ensure case agent information is in contacts, and
 - Document conversations during the abeyance to demonstrate continued communication with law enforcement.

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Say:

Use FDNS-DS to document communication and status. Load the letter as an attachment and ensure case agent information is in contacts. Document conversations during the abeyance to demonstrate continued communication with law enforcement.

There is operational guidance on Abeyances with more detailed instructions.

[Facilitator: Place the following in the chat: Operation Guidance: The Withholding of Adjudication (Abeyance) Regulation Contained at 8 CFR § 103.2(b)(18)

[https://\[REDACTED\]](https://[REDACTED])

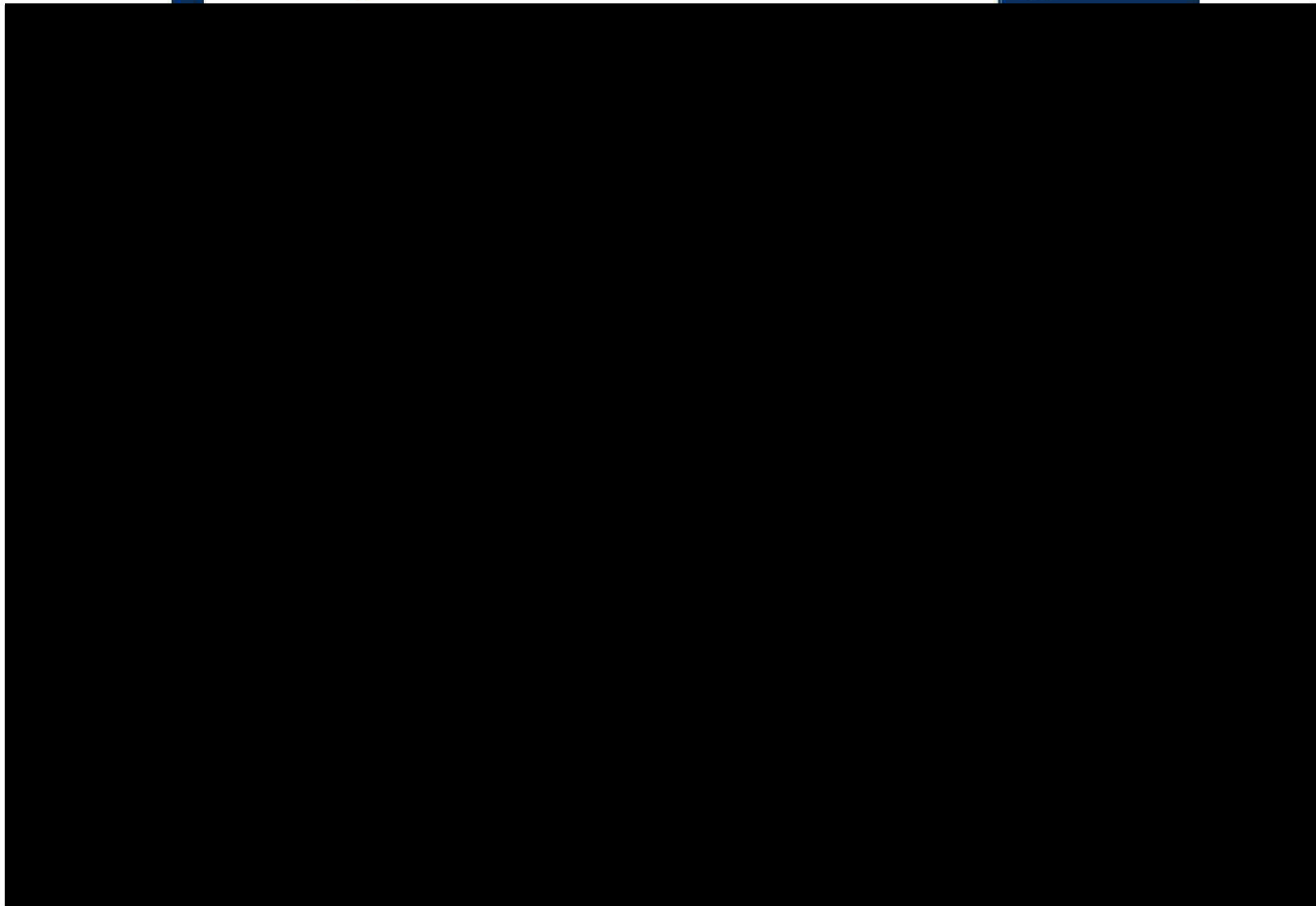
“If an investigation has been undertaken and has not been completed within one year of its inception, USCIS will review the matter and determine whether adjudication of the benefit request should be held in abeyance for six months or until the investigation is completed, whichever comes sooner. If, after six months of USCIS’s determination, the investigation has not been completed, the matter will be reviewed again by USCIS and, if it concludes that more time is needed to complete the investigation, adjudication may be held in abeyance for up to another six months. If the investigation is not completed at the end of that time, USCIS may authorize that adjudication be held in abeyance for another six months. Thereafter, if USCIS determines it is necessary to continue to withhold adjudication pending completion of the investigation, it will review that determination every six months.”


[Go to the next slide.]

Vetting NS Concerns on 3rd Parties



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Studies in National Security:
Vetting NS Concerns on 3rd Parties

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[Facilitator: Copy and Paste this link in the chat box:

http://[REDACTED]

Instructor: Review the “Vetting” document with students. Emphasize the NS concerns may be based on association, rather than on an activity that the applicant themselves carried out.]

Say:

In these cases, vetting must extend to the individual or organization the applicant is associated with. The NS concern could be resolved by disproving the association – or – by demonstrating that the 3rd party is not themselves an NS concern.

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

Worked for the same employer but not at the same time or location or did not actually work together.

Made calls to and received phone calls from KSTs, but the calls were when the applicant worked at a travel agency.

In this case, you may need to extend vetting to determine another link to the KSTs or the travel agency.

Lived at the same address but not at the same time.

Parent is a KST, but the applicant was not raised by that parent and has no contact with them.

[Go to the next slide.]

External Vetting: Nonexistent or Unresponsive Record Owner



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What to do when...

There is no identifiable record owner:

- External Vetting is NOT required
- Officers may submit an RFA to HQ for high side checks
- If the applicant is denied a benefit based on the Non-KST NS Concern identified through interactions with the subject or by other means, the officer must enter a record into TECS for future reference by law enforcement.

There is an unresponsive record owner:

- Contact record owner's office & ask for the duty agent
- For ICE, contact [LE] and ask for the case agent or local office supervisor
- Request your supervisor contact the case agent's supervisor

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Say:

Our previous slides discussed what we do when there is a clear record owner to contact. You had a POC to contact, they responded, and it was a productive experience. What happens if that's not the scenario?

If there is no record owner, you are not required to externally vet. Are there strategies you might want to pursue anyway? Yes! If there is no record owner, instead of External Vetting in the field, officers may submit an RFA to HQ for high side checks. If the applicant is denied a benefit based on the Non-KST NS Concern identified through interactions with the subject or by other means, the officer must enter a record into TECS for future reference by law enforcement.

What if you have a record owner, but they are unresponsive? You could contact their office and ask for the duty agent. For ICE you can call [LE] and ask for a case agent or local office supervisor. Or you can simply have your supervisor contact the agent's supervisor.

Reminder: If it's a [LE] TECS hit that lists the NTC as the record owner, we do not vet with the NTC. Does that mean there is no Record Owner for the TECS hit? No.


Having the NTC as the record owner is not the same as "No record owner and send the case back to adjudications." The NTC should provide you with contact information for record owner when confirming the TECS hit.

[LE] is also a good resource for cases when there is no identified record owner. [LE] can run database checks. [LE] to see if there's any recent info on the SUBJECT or interest in the SUBJECT.

[Go to the next slide.]

External Vetting:

LE Records



What to do when... vetting LE records:

- KST vetting begins with the local Joint Terrorism Task Force (JTTF) FBI.
- In all identified NS cases, the JTTF must be contacted before requesting HQ assistance.
- Also before requesting HQ assistance – verify the current status of the LE to ensure it has not been removed.

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Say:

LE are a particular type of not "immediately known" or easily identifiable record owner case. LE ECS records do not contain record owner contact info because:

A LE means that the record was entered by TSC – But, as we know, USCIS does not vet with the TSC; USCIS vets with the FBI or whatever the nominating agency is

The 'Point of Contact' listed in the record is the NTC, but USCIS does not vet LE with the NTC

So if LE don't really have record owners and don't call NTC. We contact TSC to confirm a match, but we don't vet with them. So what do we do really do with LE records? Start with the JTTF, we will let them do the finding for us.

If you're vetting a KST case, start with the JTTF because your POC or someone at the JTTF will have access to LE and can look up the record owner.

If you're vetting a non-KST but the record owner is unresponsive or unidentifiable and LE for or the duty agent phone aren't working, go to the JTTF.

If you're going to request HQ assistance, make sure you've tried to vet with the JTTF first.

If you can't identify a POC on an LE –there's no exhaustion element to do an RFA to HQ.


If you have made all efforts to identify a POC, there is no element that requires you to have reached a certain exhaustion point to ask HQ for help identifying a POC.

[Go to the next slide.]

External Vetting: The Changing LE Hit

More LE ECS Hit Vetting:

- LE ECS hits can be put in... and taken out... and put in again.
- Run TECS to confirm the presence (or absence) of the LE hit.
- If the LE hit has been removed the CARRP NS concern type will be changed to:
 - Non-NS (No NS indicators or remaining nexus to NS), or
 - Non-KST (NS concern remains unresolved).
- Although the LE hit is removed this does not completely resolve the NS concern:
 - You must still determine if other derogatory information exists,
 - Ask LEAs / JTTF about other potential areas of concern, and
 - Weigh other evidence present.
- If the LE hit was removed, *TECS must be checked at the time of final*



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Say:

We saw in the last slide that we need to contact the record holder of a LE hit to ensure it is still active before requesting HQ assistance. Why would we say this? Because a LE TECS hit can be entered and removed, at times in the same day.

How would we find this out? Maybe the LEA told us they were going to take the person off the Watchlist, we so were looking for it to disappear. Perhaps some other benefit was filed and we ran TECS for that. Or maybe we were preparing to ask for HQ assistance.

If the LE hit has been removed the CARRP NS concern type will be changed to either Non-NS (No NS indicators or remaining nexus to NS) or Non-KST (NS concern remains unresolved).

Although the LE hit is removed this does not completely resolve the NS concern. You must still determine if other derogatory information exists! Ask LEAs / JTTF about other potential areas of concern and weigh other evidence present.

If the case does become non-NS and is referred for adjudication because the LE was removed, at the time of adjudication you must run TECS again, print the results, and put them in the A-file. Why? Because as previously mentioned, LEs can disappear... and reappear.

[Go to the next slide.]

External Vetting: Case Study



Should [LE]s be Removed?

• Studies in National Security:

- A DACA requestor was found to have a [LE] record with a [LE] code. The requestor was a child who was living with non-parental relatives and met the criteria for a favorable exercise of discretion.
- The case was placed in CARRP to vet the [LE] record. The officer vetting the case requested assistance from the [LE] who had no objection to the case being approved.
- The officer closed the concern and recommended approval of the request. The [LE] [LE] record was removed on the DACA requestor prior to adjudication. Sometimes special circumstances may arise relating [LE]
- Evaluate all evidence available and consult with record owners of derogatory information [LE]

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Say:

So we just saw that [LE]s can be removed... can you envision a situation where they should be removed but aren't? Is that determination something that could help us adjudicate? We can't remove the [LE] ourselves if we didn't put it in, but could we have that discussion with the nominator?

Take a moment to read through the facts of this study in national security.

[Instructor give students time to read the slide. The question below can be posed to students as an interactive discussion. Direct students to use the chat box for their responses.]

[LE] – what does this suggest we need to do with our vetting?

What other questions needed to be asked here?

[LE]

Why were the parents removed?

[LE]

Where did the officer vetting not go far enough?

Can't just settle for a response from [LE]

Deconfliction is asking if the [LE] will be negatively impacted based on how we adjudicate, and Vetting is investigating the nature of the concern.

Finally, with [LE] what else should be asking?

If [LE] are removed on the KST, what happens to the [LE]

With this type of case, we should be asking "Does the [LE] on the KST still belong there?"

The **LE** record would HAVE to be removed prior to adjudication, regardless of any vetting results.


Additional Facts in the "Studies" story:

The requestor was living with a relative because both parents were removed.

The requestor's **LE**

LE

[Go to the next slide.]



Handout:
[Link Analysis Chart](#)

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[Facilitator: Copy and paste this link in the chat box



[Instructor: Discuss this chart briefly with the class.]

[Go to the next slide.]

External Vetting and Deconfliction



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Deconfliction with no identifiable record owner:

- *The goal of vetting* is to develop information which assists an officer in rendering an adjudicative finding. *The goal of deconfliction* is to share information with LEA partners.
- Therefore, even if there is no record owner, deconfliction may still be warranted.
- If the individual relating to the [LE] record is in the U.S., deconflict with the [LE] covering the jurisdiction where the person resides.
- If the individual relating to the [LE] is overseas, review the [LE] record to determine who nominated the individual and why.
- Consider if an individual with a [LE] residing overseas has any connection through their immigration filing to a person in the U.S.

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Say:

We just saw that External Vetting is not required if there is no record owner. But what about deconfliction? [LE] [LE] it's intelligence information rather than investigative information.

So what do we do when we need to deconflict, but we don't have an identifiable record owner? The goal of vetting is to develop information which assists an officer in rendering an adjudicative finding. The goal of deconfliction is to share information with LEA partners. Therefore, even if there is no record owner, deconfliction may still be warranted. If the individual relating to the [LE] record is in the U.S., deconflict with the JTTF covering the jurisdiction where the person resides. If the individual relating to the [LE] is overseas, review the [LE] record to determine who nominated the individual and why. Consider if an individual with a [LE] residing overseas has any connection through their immigration filing to a person in the U.S.

Disclaimer: Always contact the Terrorist Screening Center to confirm that the [LE] relates (technically not deconfliction but always a useful reminder).

If the [LE] was entered by a law enforcement entity, try to deconflict with that individual or agency listed in the [LE] nomination.

Also consider if there are any US-based individuals associated with the [LE] living abroad (a petitioner, sponsor, spouse, employer, etc.). If there are US-based persons associated with the individual who has the [LE] record, attempt to deconflict with [LE] in the area the US-based person resides (especially when the [LE] as a [LE] record or other potential NS concerns).

Remember that deconfliction is intended to share relevant information:

[LE]

LE

[Go to the next slide.]

EO #4 Knowledge Check



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- ✓ True or False: The process of obtaining additional information regarding the nature of an NS concern and its relevance to the individual from a non-USCIS source such as an external agency or record owner is called Internal Vetting.
- ✓ Can you name information that an officer may request during external vetting?
- ✓ Where classified system checks are required for external vetting, who conducts external 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.]

True or False: The process of obtaining additional information regarding the nature of an NS concern and its relevance to the individual from a non-USCIS source such as an external agency or record owner is called Internal Vetting. [False. This is External Vetting]

Can you name information that an officer may request during external vetting? [Status and result(s) of any ongoing investigation, the basis for any prior investigation and reason for closure (if applicable) , and information that may be relevant in determining eligibility and removability (when applicable).]

Where classified system checks are required for external vetting, who conducts external vetting? [Immigration Vetting Division (IVD) of HQ FDNS performs vetting]

[Go to the next slide.]

EO #4 Knowledge Check



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- ✓ What is the name of the work product created by IVD?
- ✓ You are not trained as a Conductor. May you use social media to vet applicants?
- ✓ When vetting a **LE** TECS record, the first step is to contact the _____.
- ✓ The goal of _____ is to develop information which assists an officer in rendering an adjudicative finding. The goal of _____ is to share information with LEA partners.

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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.]

What is the name of the work product created by IVD? [Case Analysis Threat Summaries (CATS reports)]

You are not trained as a Conductor. May you use social media to vet applicants? [No. Do not use social media unless you have been trained and authorized to do so by the Social Media Division and FDNS Training and Knowledge Management Division.]


When vetting a **LE** TECS record, the first step is to contact the _____. [Local JTTF]

The goal of _____ is to develop information which assists an officer in rendering an adjudicative finding. [Vetting]

The goal of _____ is to share information with LEA partners. [Deconfliction]

[Go to the next slide.]

EO #5



Participants will understand the role and function of the Joint Terrorism Task Force (JTTF) and how they might assist in resolving national security concerns.

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Say:

In this EO we will cover the roles and functions of your JTTF team and the role that it plays in helping us resolve NS concerns.

[Go to the next slide.]

Joint Terrorism Task Force



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Role of The Joint Terrorism Task Force (JTTF):

- Established in the 1980s
- FBI is the lead agency
- Serves three main purposes:
 - Prevent terrorist attacks
 - Respond to and investigate terrorist incidents or terrorist-related activity
 - Identify and investigate domestic and foreign terrorist groups and individuals targeting or operating within the United States

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Say:

The JTTF was established in the 1980s. The FBI is the lead agency. It serves three main purposes:

Prevent terrorist attacks,

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

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

As noted in the last section, your JTTF contacts will play a key role in vetting **LE** hits. In the next few slides, we will give

LE

[Facilitator: Please paste the following link in the chat: <https://www.fbi.gov/investigate/terrorism/joint-terrorism-task-forces>]

[Go to the next slide.]

Joint Terrorism Task Force: Who Participates?

The diagram features a central blue circle labeled "JTF National Office McLean, VA". Three blue boxes with arrows point towards this central circle: "USCIS" from the top, "Federal, State, and/or Local Law Enforcement" from the left, and "200 JTF Locations" from the right. In the top right corner, there is a logo for "U.S. Citizenship and Immigration Services". At the bottom of the slide, the text "Unclassified // FOUO / Law Enforcement Sensitive" is written in red, and the number "82" is in the bottom right corner.

[Instructor: If you, another instructor, or anyone in the class is (or has been) on the JTF, please take a few minutes here to talk about your experiences.]

Say:

Participating in The JTFF:

Federal, state, and/or local agencies may be members.

Today there are about 200 JTFs around the country, including at least one in each of the FBI's 56 field offices, with hundreds of participating state, local, and federal agencies.

The National JTFF (NJTFF) located in McLean, Virginia includes representatives from a number of other agencies.

USCIS has

[Go to the next slide.]

Joint Terrorism Task Force: Permanent Members



Permanent JTTF Members:

- Air Force Office of Special Investigations
- Bureau of Alcohol, Tobacco, Firearms, and Explosives
- Central Intelligence Agency
- Customs and Border Protection
- Defense Criminal Investigative Service
- Department of Interior's Bureau of Land Management
- Diplomatic Security Service (within DOS)
- Federal Protective Service (within ICE)
- Immigration and Customs Enforcement
- Internal Revenue Service
- Naval Criminal Investigative Service
- Postal Inspection Service
- Treasury Inspector General for Tax Administration
- U.S. Border Patrol
- U.S. Park Police
- U.S. Army
- U.S. Marshals Service
- U.S. Secret Service

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Say:


This slide lists some of the permanent JTTF members. This is not an exhaustive list, there are more agencies with JTTF liaisons and more gets added each day throughout the country.

[Instructor: The question below can be posed to students as an interactive discussion. Direct students to use the chat box for their responses.]

List one member in the chat that you are surprised to see on the JTTF.

[Instructor: Process responses in chat.]

[Go to the next slide.]



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Handout:
USCIS JTTF Detailees


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Say:

This list is included as a reference. Best practice is to ask your local chain of command for a POC because the Officer detailed in your JTTF team can change. If you are an ISO, it's a good idea to chat with your FDNS team to confirm your current JTTF officer.

[Go to the next slide.]



Application Exercise 4.3 “A Conversation with Law Enforcement”

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Say:

In this exercise, we will get an opportunity to see some scenarios about external vetting and deconfliction. You have been assigned to a scenario in which you and your assigned group will play a USCIS role (FDNS IO or CARRP ISO). The facilitators and or instructors will play the roles of the law enforcement agents that you think you should contact. The USCIS officers will be contacting the LEAs to initiate an external vetting and deconfliction conversation.

You must specifically conduct both external vetting and deconfliction, as appropriate. I will give you time to meet with your group however you would like. When it is your group's turn to “call” the LEA, you can pick a spokesperson to ask the group's question or you can question the LEA as a group but try to keep from interrupting each other.

When we reconvene in about 20 minutes, we will begin with Scenario 1. I will read the scenario to the class and then you can identify who you are calling, and we will begin. Your conversations should last only a few minutes, but you should be sure to accomplish the goals of deconfliction and external vetting.

[Instructor Prompt: Review Answer Key and Facilitate discussion of what elements of the conversation were successful or could be improved upon using the instructor talking points corresponding to each group.]

[Go to the next slide.]

EO #6



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Participants will identify the various techniques used in external vetting and recognize the importance of lead vetting.

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Say:

In this EO we will go over various tools in external vetting. We will also discuss lead vetting and requesting assistance from HQ.

[Go to the next slide.]

External Vetting Toolbox Revisited



Vetting to an End:

- Inconsistencies:
 - Money
 - Travel etc.
- When **LE** are removed
- Lead vetting
- HQ involvement in vetting

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Say:

Please keep in mind that at this point, we still have an individual who appears eligible for a benefit and we still have an NS concern that we have not been able to resolve. In the last section, we covered who you're talking to, what systems you're querying, and a little bit of the types of information you're looking for.

Now we will discuss techniques for external vetting and how CARRP can possibly end.

[Instructor: The question below can be posed to students as an interactive discussion. Direct students to use the chat box for their responses.]


There are two outcomes to possibly end CARRP, what do you think they are?

[Instructor: The answers are Resolve the NS concern or adjudicate the benefit.
Process responses in chat.]

This section will cover what to do with the information you've uncovered, how to recognize things that are out of place, and how to go even deeper in your investigation.

[Go to the next slide.]

External Vetting



How CARRP ends:

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

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Say:

We have seen this chart a few times now. These are the only ways to end CARRP.

So, throughout vetting, with each new fact we get, we're considering if the individual is still eligible and if there is still an NS concern. If there's no more NS concern, or if the person is clearly ineligible, there's an easy end to CARRP.

The real challenge comes when the individual appears eligible, but we've done enough vetting to know that we're probably not going to be able to resolve the NS concern, i.e.,

The LEA isn't closing their investigation,

The person isn't coming off the watchlist, and

It's improbable to refute that they're connected.

So what do you do?

[Go to the next slide.]

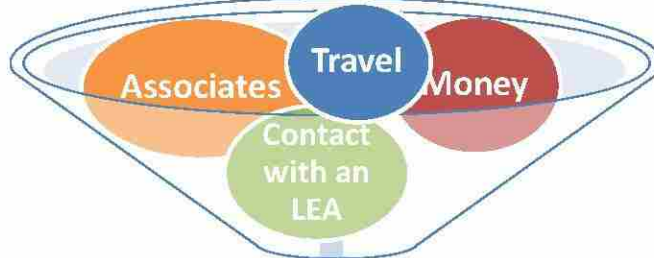
External Vetting Techniques: Inconsistencies



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Look for Inconsistencies:

- At a certain point in CARRP, there is a shift from looking for general information to focusing on particular elements of a case.



- Once the NS concern is established, the goal is to achieve an *outcome*: Determine if the NS concern is resolved or unresolved and make an Adjudicative determination relating to the benefit.

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Say:

You have to look for inconsistencies. At some point there is a shift from looking for general information, to focusing on particular elements. This focus can take a lot of forms. This slide just happens to focus on inconsistencies in money and travel as an example:

Did the applicant travel somewhere they didn't tell you about?

Is the applicant moving money somewhere or receiving money from somewhere that they failed to disclose?

This is vetting with a purpose. We're not asking for general information anymore. We are trying to achieve an outcome. What is the purpose? Resolve the concern and/or adjudicate the case.

In Module 3 we discussed about Articulate Link and Indicators. How do Articulate link and indicators factor back into our discussion at this point in the process?

With Articulate Link, we had a lot of evidence that there was a concern initially. If the articulate link remains, now we're focusing on what unclassified and otherwise available information can be used to allow us to adjudicate the benefit.

With indicators, we do not have enough supporting evidence to say with certainty that there is a NS Concern, so we're vetting to resolve the concern or determine whether an Articulate Link exists.

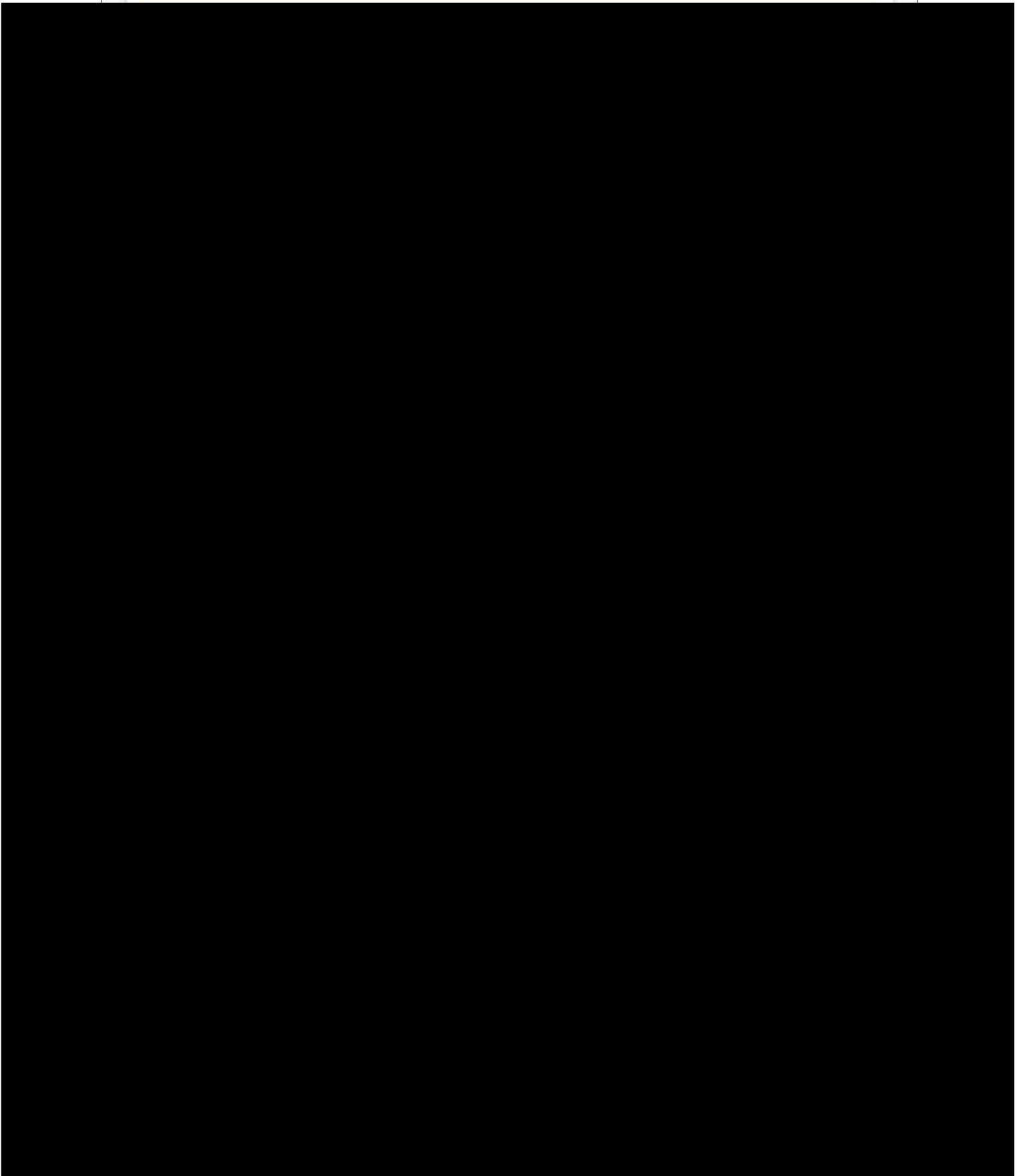
But either way, we are focusing on one or just a couple of factors by this point.

[Go to the next slide.]

External Vetting Techniques: The Money Trail

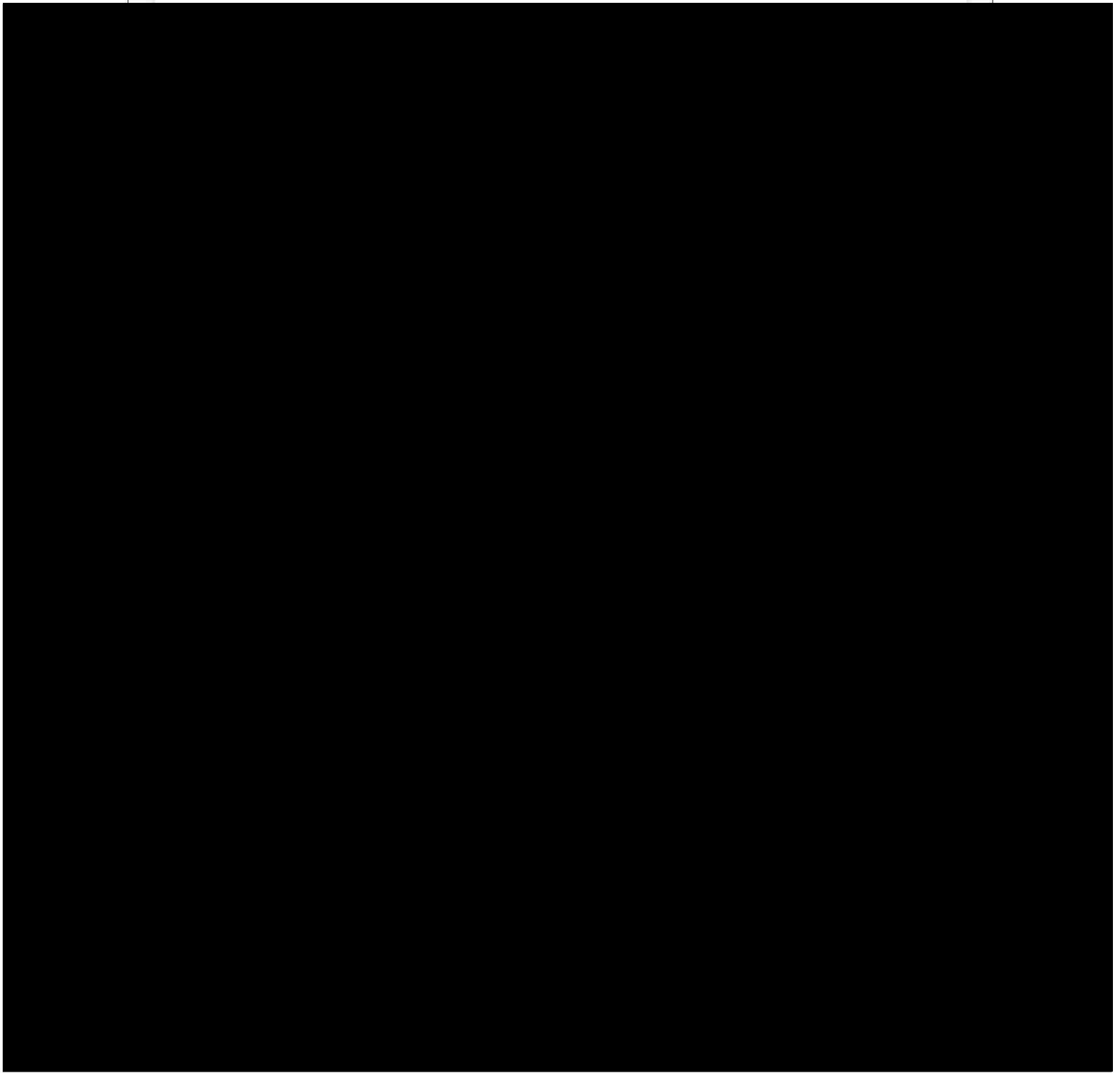


Follow the \$\$\$:

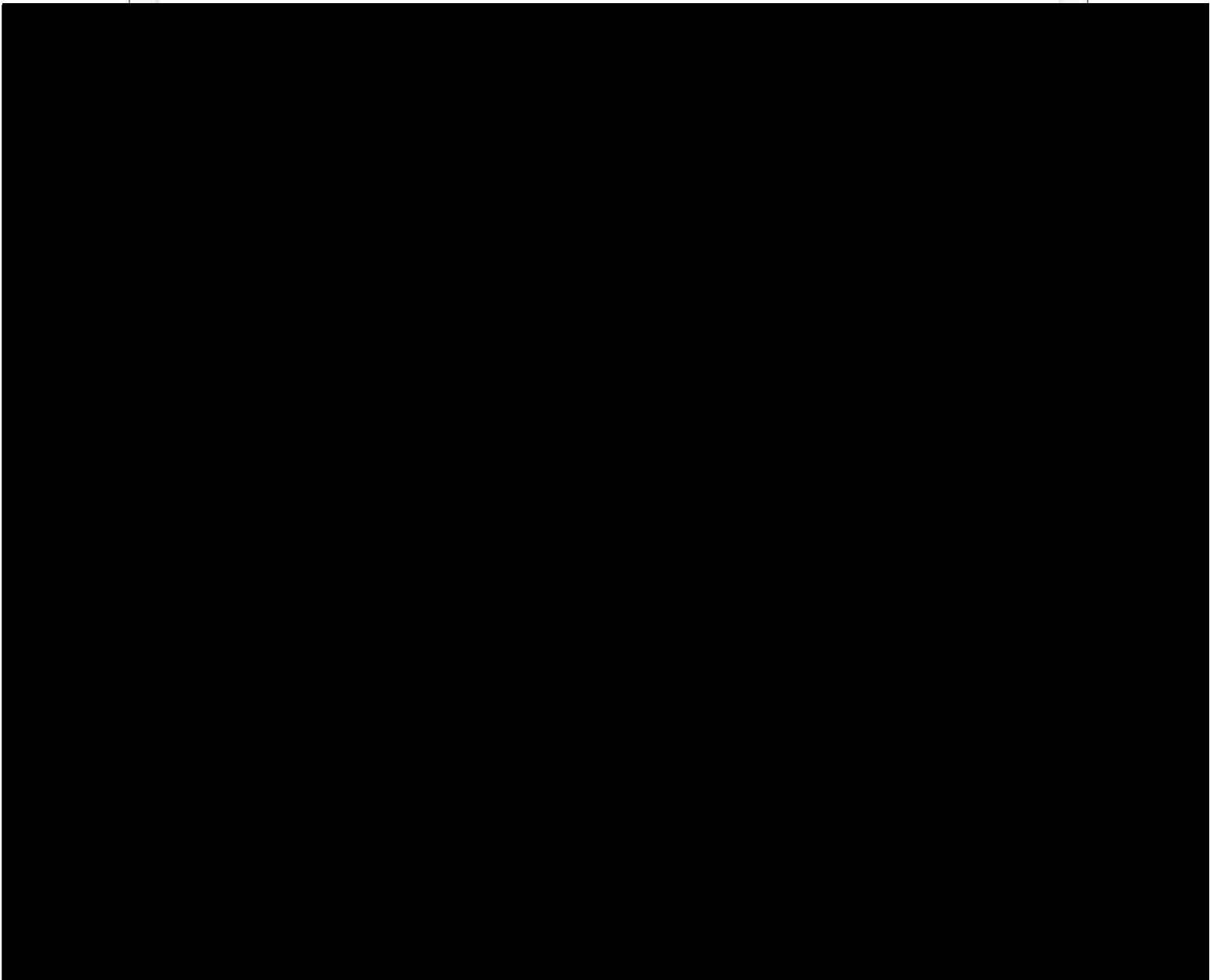


External Vetting Techniques: Case Study

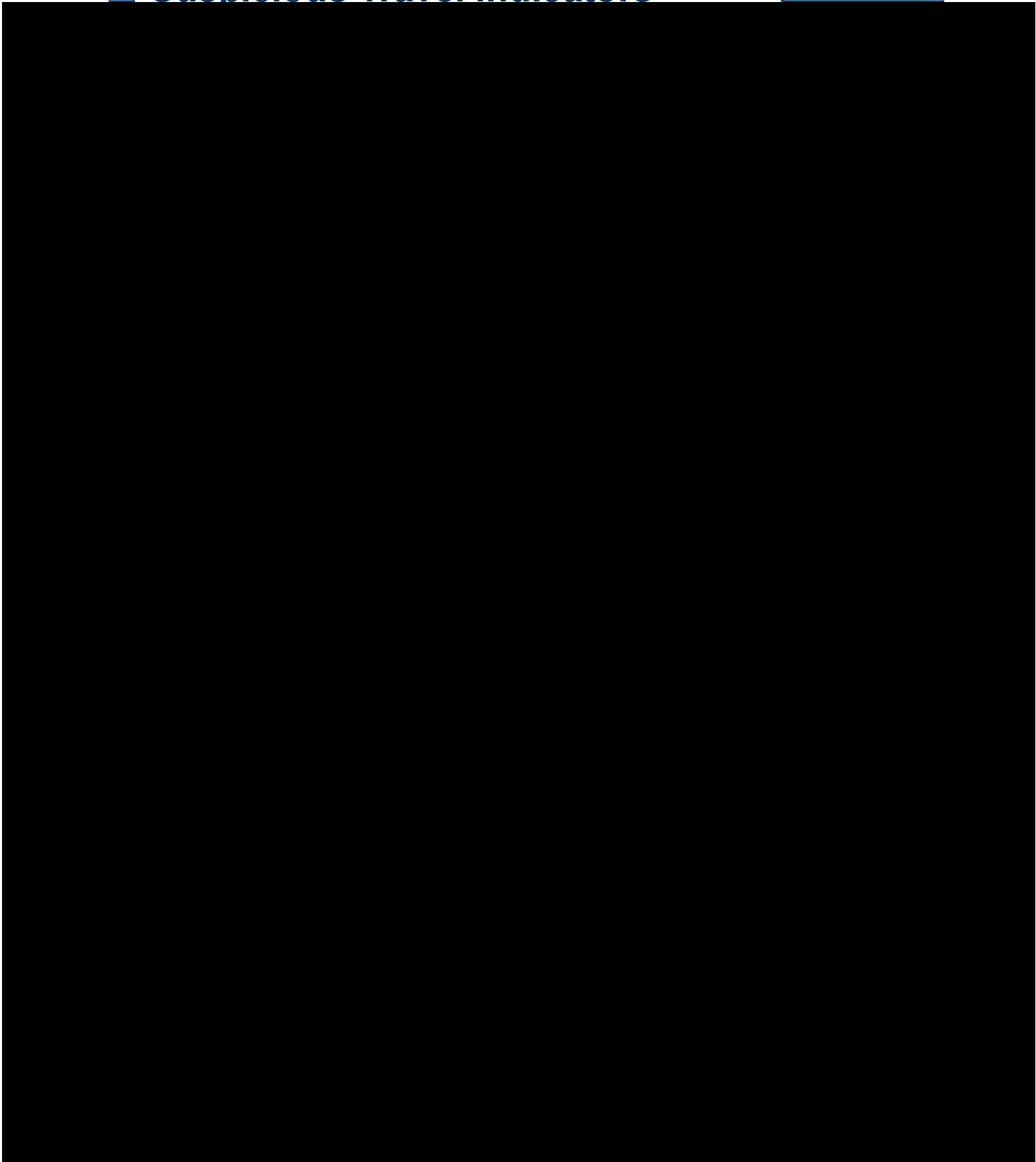
Follow the \$\$\$:



External Vetting Techniques: Travel Patterns – Broken Travel

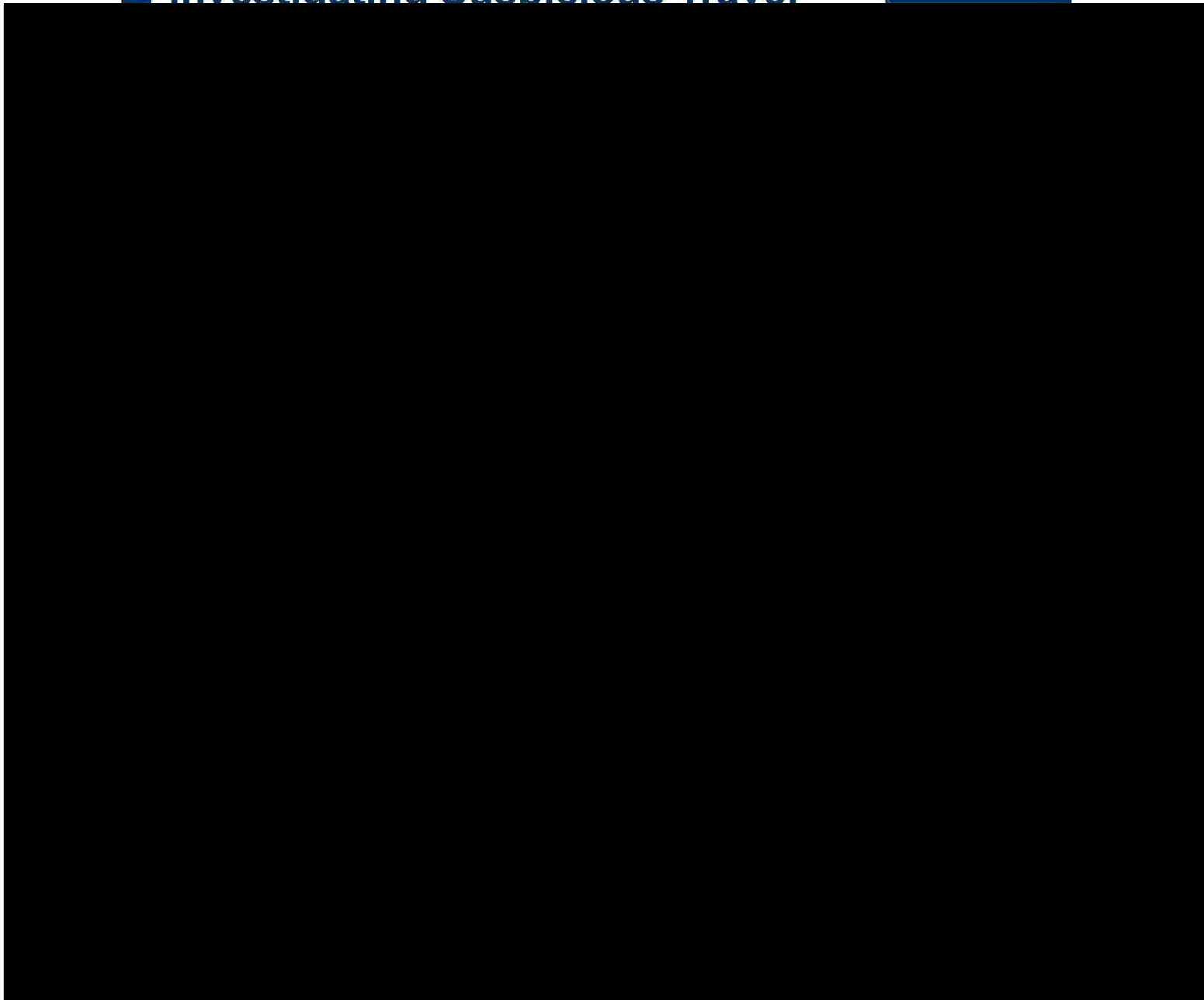


External Vetting Techniques: Suspicious Travel Indicators



[Go to the next slide.]

External Vetting Techniques: Investigating Suspicious Travel



External Vetting: Now What?



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Lead Vetting

- *Premise:* Near the end of CARRP vetting, an NS concern has been well established, for example:
 - USCIS has confirmed that the individual remains on the Watchlist.
 - USCIS has confirmed that there is an open investigation pertaining to a national security ground.
 - USCIS has confirmed that the individual is associated with another person who is a KST.
 - USCIS has confirmed that the individual is a member of an organization that is related to a national security ground.

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

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Say:

So now we are at the end of the CARRP process. The NS concern has been well established. Maybe they are on the watchlist, or there is an open investigation, or they are an associate of a KST or member of a terrorist organization. So we have confirmed the NS concern, but we may not be able to use the information to adjudicate a case, due to classification or because the information is otherwise unavailable for use. Now how does USCIS proceed in adjudication?

[Go to the next slide.]

External Vetting: Lead Vetting



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Lead Vetting:

- Lead Vetting is the act of building a separate evidentiary basis for a decision.
- Lead Vetting may be used when the facts needed to substantiate a decision are:
 - Classified
 - Require special permissions from the record owner
 - Subject to privacy or information sharing restrictions
- In plain language – Lead Vetting is constructing a parallel chain of evidence to obtain the information or decision via unclassified means.

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Say:

Now we are towards the end of the vetting process. We may be aware that an individual is ineligible or potentially ineligible for an immigration benefit due to an unresolved NS concern based on classified or otherwise unavailable information, so we cannot base a decision on that information.

So we use parallel construction to build a new path from the starting point (our person) to the ending point (unresolved NS information indicates that the case should not be approved). We've already tried to attack the first part of this and demonstrate that the concern can be resolved. Now we're going to develop relevant information using only facts that we can disclose / leverage in a decision. In other words, we're going to end up in the same place, but we're going to blaze a new trail to get there. This is called "lead vetting"- when you build a separate evidentiary basis for a decision. Lead vetting can be used when the facts needed to substantiate a decision are classified, require permissions to use, or are subject to privacy or information sharing restrictions.

[Go to the next slide.]

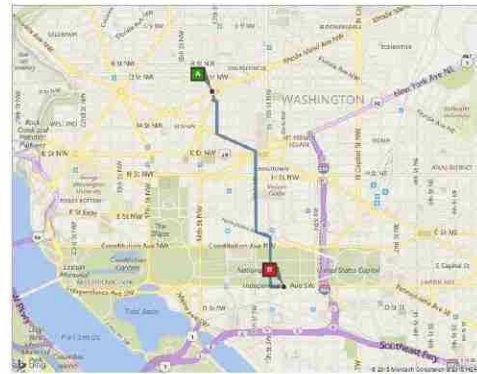
External Vetting: An Alternate Route



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Lead Vetting

- For example...
 - But what if my car is old and doesn't do well on the highway, so I tell my map to avoid highways?
 - I still know where I live (Point A) and I still know where I'm going (Point B), but I'm going to take a different path to get there.
 - This is the fastest route from my neighborhood in DC to the Smithsonian Air and Space Museum on the National Mall.
 - I know where I live (Point A), and I know where I'm going (Point B).



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Say:

Same start point, same end point, different route for getting there just by saying I need to avoid highways or tolls. Same beginning and end, just different routes.

[Go to the next slide.]

Image Attribution: Image used with permission from Microsoft.

External Vetting: Work With What You Have

Lead Vetting:

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

```

graph LR
    Start[Individual attached to an immigration filing] --> A[Classified information]
    Start --> B[Testimony]
    A --> LES[LES]
    LES --> FinCEN[FinCEN (BSA)]
    FinCEN --> Social[Social media]
    B --> Evidence[Evidence submitted]
    Evidence --> Official[Official documentation]
    Social --> End[Unresolved NS Concern renders the individual ineligible]
    Official --> End
  
```

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Say:

For our NS cases, lead vetting is the same thing. Same beginning, same end – it's how we get there that changes.

Instead of avoiding highways, we're avoiding classified material, or things that could compromise the investigation, or things we don't have permission to use.

There are all kinds of things USCIS finds in our vetting that come from sources that we're not going to rely on in a decision:

We're not going to rely on classified information in a decision.

We're not going to rely on anything without permission from our partners.

We're not going to rely on anything that could compromise an investigation.

We're not going to rely on anything from social media (when we have access) or commercial databases.

Instead, we're going to use things the applicant provides such as:

Official documentation (passport, birth certificate, etc.),

Testimony in the interview, and

Other things from their A-file.

Reminder: Do not use social media unless you have been trained and authorized to do so by the Social Media Division and FDNS Training Division.

See Best Practices for REQUESTOR Role in FDNS-DS Social Media Tab on the FDNS Social Media ECN for instructions on how to make requests for Social Media checks.

Social Media Check Parameters:

Only FDNS IOs are permitted to request a social media check.

Only FDNS trained and certified IOs serve as Conductors on a social media check.

FDNS is only authorized to conduct a social media check on individuals who are either in a matter before the agency or under an open administrative investigation pursuant to a matter before the agency.

FDNS does not conduct social media checks on US Citizens, unless the person is included in a matter before the agency or is the subject of an open administrative investigation.

FDNS does not conduct social media checks on attorneys or preparers unless they are subjects of an open administrative investigation.

[Go to the next slide.]

External Vetting: RFAs to HQFDNS

HQ Engagement Glossary:

- Case Assessment Threat Summary (CATS)
- Immigration Vetting Division (IVD)
- Senior Leadership Review Board (SLRB)

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Say:

This slide is designed to show you that all of these concepts are intertwined:

Immigration Vetting Division (IVD) is the operational unit that does the work. They are the division of HQ FDNS that performs classified system checks, outreach to the field, declassification and assists with turning high-side information into something the field can use (interview questions, lines of inquiry, denial grounds, etc.).

Case Assessment Threat Summaries (CATS reports) are the work product created by IVD. This includes the information that they share to the field.

The Senior Leadership Review Board ("SLRB") is the USCIS HQ body that reviews unresolved, approvable NS cases, mostly KSTs but some high profile Non-KSTs. We'll discuss the SLRB more in the next Module.

Since the SLRB is an HQ body, HQ must prep cases to be presented to the SLRB. The preparation involves a lot of coordination with OCC, additional vetting, working with the field to make sure everything that could have been done actually was done, etc.

[Go to the next slide.]

External Vetting: Requests For Assistance



Requests for Assistance (RFAs):

- RFAs to HQ are submitted when information is needed from HQFDNS.
- What information can you RFA for?
 - High side checks
 - Contact information for unknown record owners
 - Declassification
 - Coordination with the Intelligence Community
 - Retrieving 3rd agency referrals from LHMs

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Say:

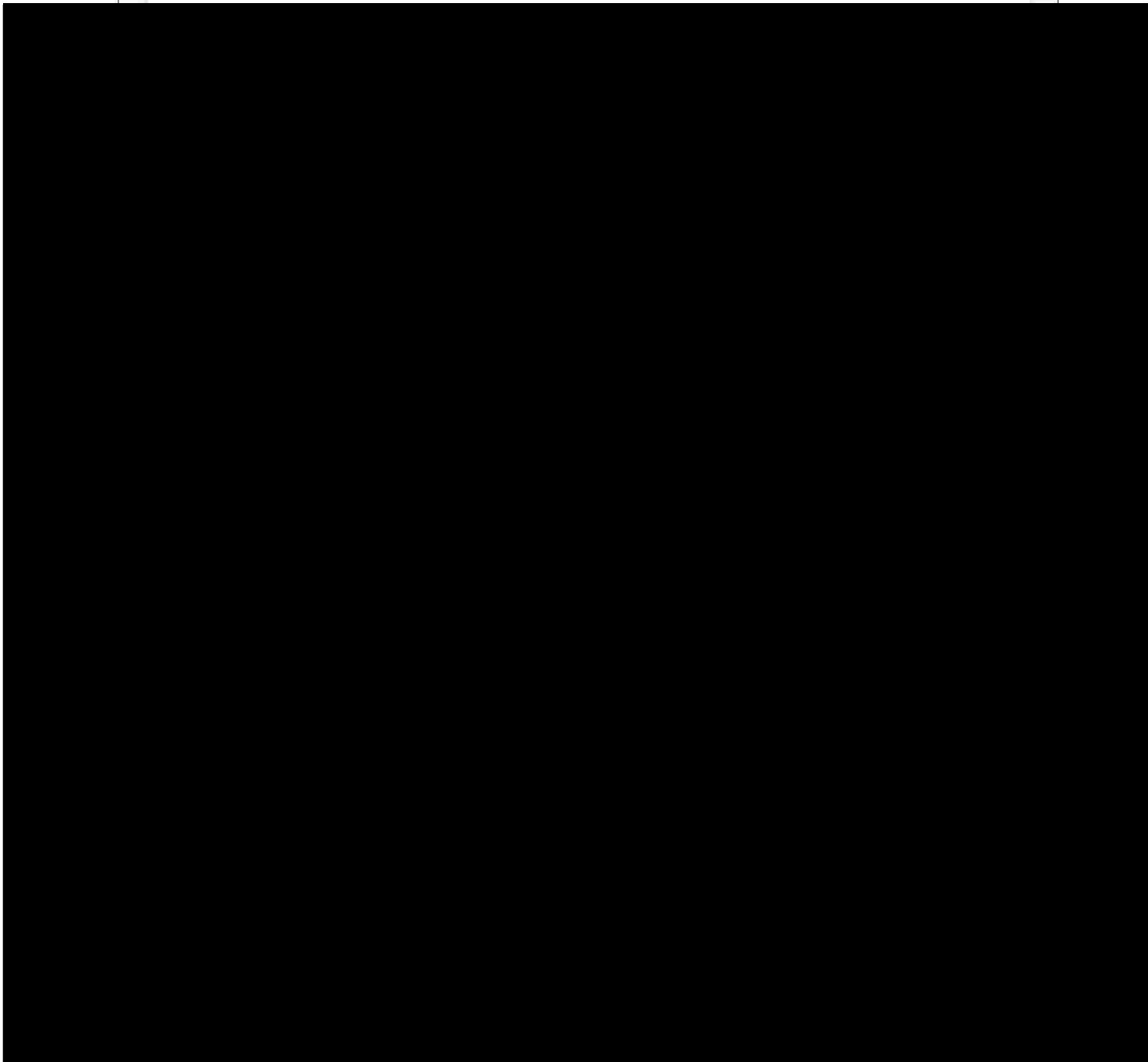
Requests for Assistance, or RFAs, are submitted to HQ when you need their help. You can RFA for high side checks, contact information for unknown record owners, declassification, coordination with the intelligence community, or retrieving 3rd agency referrals from LHMs.

Remember that this is different than an RFA CME in FDNS-DS. There is an actual button you have to use to request HQ assistance. This will be discussed in the coming slides and we will go over this when we do the practical exercise in FDNS-DS.


Remember that you should always first contact your JTTF IO for contact information for unknown record owners, 3rd agency referrals, or obtaining classified information prior to reaching out to HQ.

[Go to the next slide.]

External Vetting: RFA Process



[Go to the next slide.]



Handout:
CATS Form

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Say:

Let's take a quick look of the CATS Form that you get from HQ when you request for assistance.

[Instructor: Review Form with the class. Paste in the chat:



[Go to the next slide.]

External Vetting Cont.



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Vetting Breakdown:

<u>What Field Does</u>	<u>What HQ Does</u>
Contact with known record owners	Assistance with locating unknown record owner contact information
Background checks in unclassified (and limited classified) system checks	Suite of classified system and background checks
BCAA documenting systems checks and findings	CATS documenting findings
Review classified information for applicability to a decision	Declassification assistance

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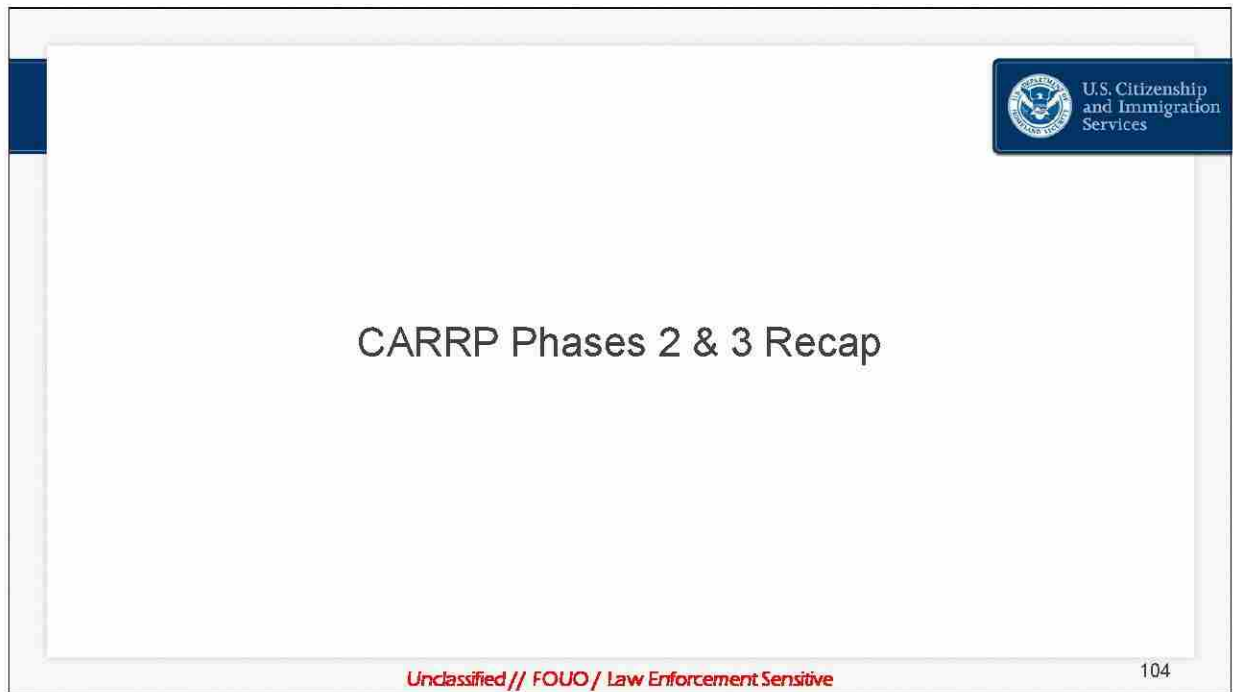
103

Say:

This is just a simple comparison of the Field and HQ vetting responsibilities. The field contacts known record owners, conducts unclassified systems checks for the most part, generates the Background Check and Adjudicative Assessment (BCAA) which we will cover later, and reviews classified information for applicability to a decision.

HQ finds unknown record owners, conducts high side checks, generates CATS reports, and assists with declassification.

[Go to the next slide.]



Say:

I would like to thank you for your continued attention at this stage. We have completed our Enabling Objectives for Module 4. Due to the length of this presentation we have decided to provide a Phase 2 and 3 CARRP recap. We covered so much in a short time and hopefully we can go back to the main points and refresh our memory. If you are unclear with some of the information, do not hesitate to ask questions.

[Go to the next slide.]

Phases 2 Recap: Roles & Responsibilities Internal/EA



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Roles in Internal Vetting/Eligibility Assessment:

- Internal vetting & the eligibility assessment can be completed by ANY designated officer.
- Process phase changes require supervisory approval.

SCOPS	<ul style="list-style-type: none"> • CARRP ISOs working in the BCU perform internal vetting • CARRP ISOs working in the BCU draft the eligibility assessment
FOD	<ul style="list-style-type: none"> • Interviews are generally conducted by CARRP ISOs • CARRP ISOs and FDNS IOs share responsibility for internal vetting & the eligibility assessment
RAIO	<ul style="list-style-type: none"> • Officers perform internal vetting and assess eligibility through interviews

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Say:

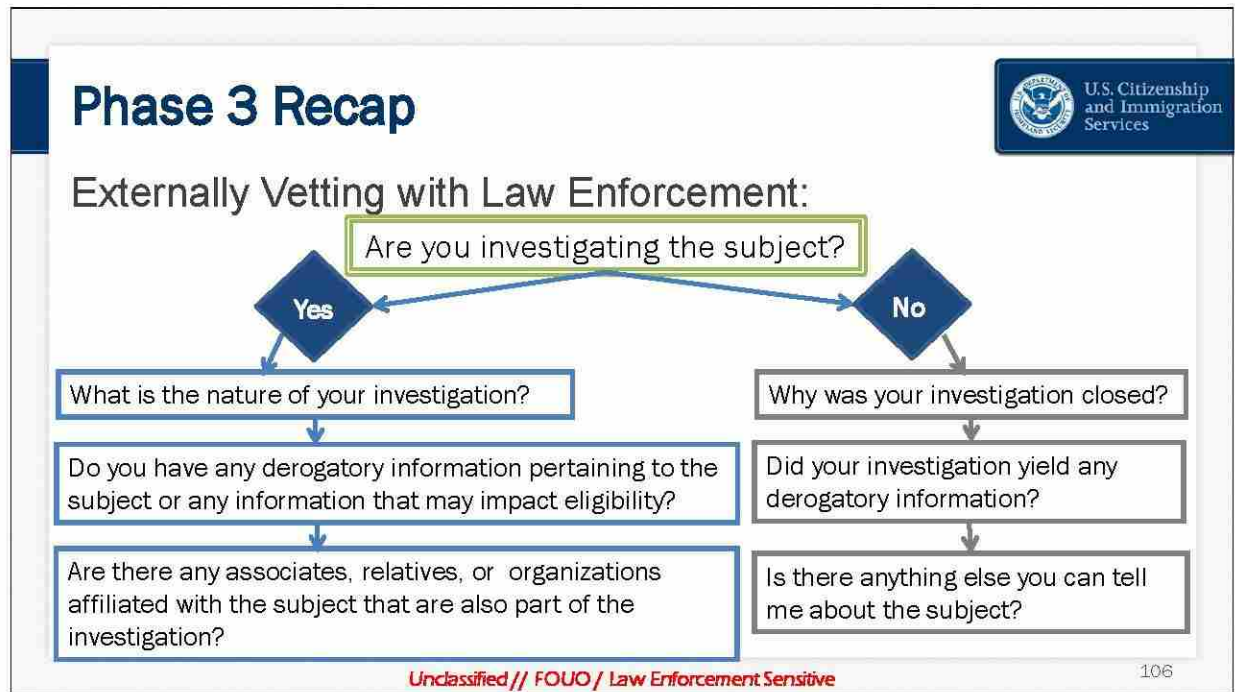
Now let's take a look at the roles of during the Internal Vetting/EA phase.

In SCOPS, ISOs in the BCU perform internal vetting and draft the EA.

In FOD, CARRP ISOs and FDNS IOs generally share responsibility for internal vetting and the EA. Interviews are generally conducted by the ISO.

In RAIO, AOs perform internal vetting and assess eligibility through their interviews, which is documented in an AO's assessment, which is prepared for every case.

[Go to the next slide.]



Say:

Remember some of the key questions to ask law enforcement while externally vetting:

Why was the investigation closed? Did it yield any derog? And is there anything else you can tell me about the subject. Also, if the investigation is closed, ask why and get a disposition.

What is the nature of your open investigation? Do you have any derogatory info that might affect eligibility? Are there any associates or relatives or organizations affiliated with the subject that are also part of the investigation?

Do not assume just because there is a TECS record or a positive namecheck that there is an open investigation. Also, do not assume that the LEA has derogatory information. Regardless of the response of the LEA, the goal of both response is to get any information that may be available.

When asking if there is "anything relevant to adjudication," remember to provide examples of what might be relevant, for example: marriage fraud, employment fraud, pending criminal charges, etc. As the officer, explain what kind of facts would be relevant to adjudication, don't just ask anything relevant without explanation, as they don't necessarily know what would make an alien ineligible for a benefit.

[Go to the next slide.]

Phase 3 Recap: Roles & Responsibilities



Roles in External Vetting:

Supervisors play a substantial role in elevating concerns to HQ.

SCOPS	<ul style="list-style-type: none"> CARRP ISOs working in the BCU perform external vetting CARRP ISOs working in the BCU contact law enforcement
FOD	<ul style="list-style-type: none"> [REDACTED] LE FDNS IOs have much more local contact with law enforcement
RAIO	<ul style="list-style-type: none"> [REDACTED] LE Additionally, many background checks that typically fall under external vetting are highly automated at different phases of the process

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Say:

Supervisors also play a substantial role in elevating concerns to HQ.

In SCOPS, ISOs in the BCU perform external vetting and contact law enforcement.

In FOD, [REDACTED] LE]Os also have more contact with law enforcement.

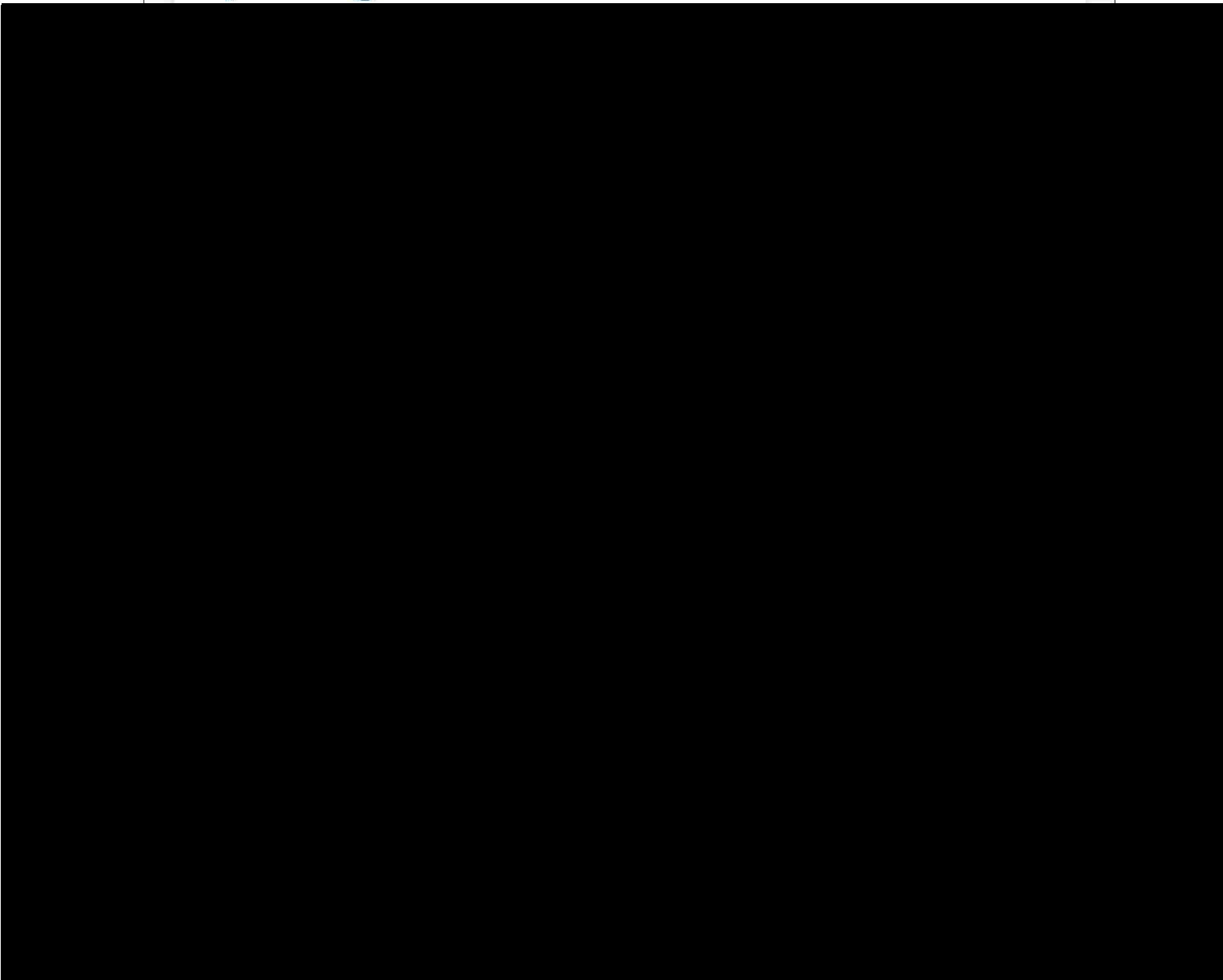
In RAIO, [REDACTED] LE] Also, many background checks that typically fall under external vetting are highly automated at different phases of the process.

[Go to the next slide.]

Phases 2 & 3 Recap: Prepping for Phase 4



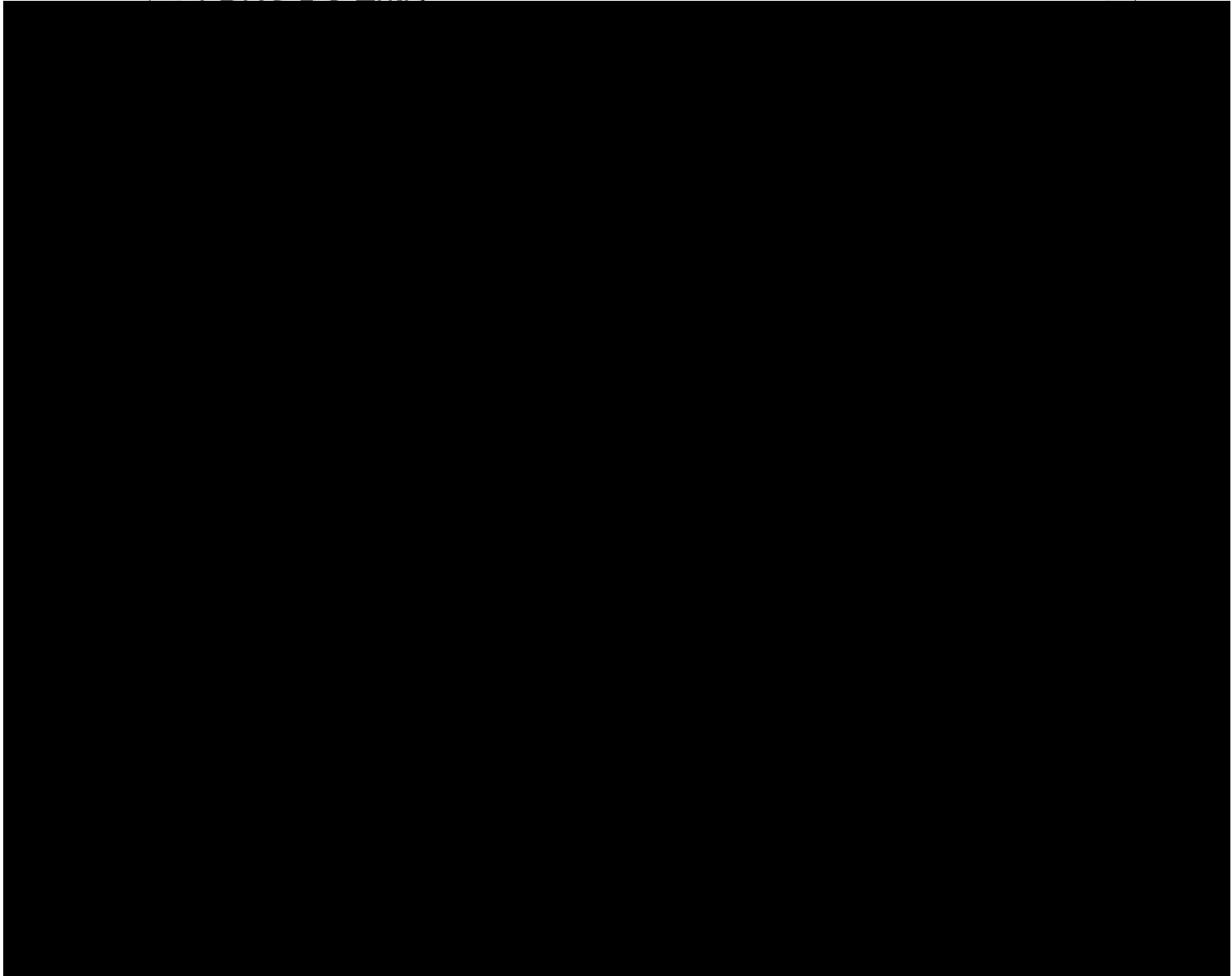
Phases 2 & 3 Recap: Updating FDNS-DS



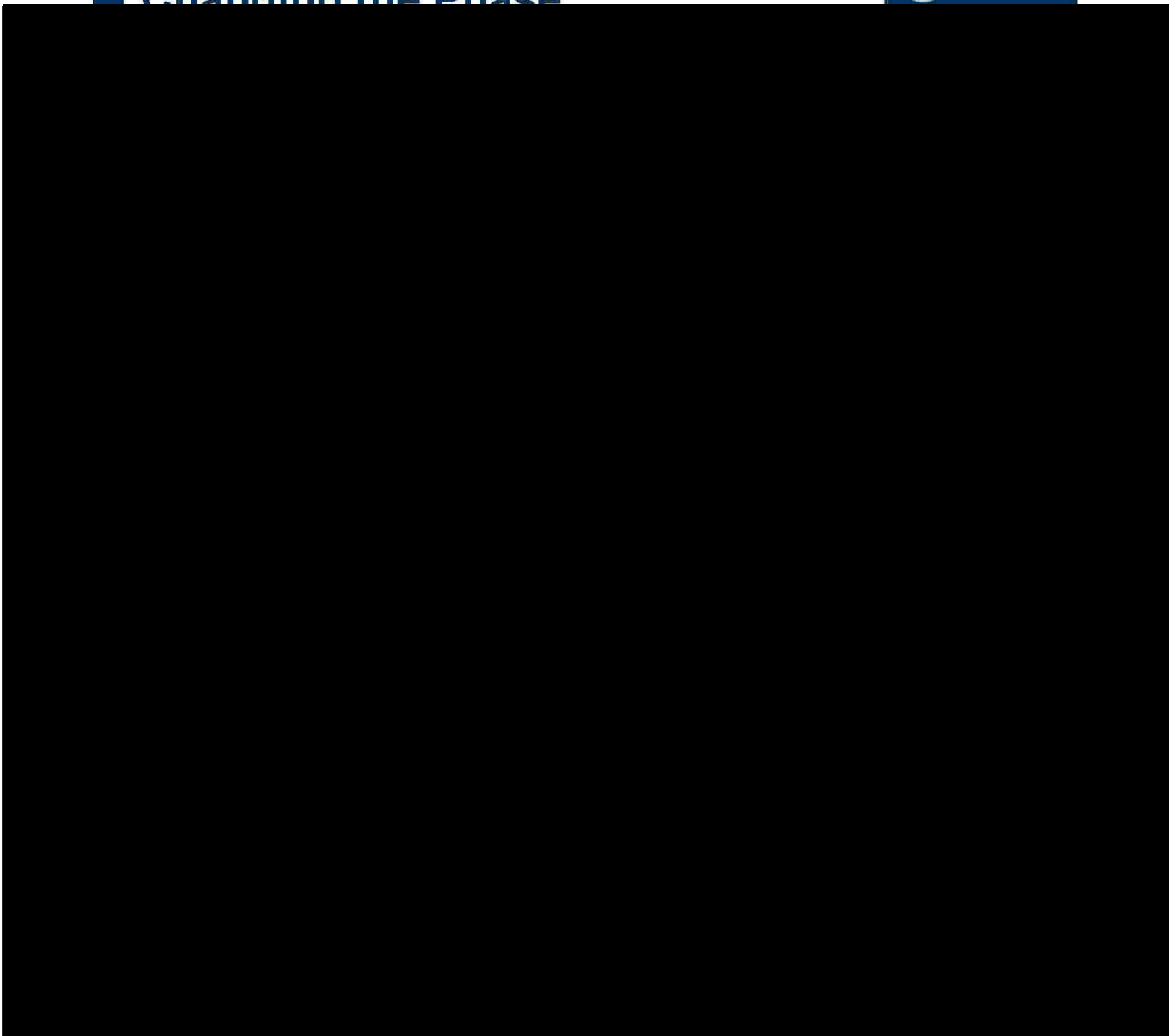
Phases 2 & 3 Recap: Documenting Recommendations



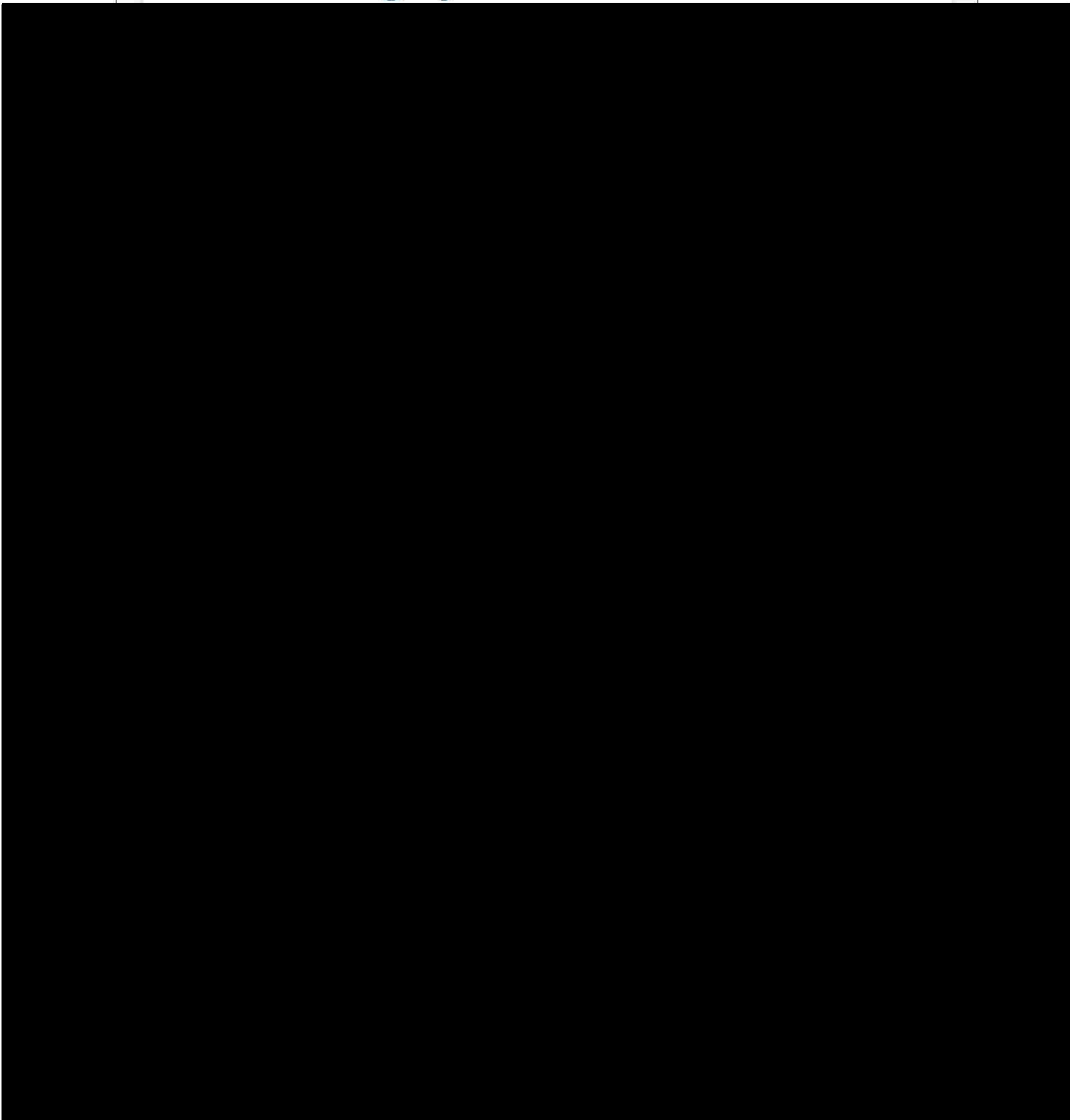
FDNS-DS Entry



Phases 2 & 3 Recap: Changing the Phase



Phases 2 & 3 Recap: Documenting Systems Checks

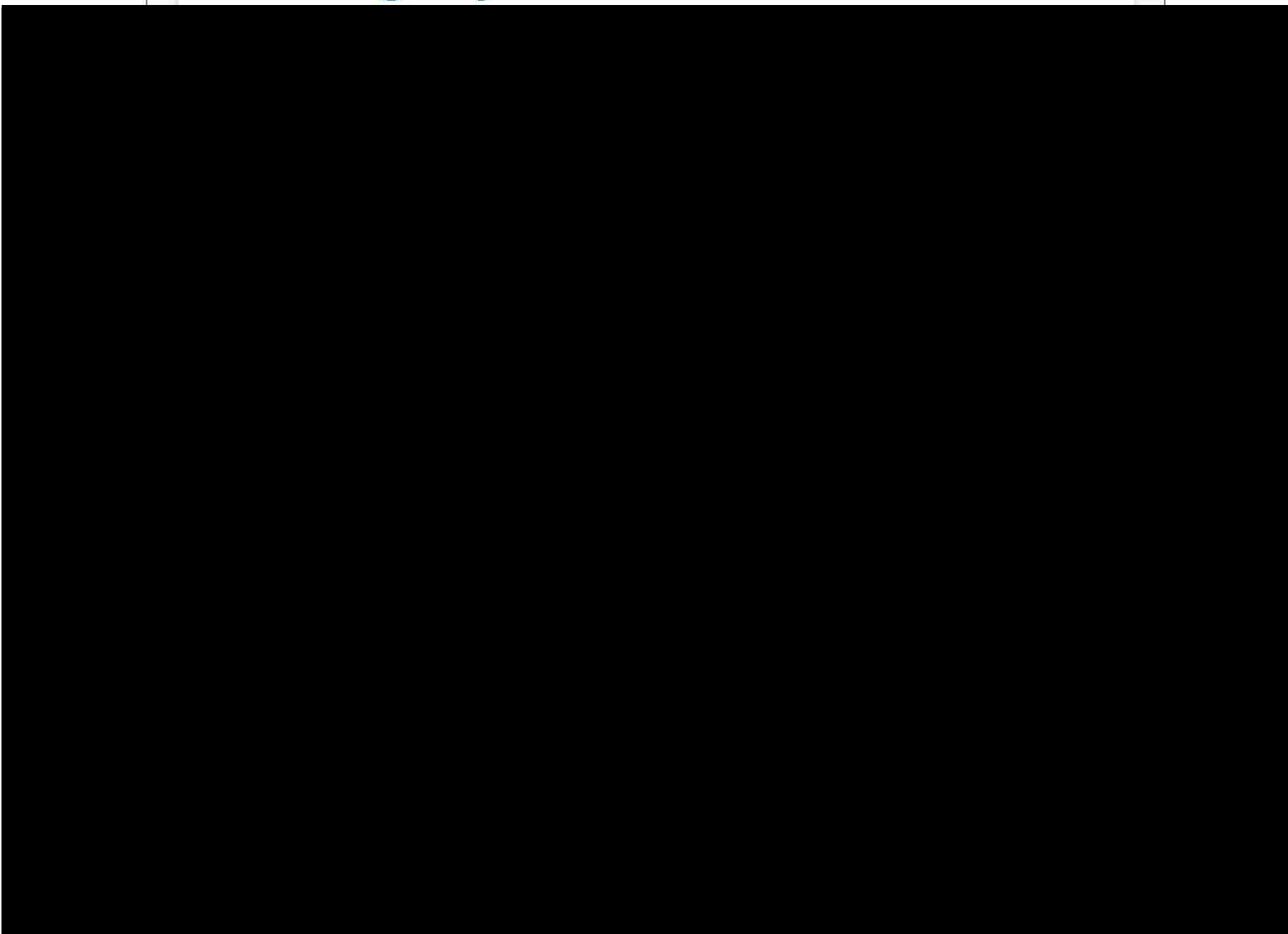


Phases 2 & 3 Recap: Time Spent on Deconflictions

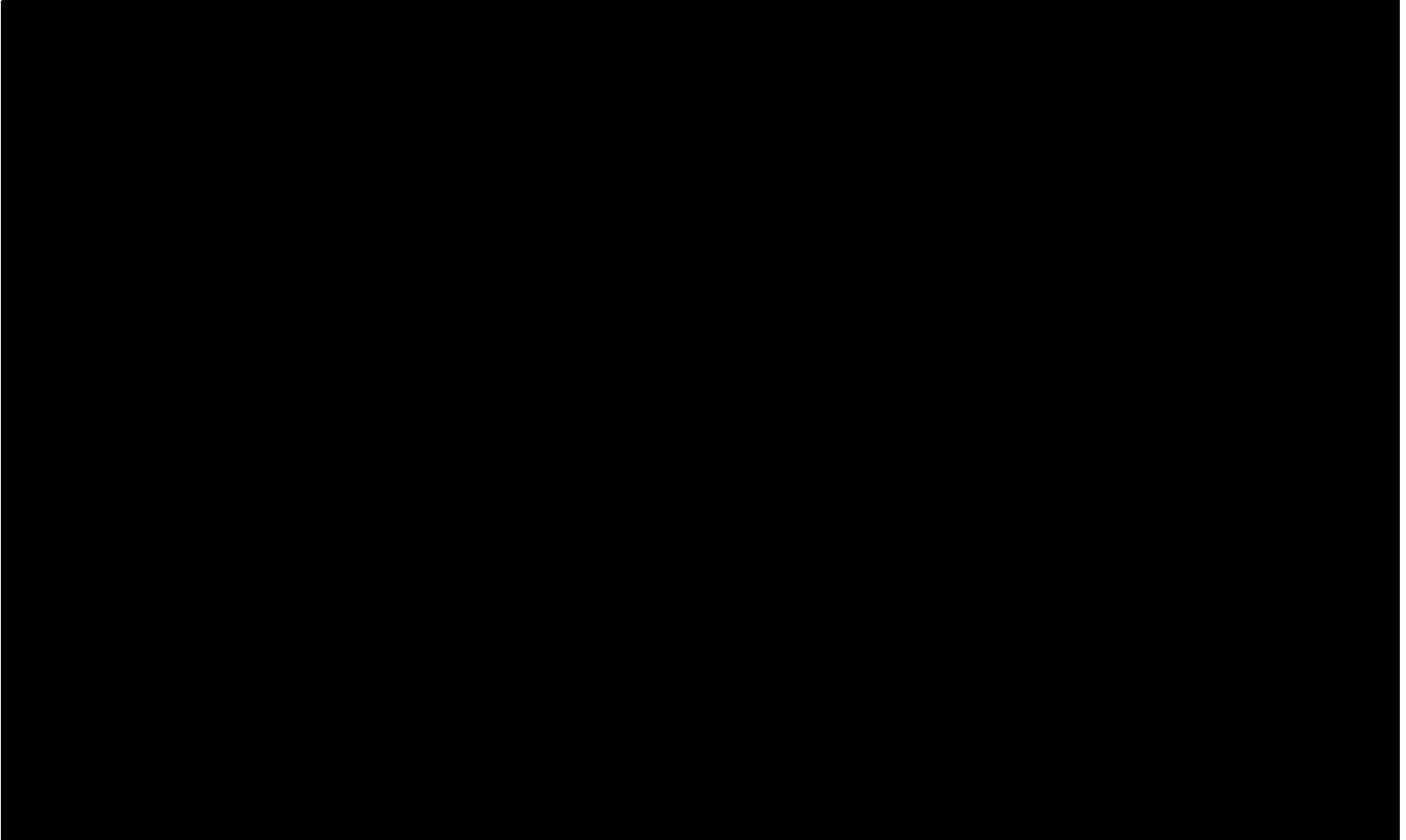


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Phases 2 & 3 Recap: Attaching Key Information

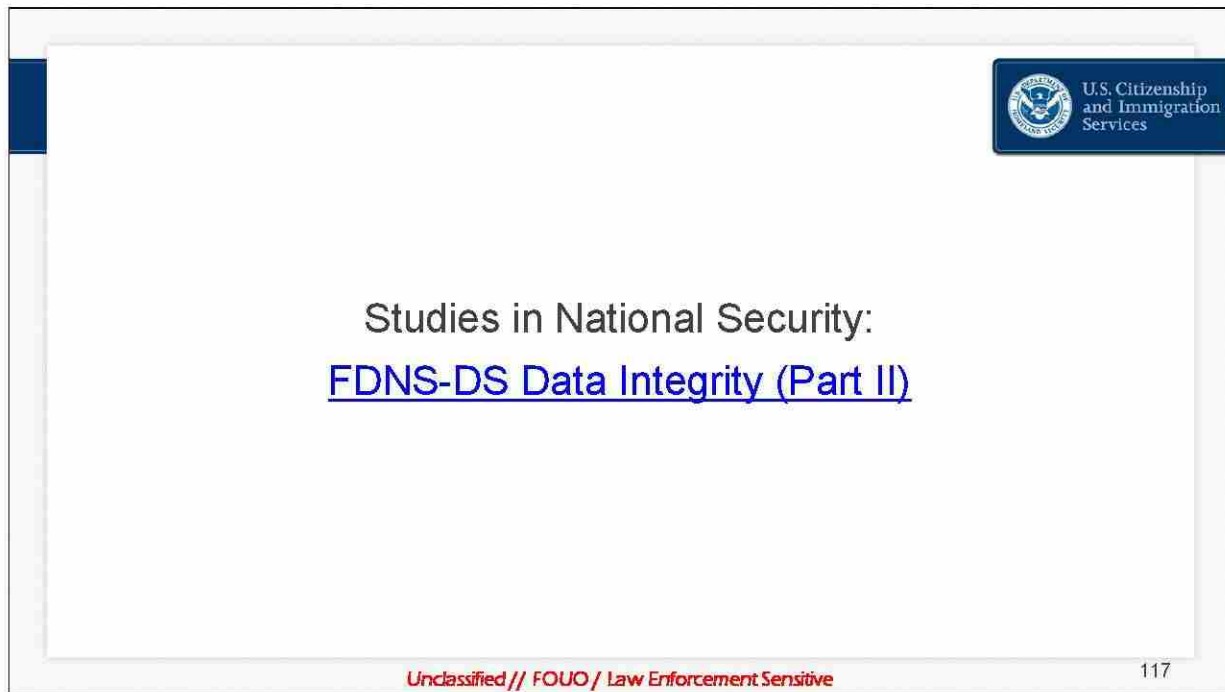


Phases 2 & 3 Recap: Tracking Time



Phases 2 & 3 Recap: Documenting External Vetting






Say:

This is just another resource for you to take a look at in you own time. Remember, these handouts are also available in the CARRP ECN.

[Go to the next slide.]



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Practical Exercise 2B: CARRP Phases 2 & 3
FDNS-DS Exercise
Deconfliction Subtab


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[Instructor: Refer to the Instructor Exercise Guide.]

[Go to the next slide.]

Documenting NS Concerns Entering Deconfliction:



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Say:

Part of the structure of this course is that at the end of every section we talk about how to enter the activities we just learned about in FDNS-DS. So let's start here – we've talked about deconfliction in this module, so now we'll learn how to enter deconfliction in DS. It's important that you enter deconflictions into DS (particularly the deconfliction right before adjudication) because it's something that's reviewed by INSITE.



Summary of Module 4 Phase 2 and 3



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At the end of Module 4:

- Participants reviewed the systems used for vetting
- Participants reviewed form-specific areas of ineligibility and the importance of continuously assessing eligibility
- Participants understand the collaboration between ISOs and FDNS IOs
- Participants were presented with good interview techniques
- Participants learned lines of inquiry for interviews or RFEs
- Participants examined the role and function of the JTTF
- Participants considered law enforcement and headquarters

resources that may help resolve a concern

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Say:

Let's recap what knowledge we built in Module 4:

Systems used for vetting

Form-specific areas of ineligibility and the important of continuously vetting eligibility

Collaboration between ISOs and FDNS IOs

What constitutes good interviewing techniques

Lines of inquiry for interviews or RFEs

Role and function of the JTTF

LEA and HQ resources that may help resolve a concern

Are there any last questions before we end the Module?

[Go to the next slide.]

About this Presentation



U.S. Citizenship
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- 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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This Presentation is intended solely to provide training and guidance to USCIS personnel in performing their duties relative to the adjudication of immigration benefits. It is not intended to, does not, and may not be relied upon to create or confer any right(s) or benefit(s), substantive or procedural, enforceable at law by any individual or other party in benefit applications before USCIS, in removal proceedings, in litigation with the United States, or in any other form or manner.

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

[Go to the next slide.]

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