



April 29, 2020

Hugh Handeyside
American Civil Liberties Union Foundation
125 Broad Street
18th Floor
New York, NY 10004

Dear Hugh Handeyside:

This is in response to your Freedom of Information Act/Privacy Act (FOIA/PA) request received in this office on April 13, 2020, regarding DHS I&A Referral 3:19-cv-00290; 2020-IALI-00003.

We have completed the review of all documents and have identified 148 pages that are responsive to your request. Enclosed are 8 pages released in their entirety and 140 pages released in part. We have reviewed and have determined to release all information except those portions that are exempt pursuant to 5 U.S.C. § 552 (b)(5) and (b)(7)(e) of the FOIA.

The following exemptions are applicable:

Exemption (b)(5) provides protection for inter-agency or intra-agency memorandums or letters, which would not be available by law to a party other than an agency in litigation with the agency. The types of documents and/or information that we have withheld under this exemption may consist of documents containing pre-decisional information, documents or other memoranda prepared in contemplation of litigation, or confidential communications between attorney and client.

Exemption (b)(7)(E) of the FOIA provides protection for records or information for law enforcement purposes which would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law. The types of documents and/or information we have withheld could consist of law enforcement systems checks, manuals, checkpoint locations, surveillance techniques, and various other documents.

As a result of discussion between agency personnel and a member of our staff, as a matter of administrative discretion, we are releasing computer codes found on system screen prints previously withheld under exemption b(2). There may be additional documents that contain discretionary releases of exempt information. If made, these releases are specifically identified in the responsive record. These discretionary releases do not waive our ability to invoke applicable FOIA exemptions for similar or related information in the future.

The enclosed record consists of the best reproducible copies available. Certain pages contain marks that appear to be blacked-out information. The black marks were made prior to our receipt of the file and are not information we have withheld under the provisions of the FOIA or PA.

You have the right to file an administrative appeal within 90 days of the date of this letter. By filing an appeal, you preserve your rights under FOIA and give the agency a chance to review and reconsider your request and the agency's decision. You may file an administrative FOIA appeal to USCIS at: USCIS FOIA/PA Appeals Office, 150 Space Center Loop, Suite 500, Lee's Summit, MO 64064-2139. Both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal."

If you would like to discuss our response before filing an appeal to attempt to resolve your dispute without going through the appeals process, you may contact our FOIA Public Liaison, Jill Eggleston, for assistance at:

U.S. Citizenship and Immigration Services
National Records Center, FOIA/PA Office
P.O. Box 648010
Lee's Summit, MO 64064-8010
Telephone: (800) 375-5283
E-Mail: FOIAPAQuestions@uscis.dhs.gov

A FOIA Public Liaison is an agency official to whom FOIA requesters can raise concerns about the service the requester has received from the agency's FOIA Office. FOIA Public Liaisons are responsible for assisting in reducing delays, increasing transparency and understanding of the status of requests, and assisting in the resolution of disputes.

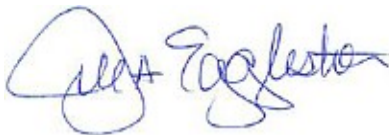
If you are unable to resolve your FOIA dispute through our FOIA Public Liaison, the Office of Government Information Services (OGIS), the Federal FOIA Ombudsman's office, offers mediation services to help resolve disputes between FOIA requesters and Federal Agencies. The OGIS does not have the authority to handle requests made under the Privacy Act of 1974. The contact information for OGIS is:

Office of Government Information Services
National Archives and Records Administration
8601 Adelphi Road - OGIS
College Park, MD 20740-6001
Telephone: (202) 741-5770 or (877) 684-6448
Email: OGIS@nara.gov
Website: ogis.archives.gov

The National Records Center does not process petitions, applications or any other type of benefit under the Immigration and Nationality Act. If you have questions or wish to submit documentation relating to a matter pending with the bureau, you must address these issues with your nearest District Office.

All FOIA/PA related requests, including address changes, must be submitted in writing and be signed by the requester. Questions concerning this FOIA/PA request may be mailed to the FOIA/PA Officer at the PO Box listed at the top of the letterhead or emailed to USCIS.FOIA@uscis.dhs.gov. Please include the control number listed above on all correspondence with this office. You can now submit a new FOIA request online using our new Freedom of Information Act Records SysTem (FIRST). If you wish to submit a new FOIA/PA request, please visit www.uscis.gov/FOIA for instructions and requirements.

Sincerely,



Jill A. Eggleston
Director, FOIA Operations

Enclosure(s)

U.S. CITIZENSHIP AND IMMIGRATION SERVICES



**REVIEW OF THE DEFENSE ADVANCED RESEARCH
PROJECTS AGENCY 2.0 SOCIAL MEDIA PILOT**

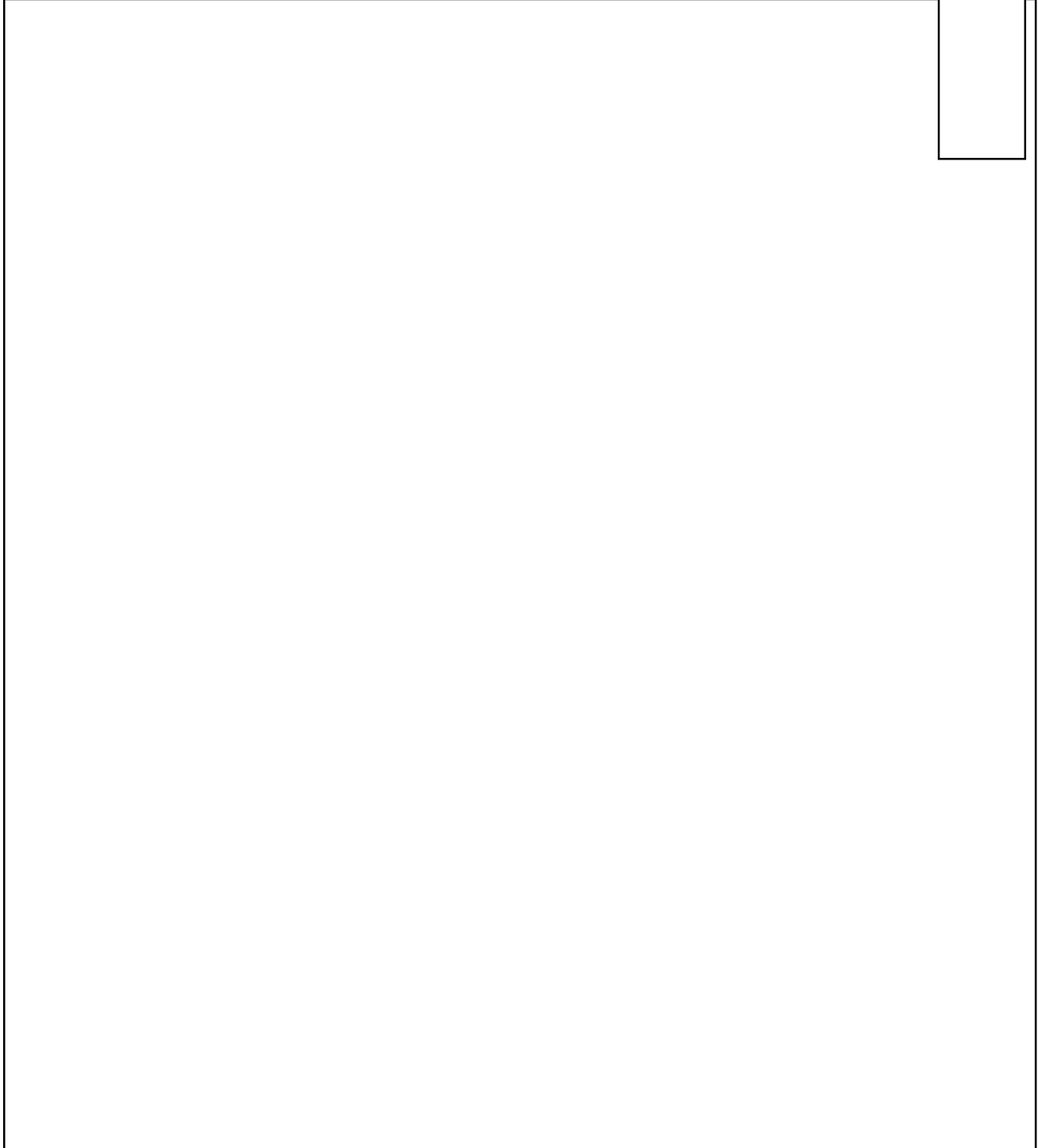
Fraud Detection and National Security Directorate
June 2, 2016

Refugee Screening Review: The Defense Advanced Research Projects Agency 2.0 Pilot

(b)(5) (b)(7)(e)

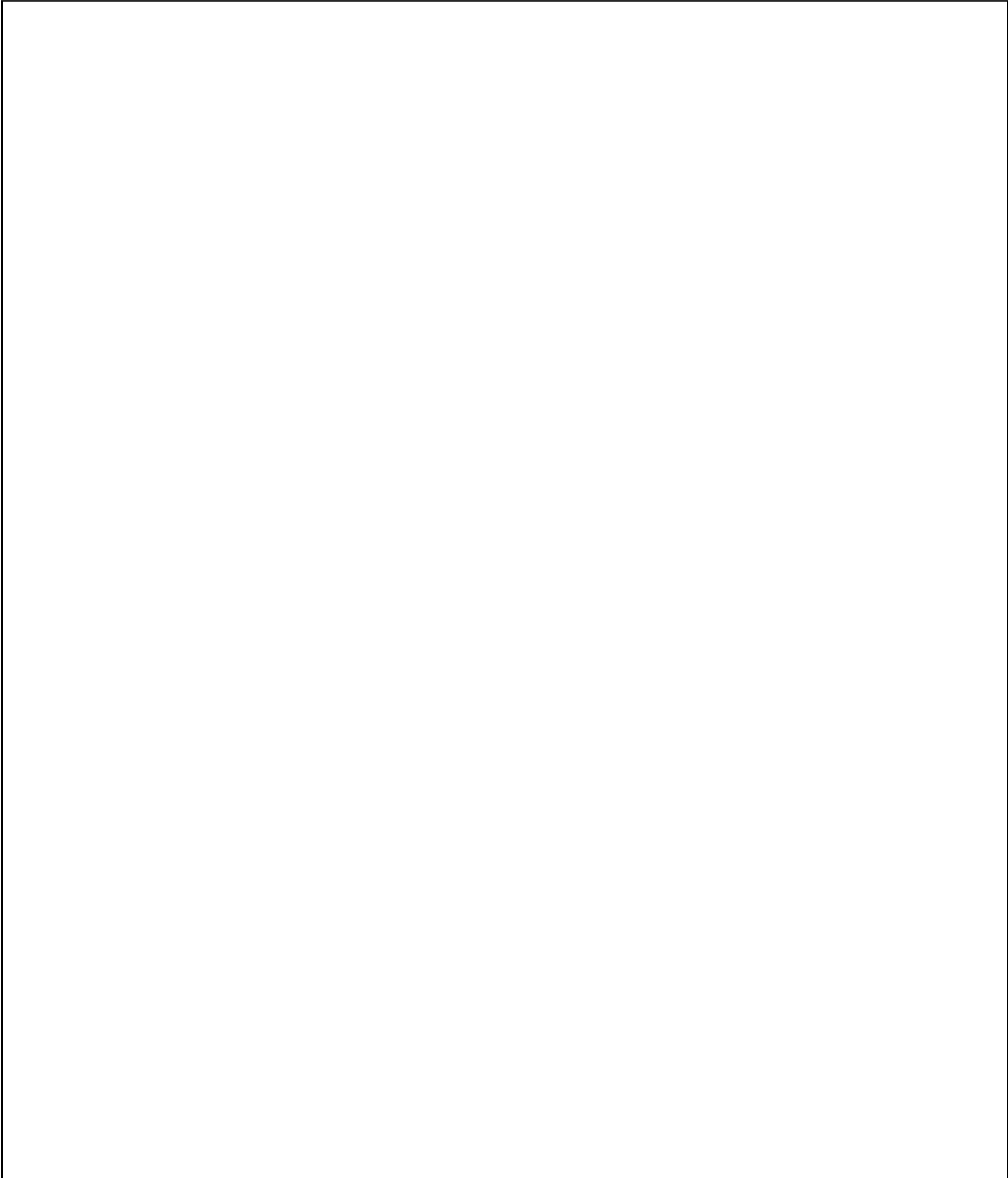
Overview

In Fiscal Year (FY) 2015, the U.S. Citizenship and Immigration Services (USCIS) deployed multiple pilots – in coordination with the Department of Homeland Security (DHS) Office of Intelligence and Analysis (I&A), the Intelligence Community (IC), and the Department of Defense (DoD) – to assess the feasibility of using social media to screen refugee applicants

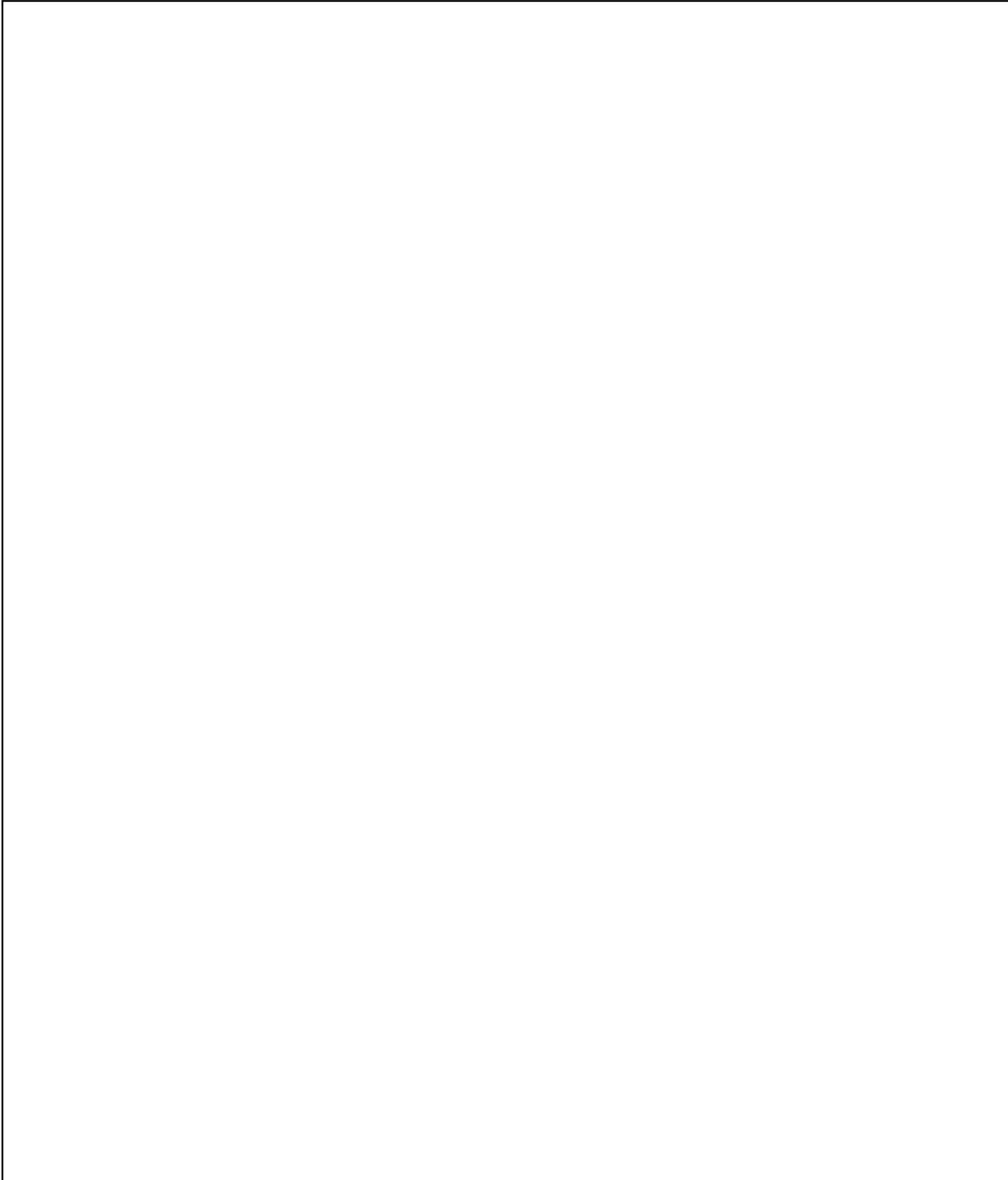


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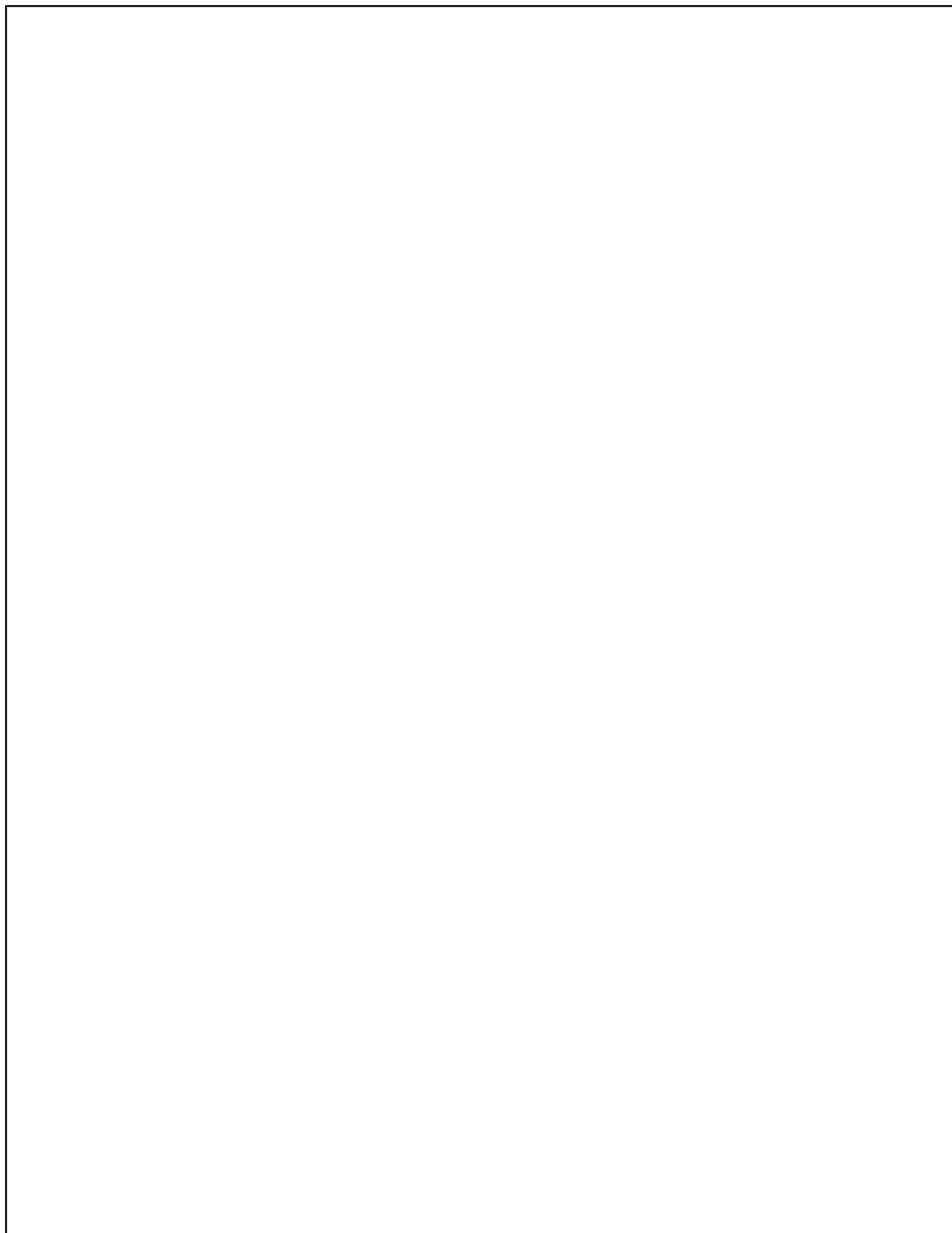


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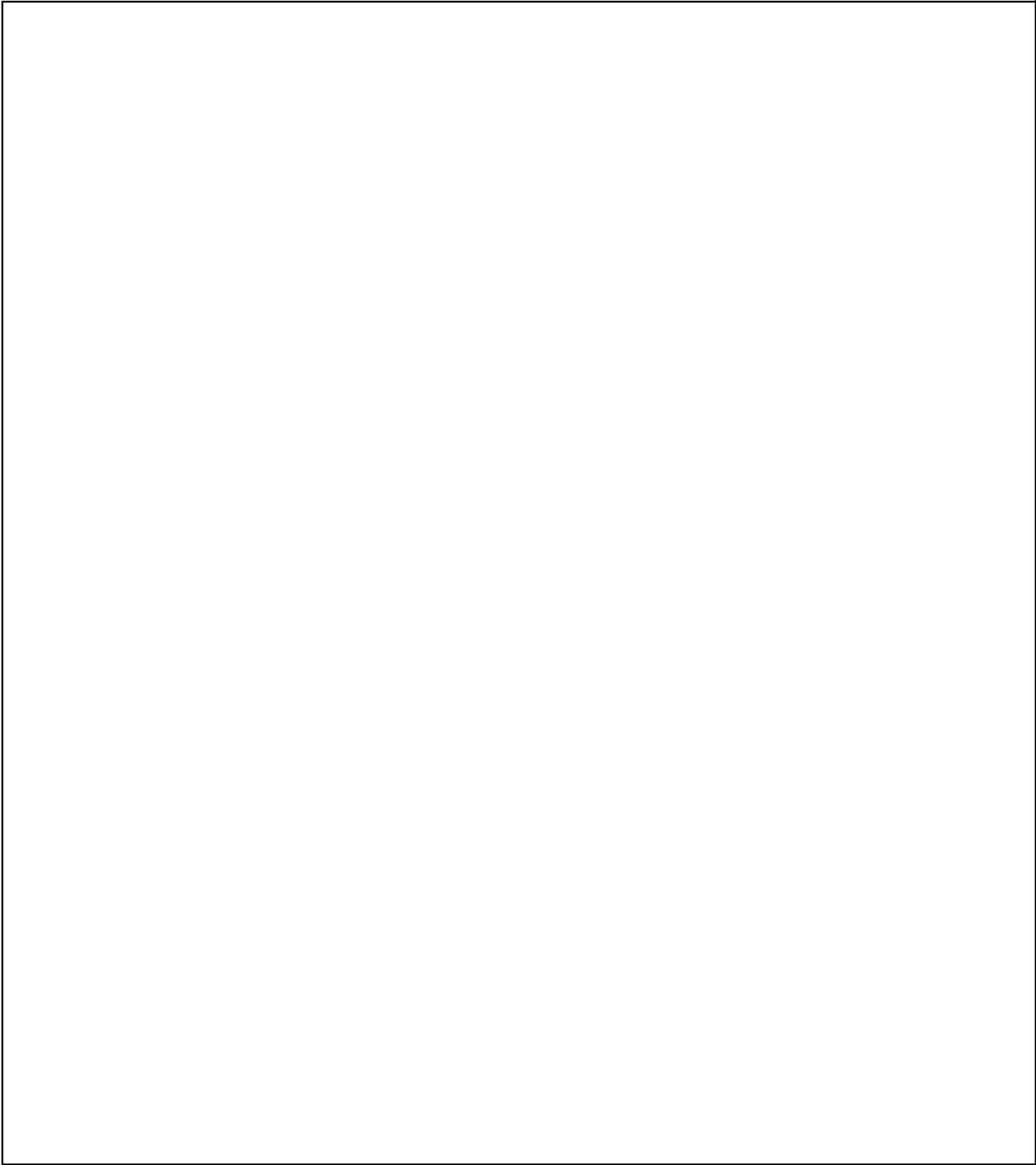


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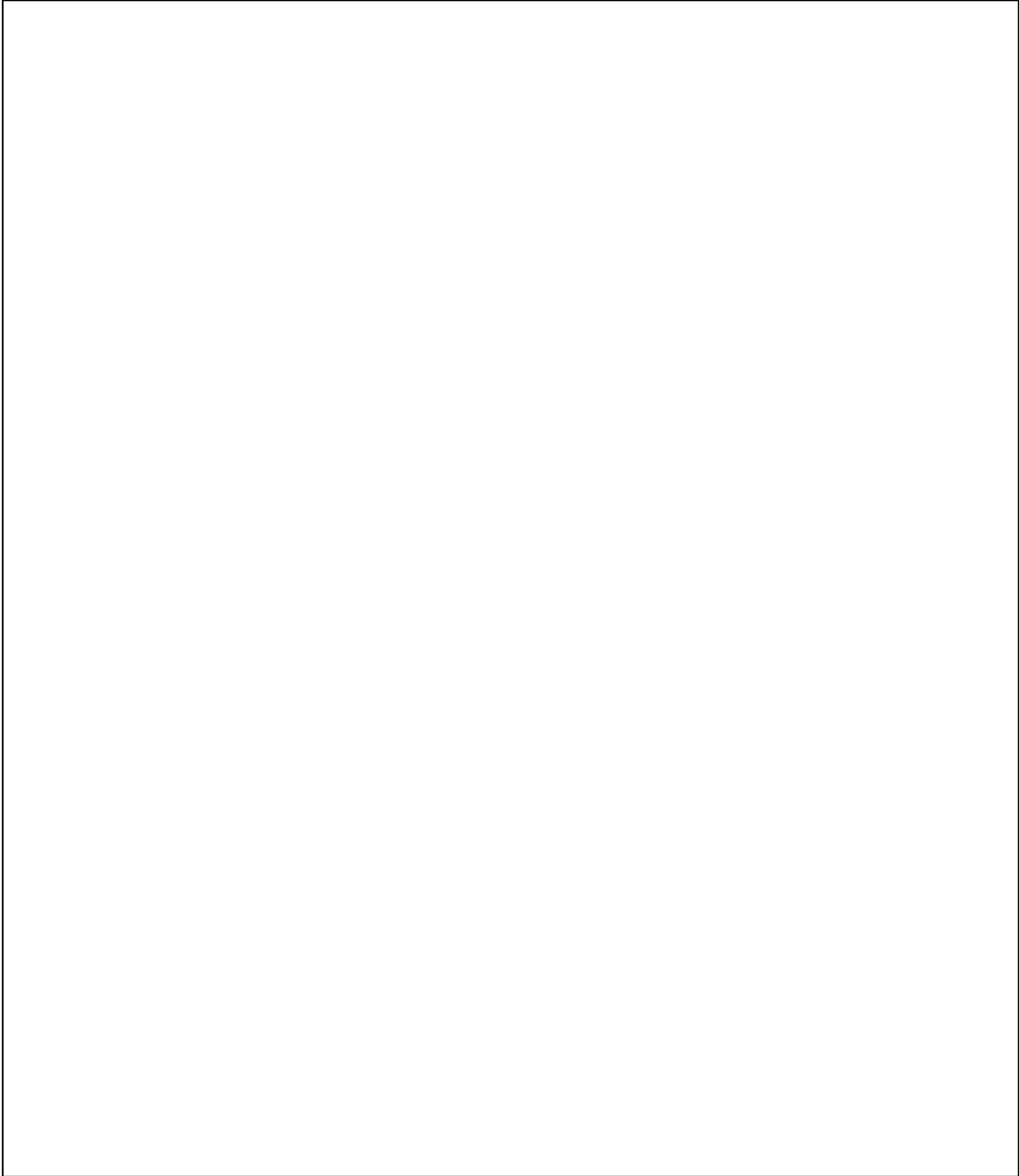
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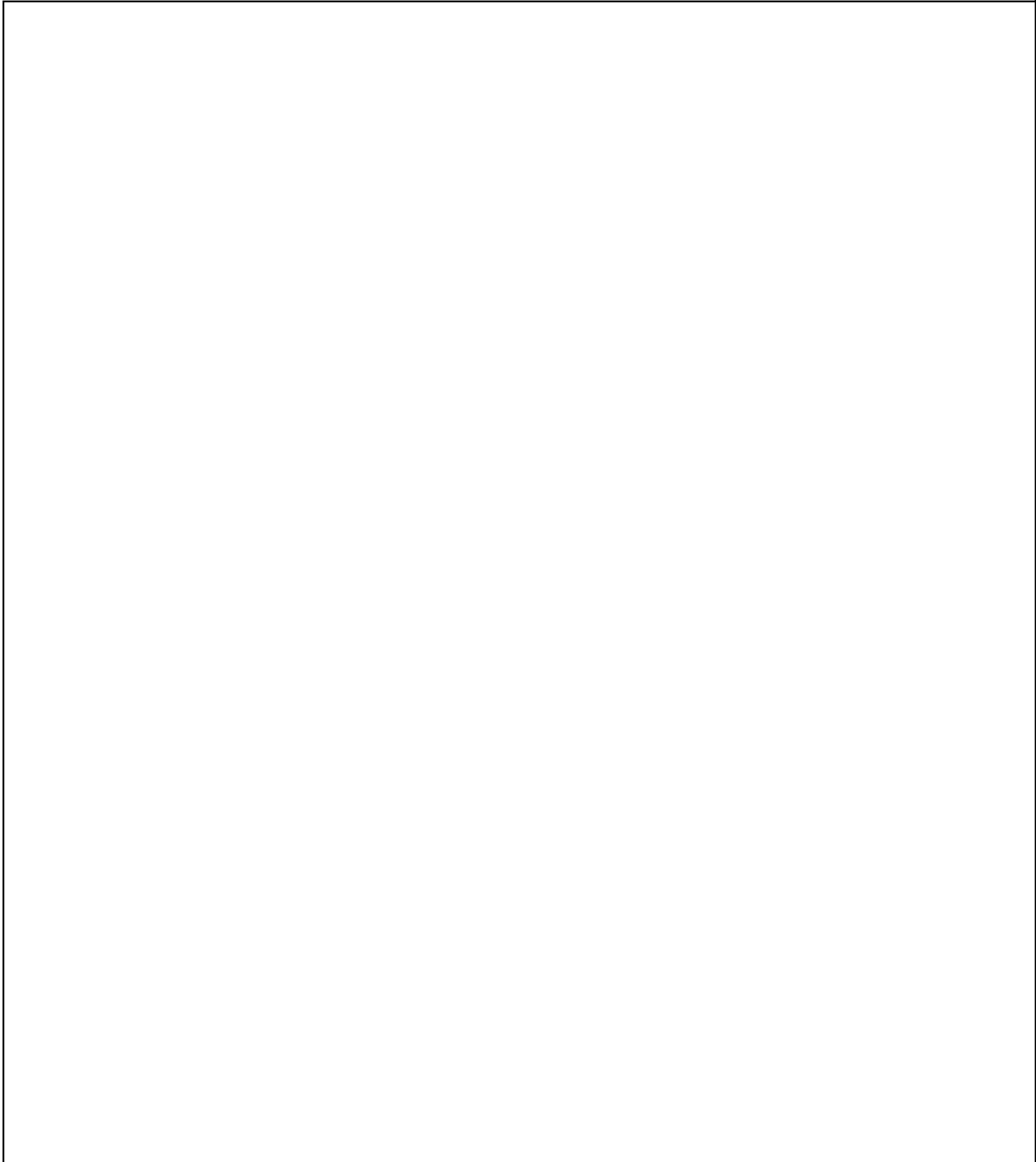


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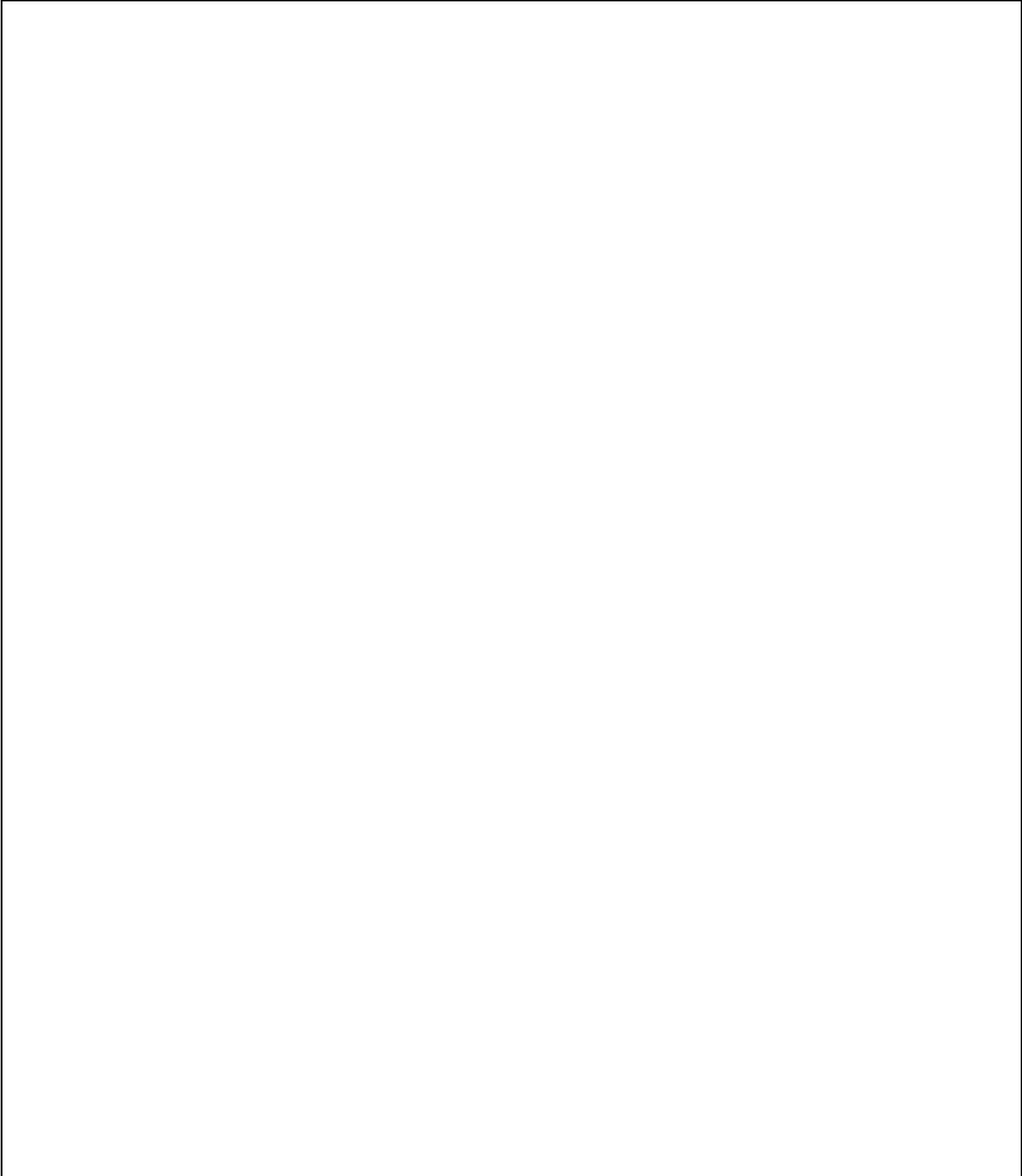


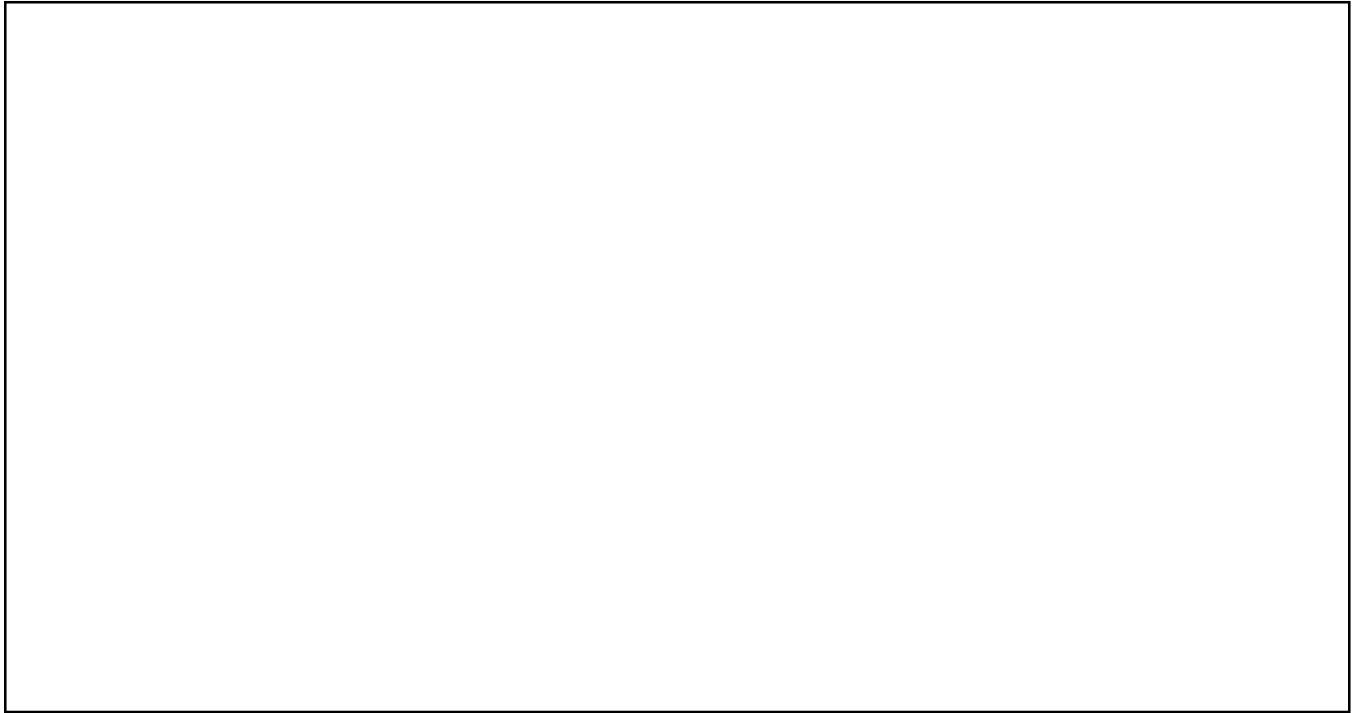
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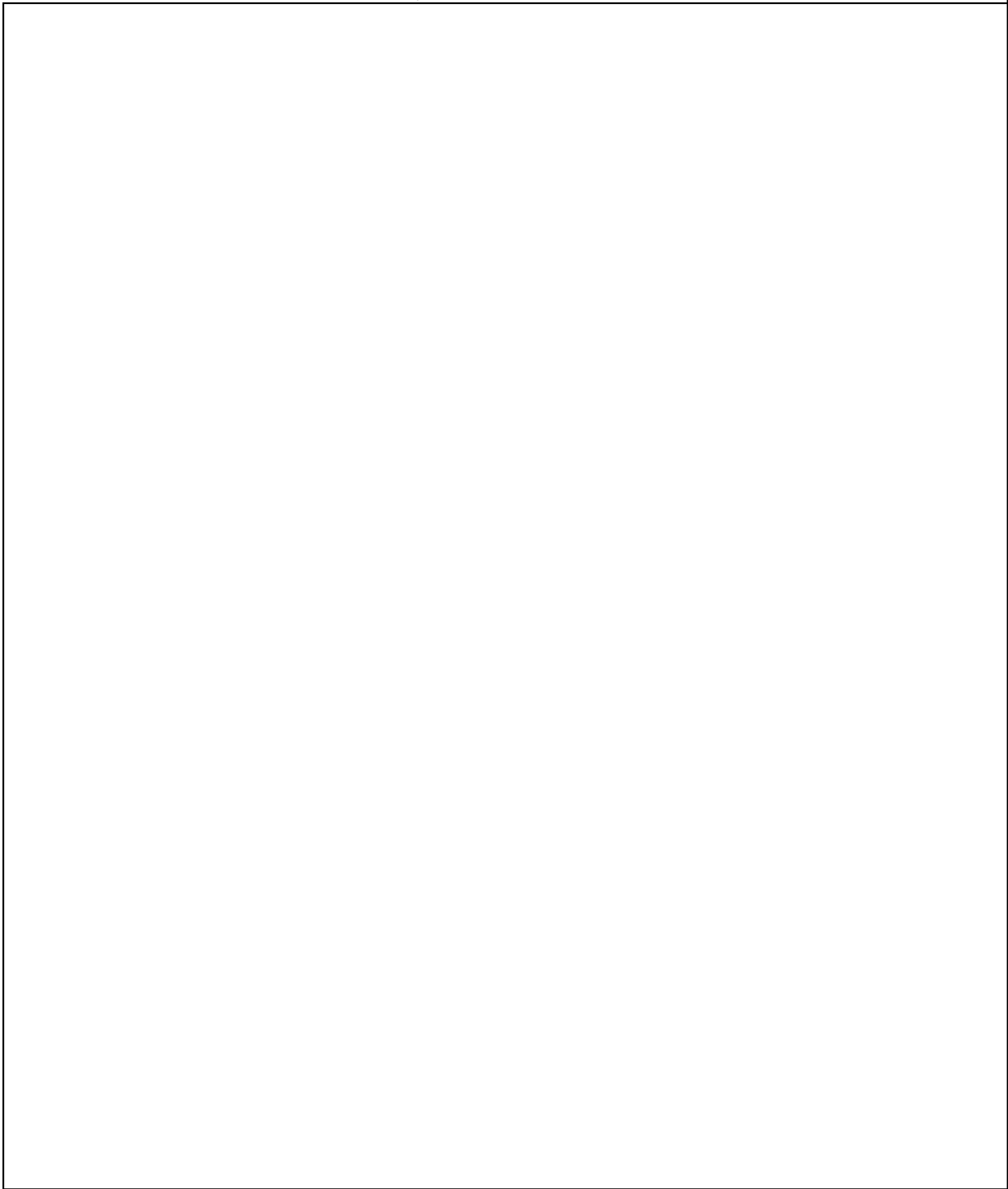




(b)(7)(e)

(b)(5)





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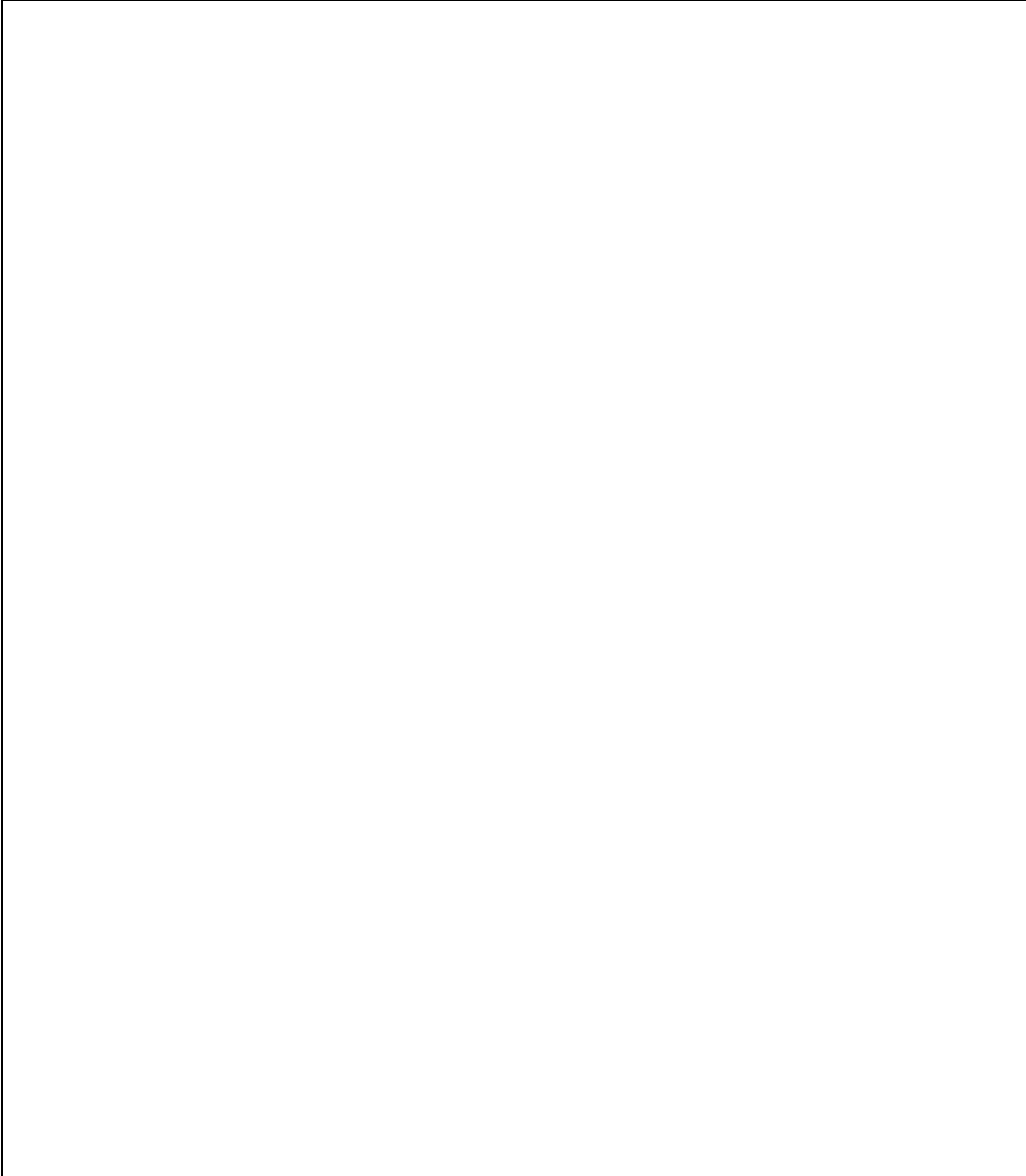
(b)(5) (b)(7)(e)

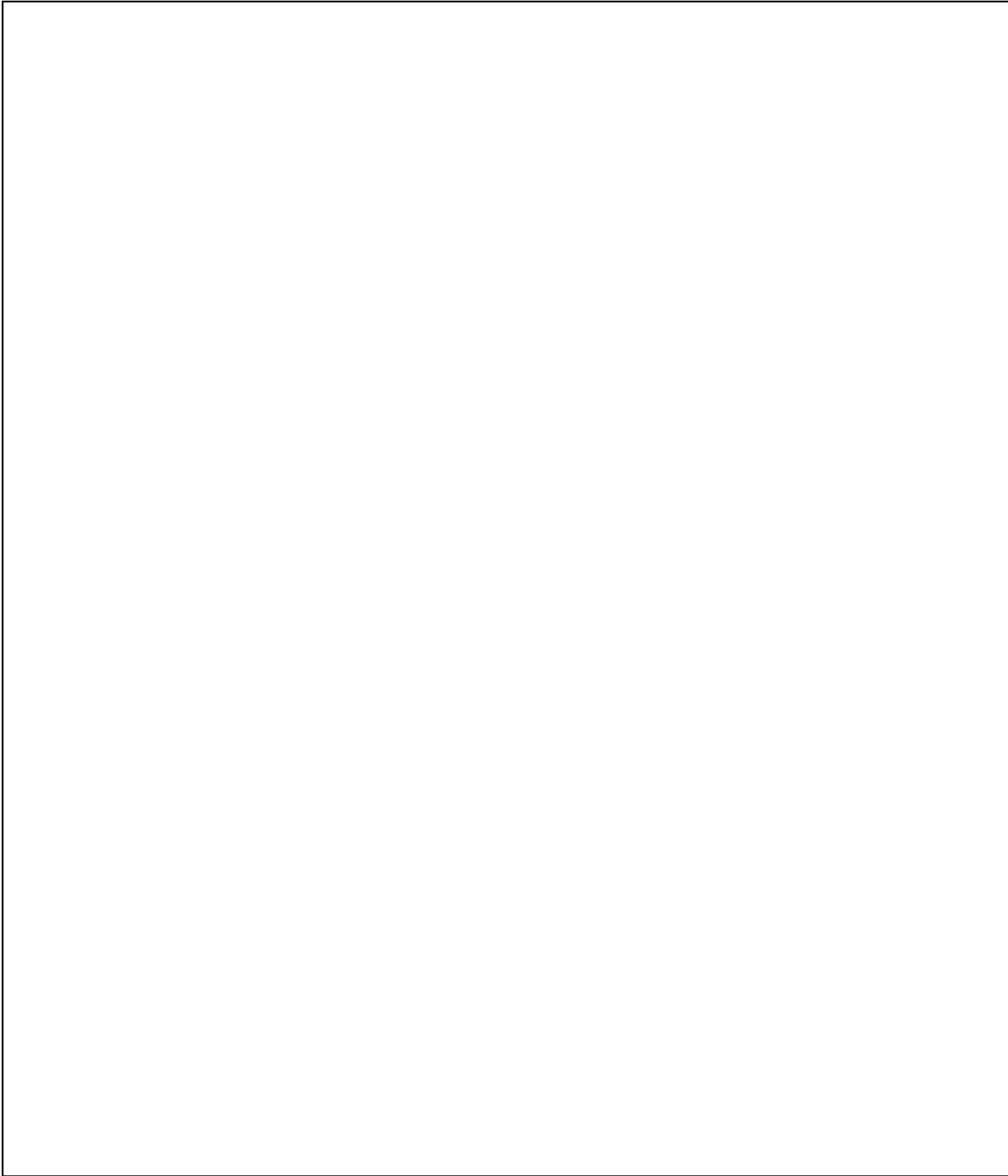
Social Media Expansion Plan for Refugee Applicants Concept of Operations

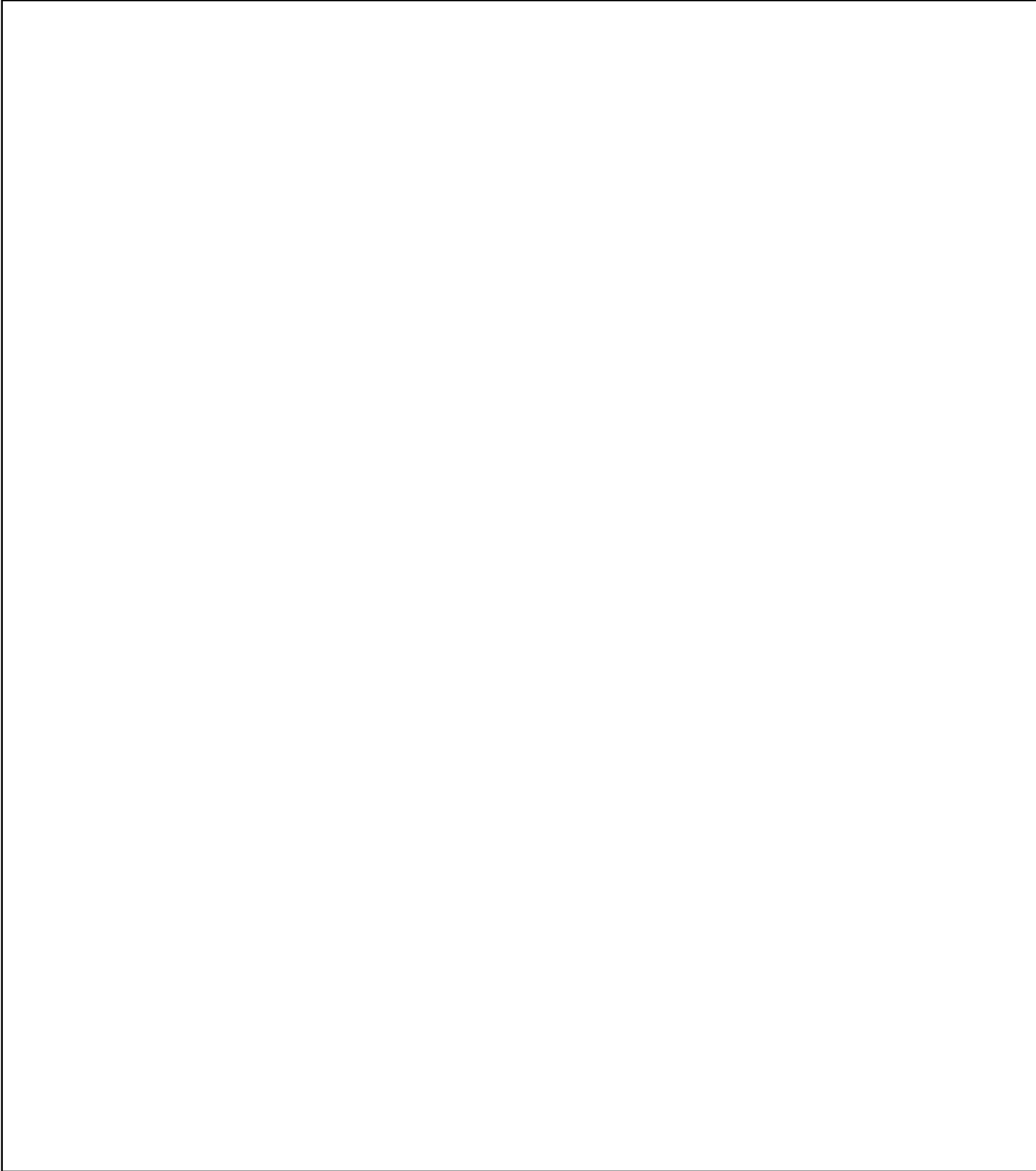
Executive Summary

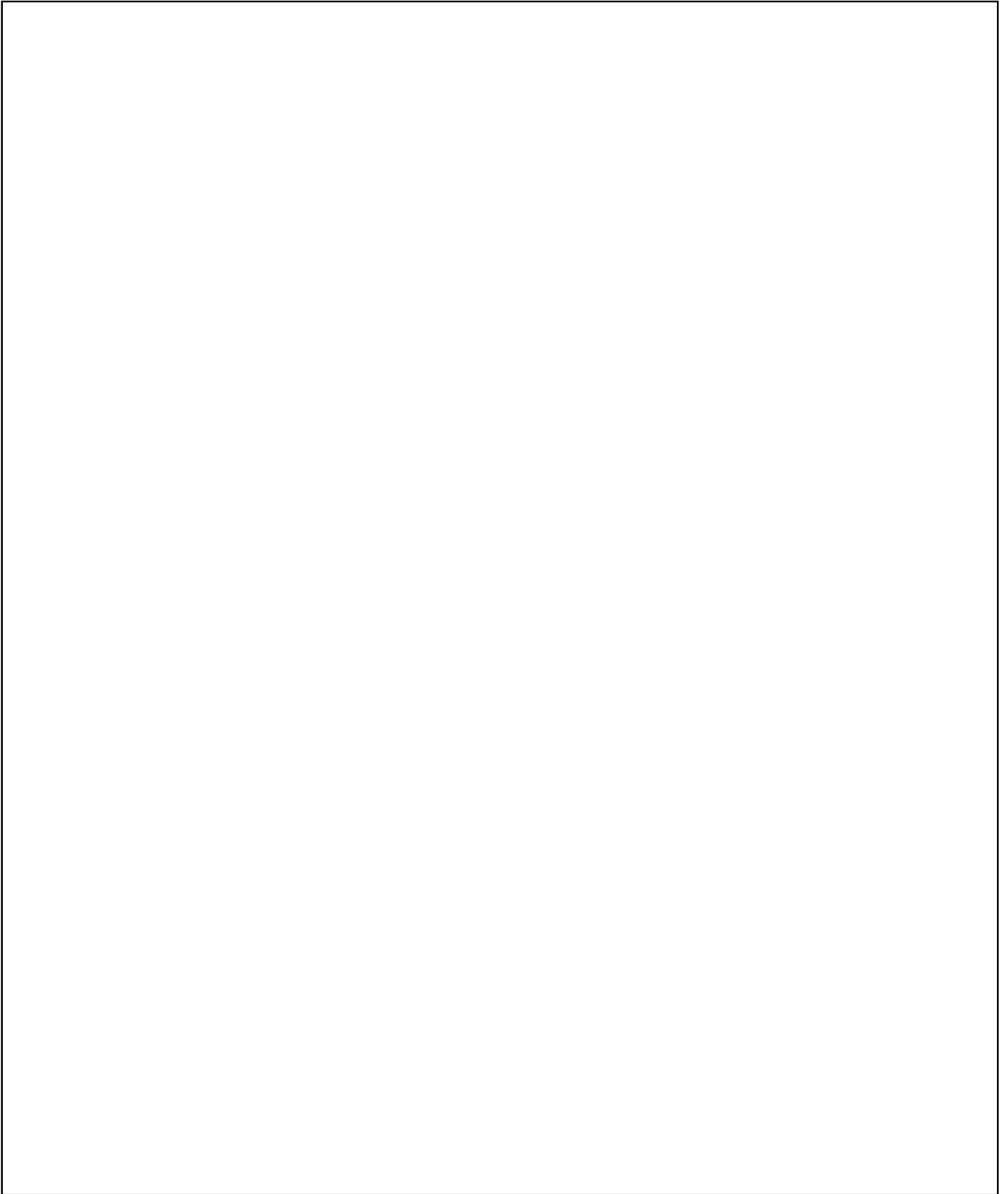
In concert with Department of Homeland Security (DHS) Intel & Analysis (I&A) and Science & Technology (S&T), United States Citizenship and Immigration Services (USCIS) is on track to operationalize Social Media vetting for additional categories of refugee applicants beginning in April using a risk-based approach. In the initial expansion phases, USCIS will conduct vetting using a manual review of an applicant's social media usage, leveraging tradecraft and review techniques learned during recent pilots with S&T. Importantly, during each of these phases, USCIS will continue to work with I&A, and the Task Force to continue to assess possible tools, such as the latest version of the Defense Advanced Research Projects Agency (DARPA) tool, to support semi-automated searches with a target to implement such tools as part of the process employed by the Center of Excellence launching in August 2016, or even earlier if found effective.

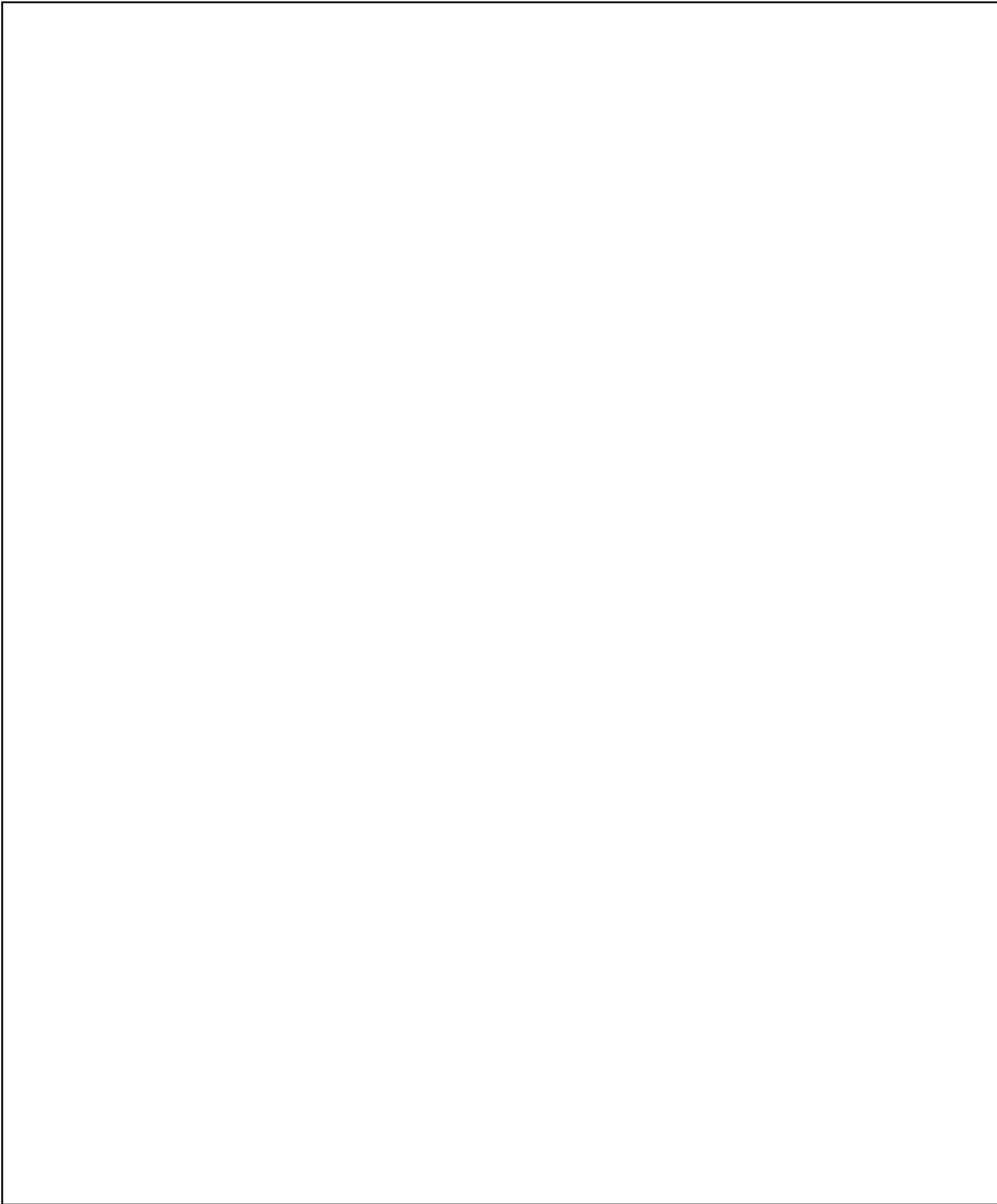
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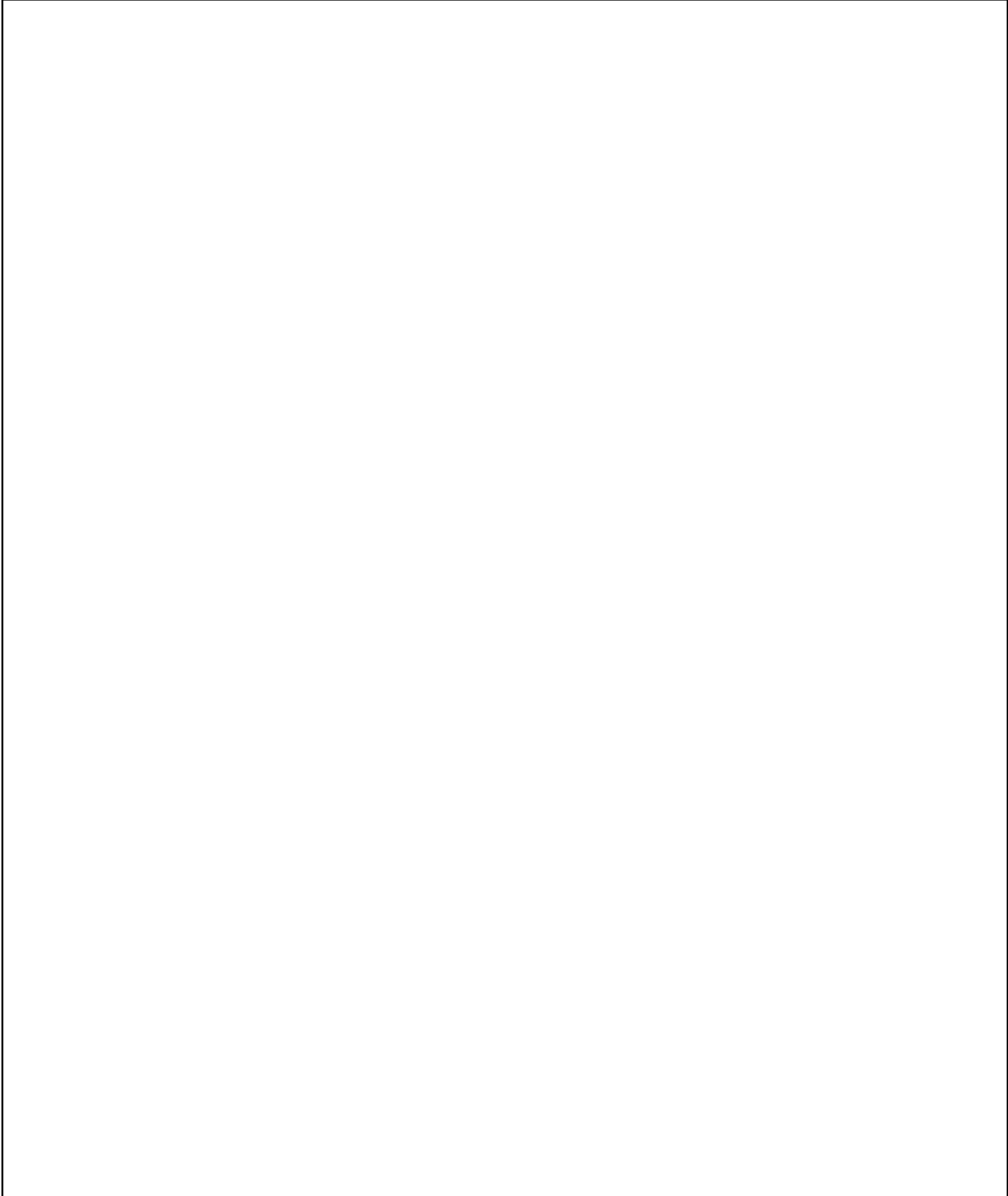


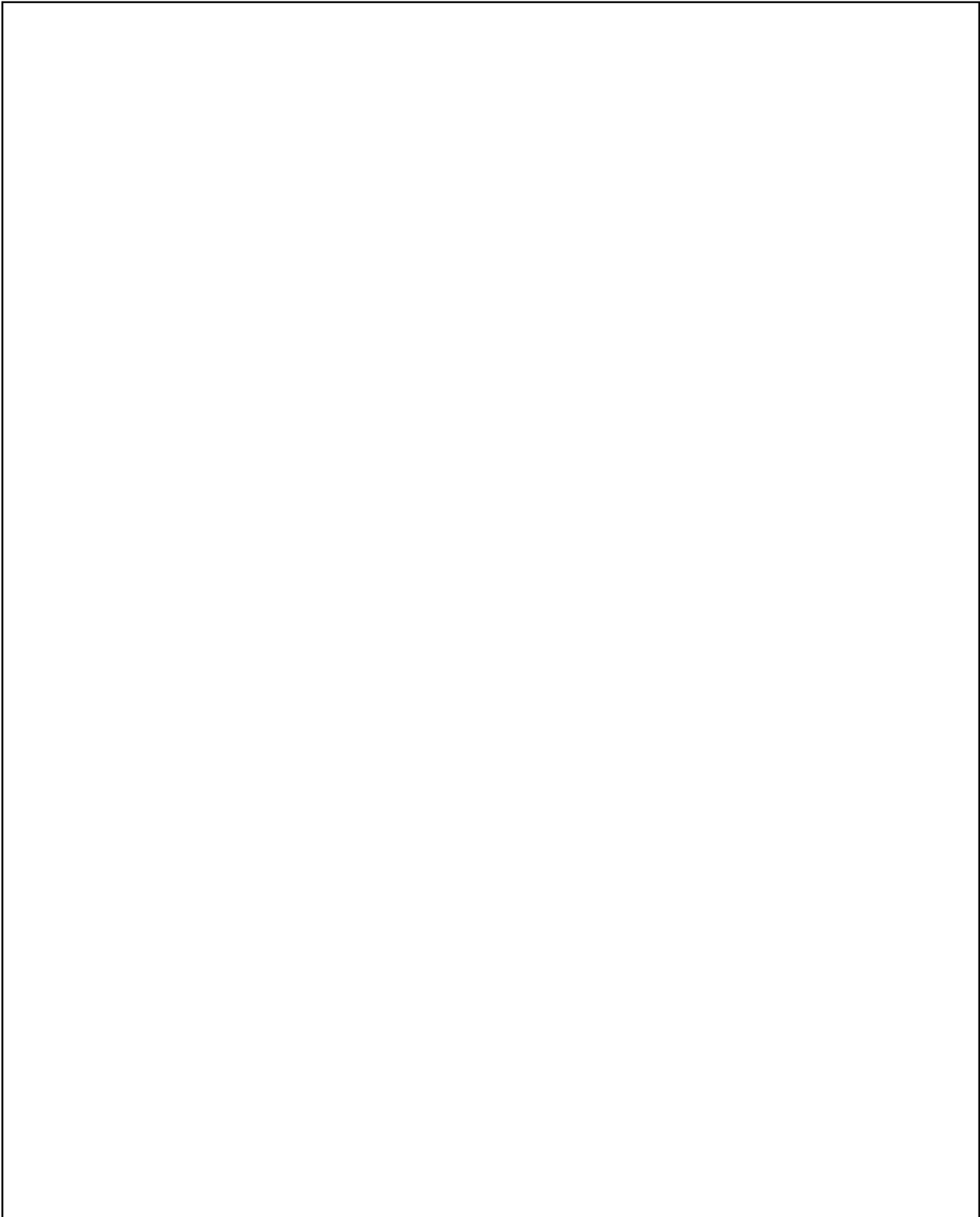


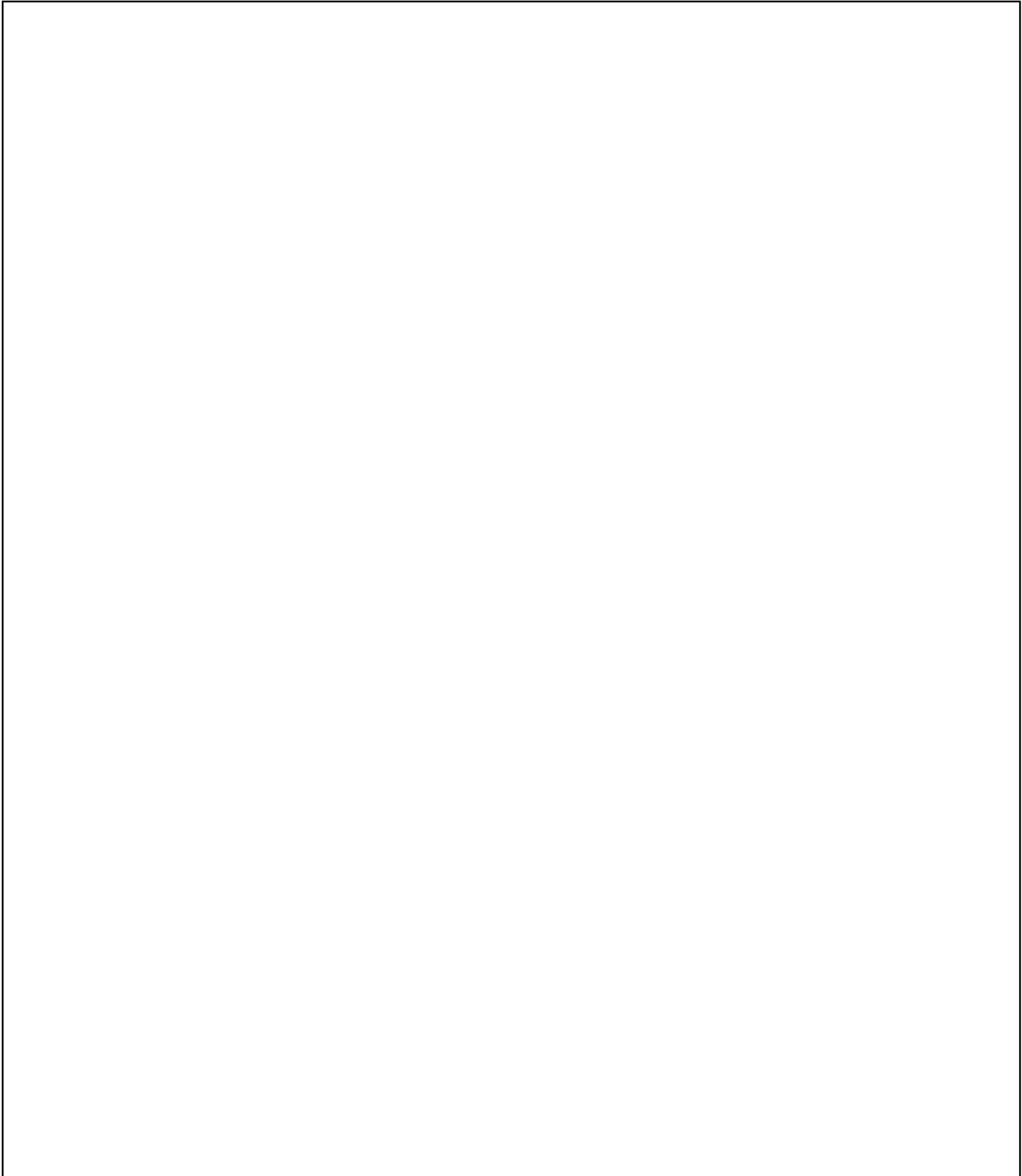


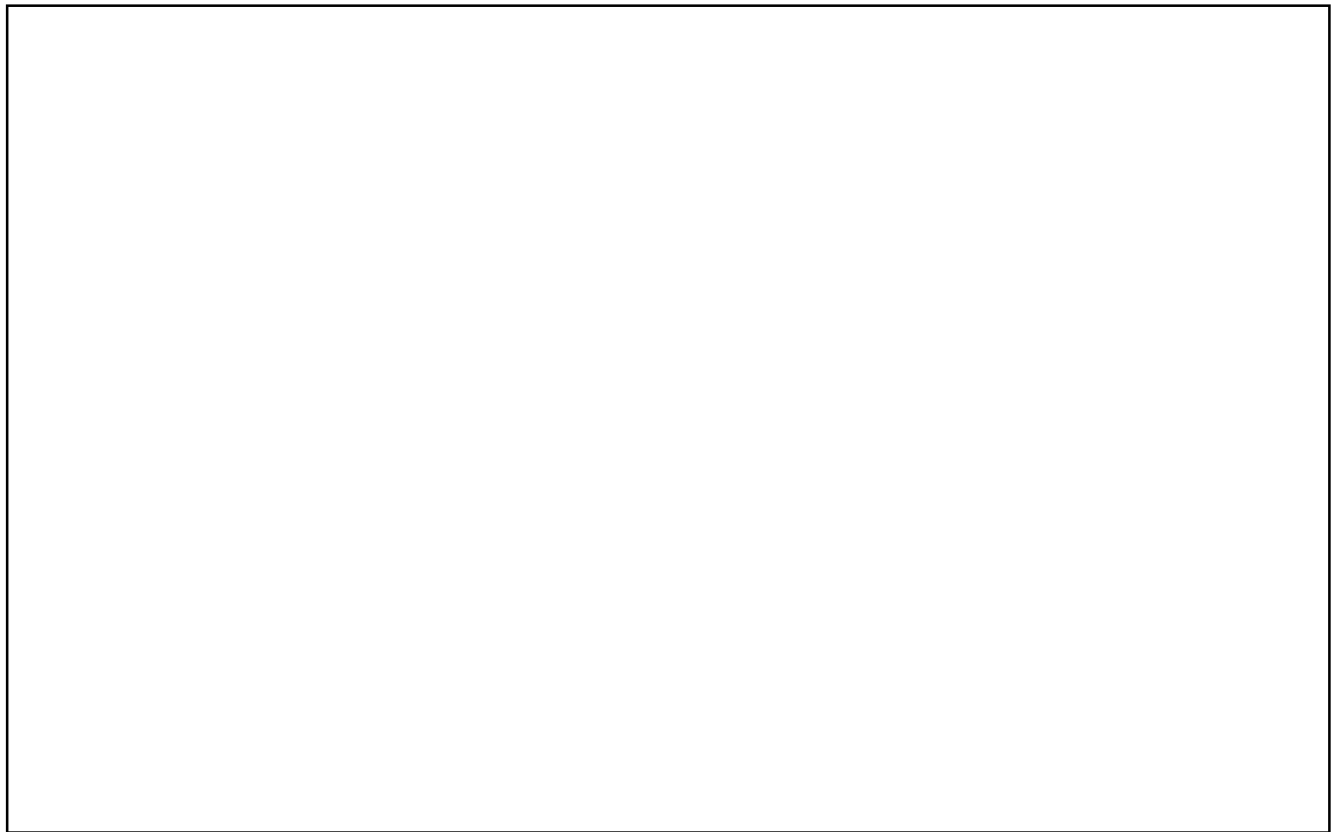














U.S Citizenship and
Immigration Services
Refugee Affairs Division

GUIDANCE FOR USE OF SOCIAL MEDIA IN REFUGEE ADJUDICATIONS

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[Redacted]

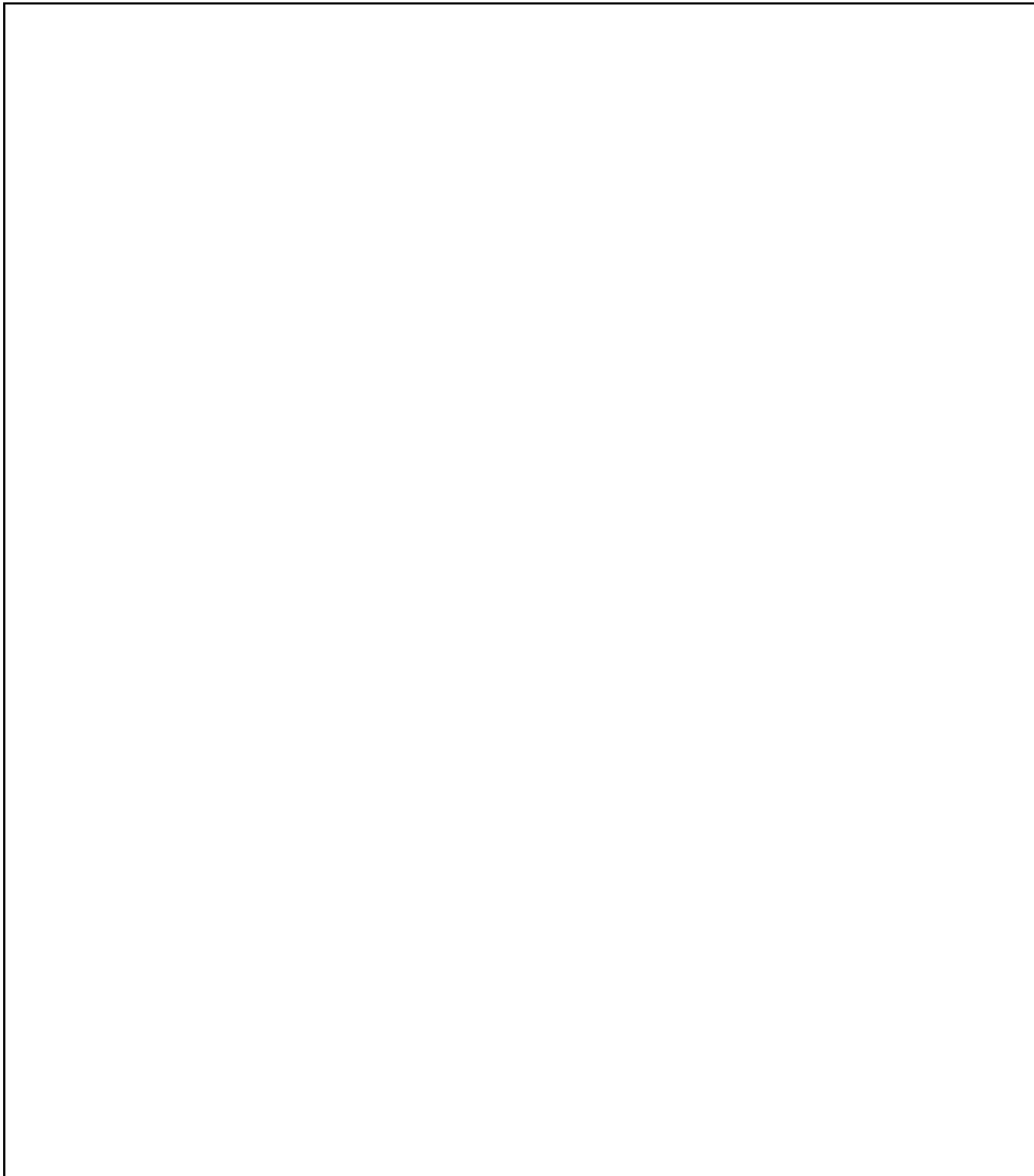
X.

(b)(7)(e)

I. PURPOSE

The purpose of this guidance is to provide officers with information and tools to use the results of social media checks in the refugee adjudication process. (b)(7)(e)

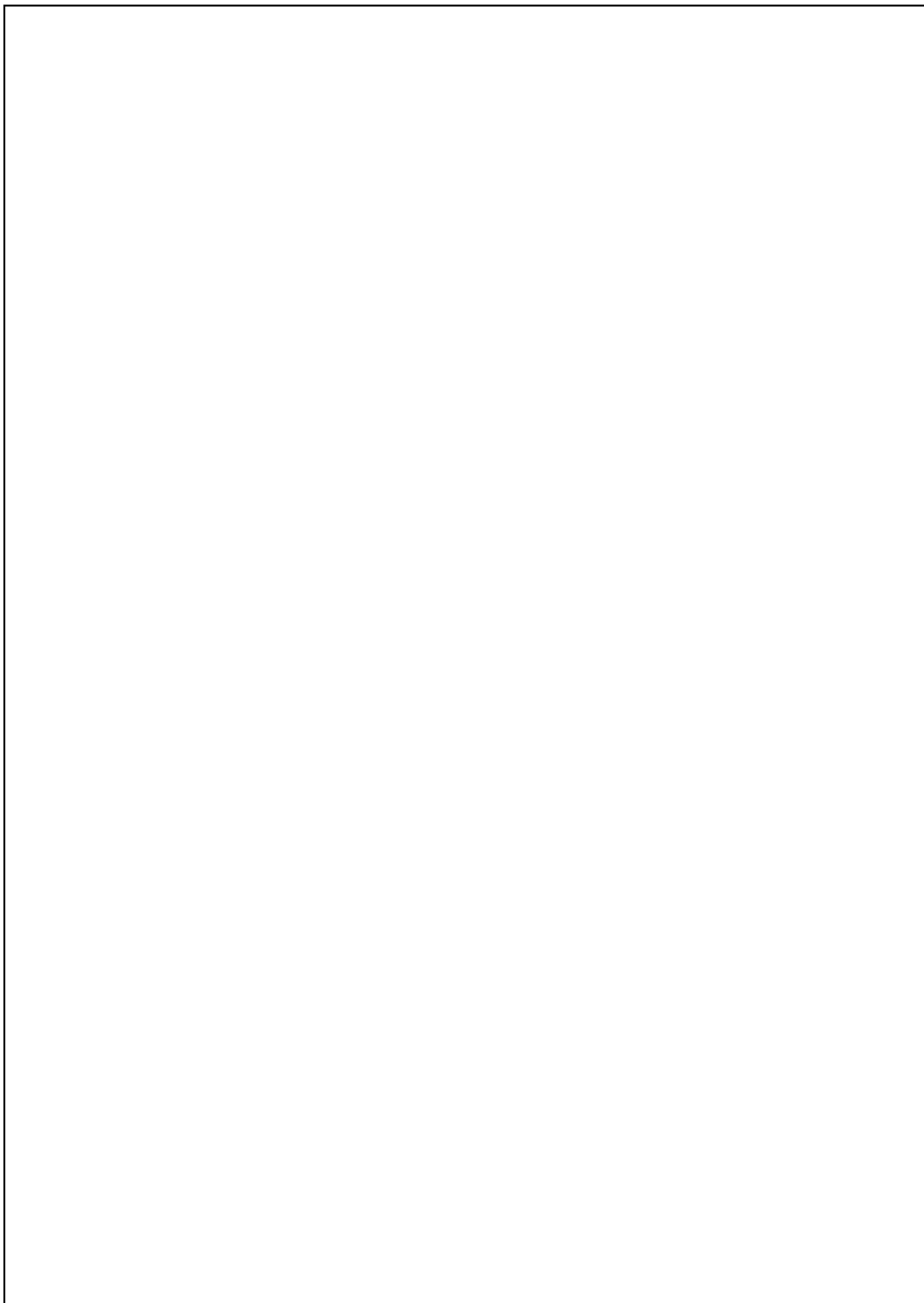
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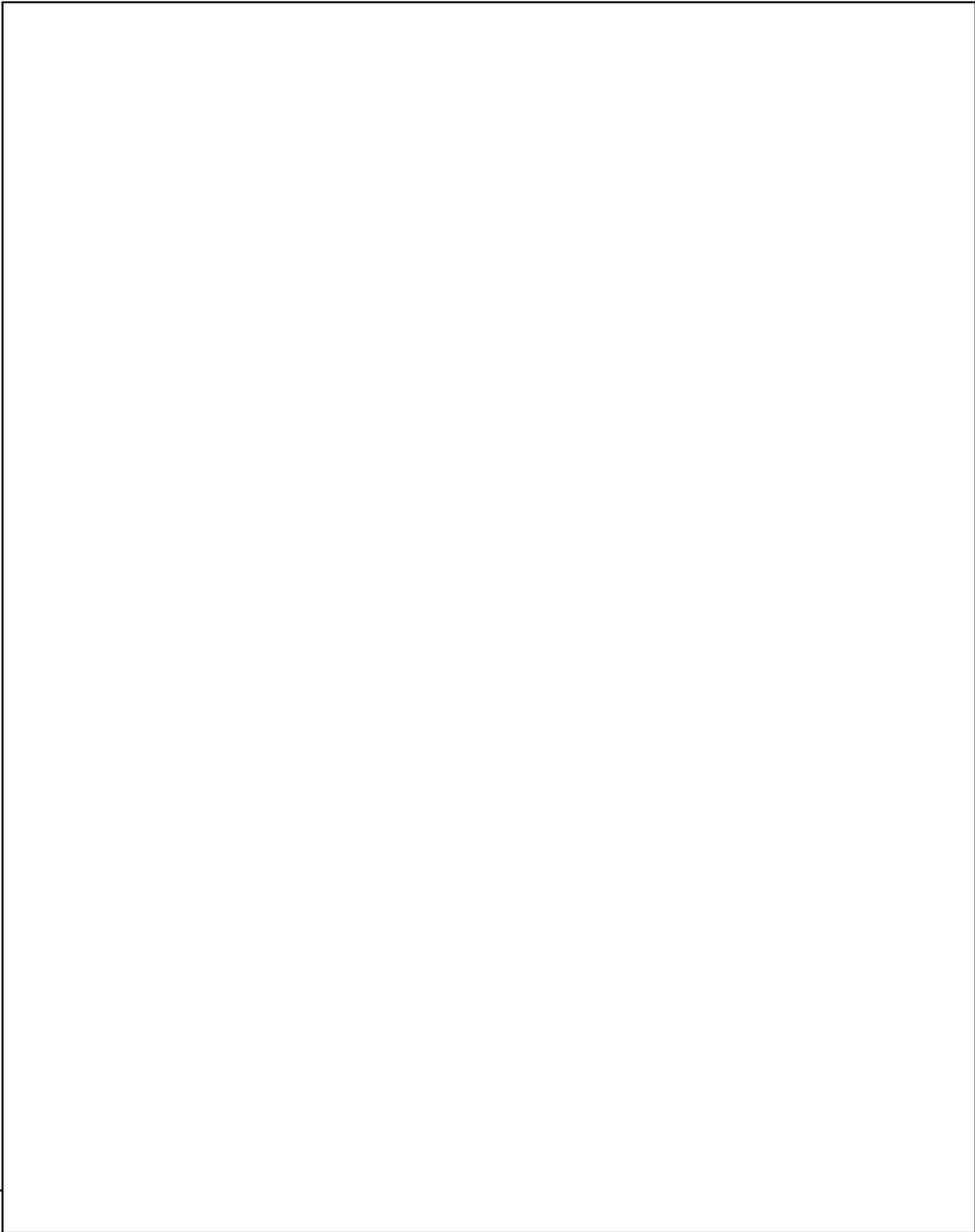
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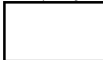
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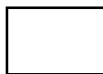
V.



VI.

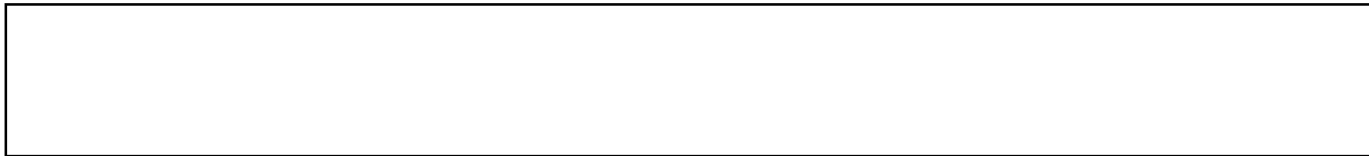


VII.



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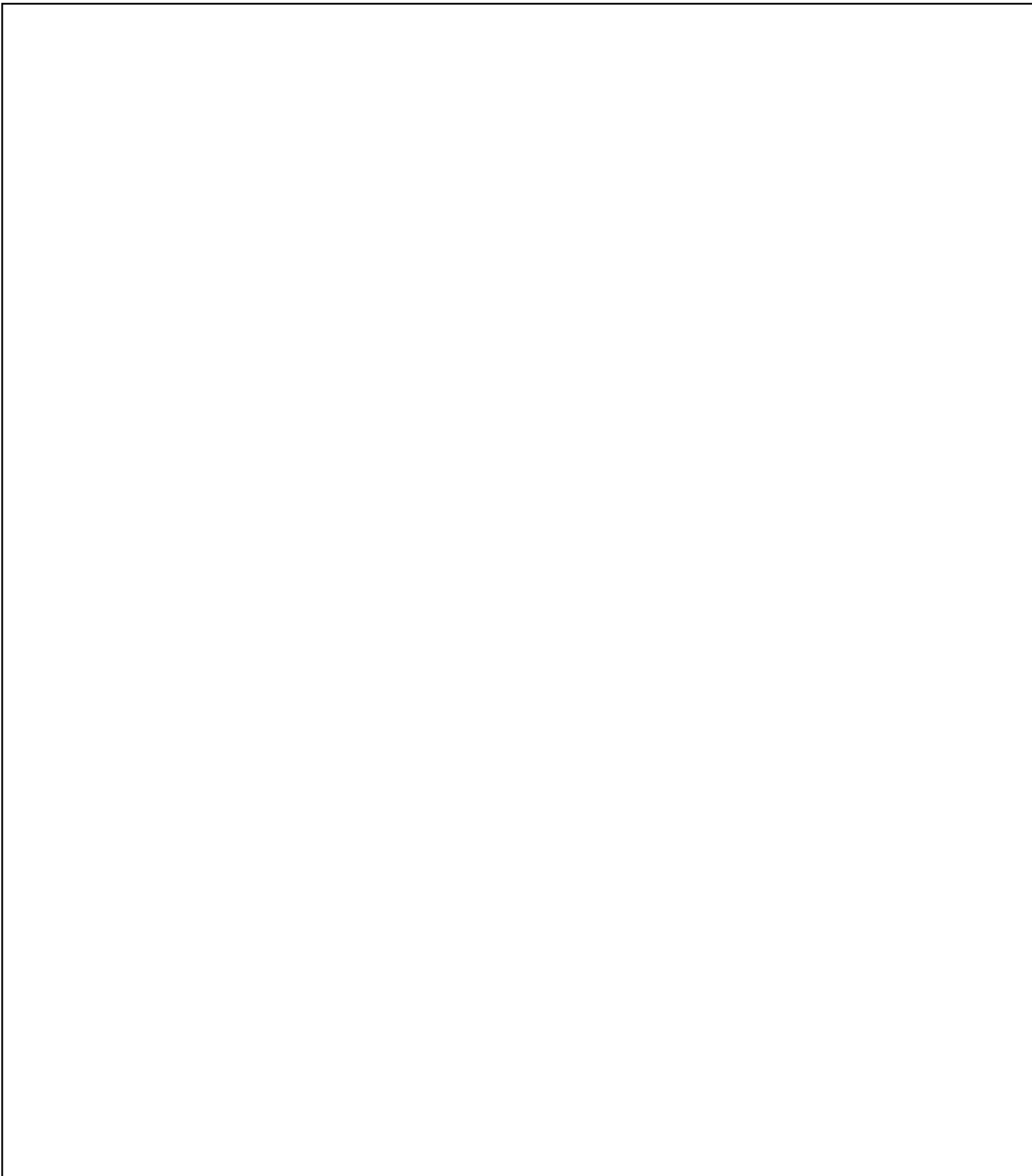


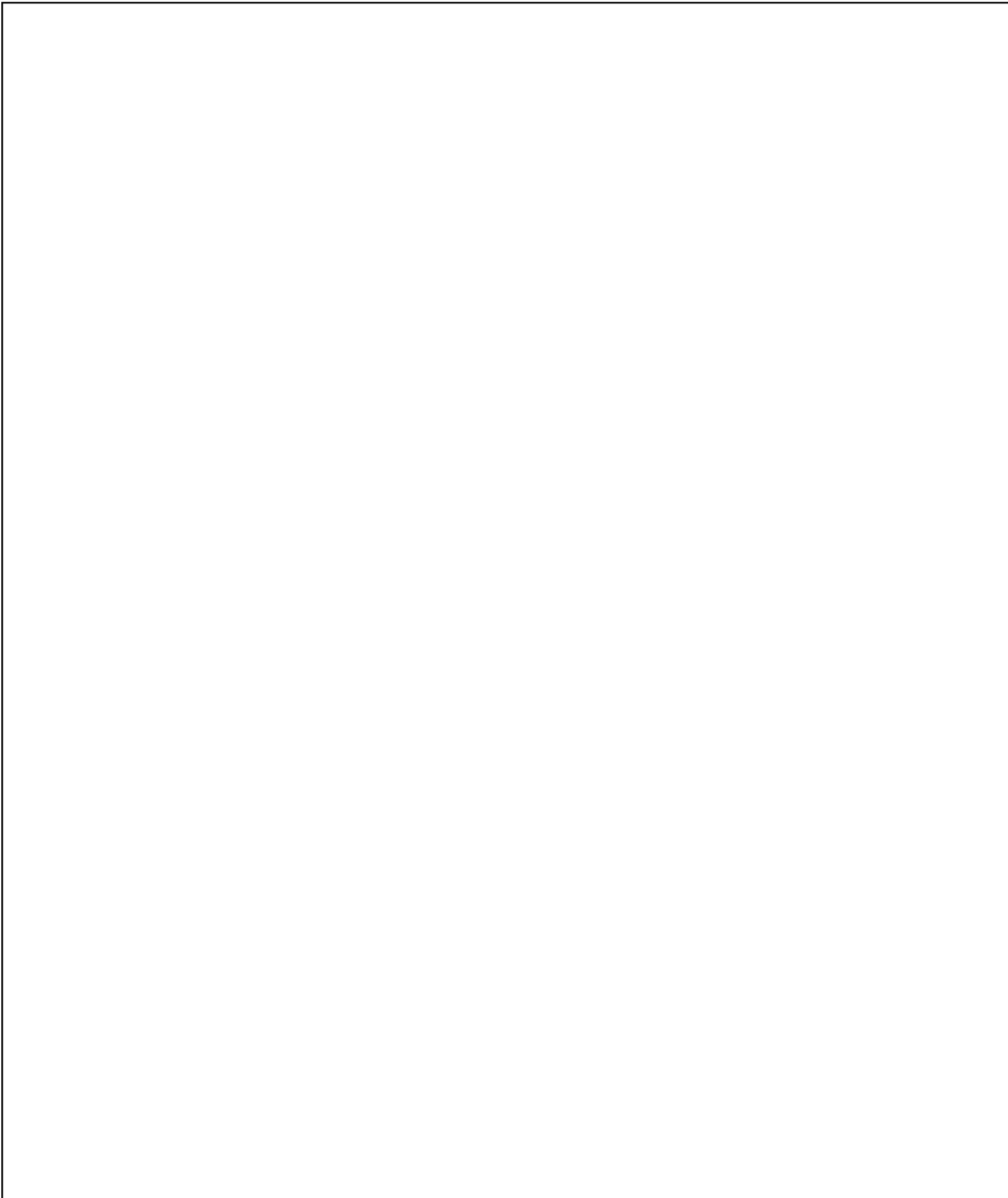


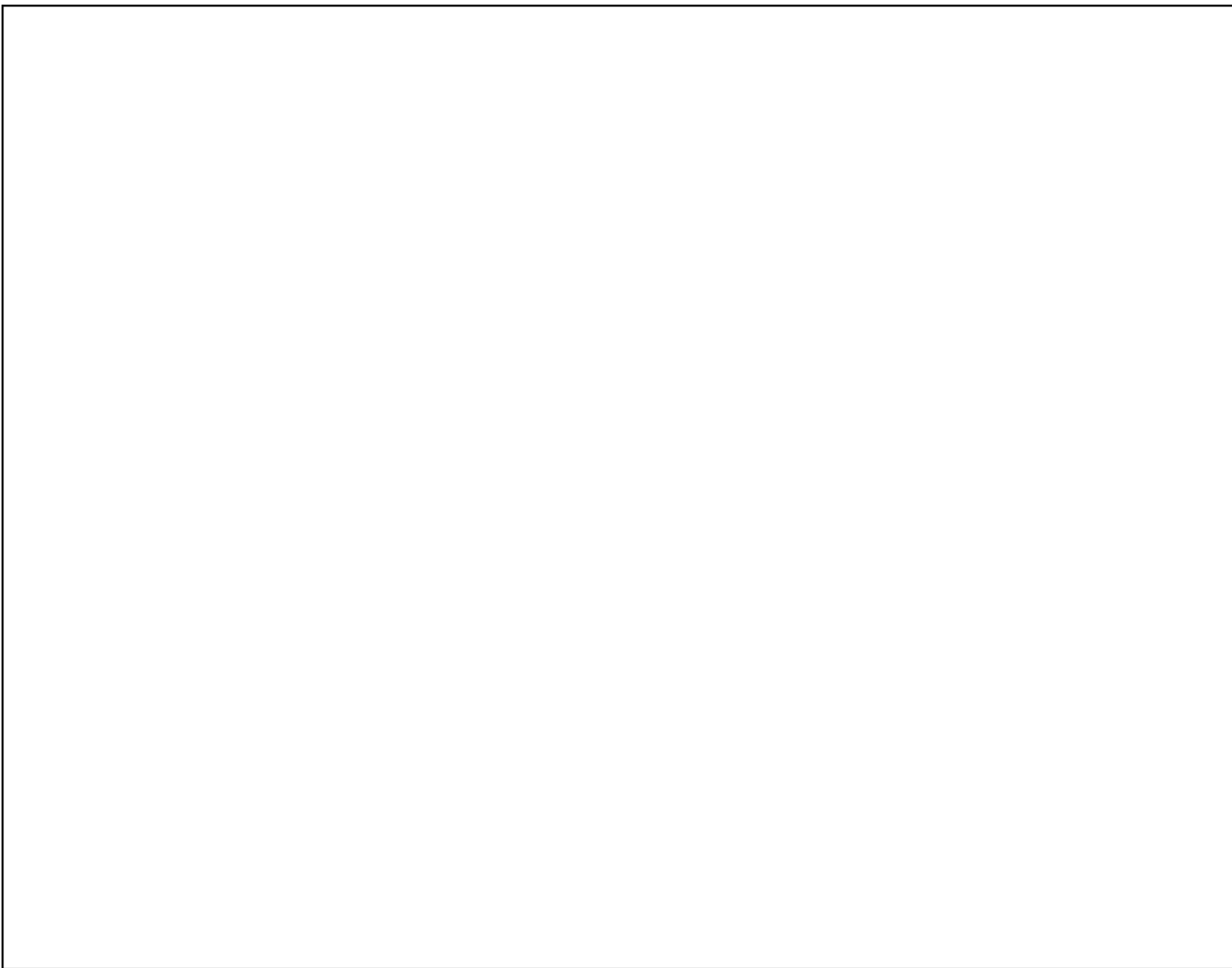
VIII. POINTS OF CONTACT

(b)(7)(e)

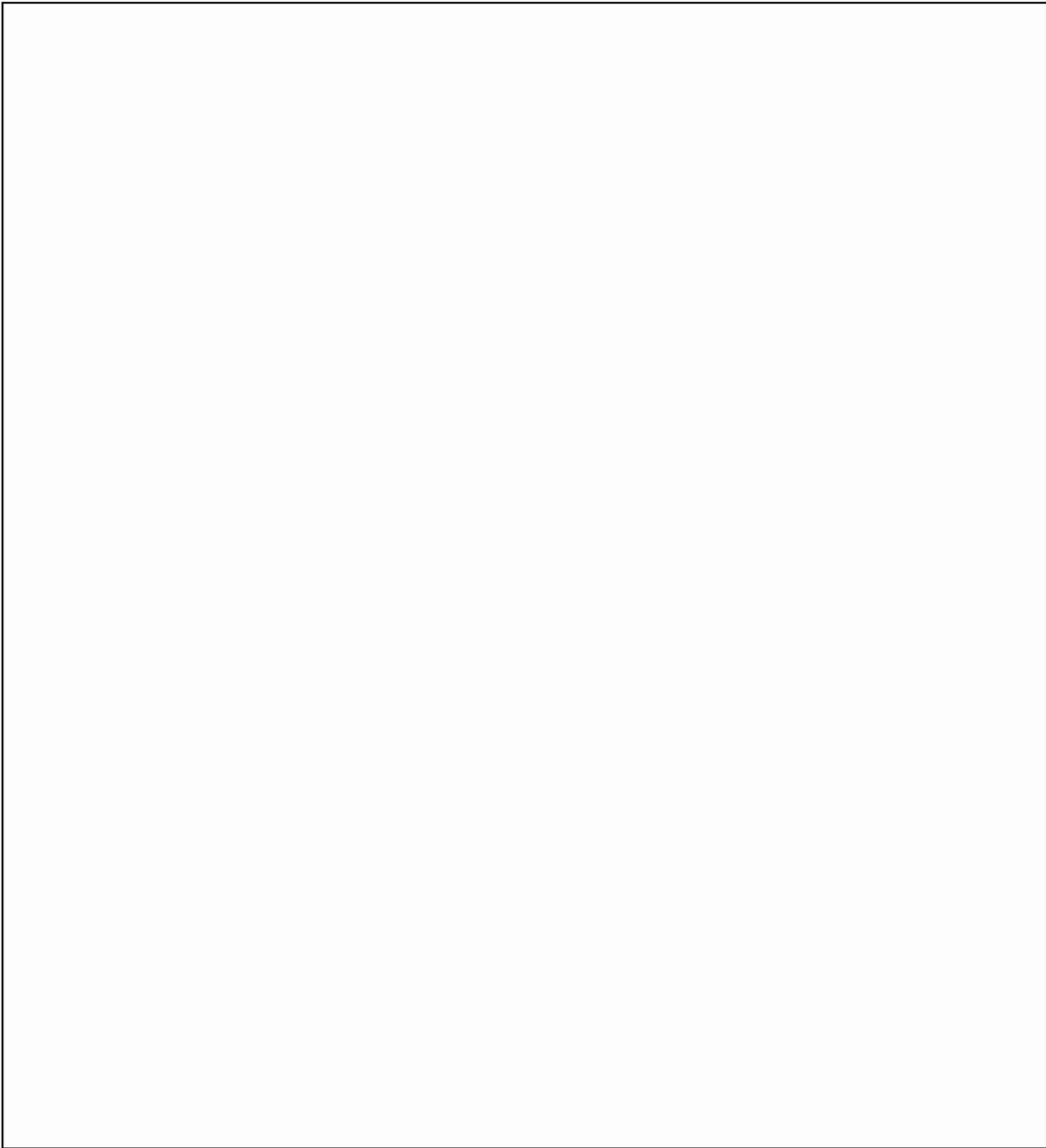
Please direct inquiries regarding RAD social media policy to the RAD Branch Chiefs for Policy and SVPI with the appropriate Regional Operations desk(s) in copy.



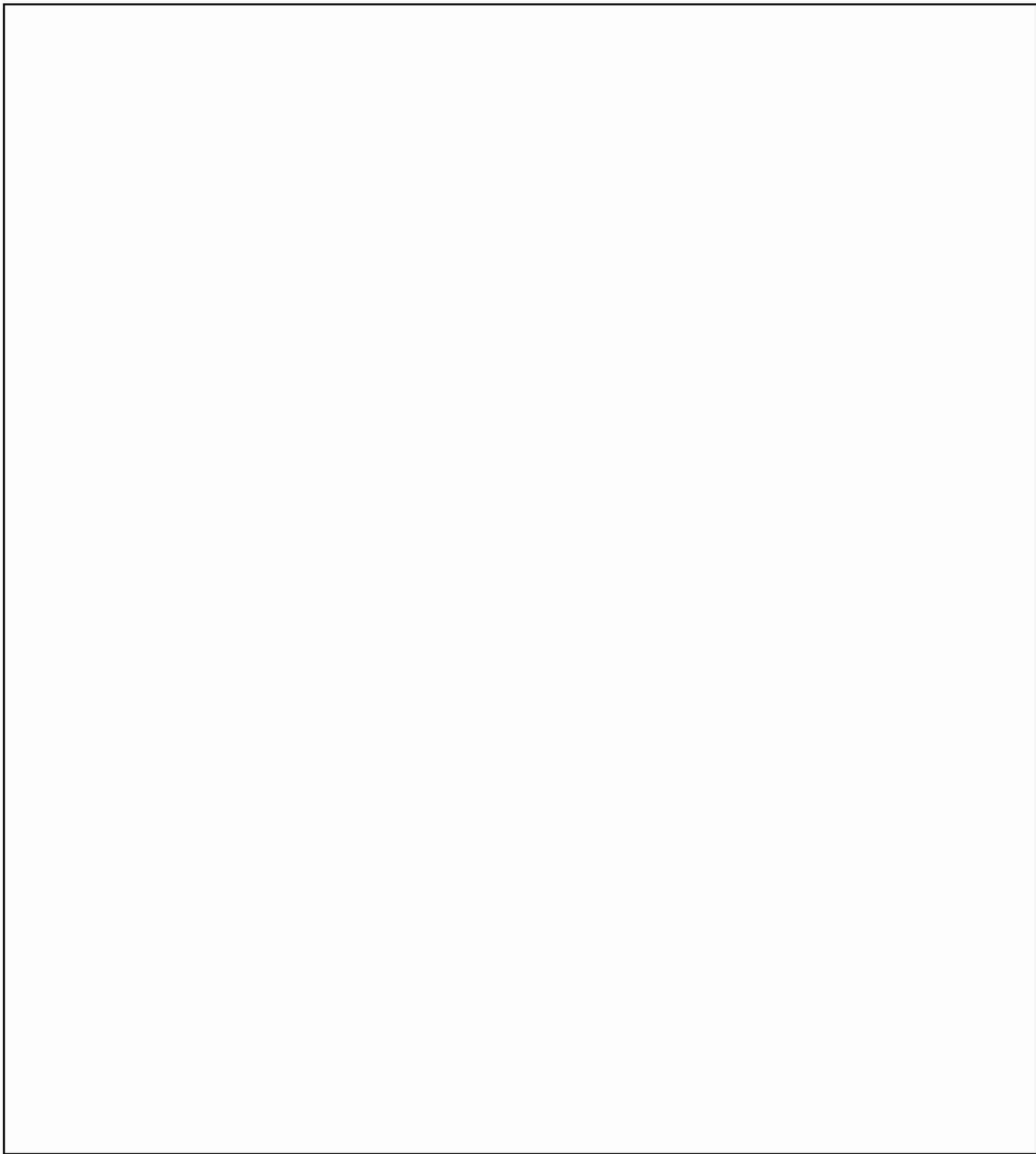




(b)(7)(e)



(b)(7)(e)



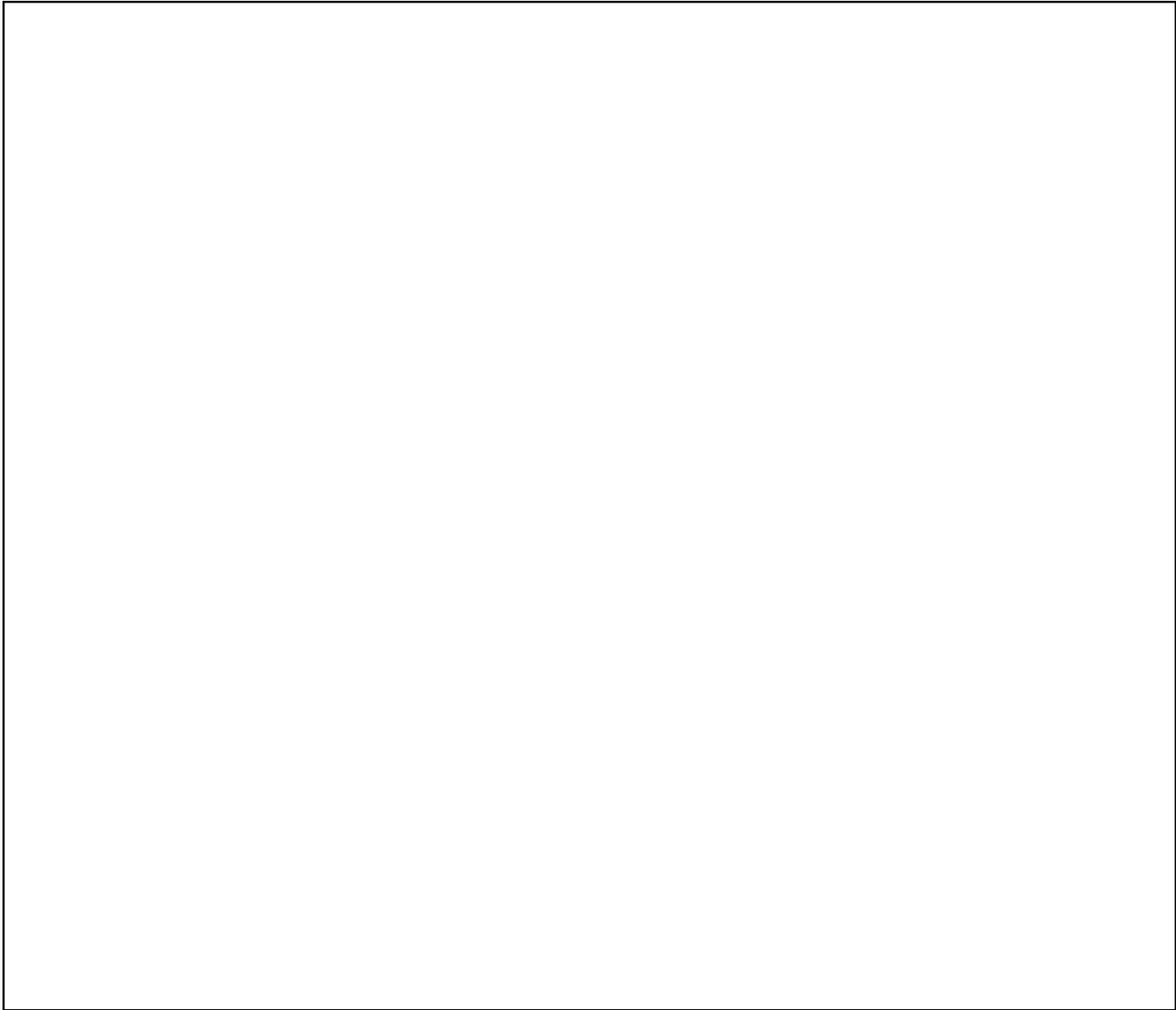
(b)(7)(e)

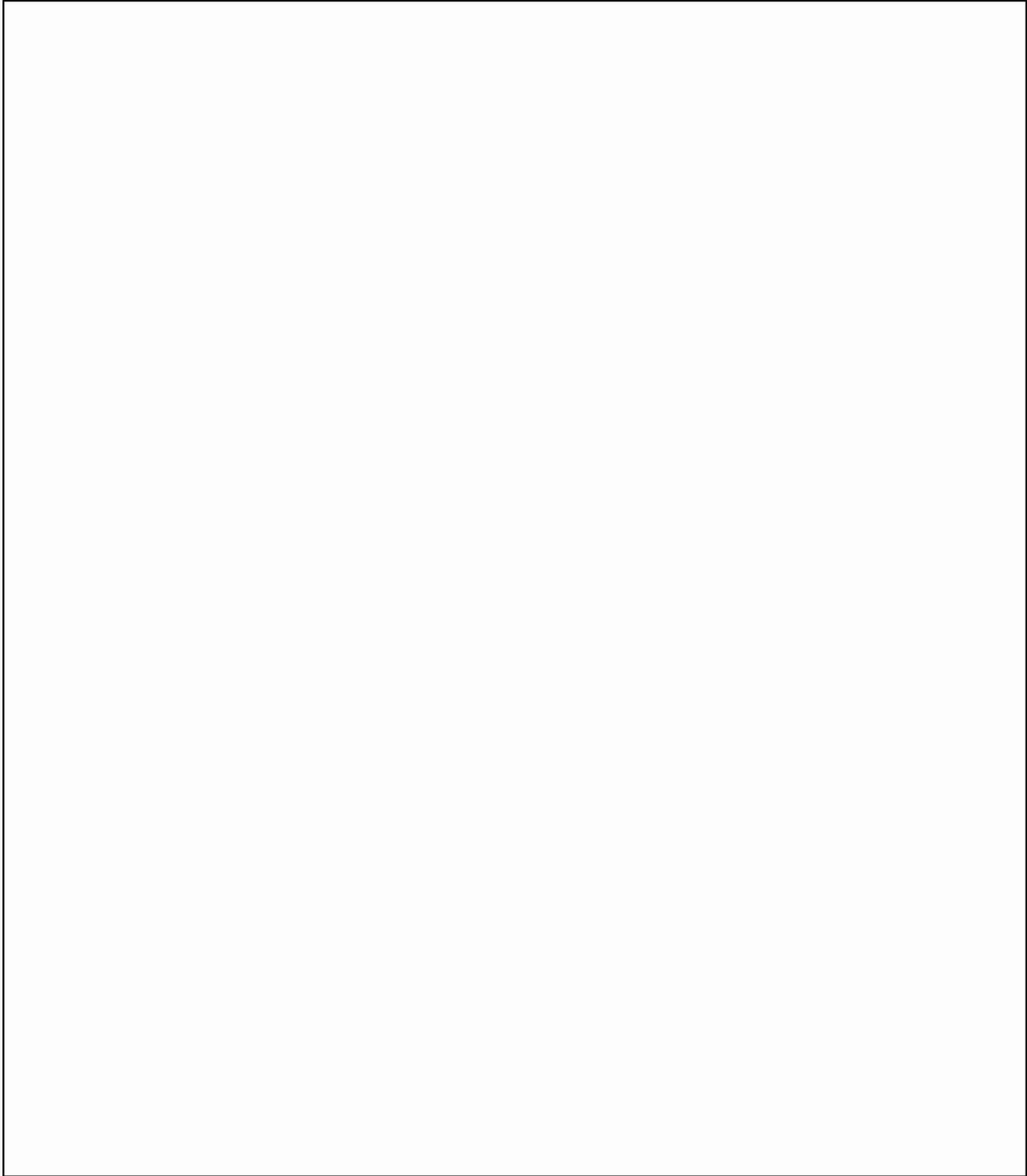
USCIS/State Social Media Elicitation Plan – Refugee Applicant Pilot

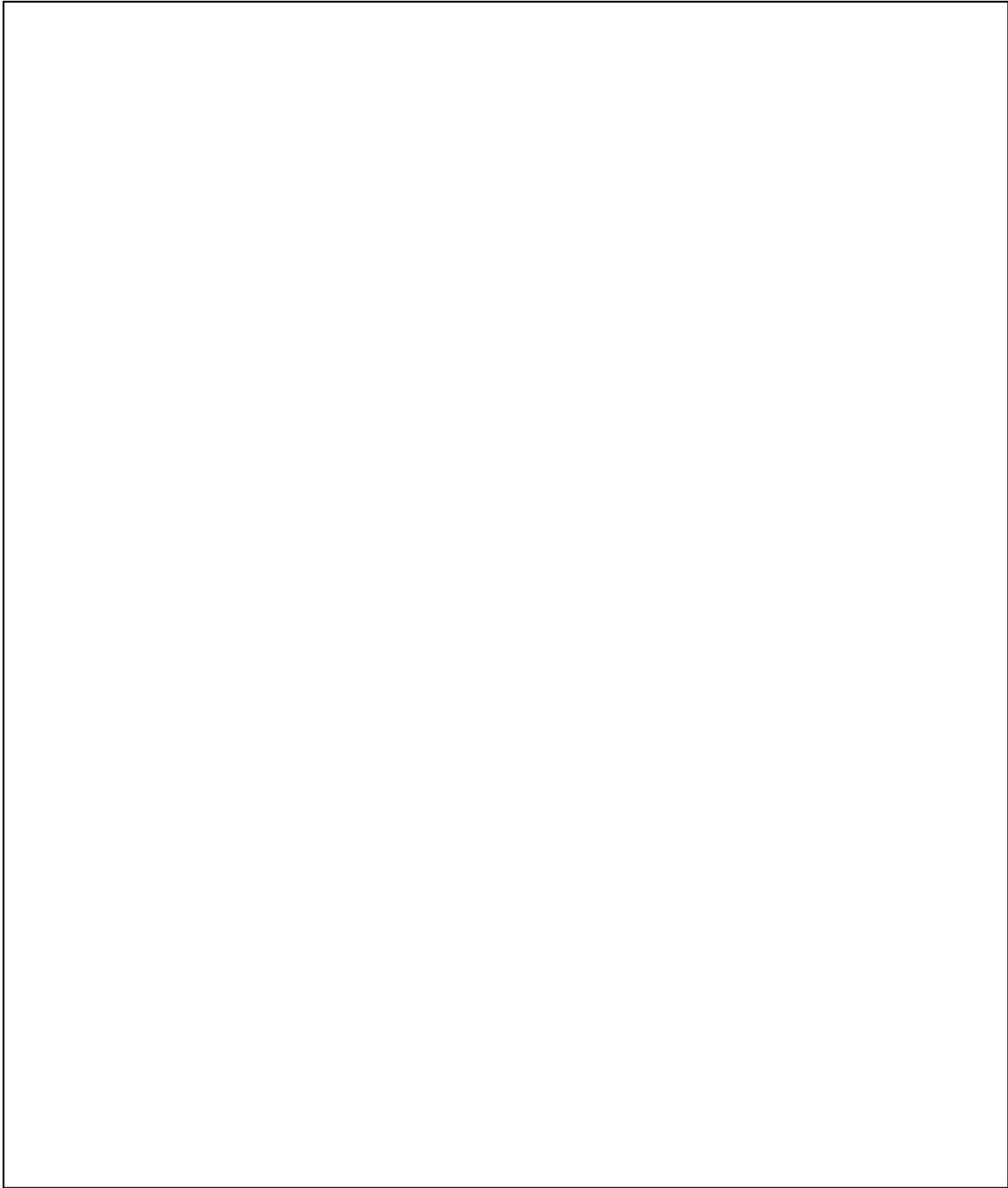
Concept of Operations

Tasking

As requested by the National Security Council staff, United States Citizenship and Immigration Services (USCIS) and the Department of State (“State”) Bureau of Population, Refugees, and Migration (PRM) have been asked to develop a joint Concept of Operations (CONOP) to pilot the elicitation of social media identifiers of refugee applicants under consideration for resettlement through the United States Refugee Admissions Program (USRAP) in an effort to include this additional data element as part of the inter-agency refugee screening process.









(b)(7)(e) (b)(5)

U.S. CITIZENSHIP AND IMMIGRATION SERVICES



REVIEW OF REFUGEE SCREENING SOCIAL MEDIA PILOT

Fraud Detection & National Security Directorate
16 March 2016

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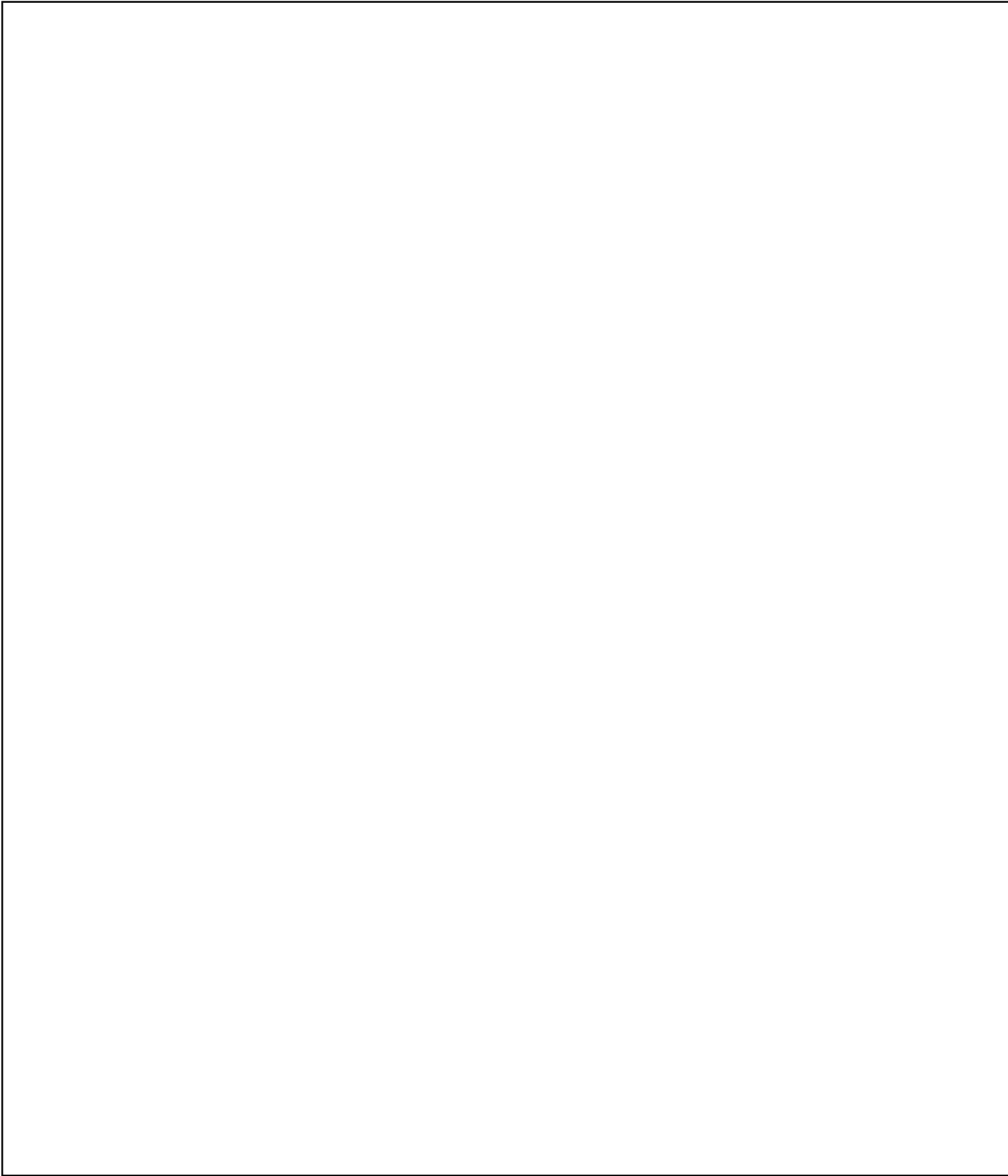
(b)(7)(e)

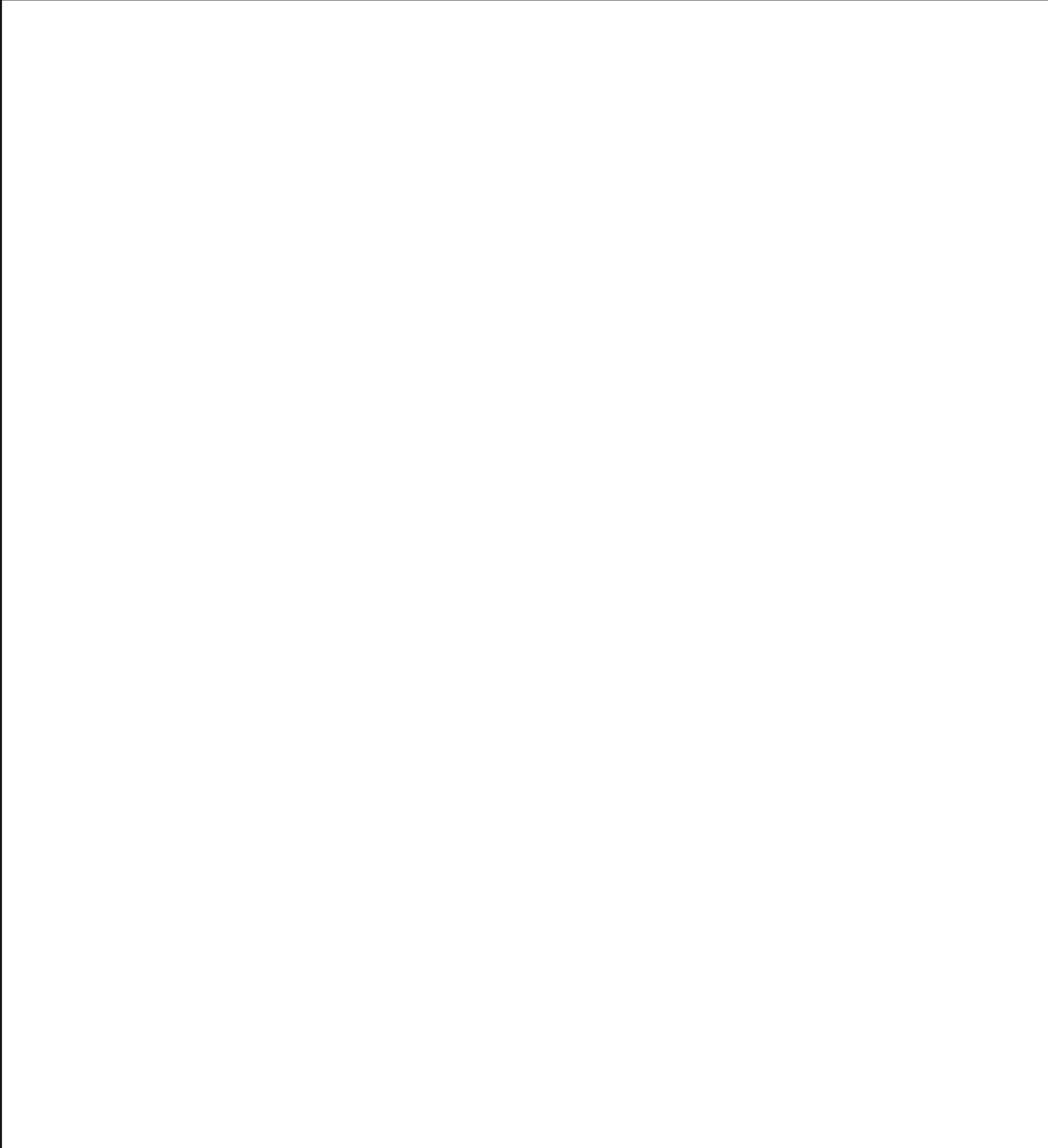
Overview

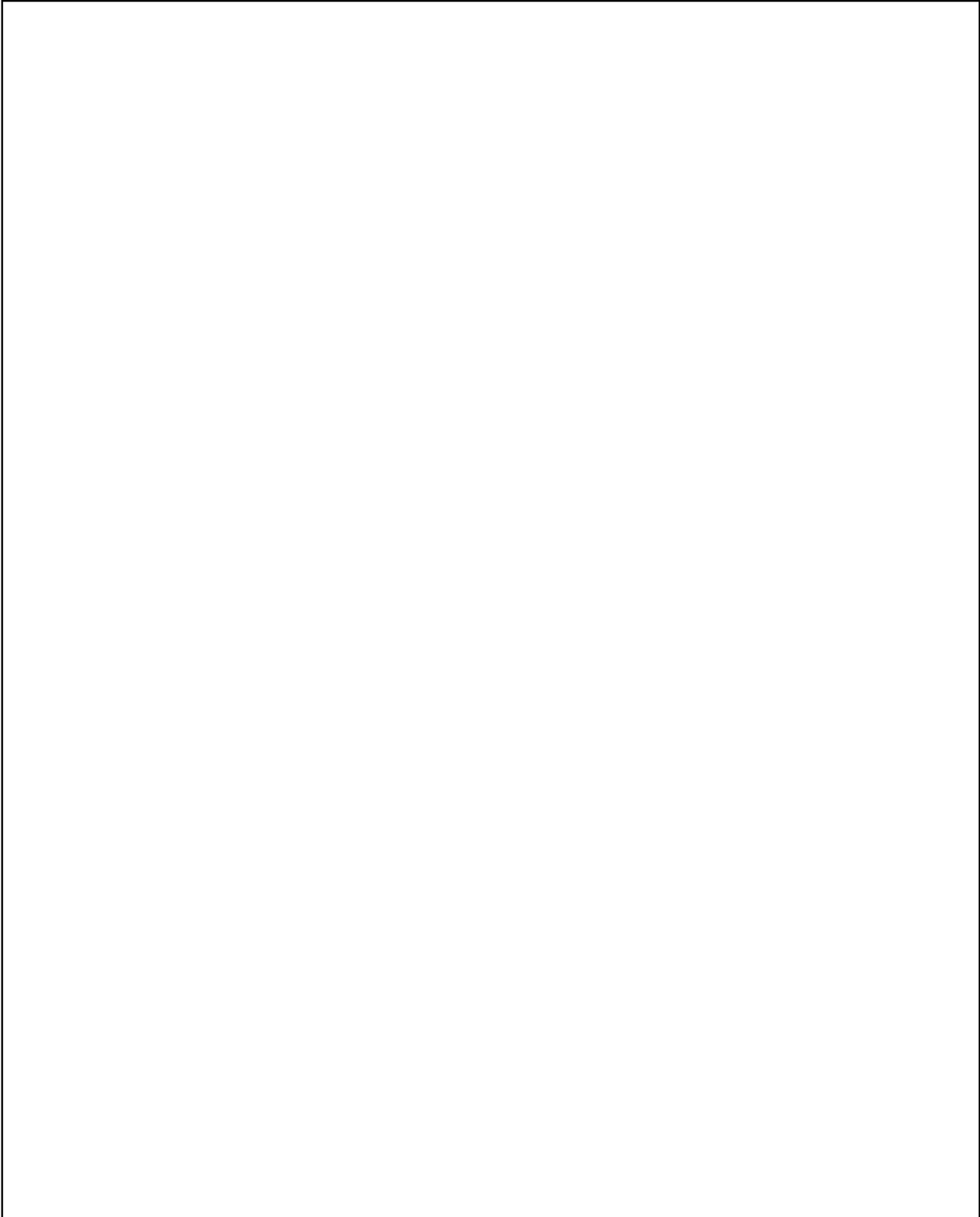
The Department of Homeland Security (DHS) asked United States Citizenship and Immigration Services (USCIS) to examine the feasibility of using social media for screening refugee applicants. USCIS sought to determine if reviewing the social media presence of these individuals could provide useful information for adjudicating their applications, and gauge how resource intensive this screening could be.

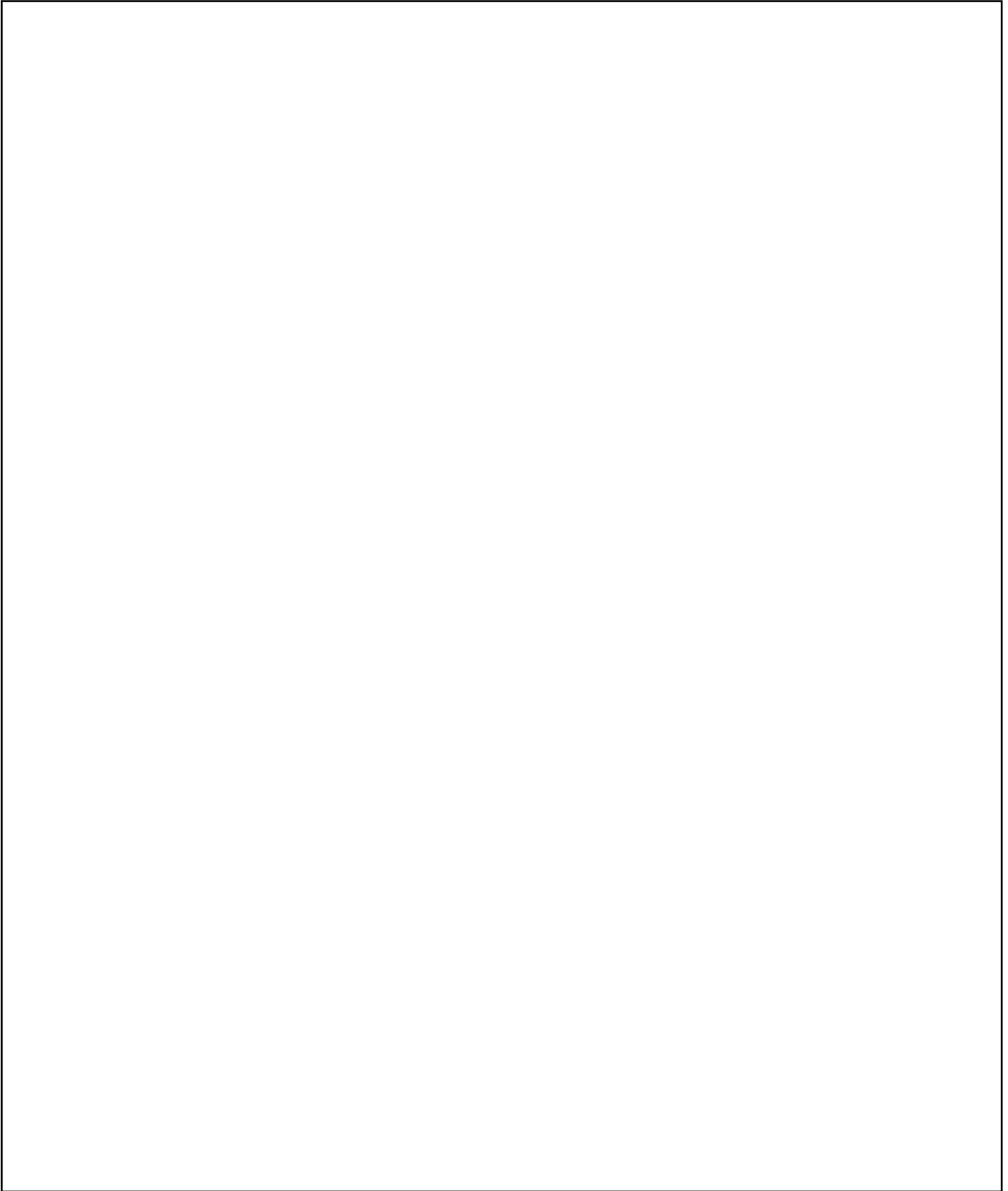
While USCIS had used social media in a limited capacity for the enhanced vetting of certain refugees, it does not have any experience in using it as a large scale screening tool. The agency therefore decided to approach this work as an open-ended exploration with very flexible research parameters. The team supporting this pilot utilized an adaptive approach to create, implement, and continually revise its social media screening procedures.

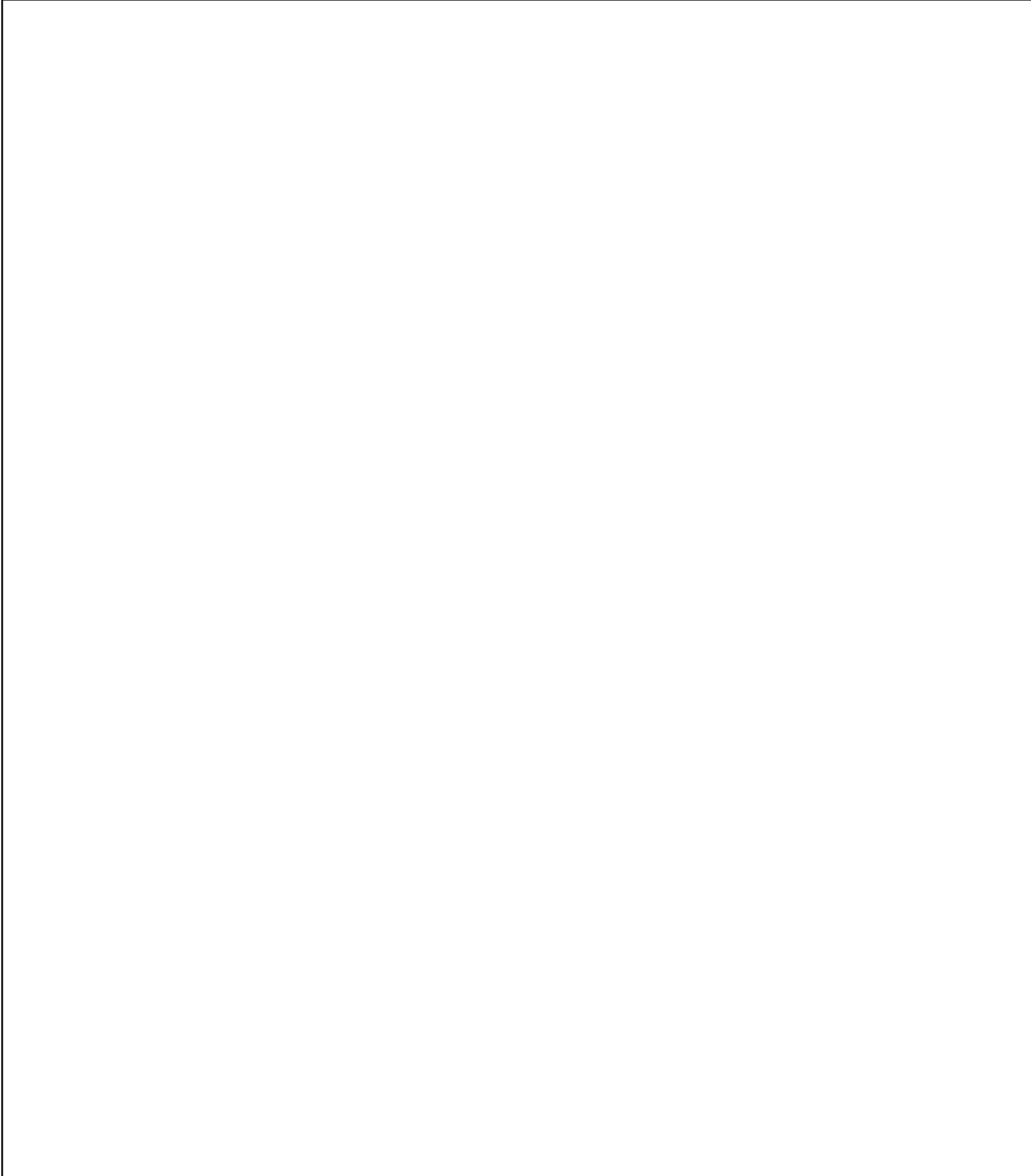














(b)(7)(e) (b)(5)

U.S. CITIZENSHIP AND IMMIGRATION SERVICES

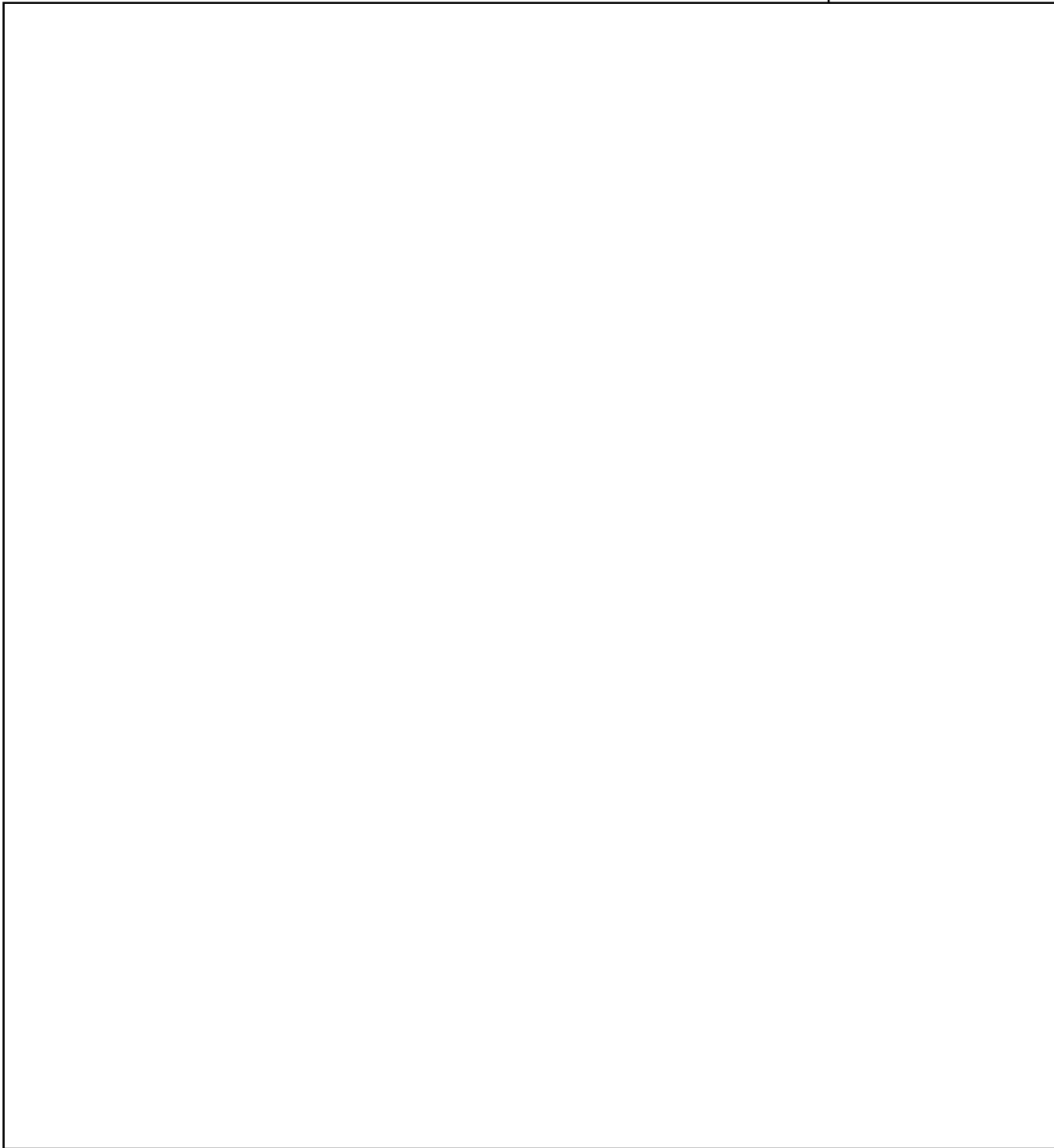


**REVIEW OF K-1 ADJUSTMENT OF STATUS
SOCIAL MEDIA PILOTS**

Executive Summary

(b)(7)(e) (b)(5)

USCIS examined three techniques to screen K-1 adjustments of status cases: manually searching social media sites; using a commercial application, [redacted] scores to select cases for manual review; and using another commercial application, [redacted] to filter social media information, by geolocation and key words, through DHS S&T. [redacted]



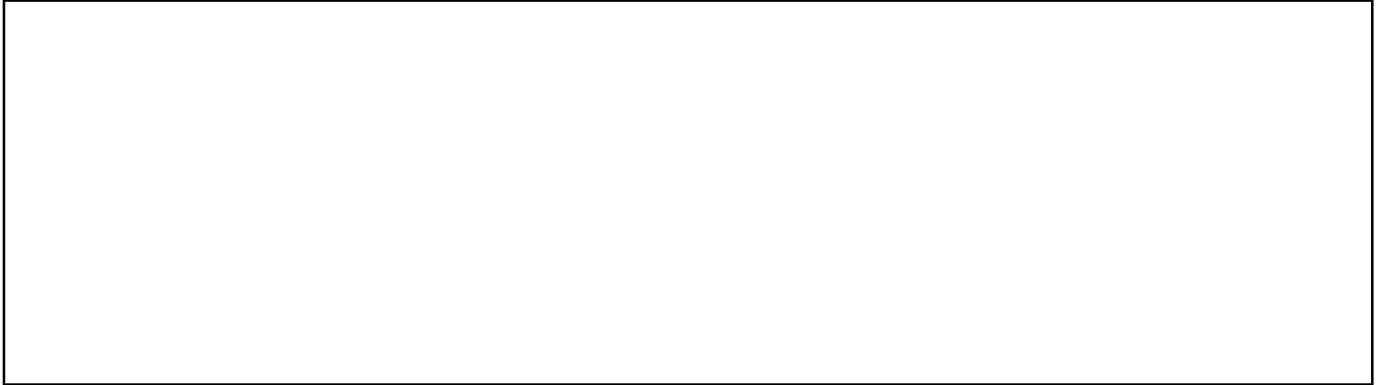


(b)(7)(e) (b)(5)

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Introduction

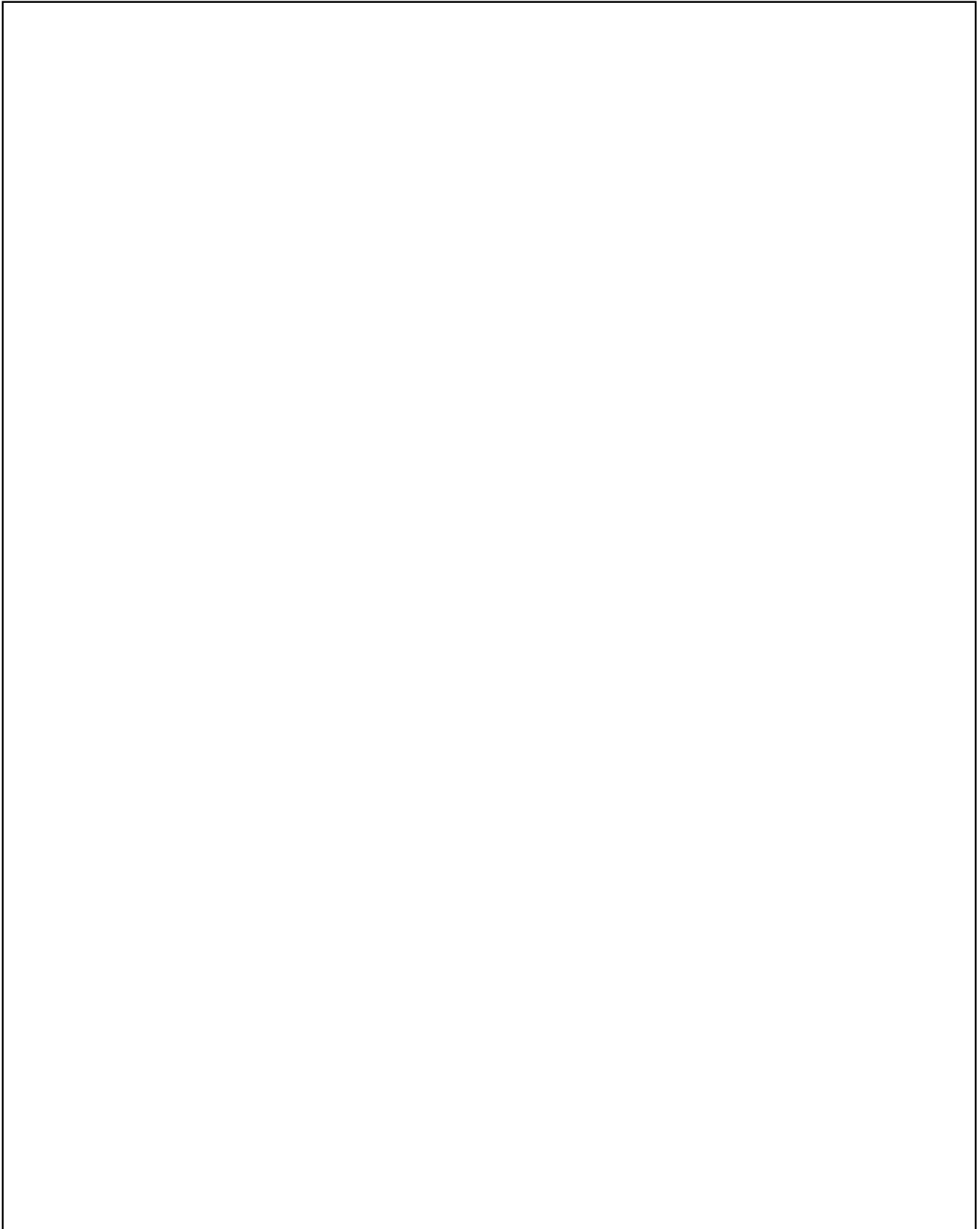
The Department of Homeland Security (DHS) asked United States Citizenship and Immigration Services (USCIS) to examine the feasibility of using social media to screen individuals in the United States who entered via K-1 nonimmigrant fiancé(e) visas and who are now seeking adjustment to lawful permanent resident (LPR) status. USCIS sought to determine if reviewing the social media presence of LPR applicants could provide useful information for benefit adjudication and how resource intensive the screening would be.

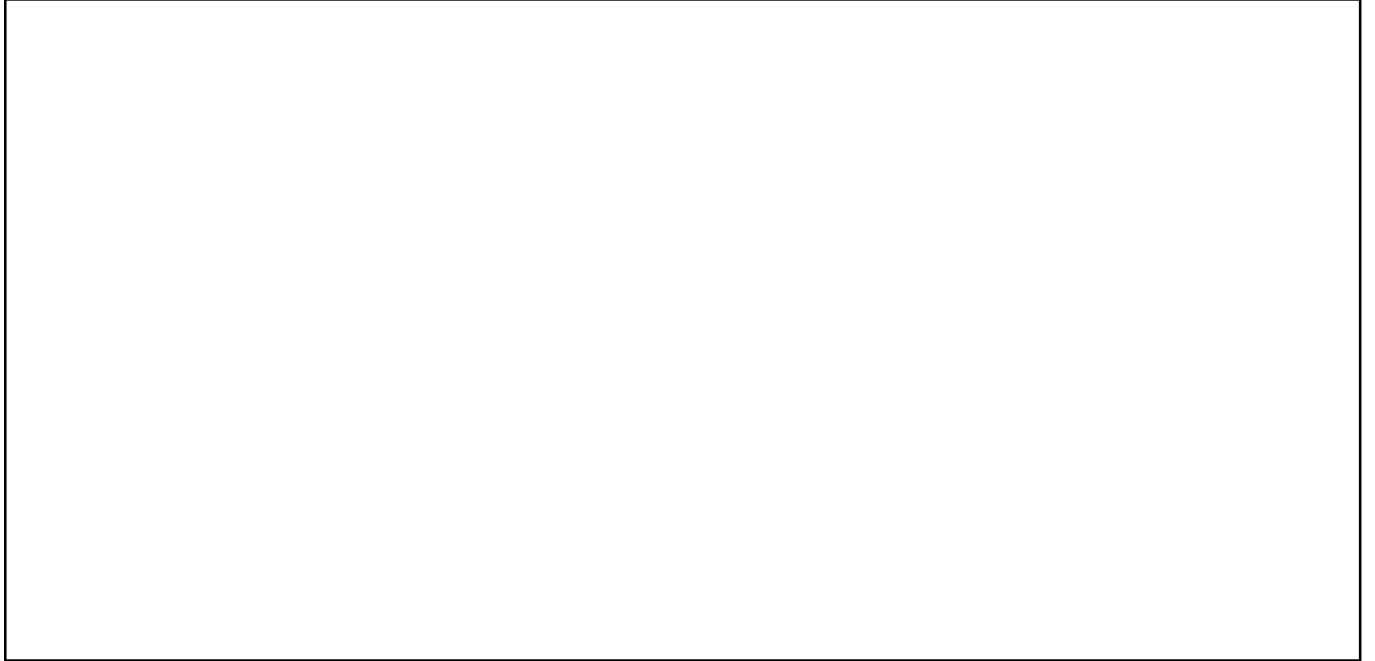


(b)(7)(e) (b)(5)









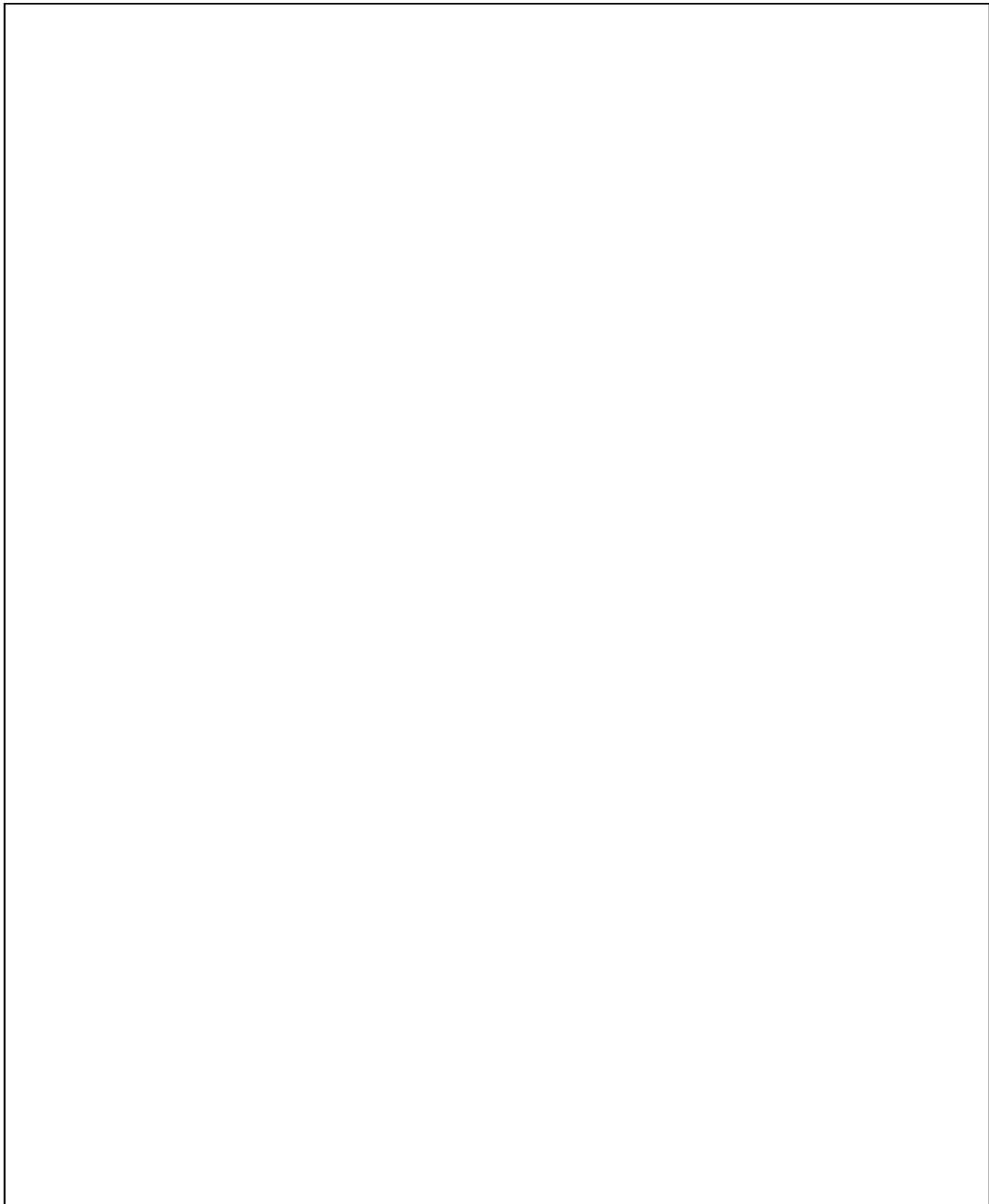
[redacted] Pilot

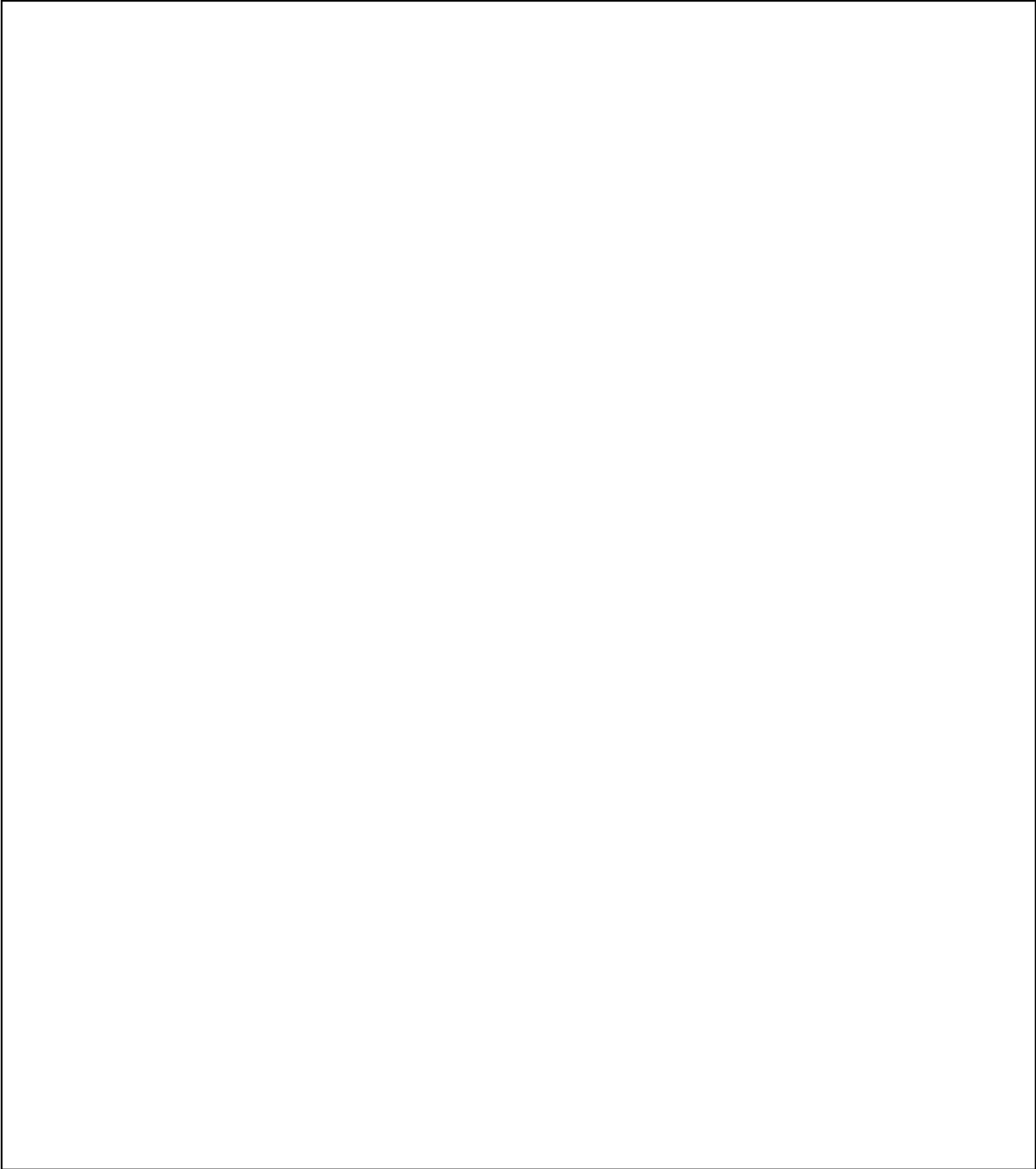
[redacted] **as a Screening Platform**

Starting in December 2015, a team of USCIS Immigration Officers worked closely with DHS Science and Technology (S&T) to establish pilot operations and begin to develop baseline requirements for social media screening, utilizing currently available social media data analysis capabilities. After reviewing more than 16 different companies and capabilities, S&T experts selected [redacted] for the pilot. S&T worked with DHS OGC and [redacted] to execute a Cooperative Research and Development Agreement (CRADA) to support joint experimentation with social media analytics.

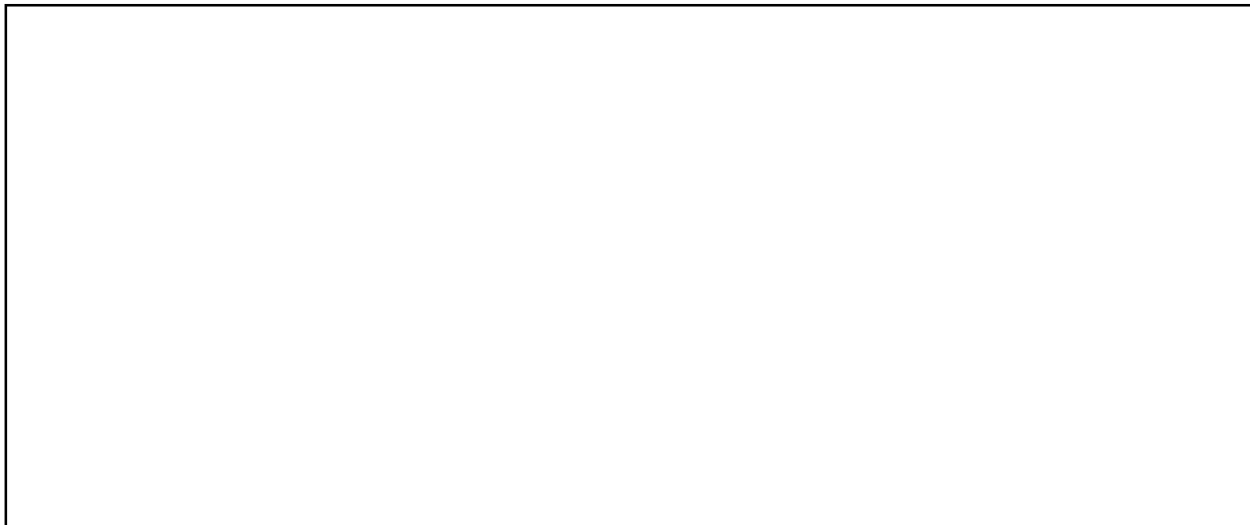


**For Official Use Only – Law Enforcement Sensitive
DRAFT/Pre-Decisional 2 26 5:15pm version**

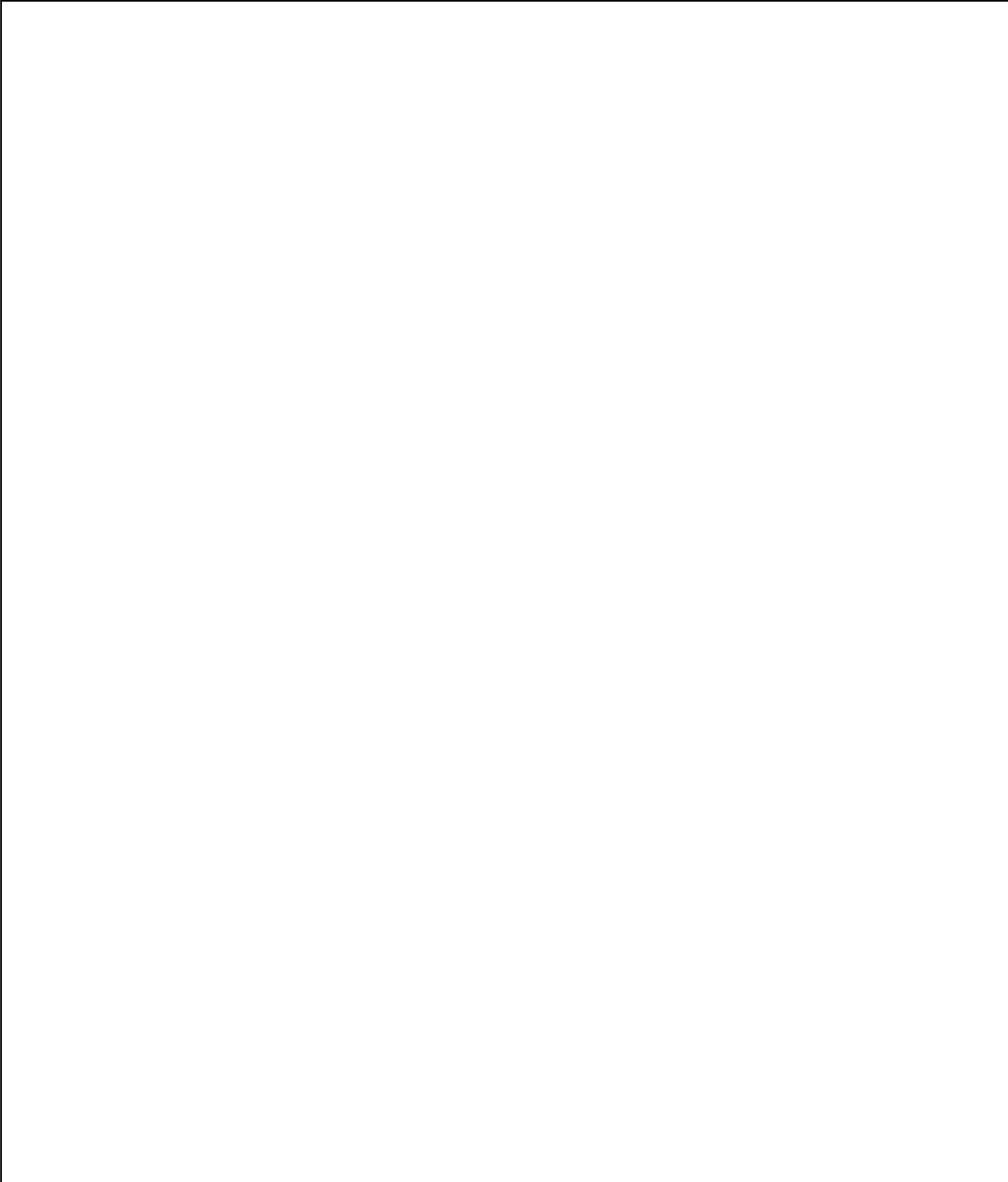




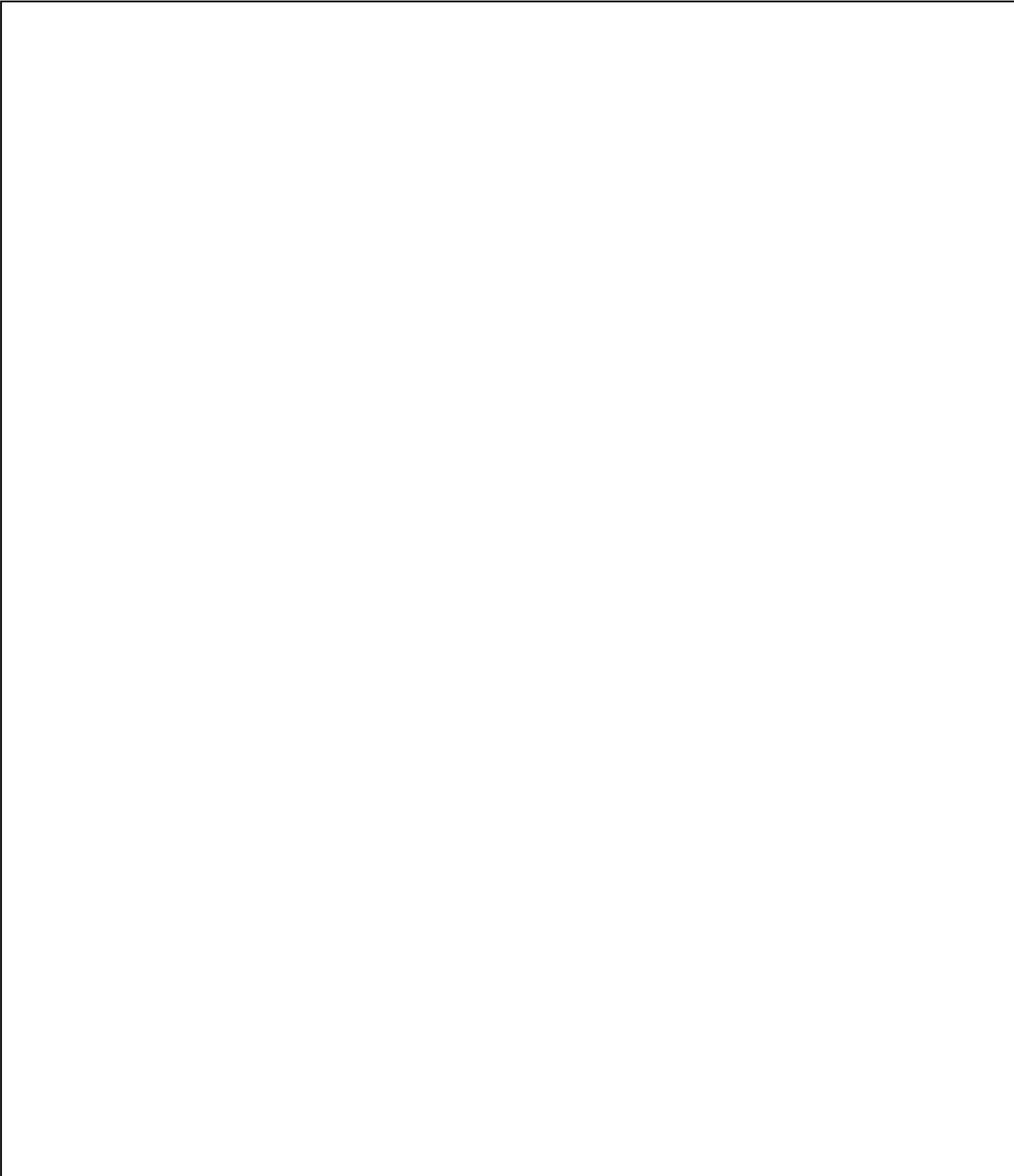
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DRAFT/Pre-Decisional 2 26 5:15pm version**

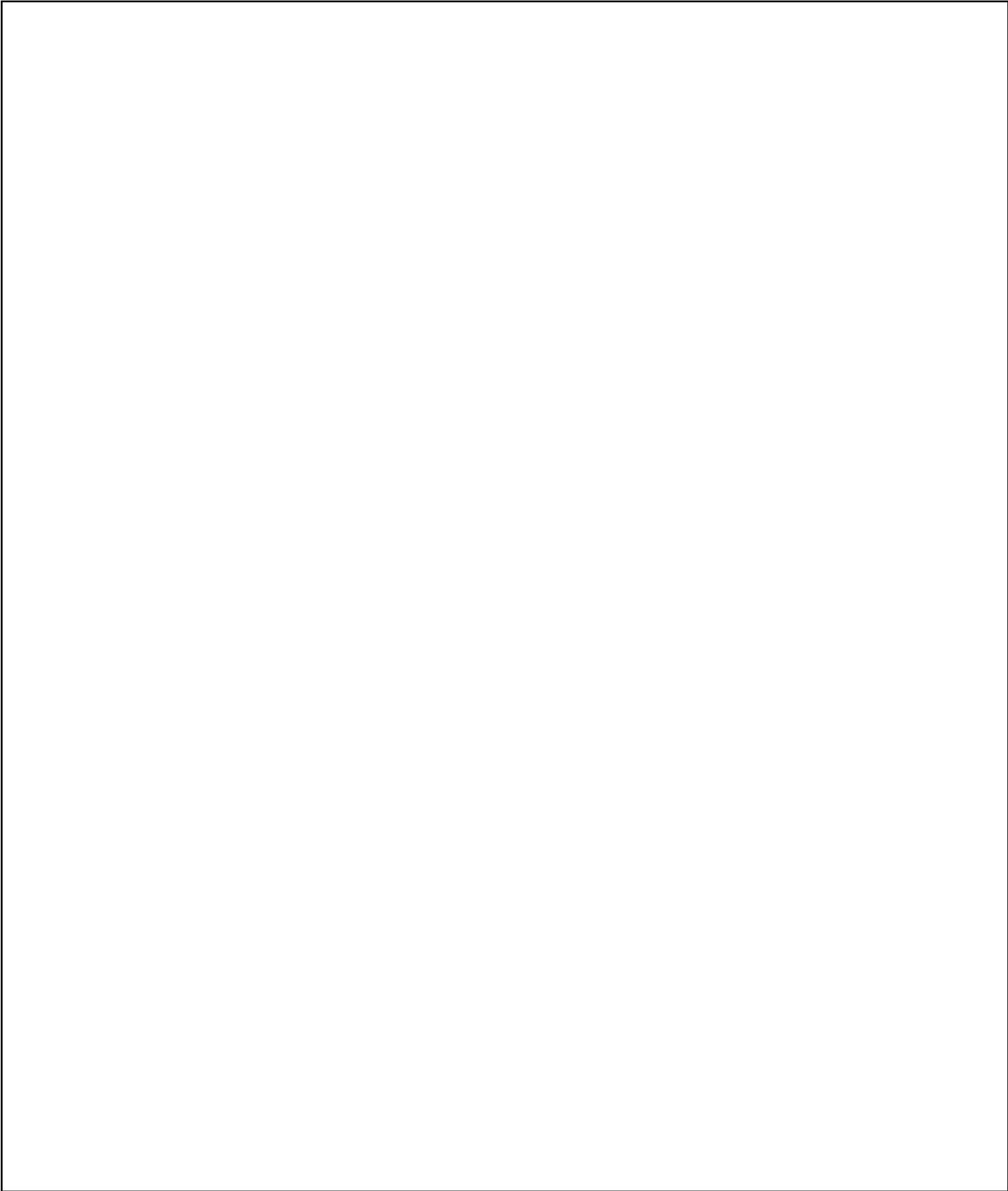


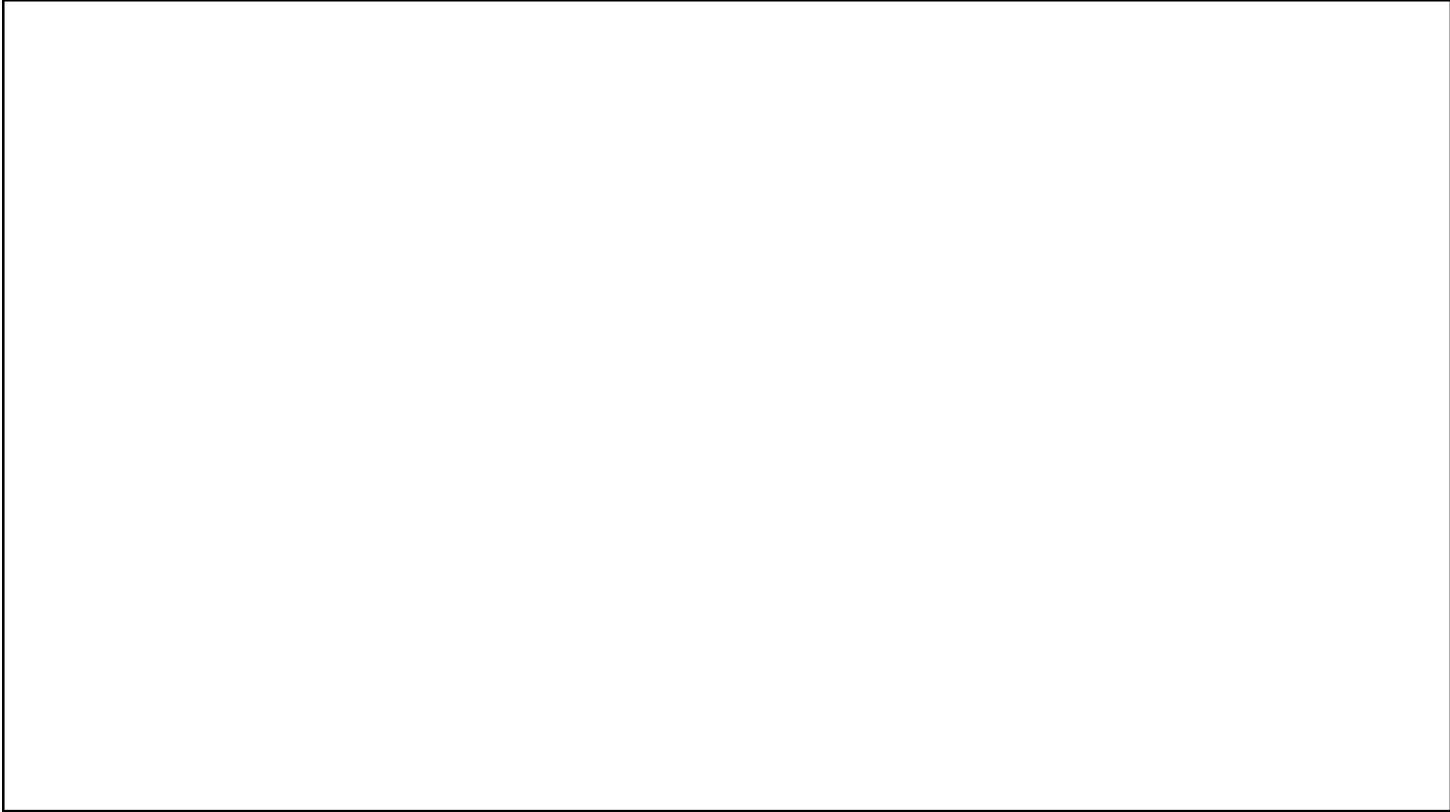




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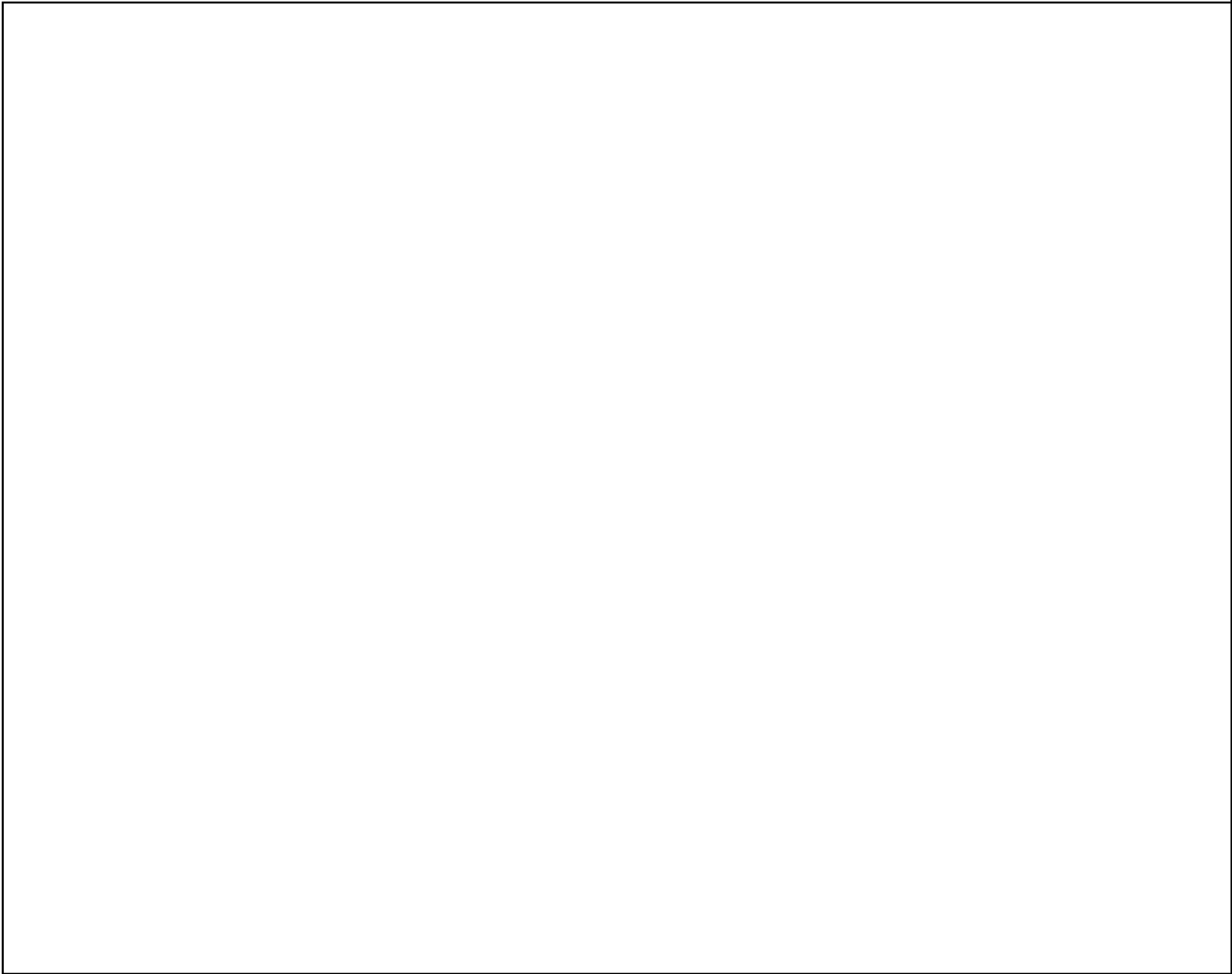
(b)(5) (b)(7)(e)

USCIS/State Social Media Elicitation Plan – Refugee Applicant Pilot

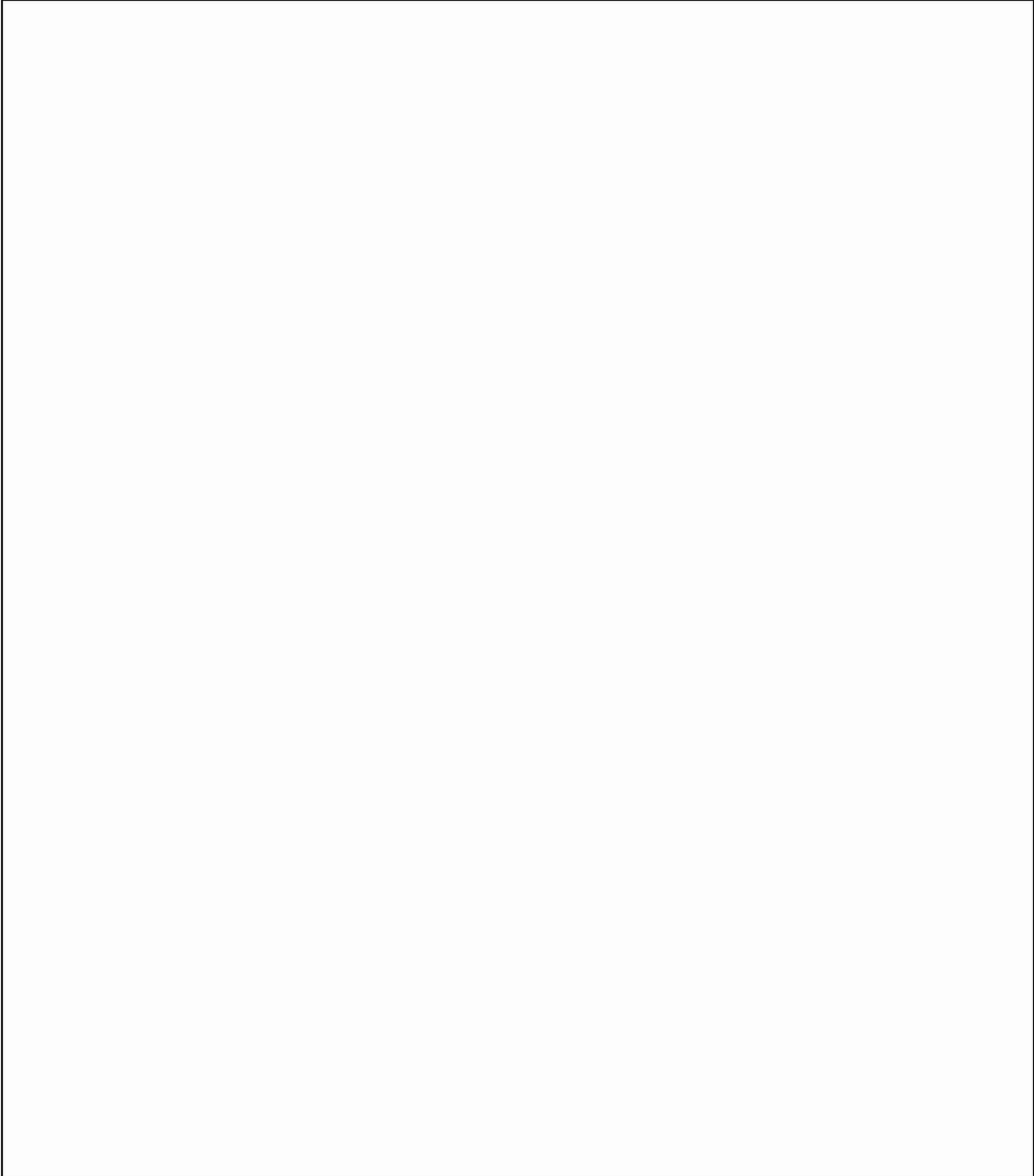
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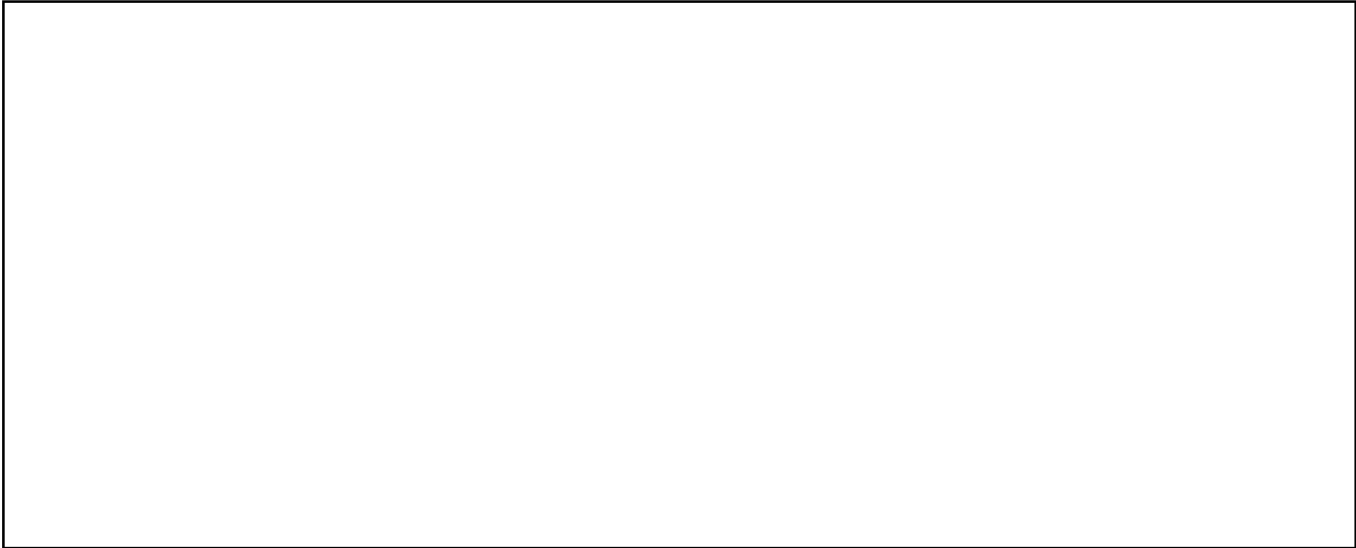


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(b)(5) (b)(7)(e)

ATTACHMENT 1

Office of the General Counsel
Department of Homeland Security
Washington, D.C. 20528



**Homeland
Security**

January 15, 2016

INFORMATION

MEMORANDUM FOR: Social Media Task Force

FROM: David J. Palmer
Associate General Counsel (Legal Counsel)

Susan Mathias
Assistant General Counsel, Oversight

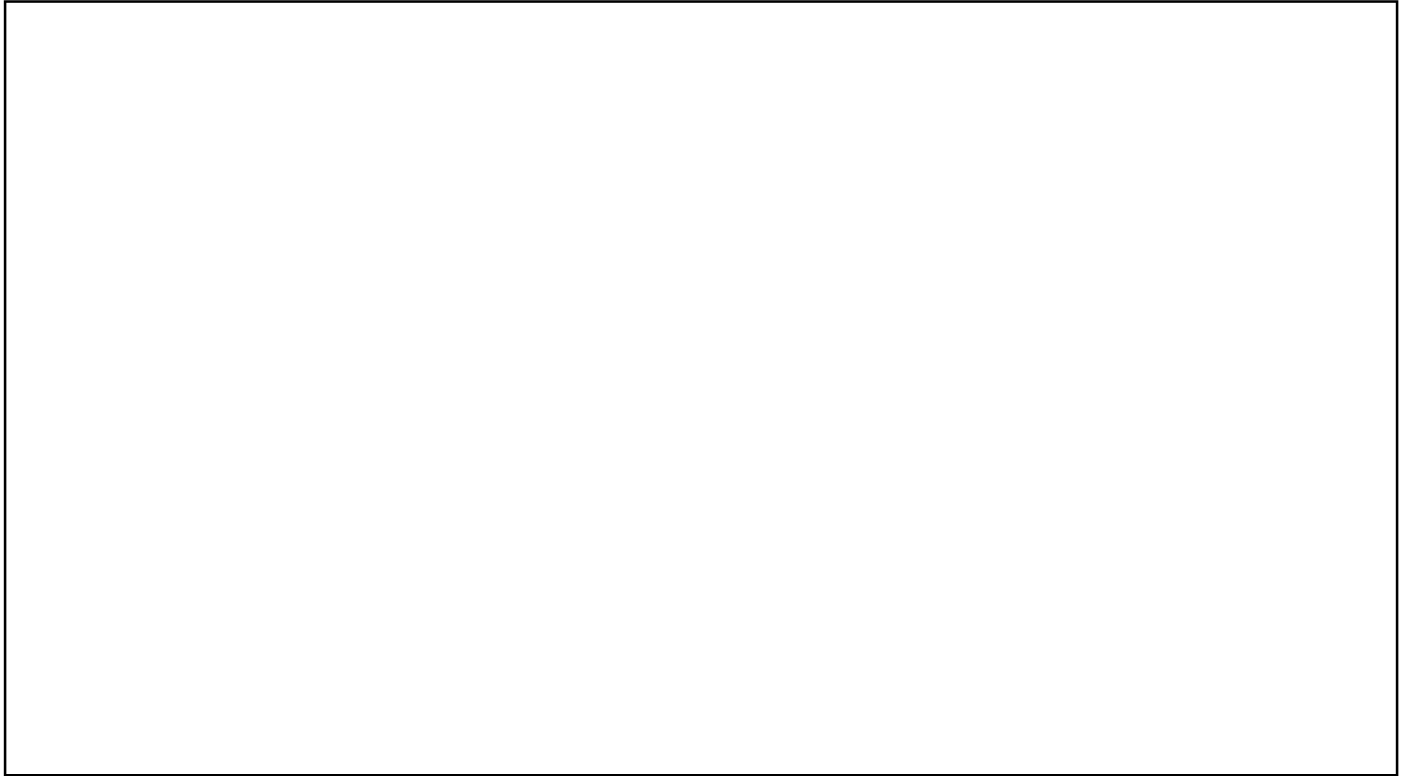
SUBJECT: Overview of Department of Homeland Security Legal Authorities
to Use Social Media

Purpose

(b)(5) (b)(7)(e)

This memorandum provides an overview of the legal authorities that permit Department Components, both operational and support, to use social media as a means to accomplish their missions. Department Components may (and in many cases, currently do) rely on these authorities to support their social media efforts where consistent with other applicable law and where technologically and operationally feasible.¹



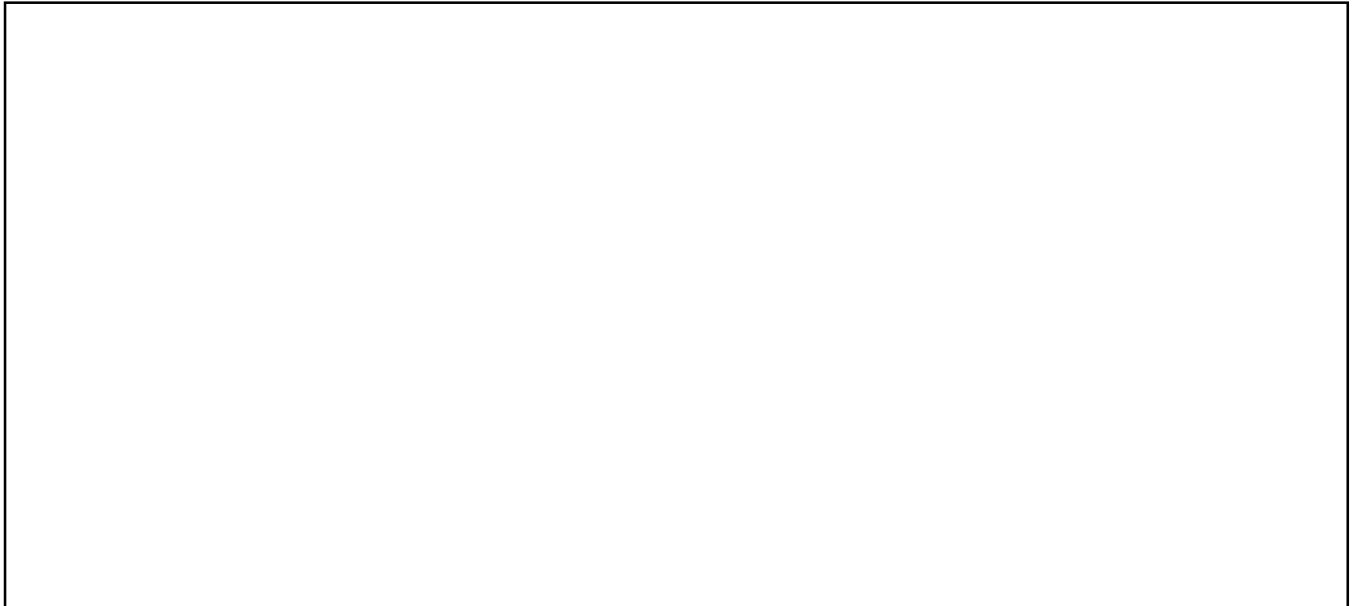


Operational Components

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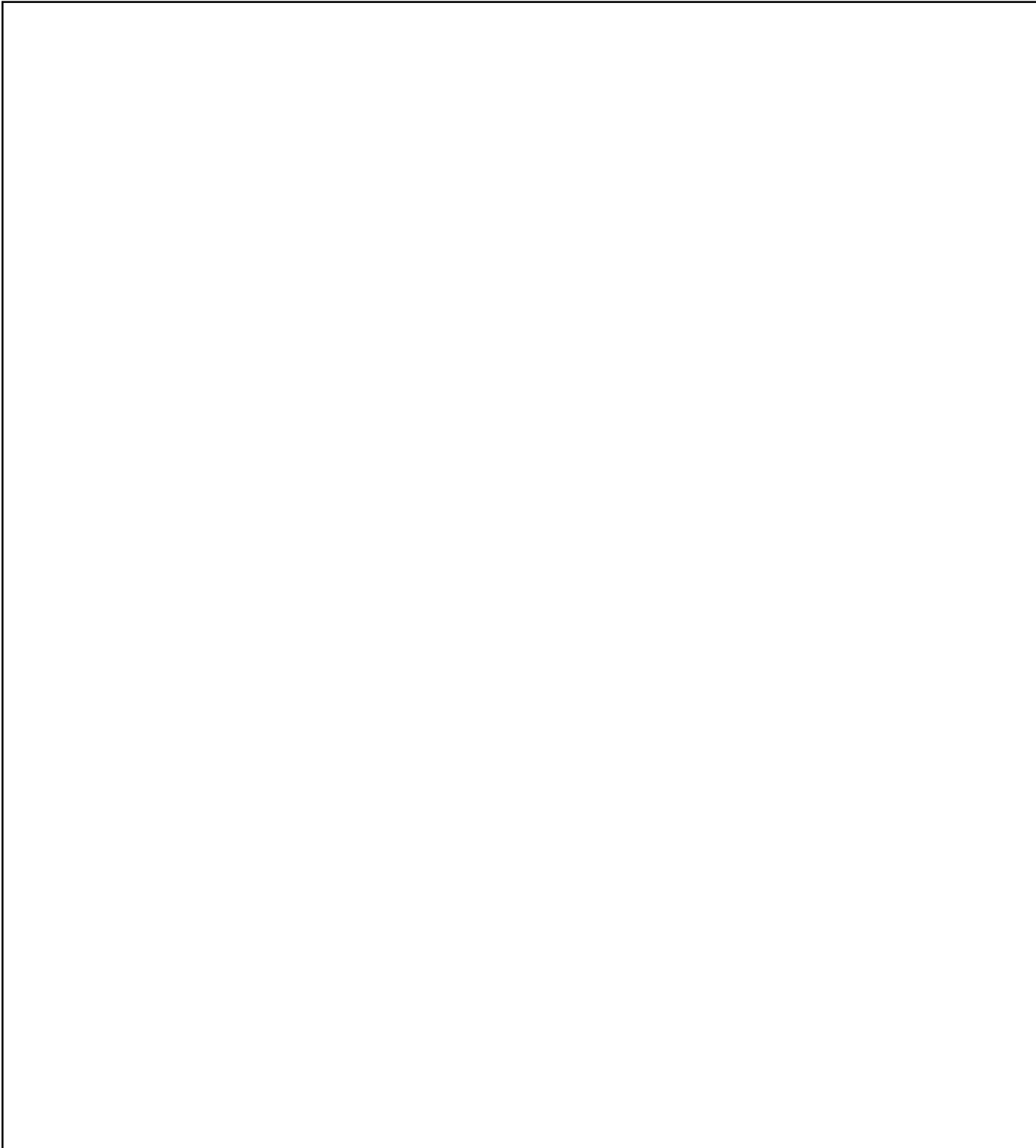
U.S. Citizenship and Immigration Services (USCIS)

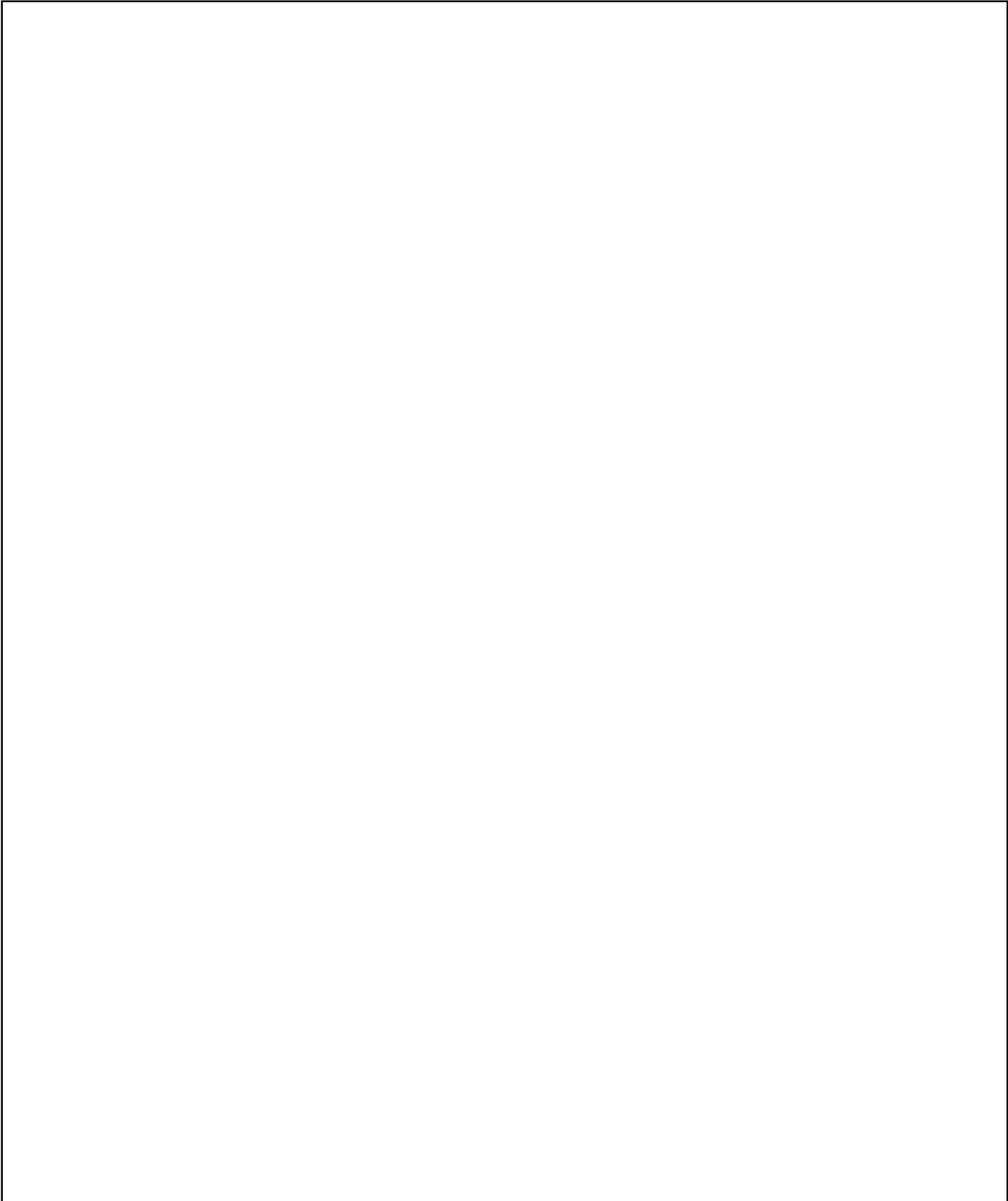
The mission of USCIS is to oversee lawful immigration to the United States. USCIS is responsible for determining whether individuals or organizations filing for immigration benefits pose a threat to national security, public safety, or the integrity of the nation's legal immigration

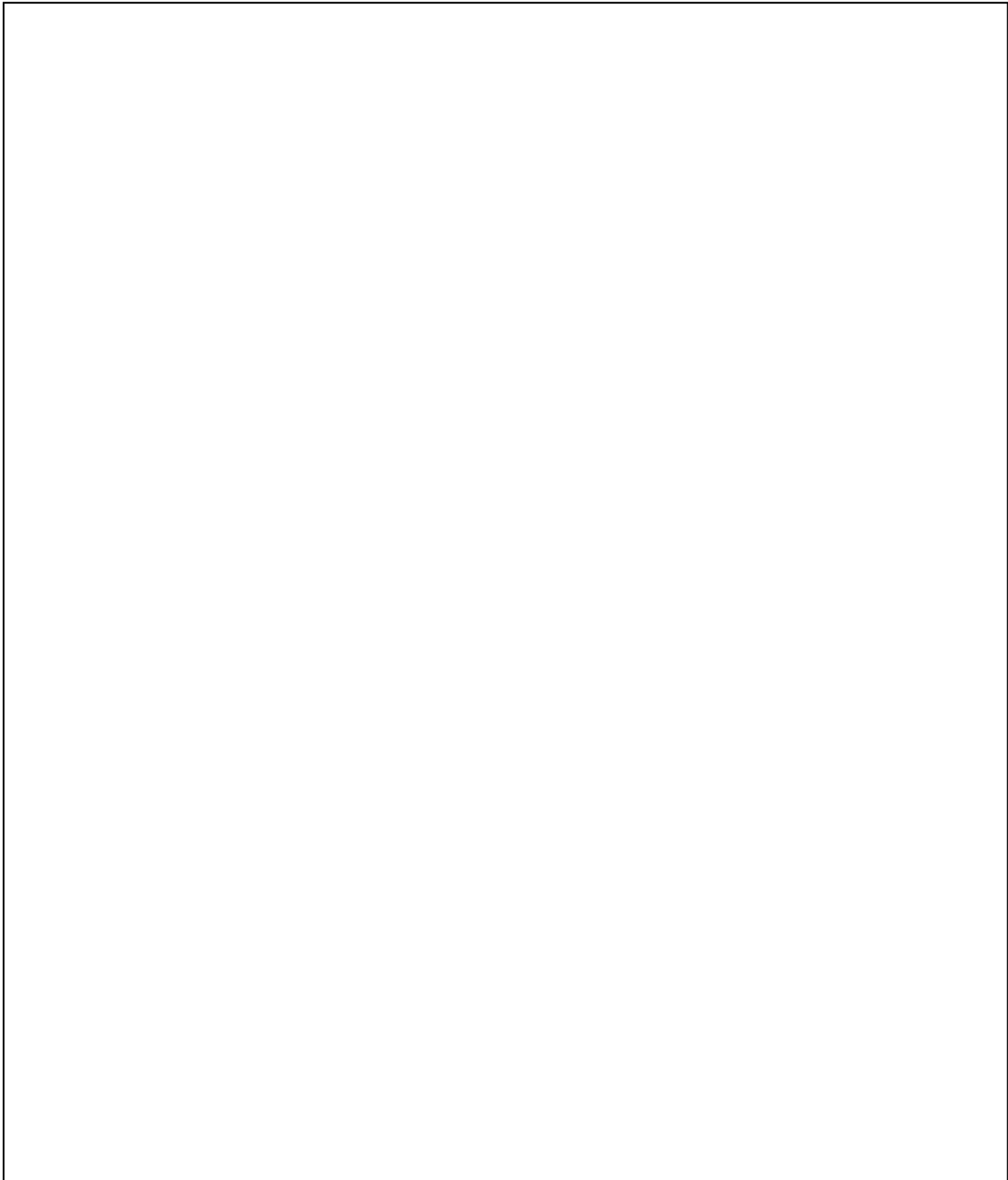


A Department of Homeland Security attorney prepared this document for internal government use only. This document is pre-decisional in nature and qualifies as an inter-agency/intra-agency document containing deliberative process material. This document contains confidential attorney-client communications relating to a legal matter for which the client has sought professional advice. Under exemption 5 of section (b) of the Freedom of Information Act, 5 U.S.C. § 552 (2006), this material is exempt from release to the public.

system. Meaningful access to social media and other publicly available information enhances USCIS's ability to identify and remove individuals who may pose a threat to the homeland, or seek to compromise the integrity of the immigration system through fraud.⁴

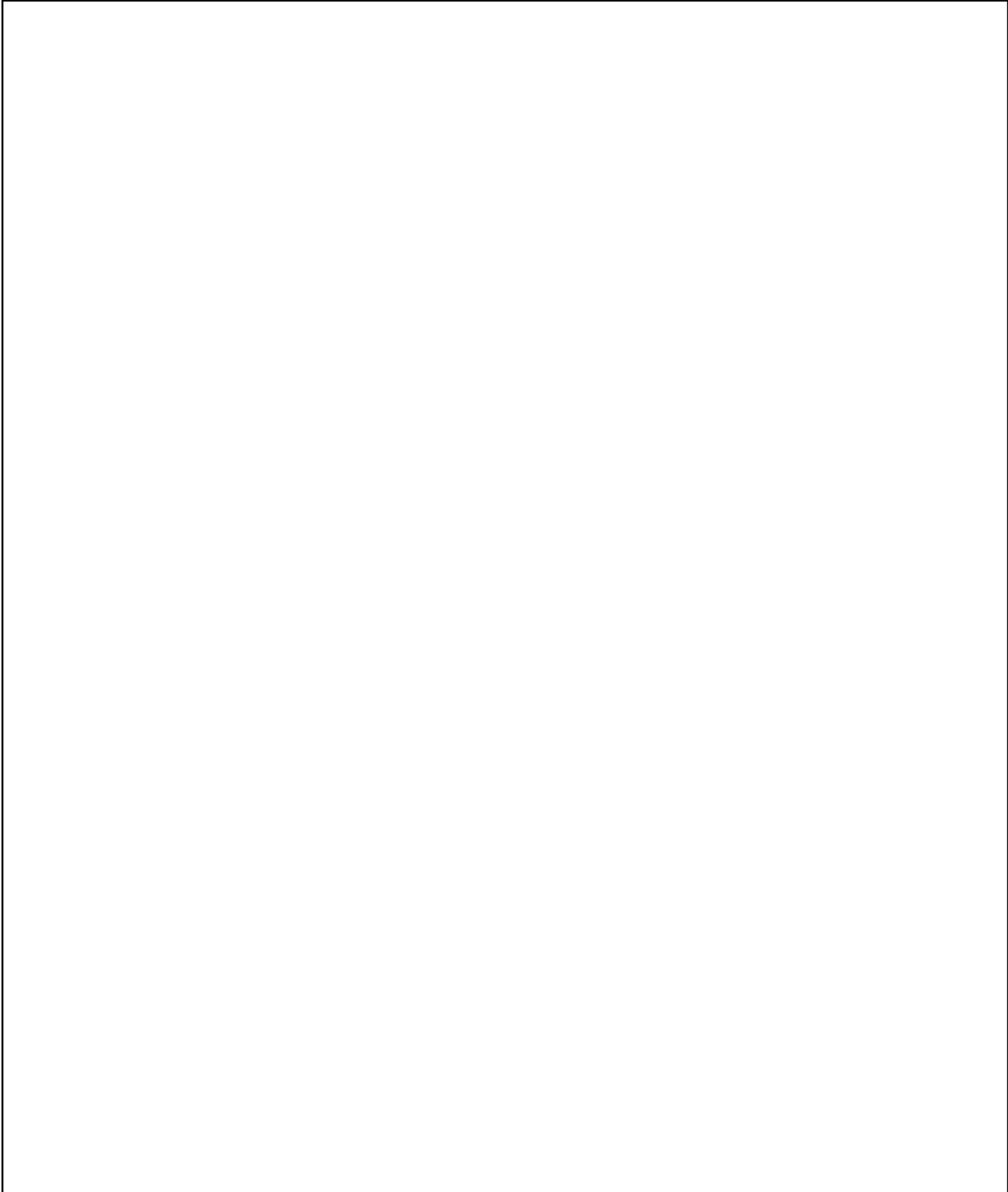




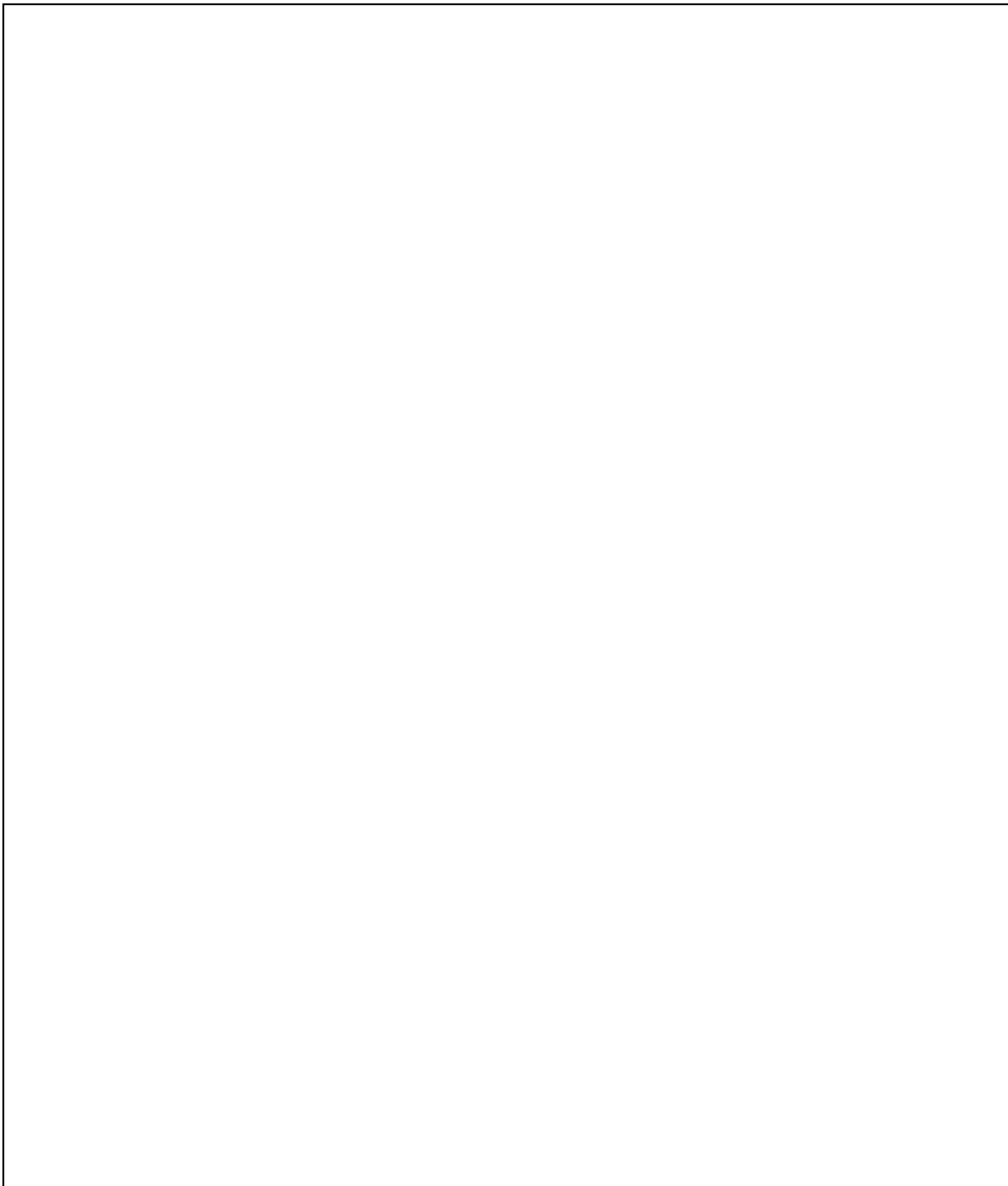


A Department of Homeland Security attorney prepared this document for internal government use only. This document is pre-decisional in nature and qualifies as an inter-agency/intra-agency document containing deliberative process material. This document contains confidential attorney-client communications relating to a legal matter for which the client has sought professional advice. Under exemption 5 of section (b) of the Freedom of Information Act, 5 U.S.C. § 552 (2006), this material is exempt from release to the public.

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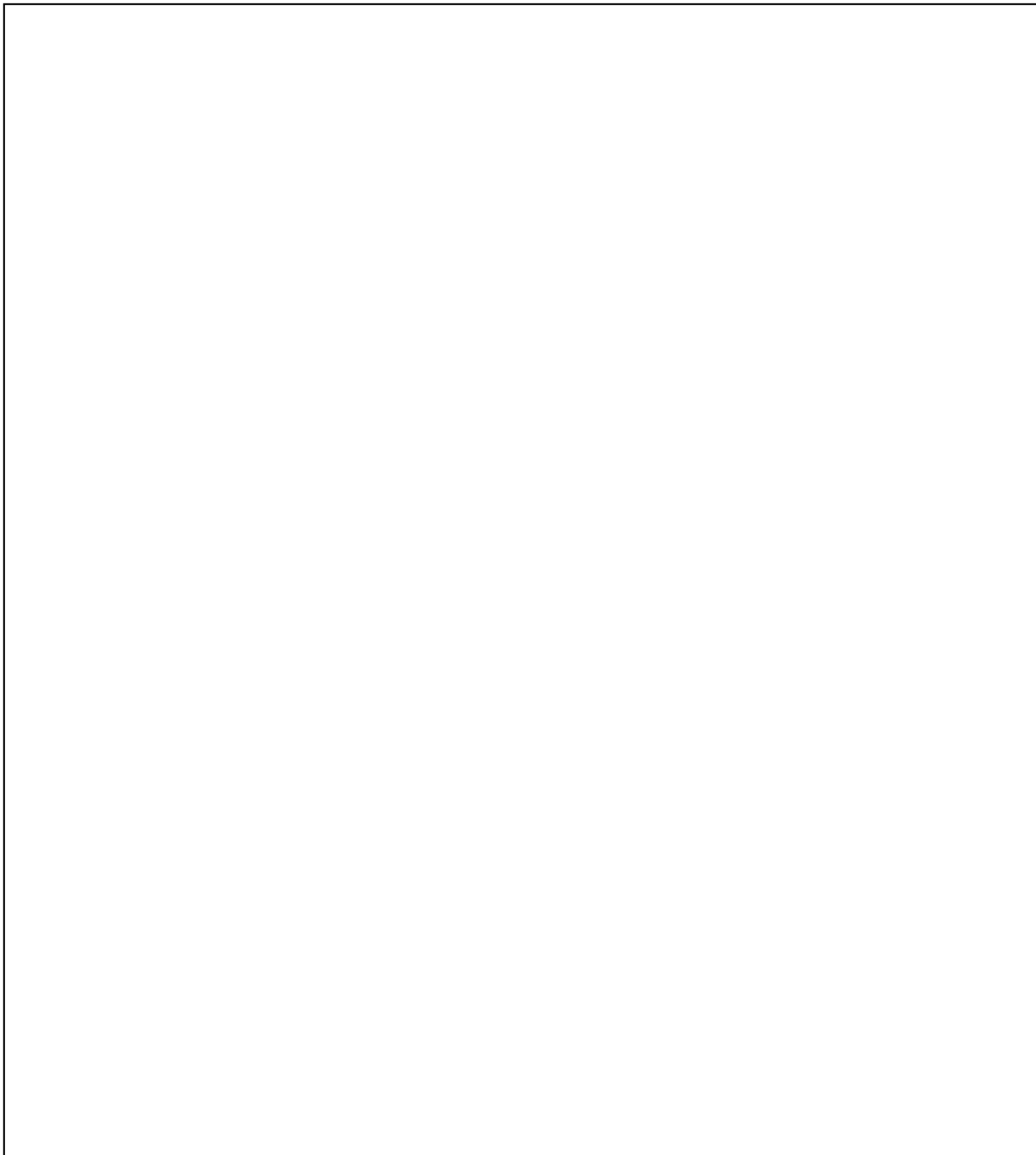
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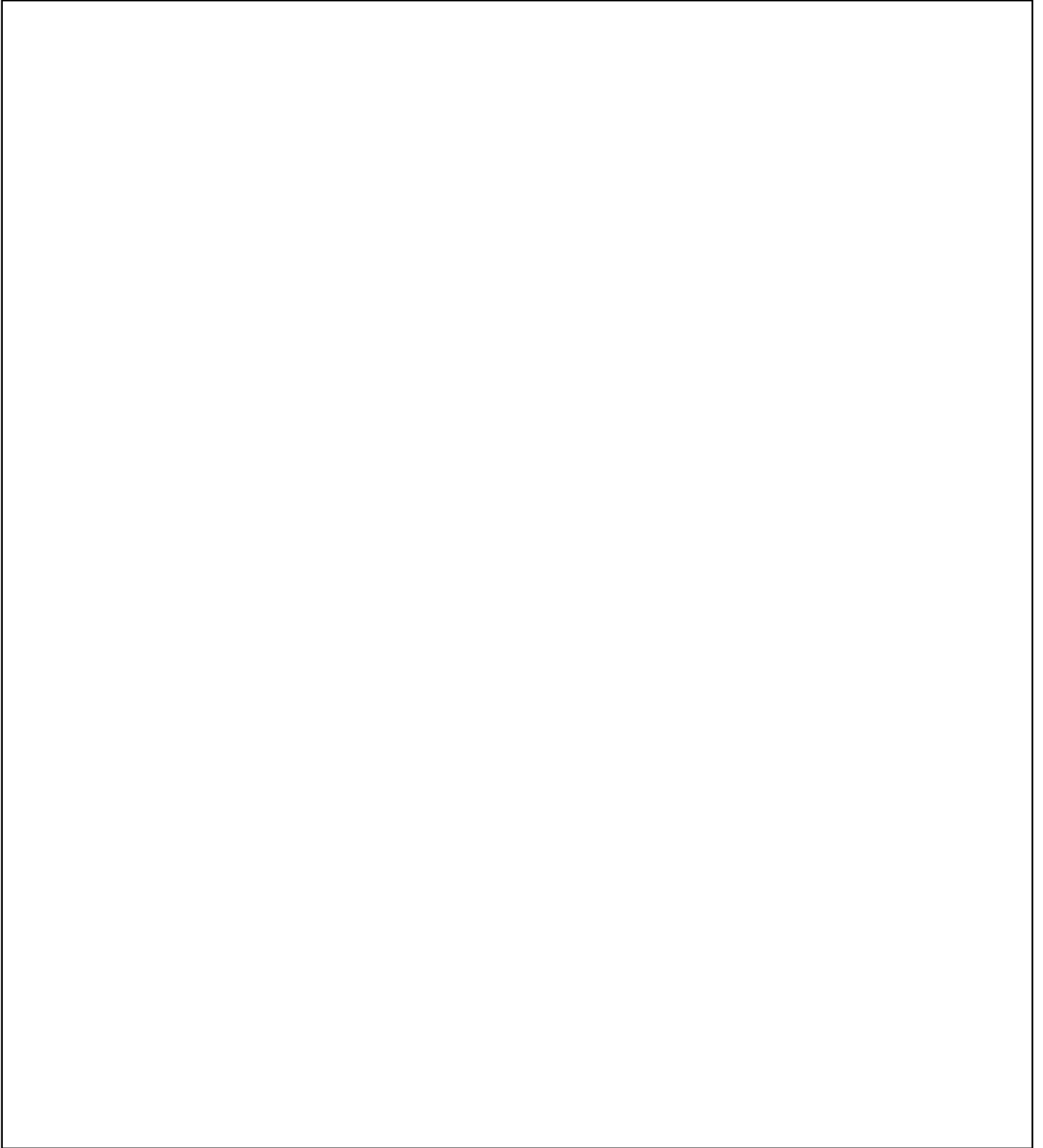


A Department of Homeland Security attorney prepared this document for internal government use only. This document is pre-decisional in nature and qualifies as an inter-agency/intra-agency document containing deliberative process material. This document contains confidential attorney-client communications relating to a legal matter for which the client has sought professional advice. Under exemption 5 of section (b) of the Freedom of Information Act, 5 U.S.C. § 552 (2006), this material is exempt from release to the public.



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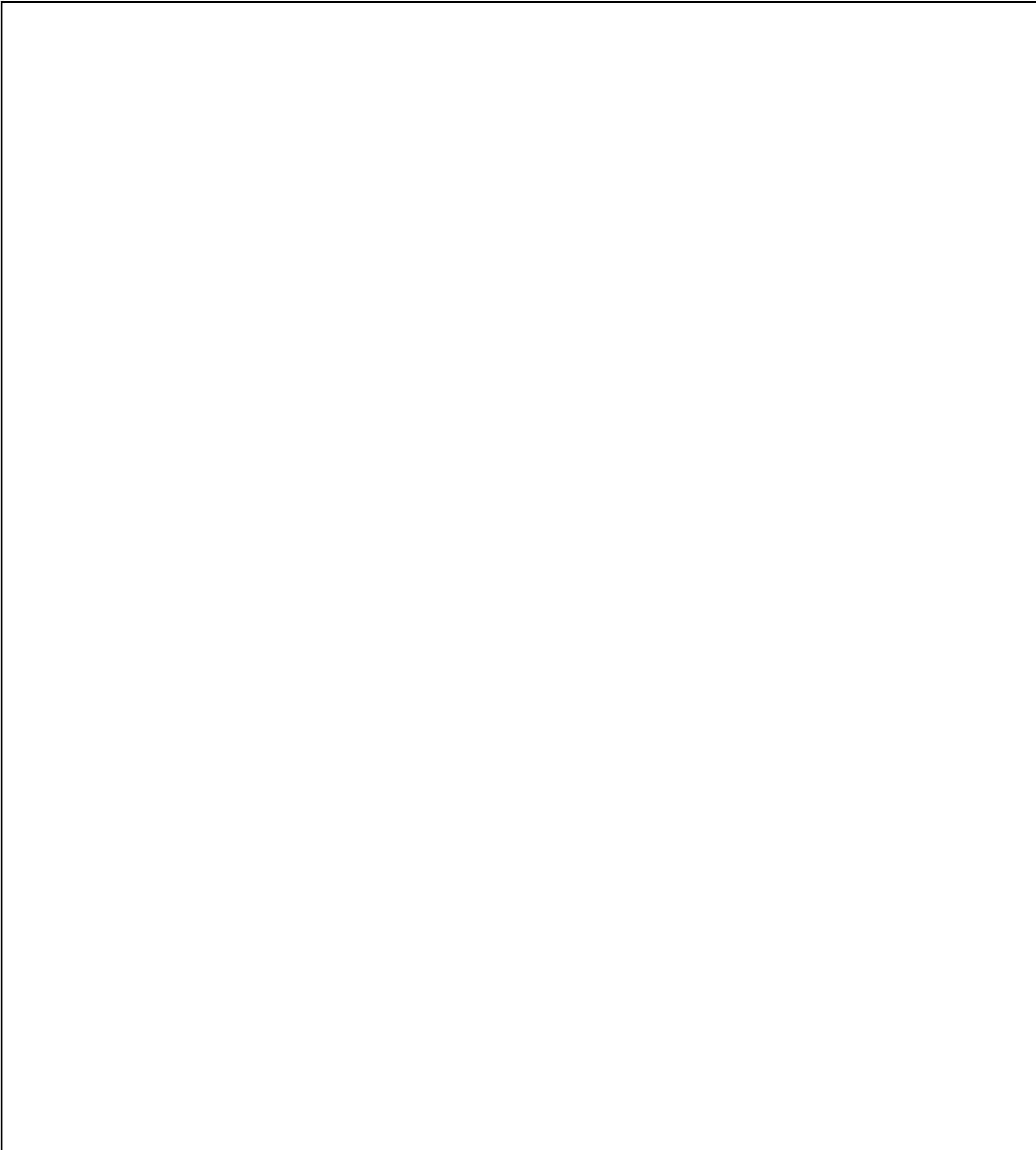




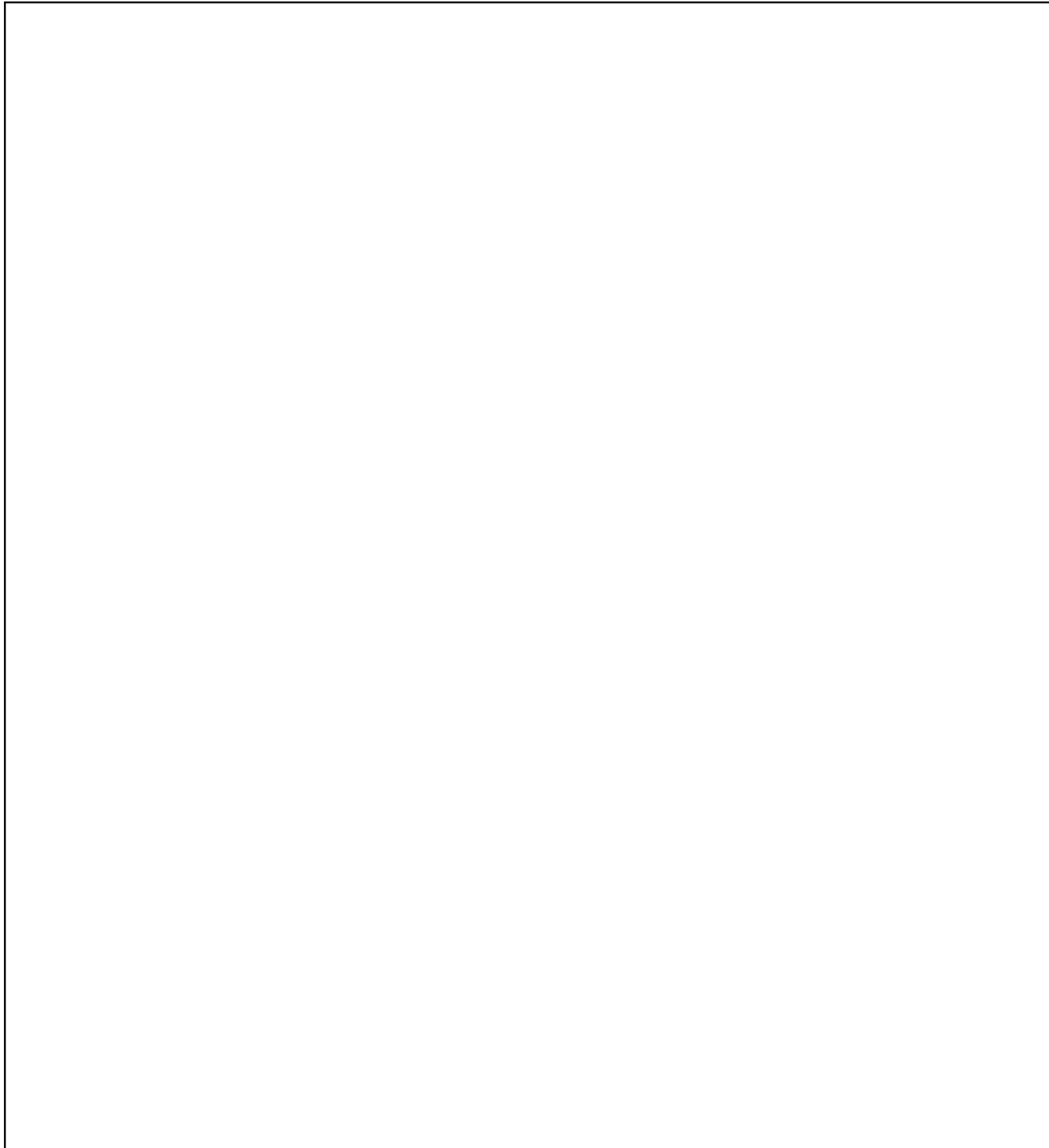
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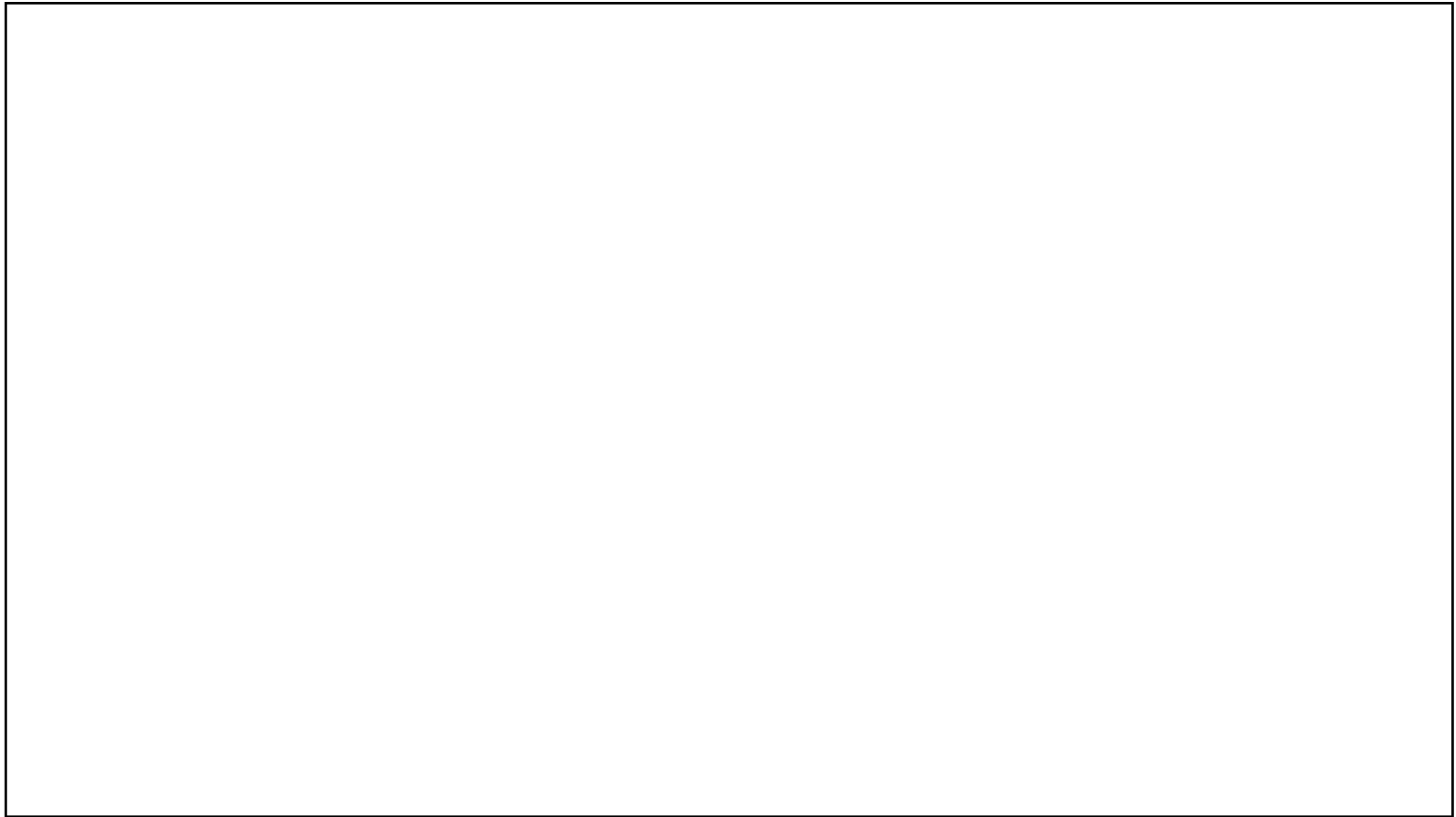


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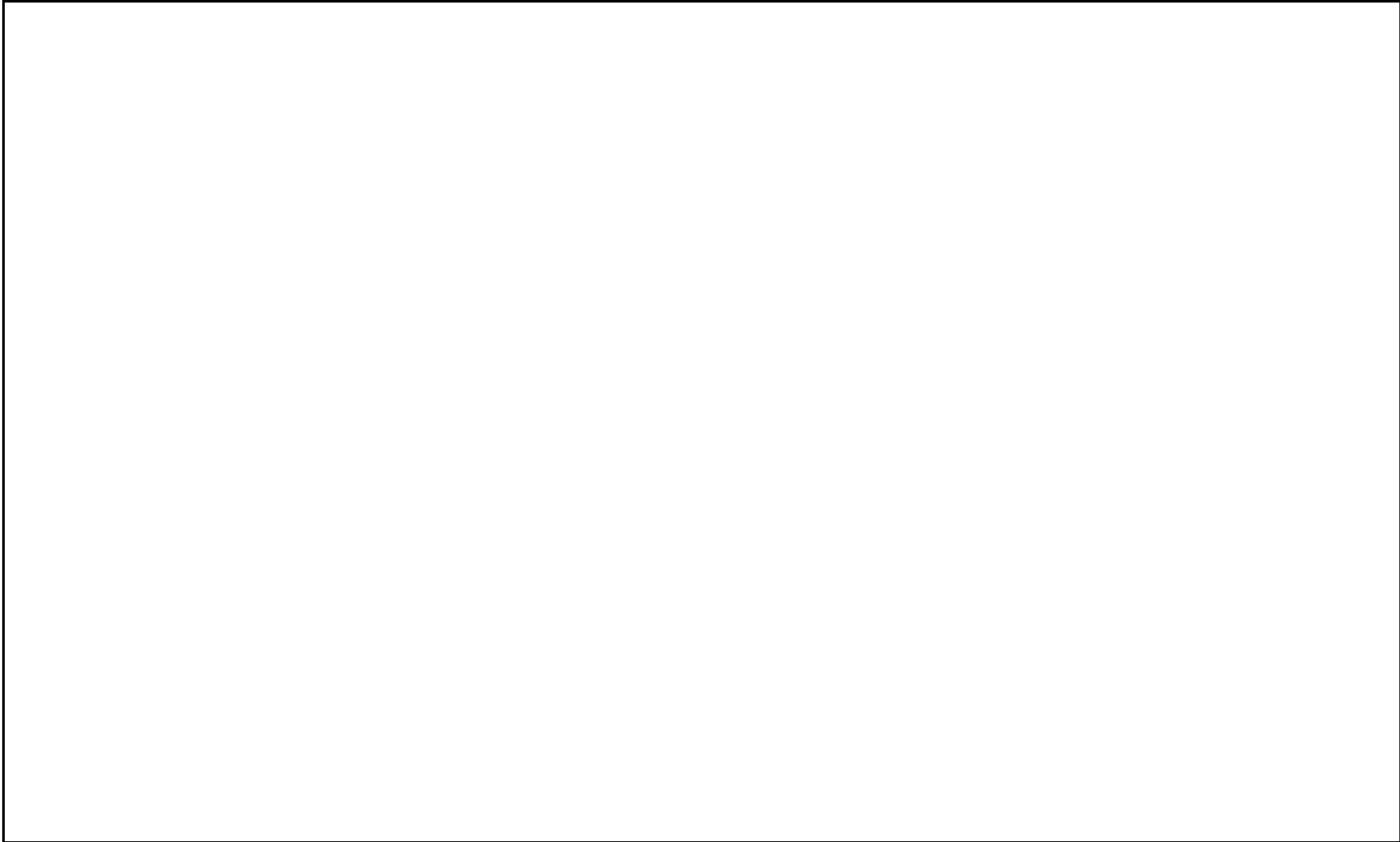


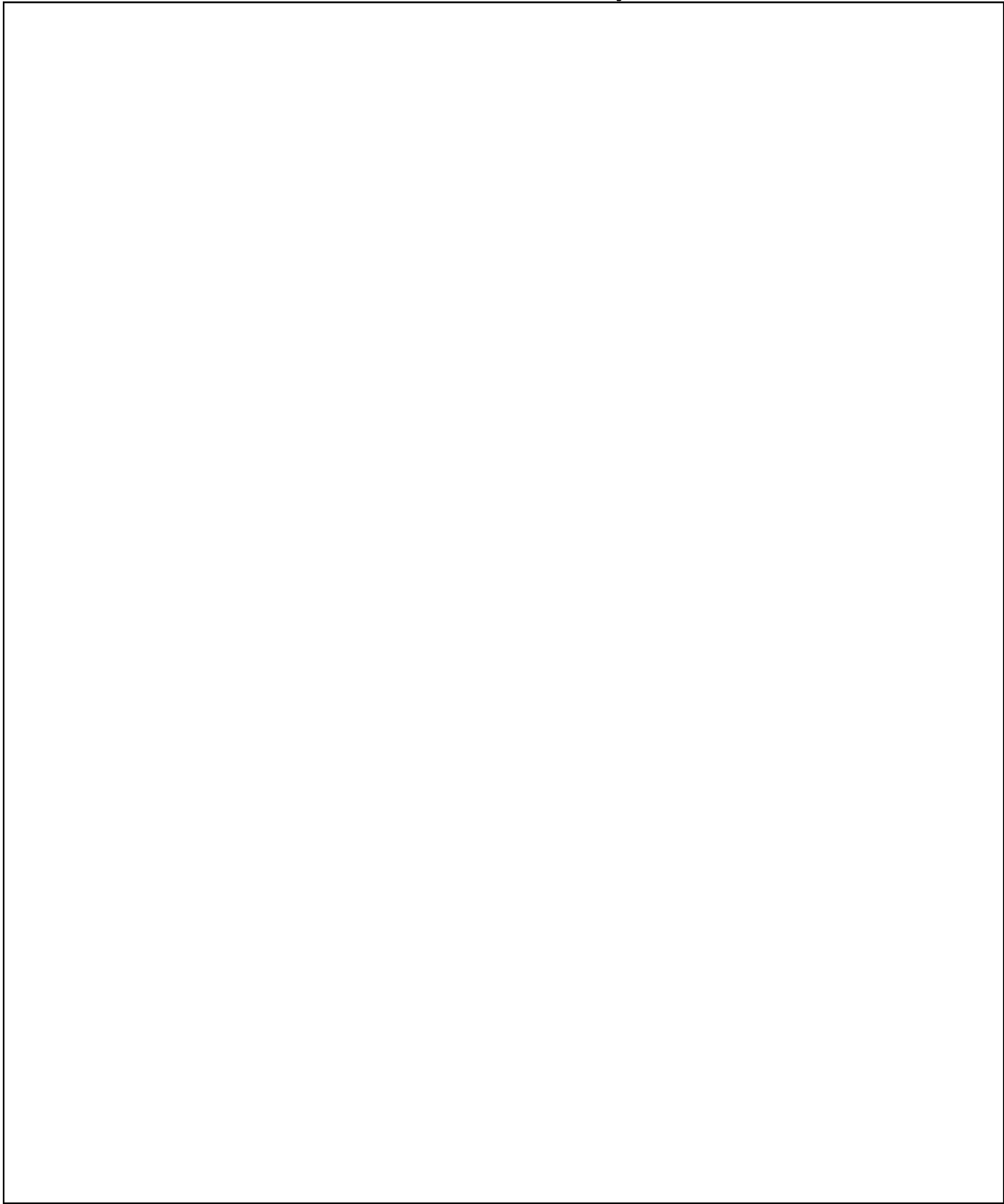
(b)(5) (b)(7)(e)

Office of Science and Technology and U.S. Customs and Immigration Service Social Media Analytics Pilot

Summary

The S&T/USCIS pilot represents the development of a quick reaction capability that is intended to assist USCIS and DHS with understanding the value of social media data sources with respect to screening and vetting selected USCIS applications under the K-1 Program and the Syrian Enhanced Review for refugee processing. The pilot combines a best of breed commercial state of the art social media analytics capability¹ with experienced USCIS immigration officers in order to evolve an effective screening methodology. S&T is working in partnership with immigration officers and industry experts to document effective analytic methodologies and define technical capabilities that are strategic and sustainable. The pilot began in December of 2015 and will run through June 2016 with initial transition of capability to USCIS estimated to begin in March 2016. The pilot is an example of DHS Unity of Effort and represents significant and dedicated collaboration between headquarters, components, oversight, legal and industry representatives. A summary of the pilot operations to date is provided below.

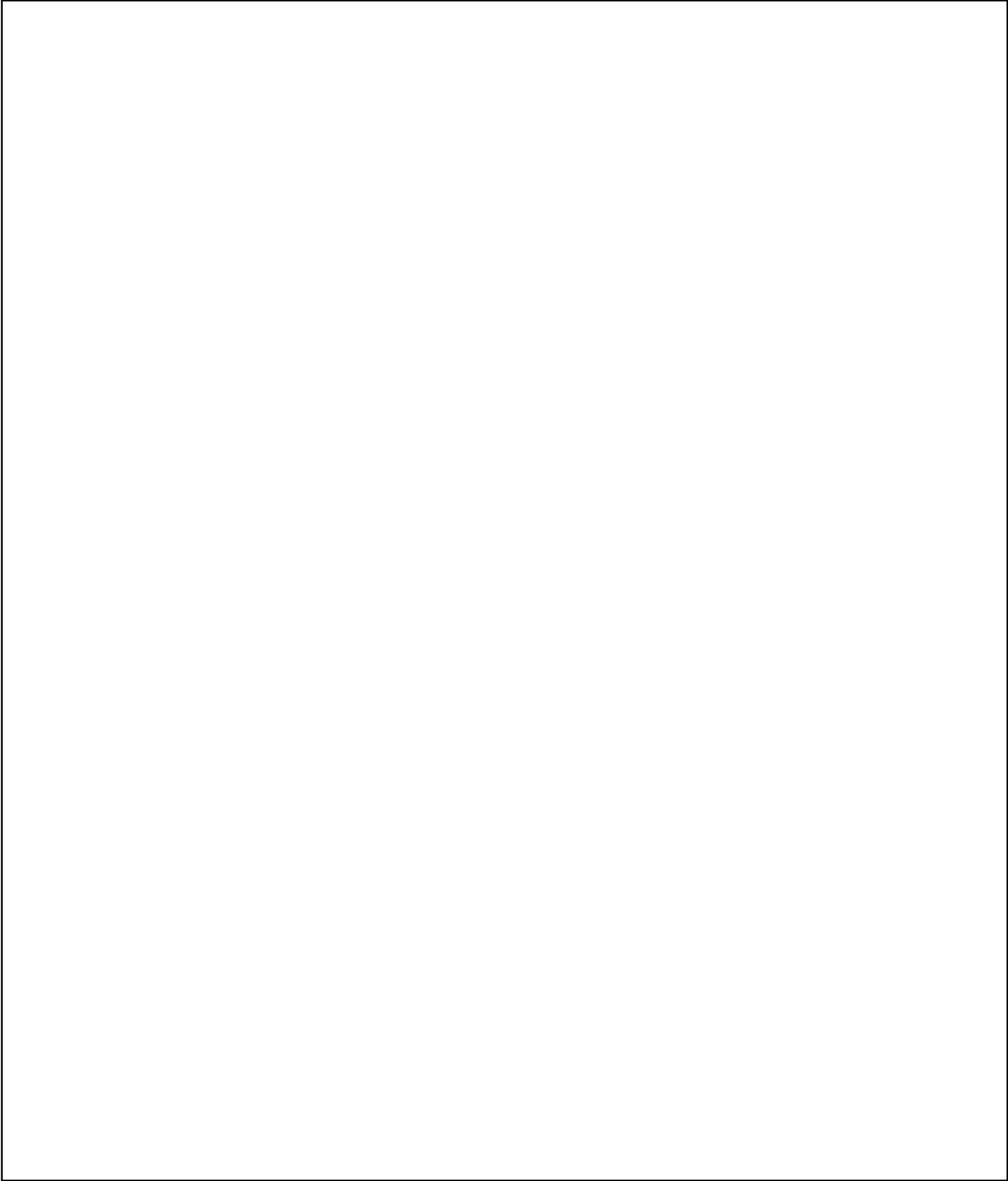


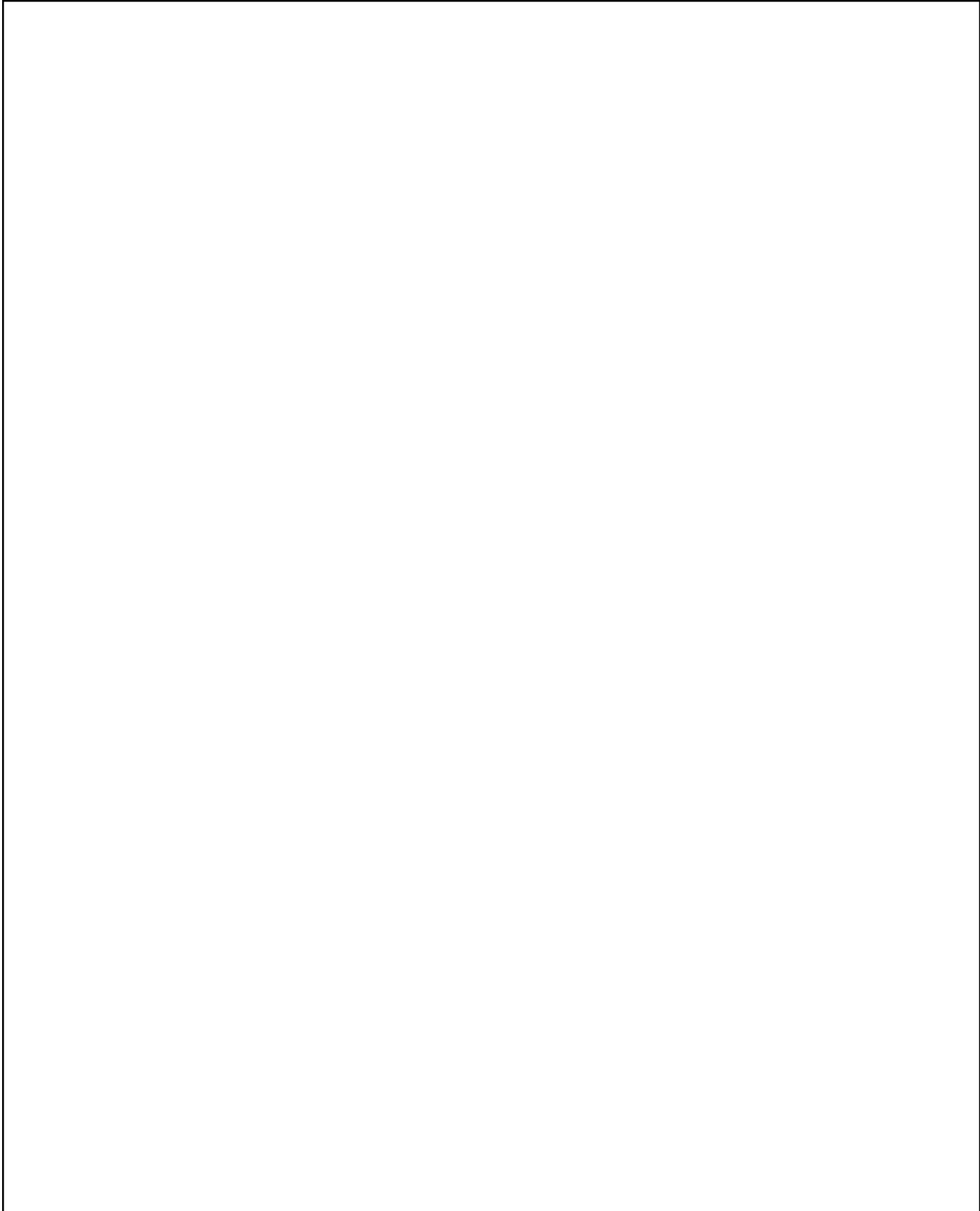




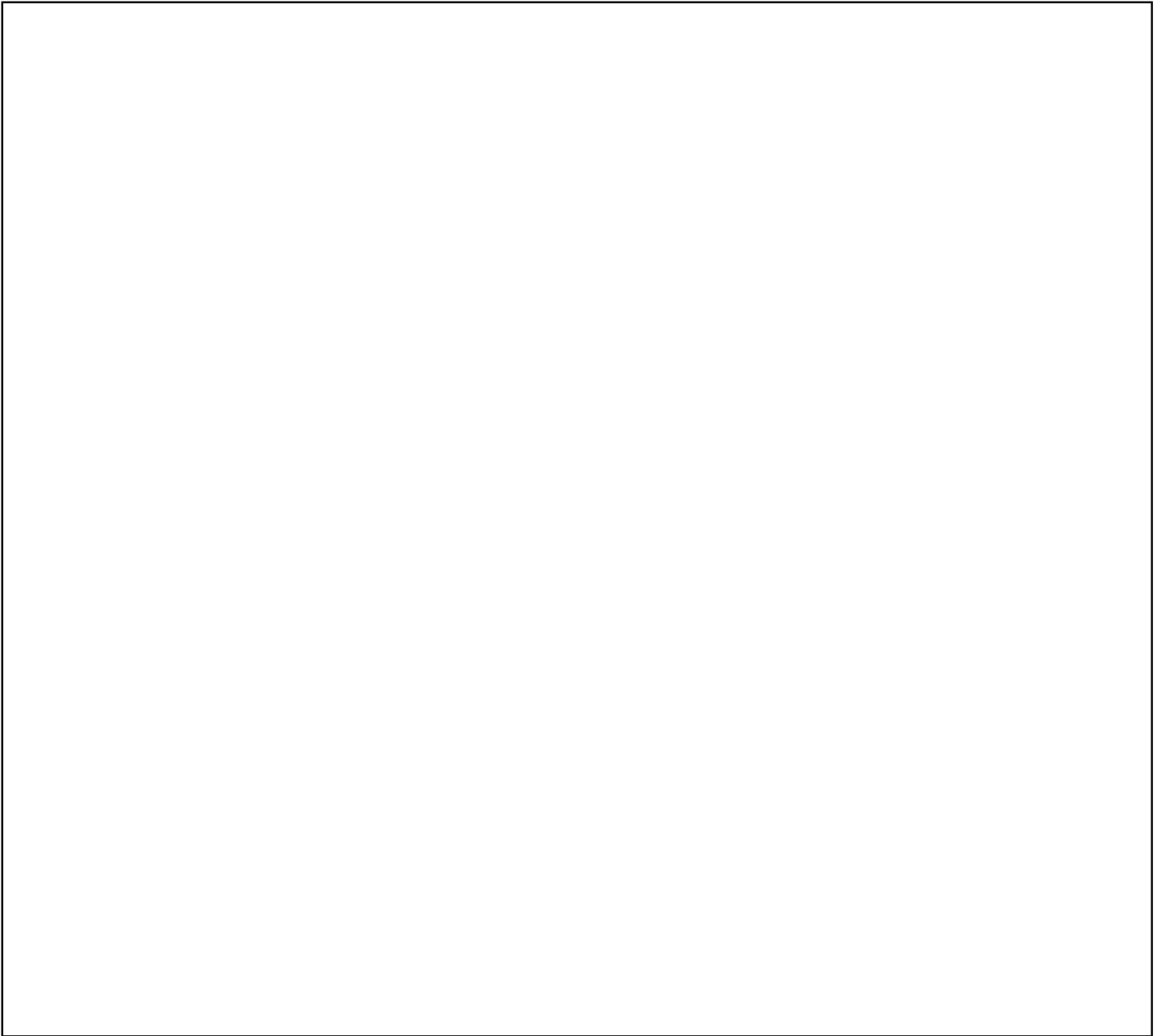
(b)(5) (b)(7)(e)

ATTACHMENT 4
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Pre-decisional and Deliberative Process Privilege Document





(b)(5) (b)(7)(e)



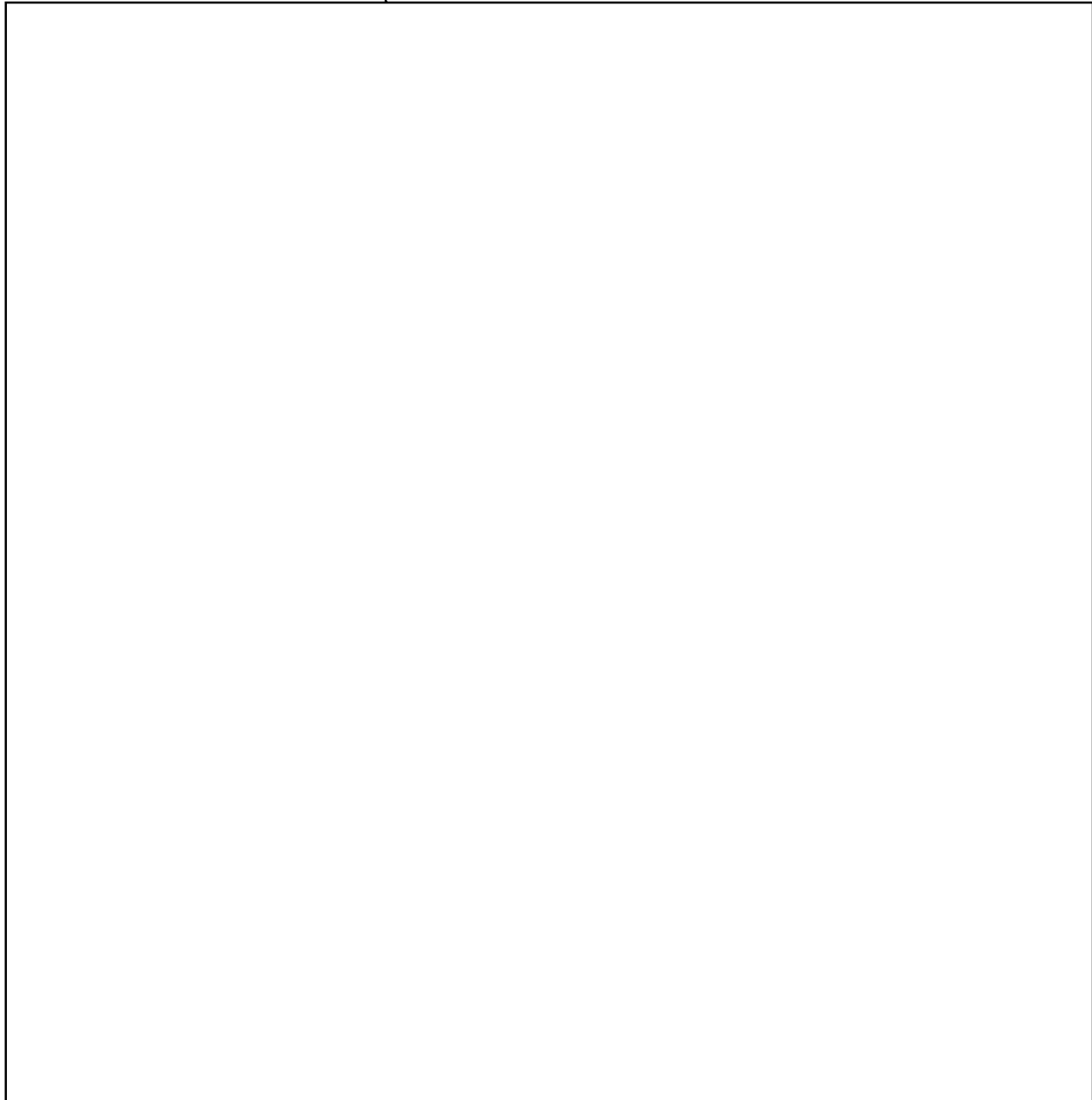
Prepared by: Stephen Dennis, S&T HSARPA, Albert Davis, USCIS FDNS
January 14, 2016

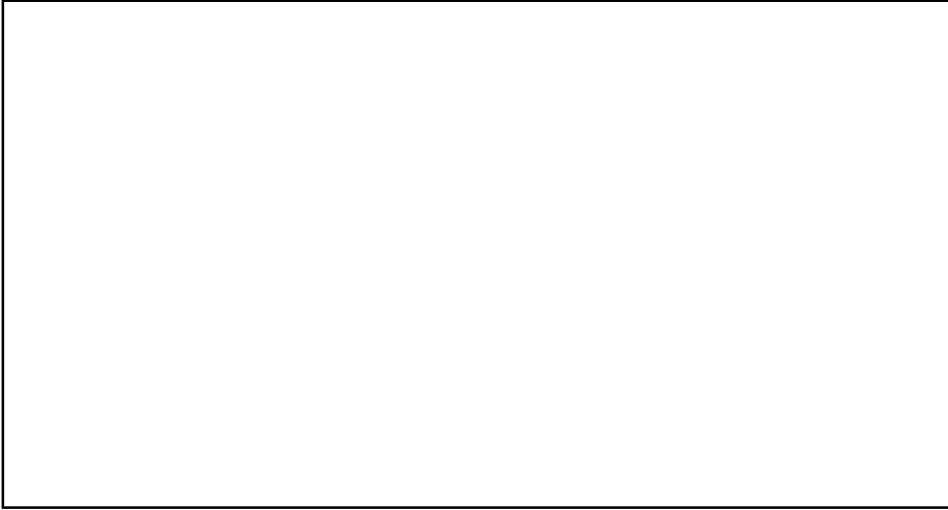
Social Media Analytics Process Model Document

Strawman

January 11, 2016

The following model outlines a general process focused on selected USCIS applications under the K-1 Program and the Syrian Enhanced Review for refugee processing. The process can be tailored for other DHS lines of business utilizing pilot partnerships between S&T and Components under a combination of authorities. Once problems and solutions are appropriately characterized for application to the operational domain, the solution is transitioned to the operational center.





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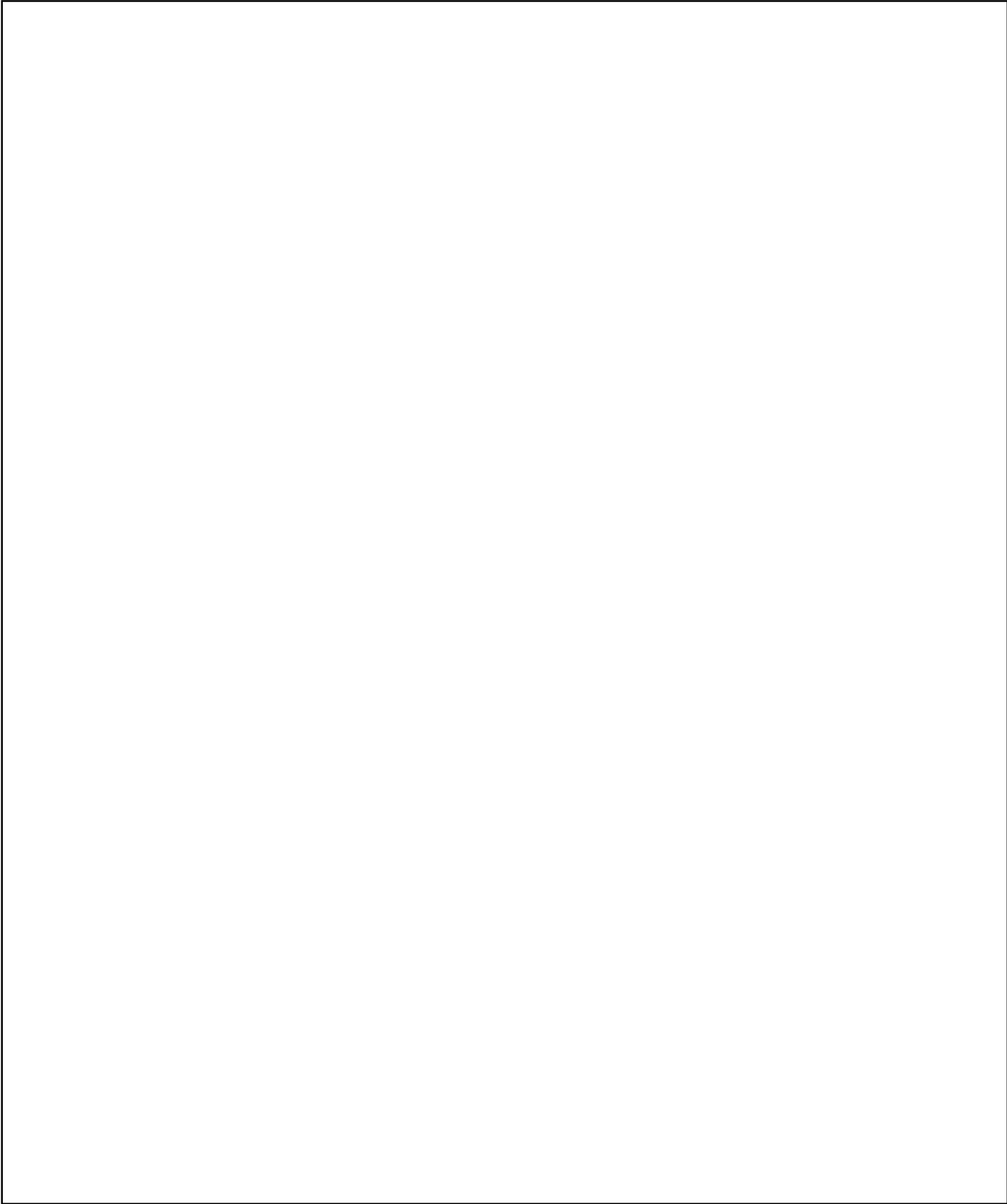
Social Media Expansion Plan for Refugee Applicants Concept of Operations

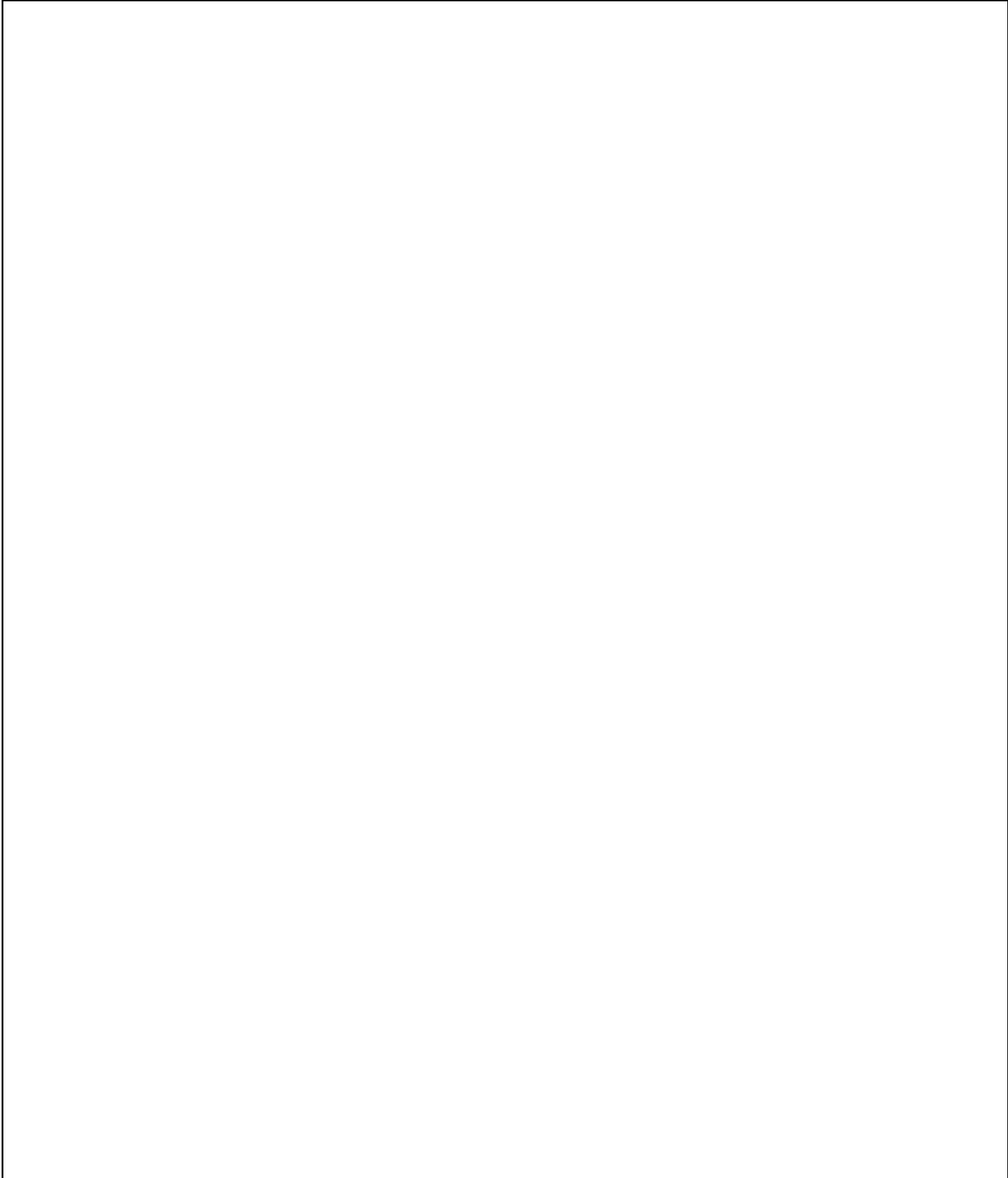
Executive Summary

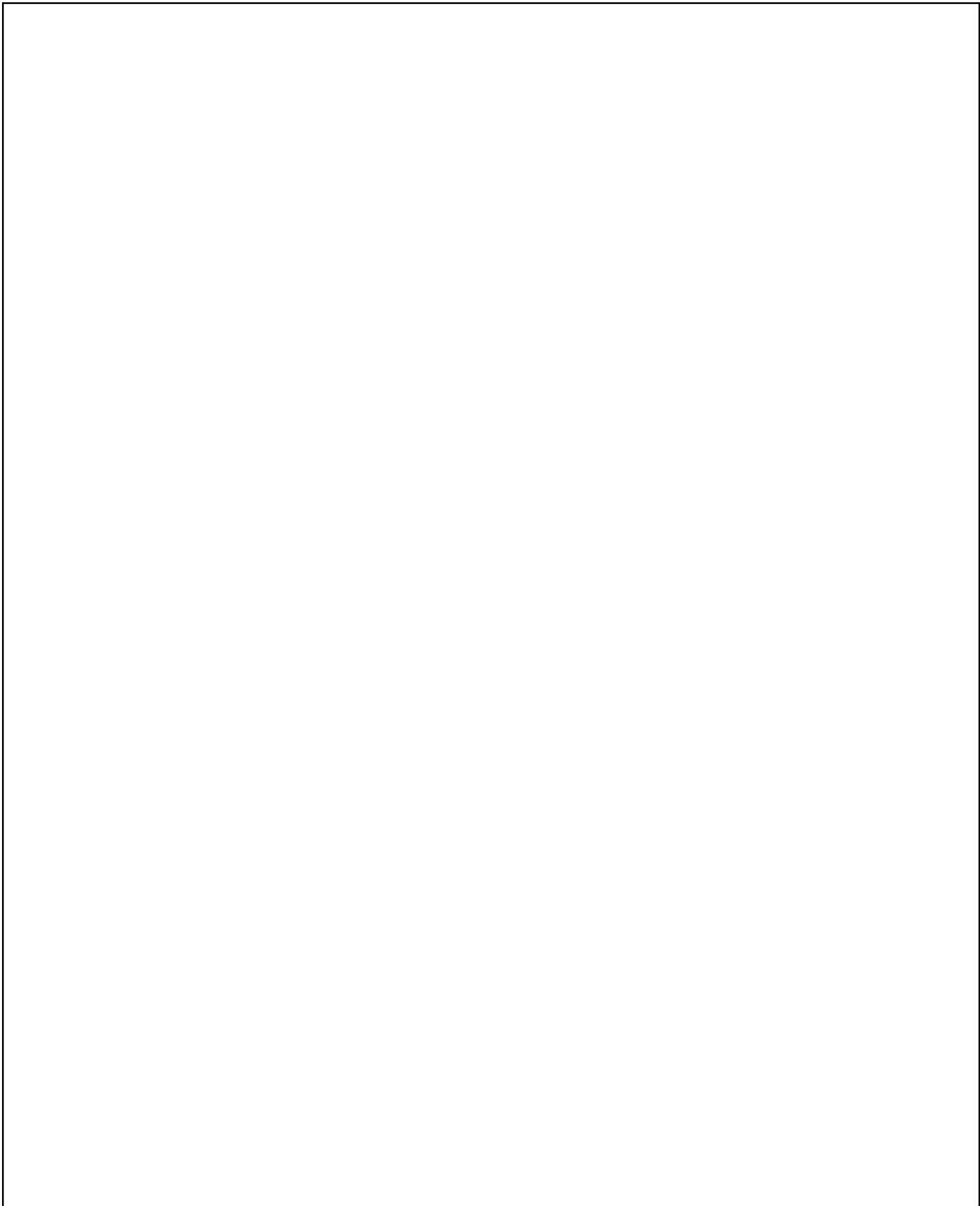
In concert with Department of Homeland Security (DHS) Intel & Analysis (I&A) and Science & Technology (S&T), United States Citizenship and Immigration Services (USCIS) is on track to operationalize Social Media vetting for additional categories of refugee applicants beginning in April using a risk-based approach. In the initial expansion phases, USCIS will conduct vetting using a manual review of an applicant's social media usage, leveraging tradecraft and review techniques learned during recent pilots with S&T. Importantly, during each of these phases, USCIS will continue to work with I&A, and the Task Force to continue to assess possible tools, such as the latest version of the Defense Advanced Research Projects Agency (DARPA) tool, to support semi-automated searches with a target to implement such tools as part of the process employed by the Center of Excellence launching in August 2016, or even earlier if found effective.



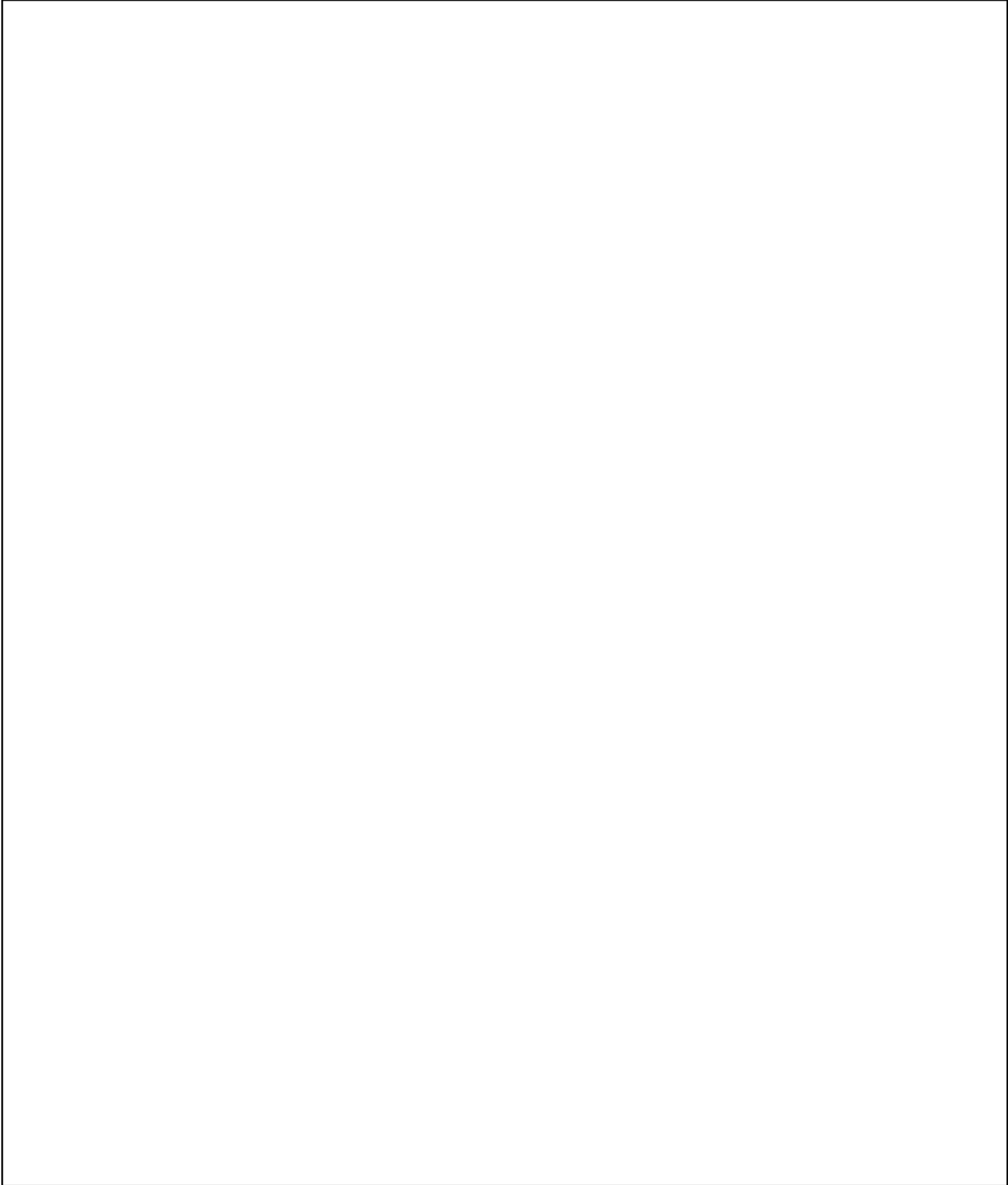


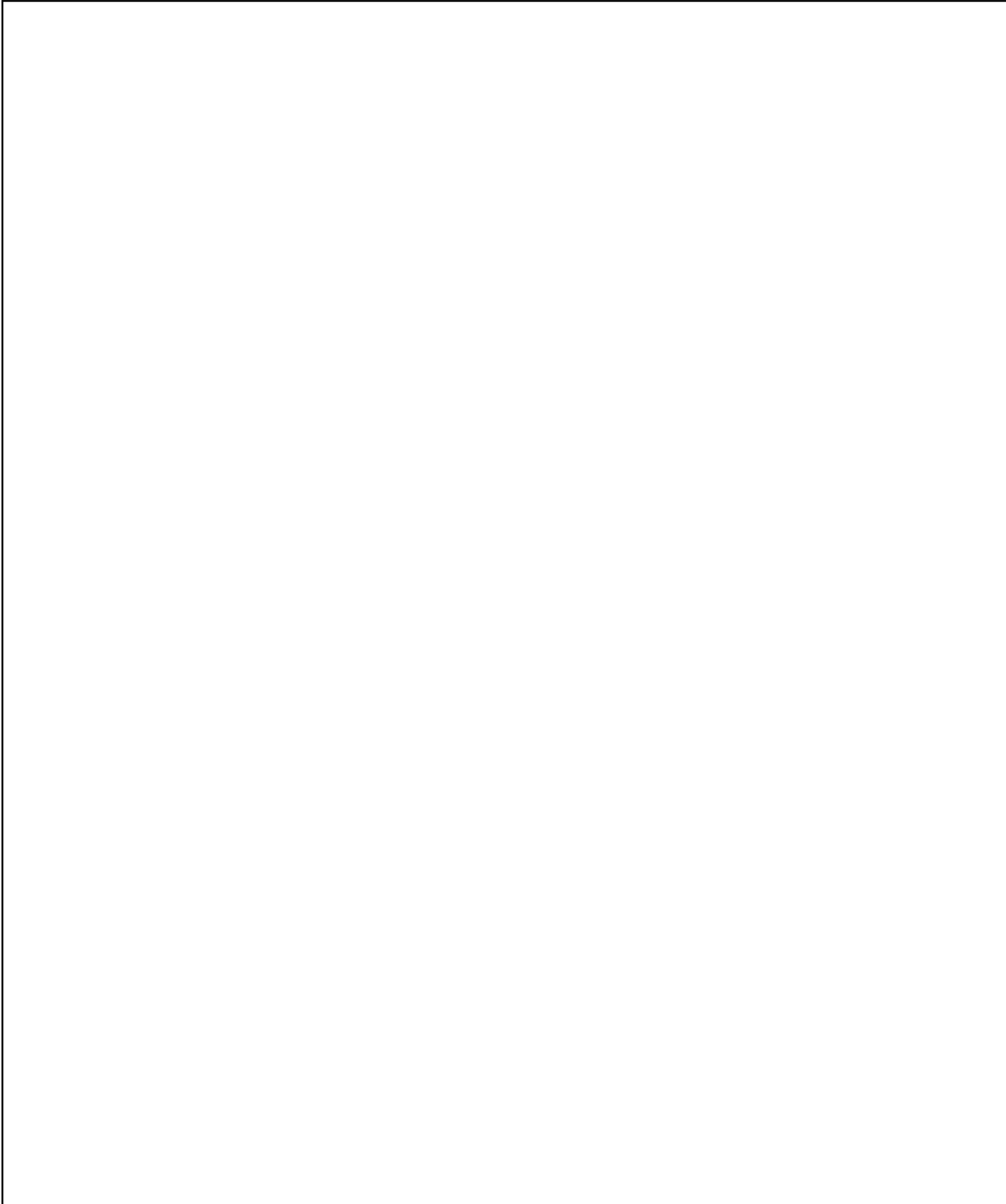


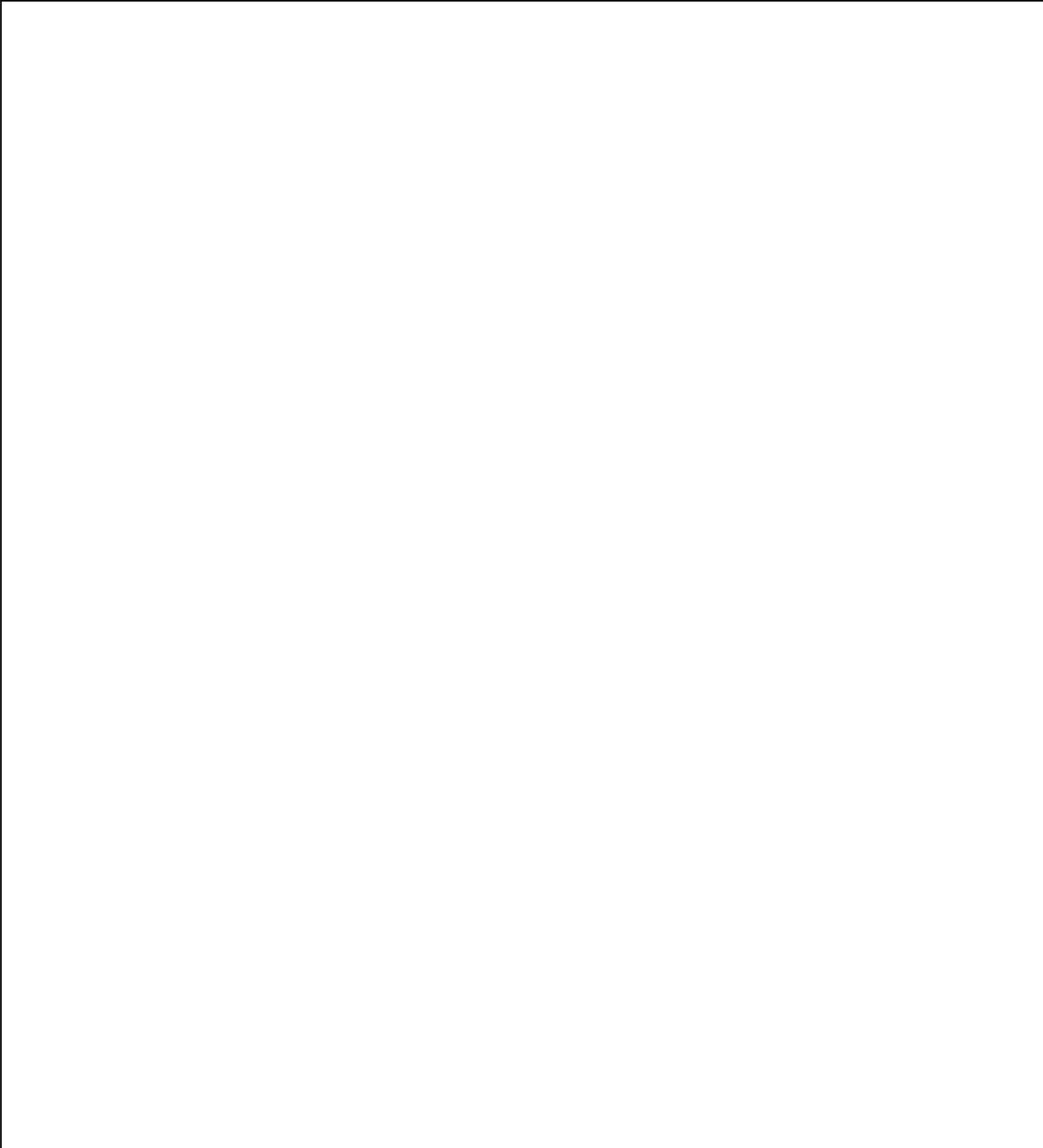


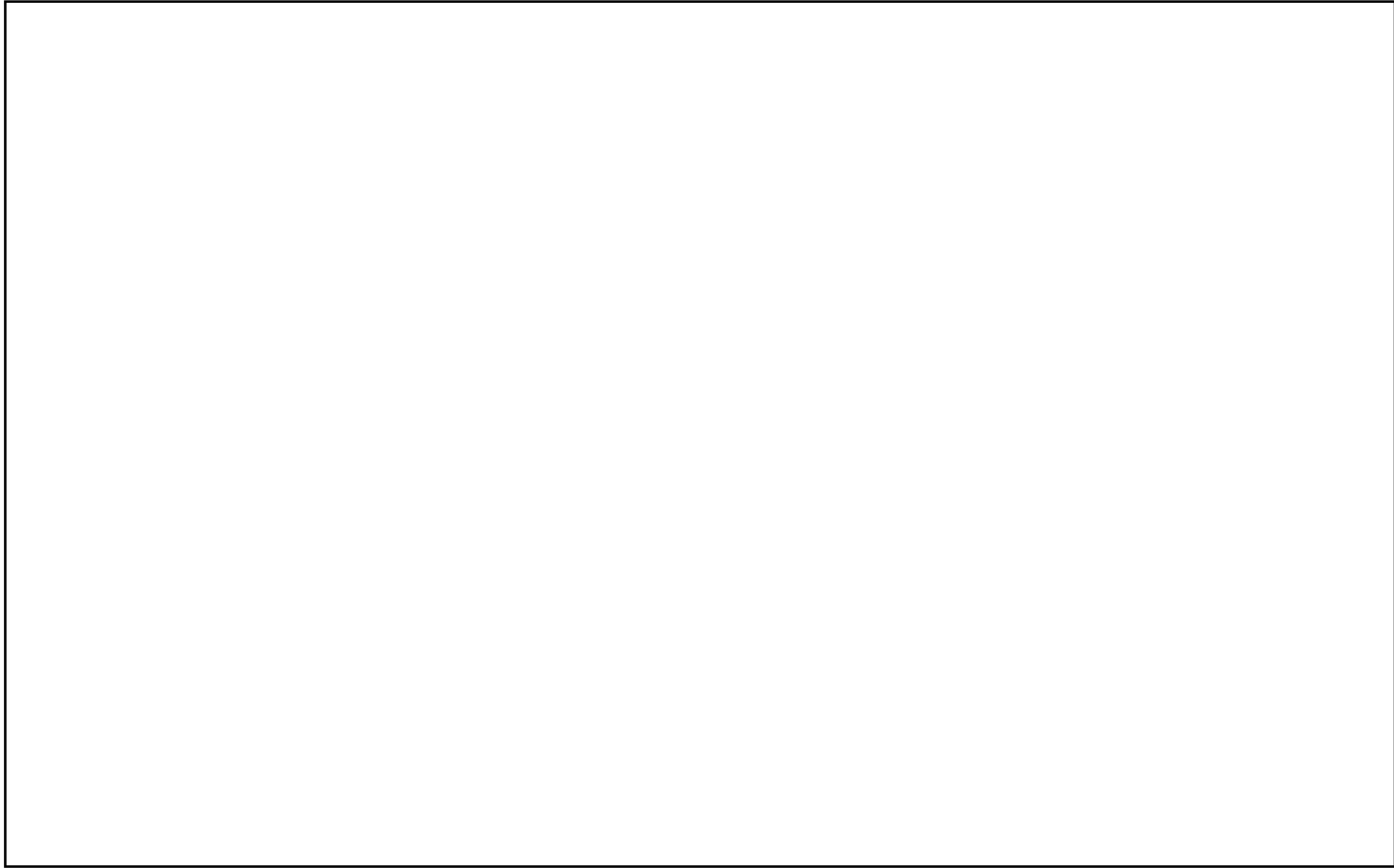












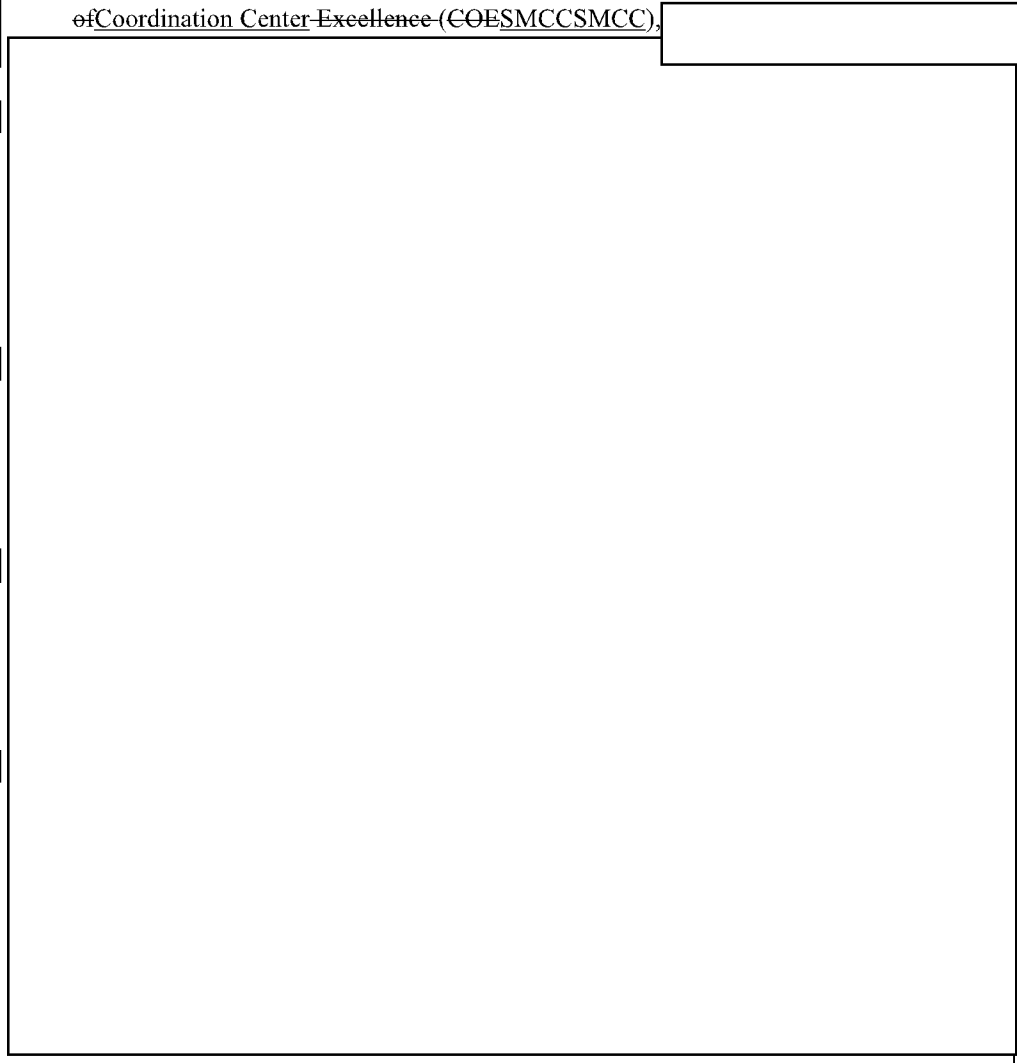
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**DEPARTMENT OF HOMELAND SECURITY SOCIAL MEDIA CENTER OF
EXCELLENCE**
CONCEPT OF OPERATIONS

Introduction

The Department of Homeland Security (DHS) is creating a Social Media Center
of Coordination Center Excellence (COESMCCSMCC).



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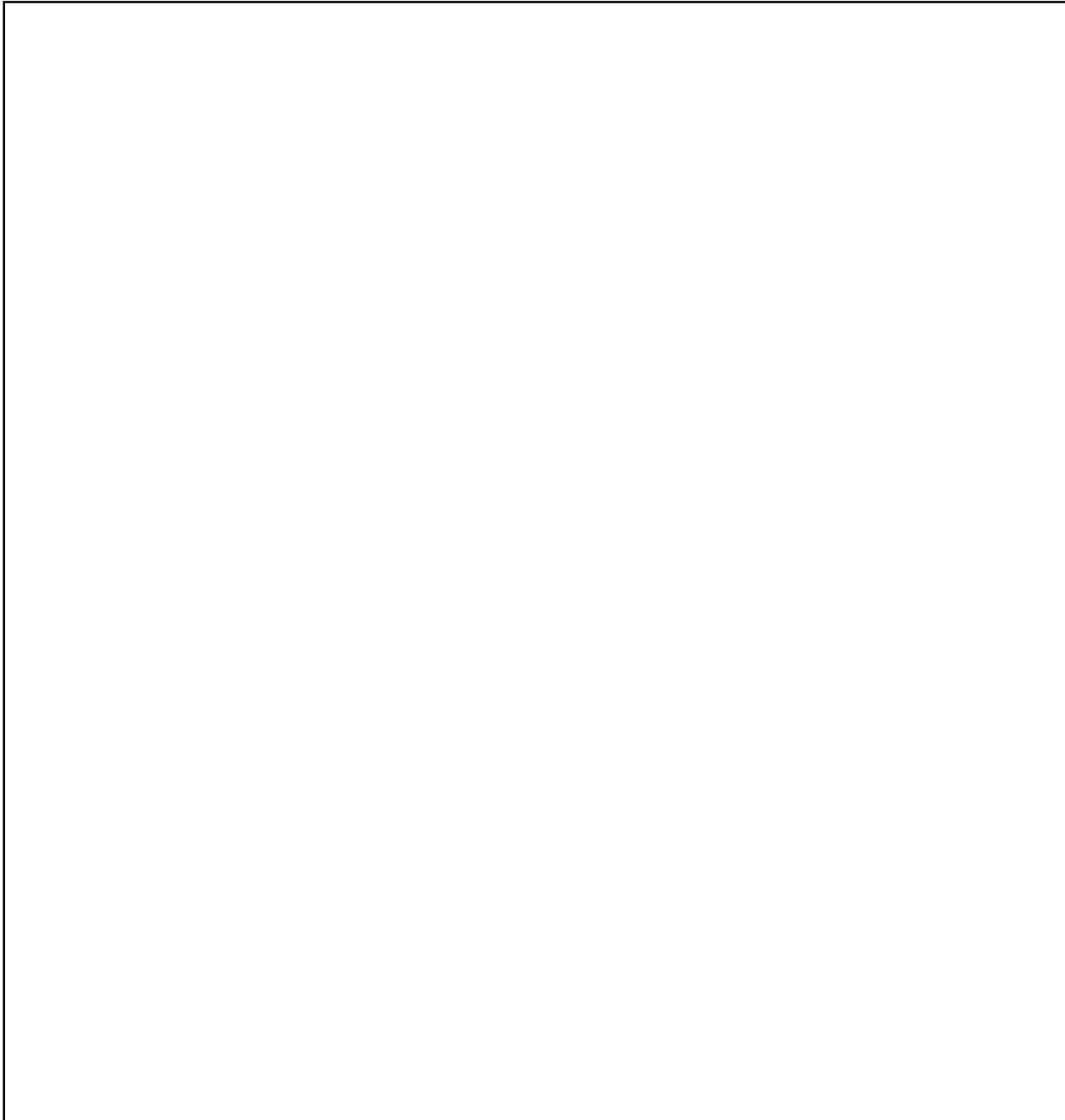


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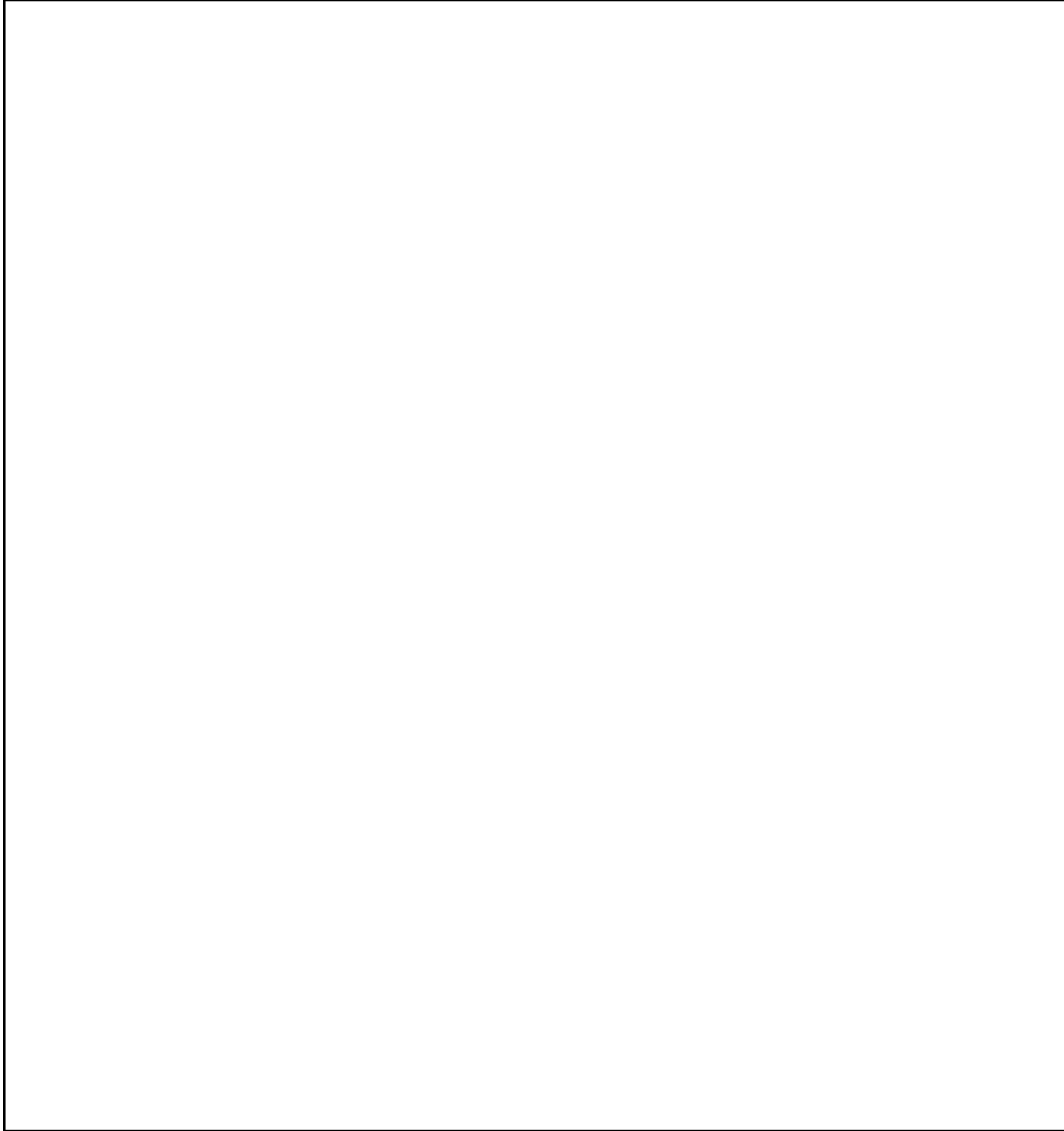


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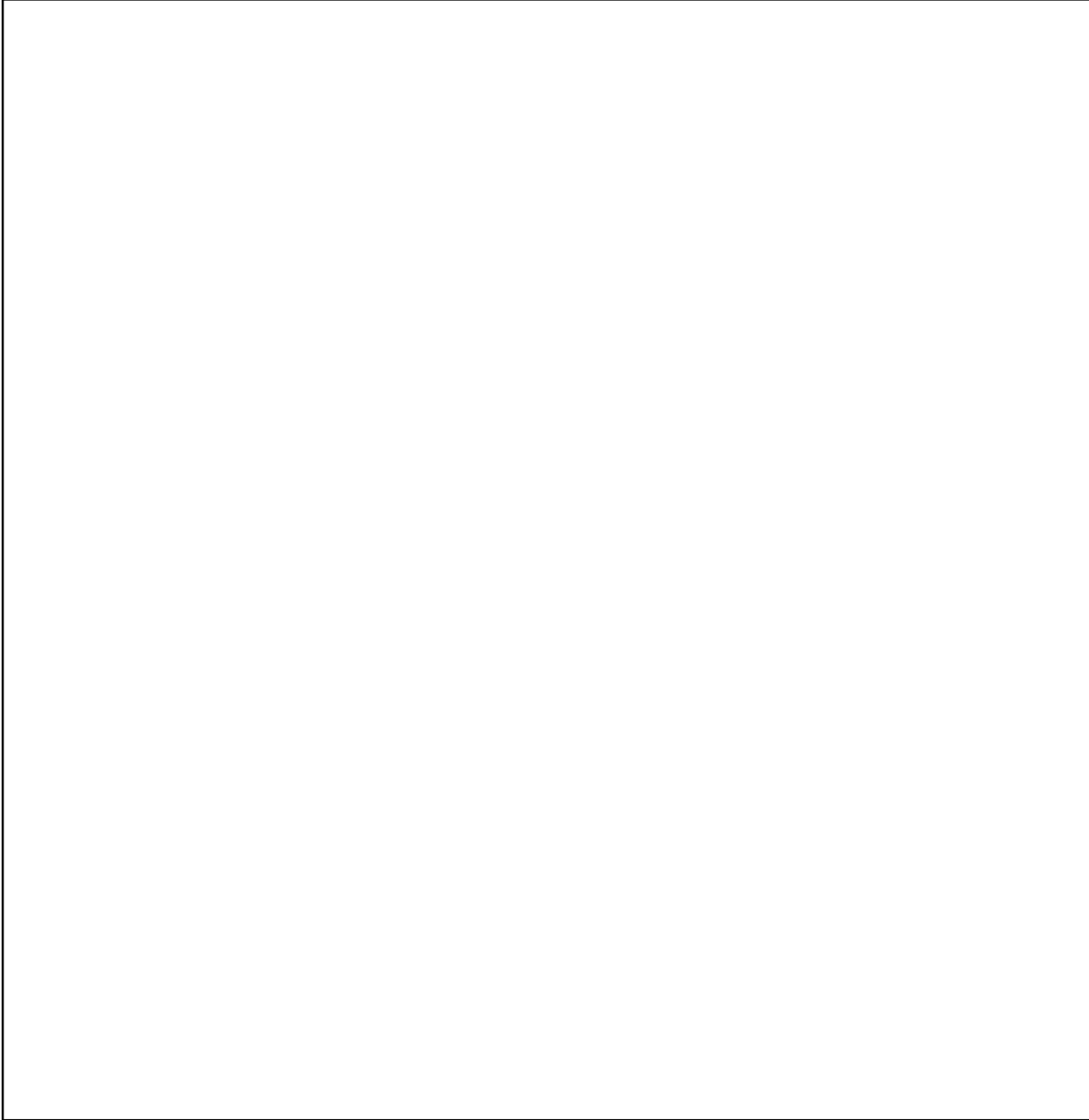


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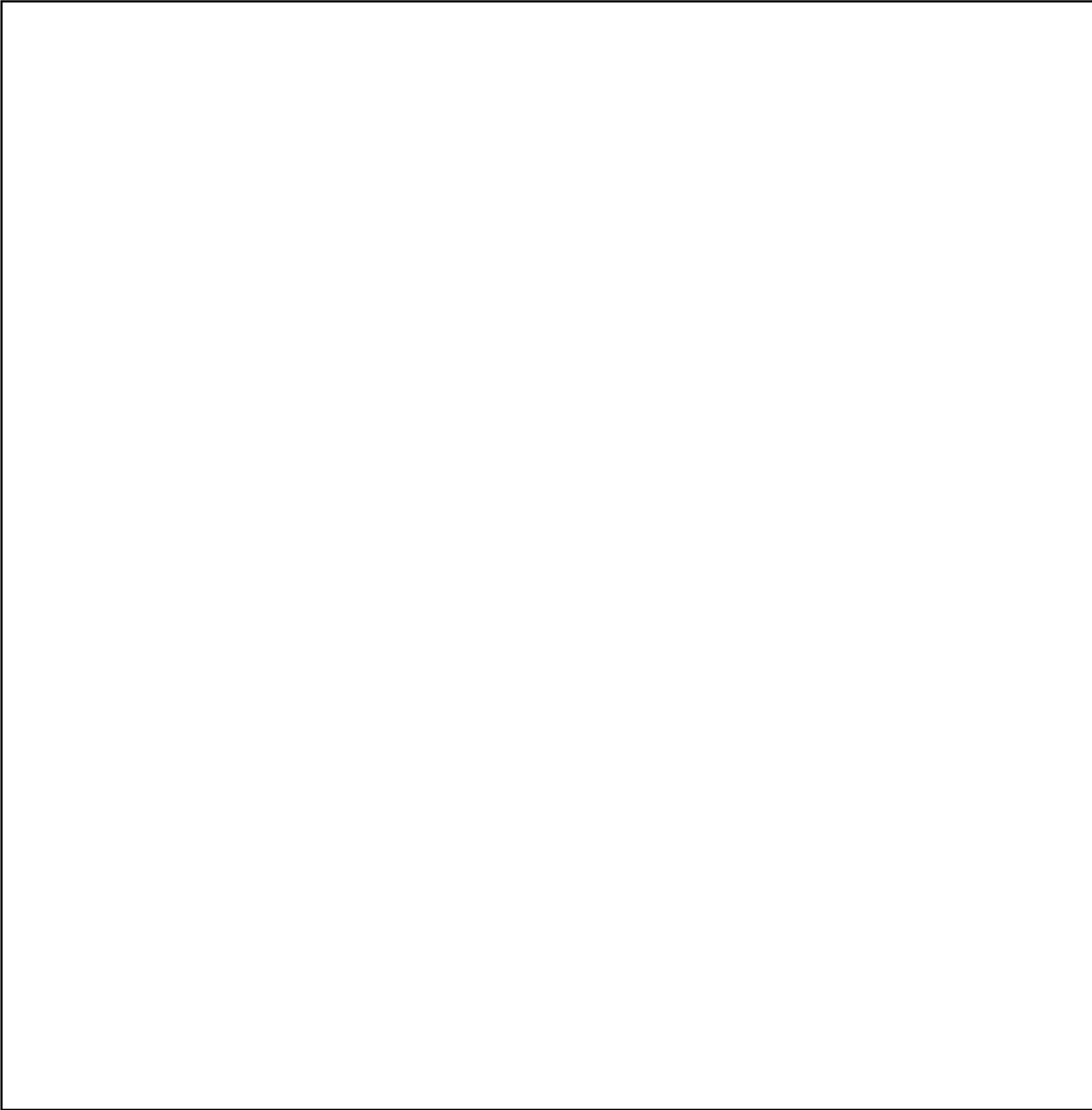


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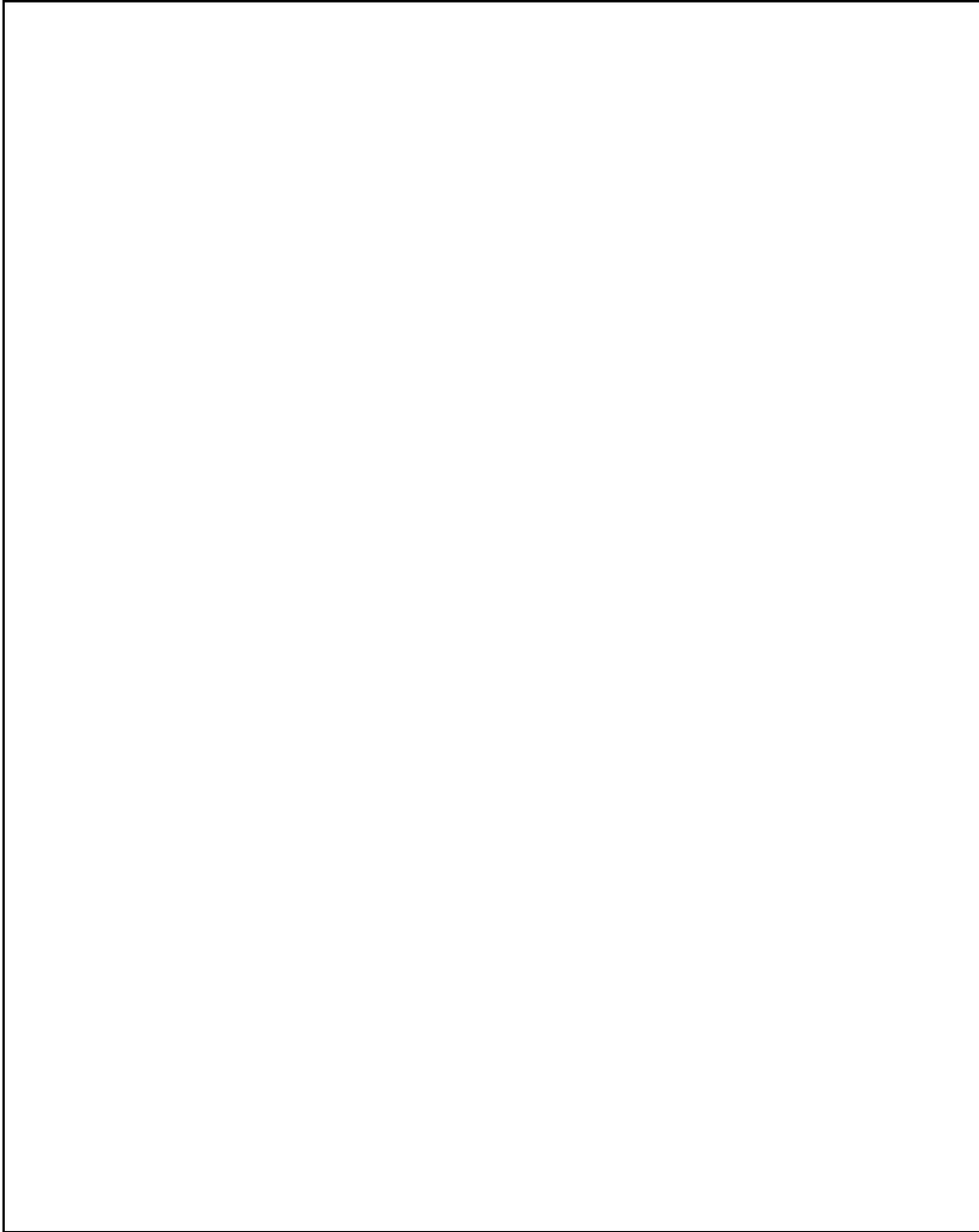
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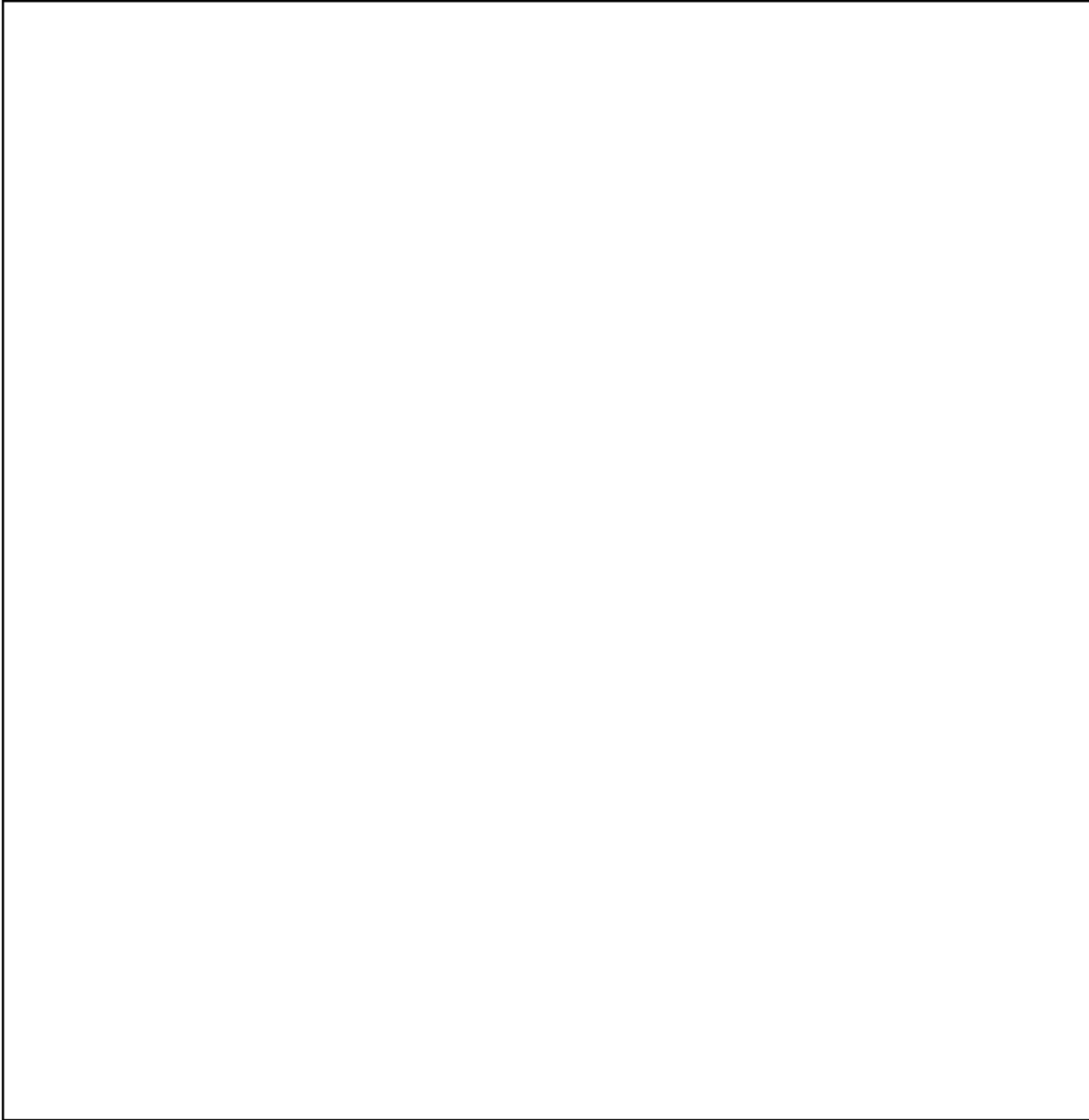
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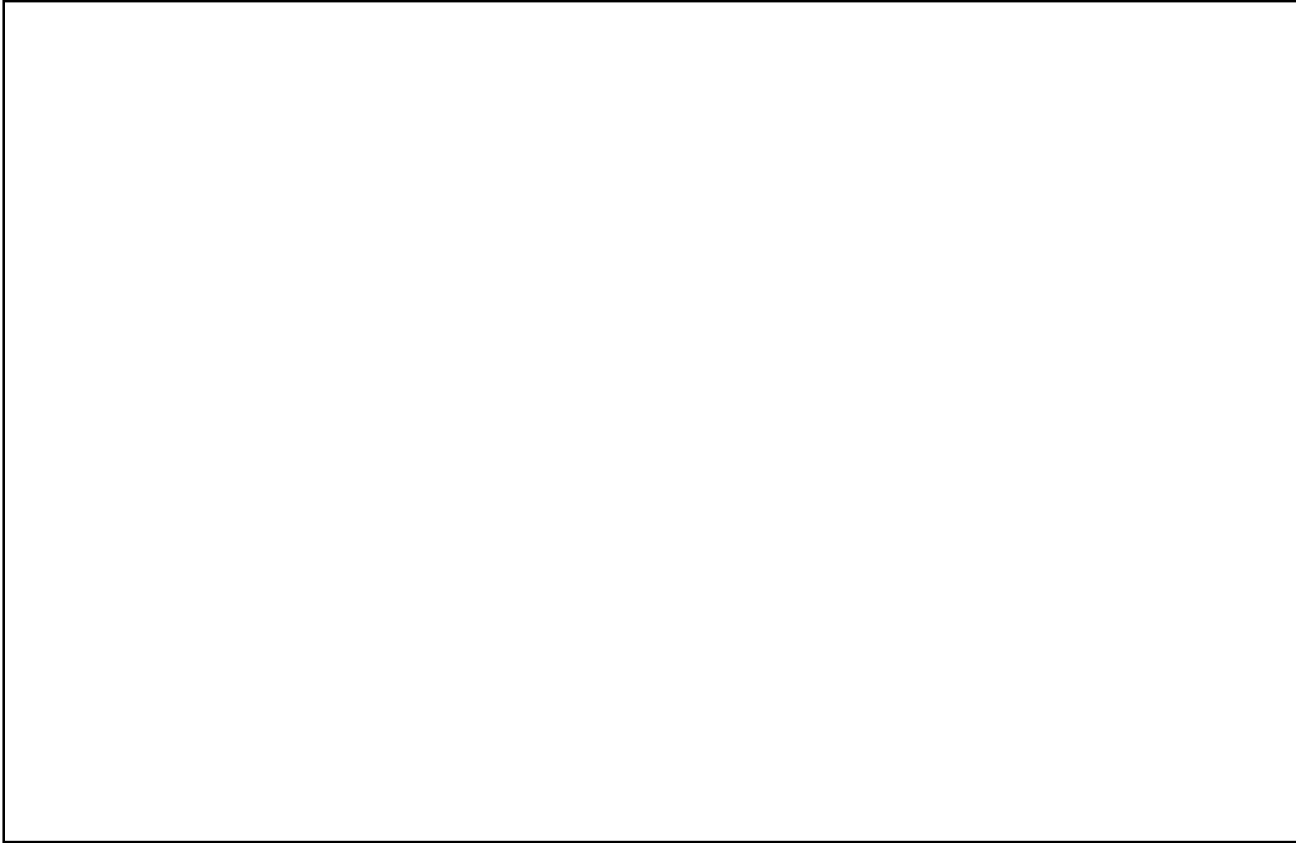


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U.S. CITIZENSHIP AND IMMIGRATION SERVICES



**REVIEW OF THE DEFENSE ADVANCED RESEARCH
PROJECTS AGENCY 2.0 SOCIAL MEDIA PILOT**

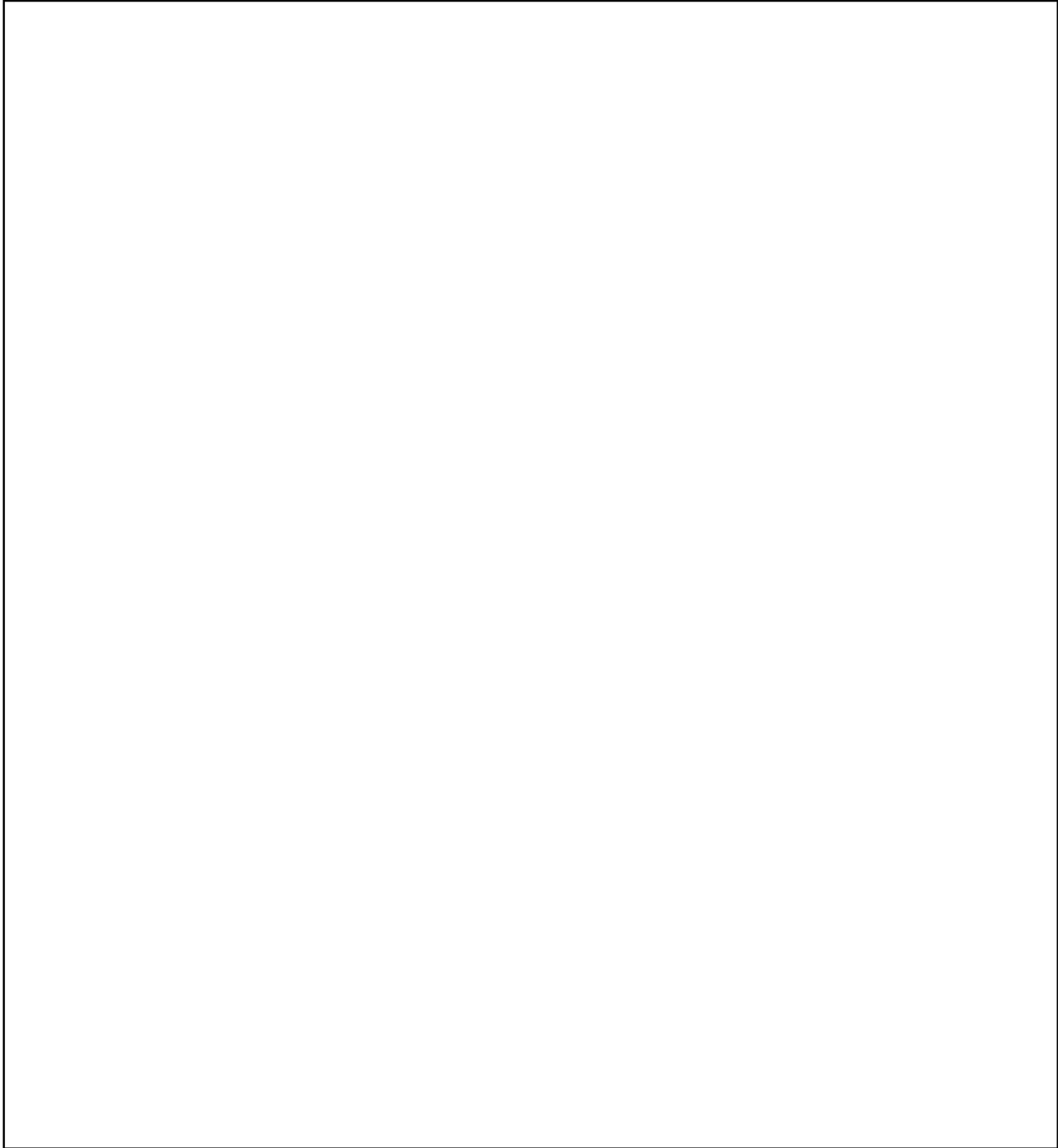
Fraud Detection and National Security Directorate
June 2, 2016

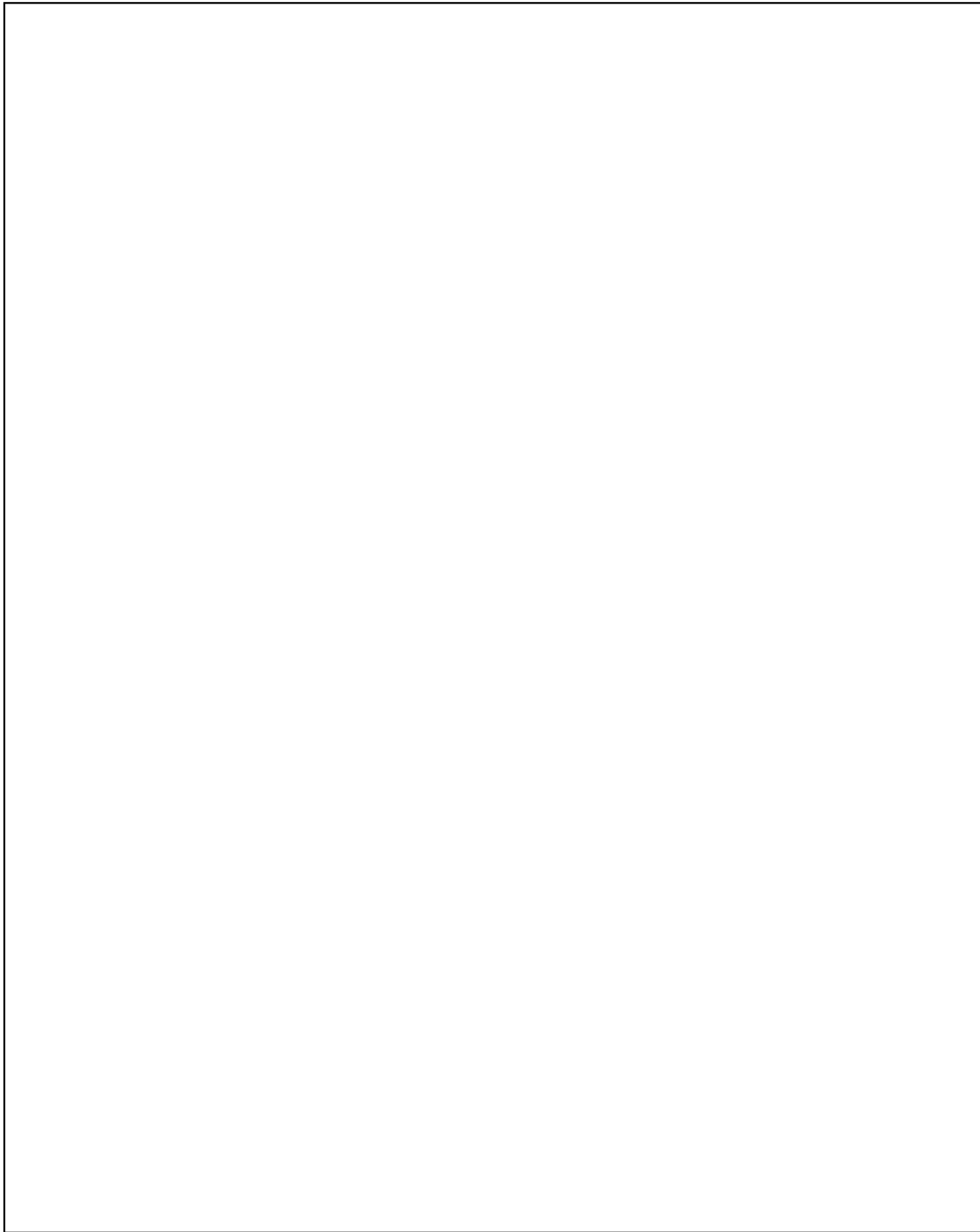
Refugee Screening Review: The Defense Advanced Research Projects Agency 2.0 Pilot

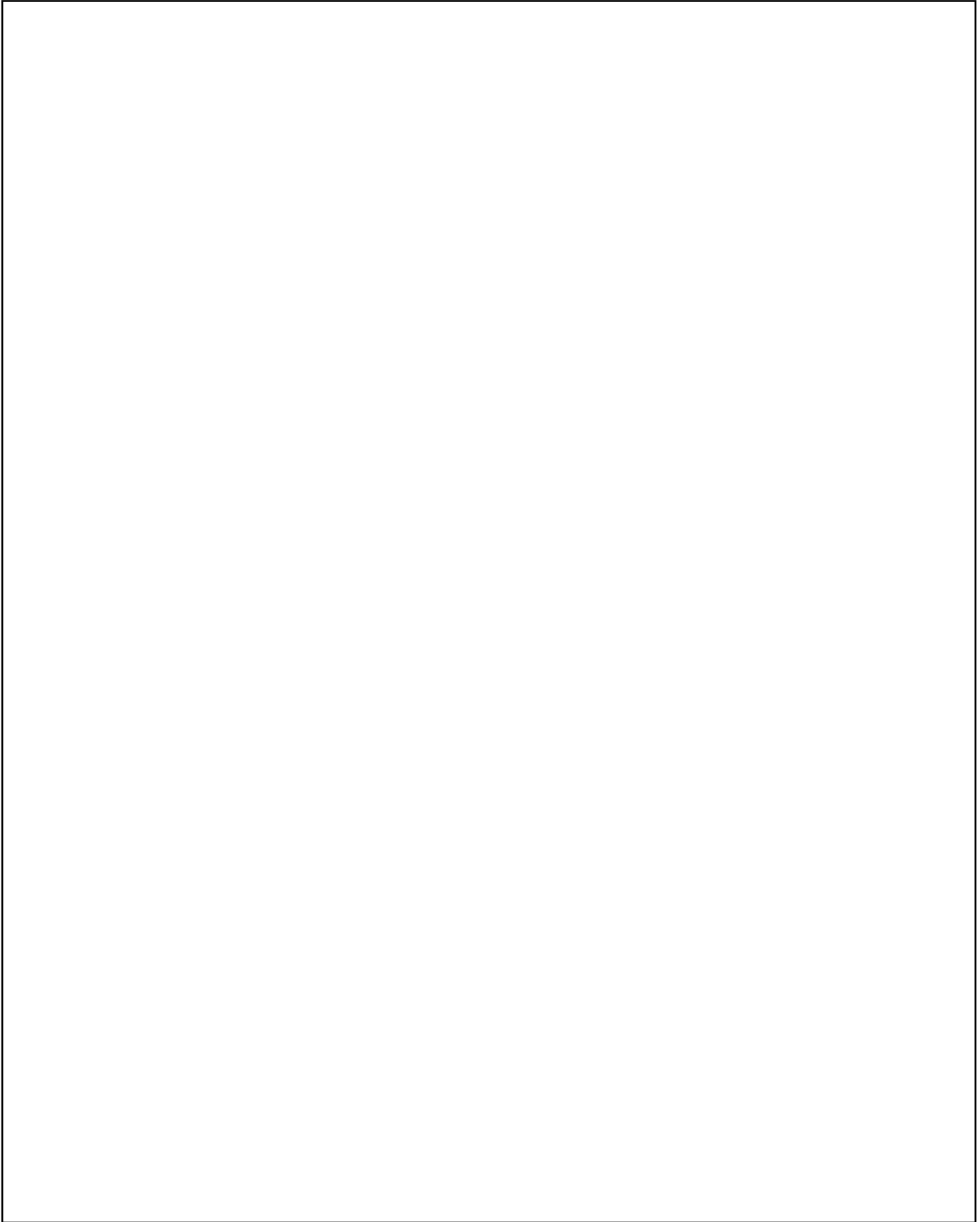
Overview

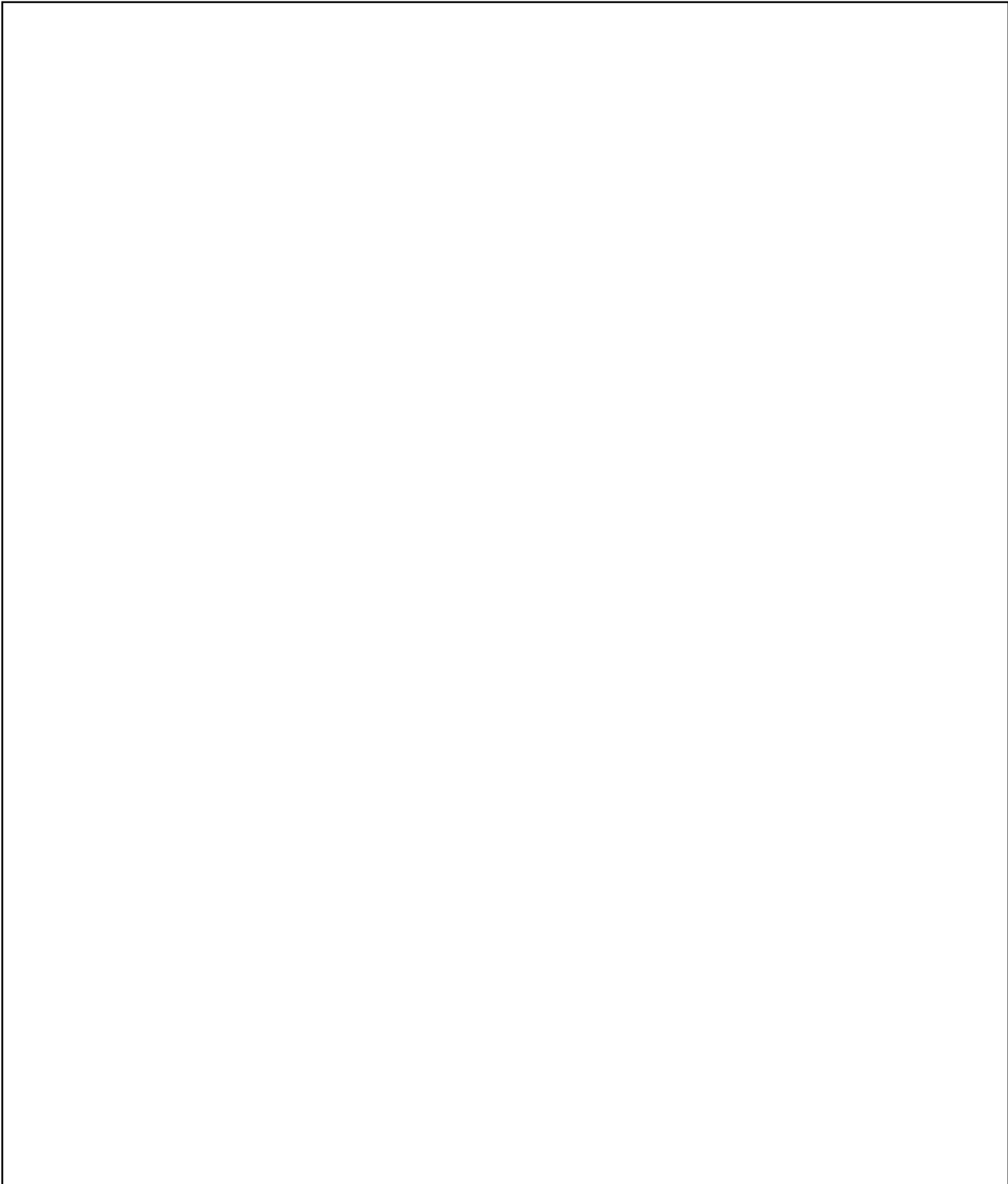
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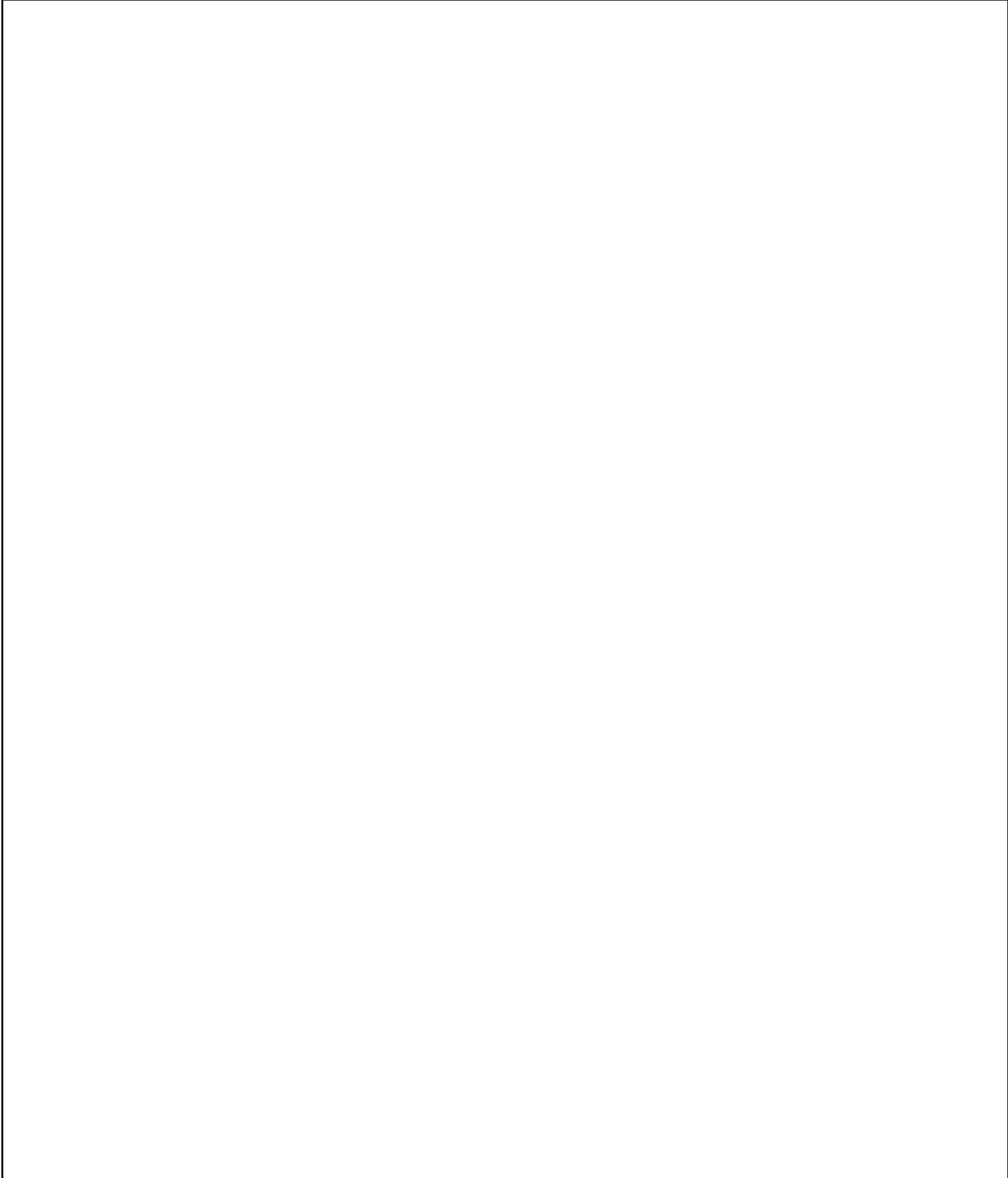
In Fiscal Year (FY) 2015, the U.S. Citizenship and Immigration Services (USCIS) deployed multiple pilots – in coordination with the Department of Homeland Security (DHS) Office of Intelligence and Analysis (I&A), the Intelligence Community (IC), and the Department of Defense (DoD) – to assess the feasibility of using social media to screen refugee applicants

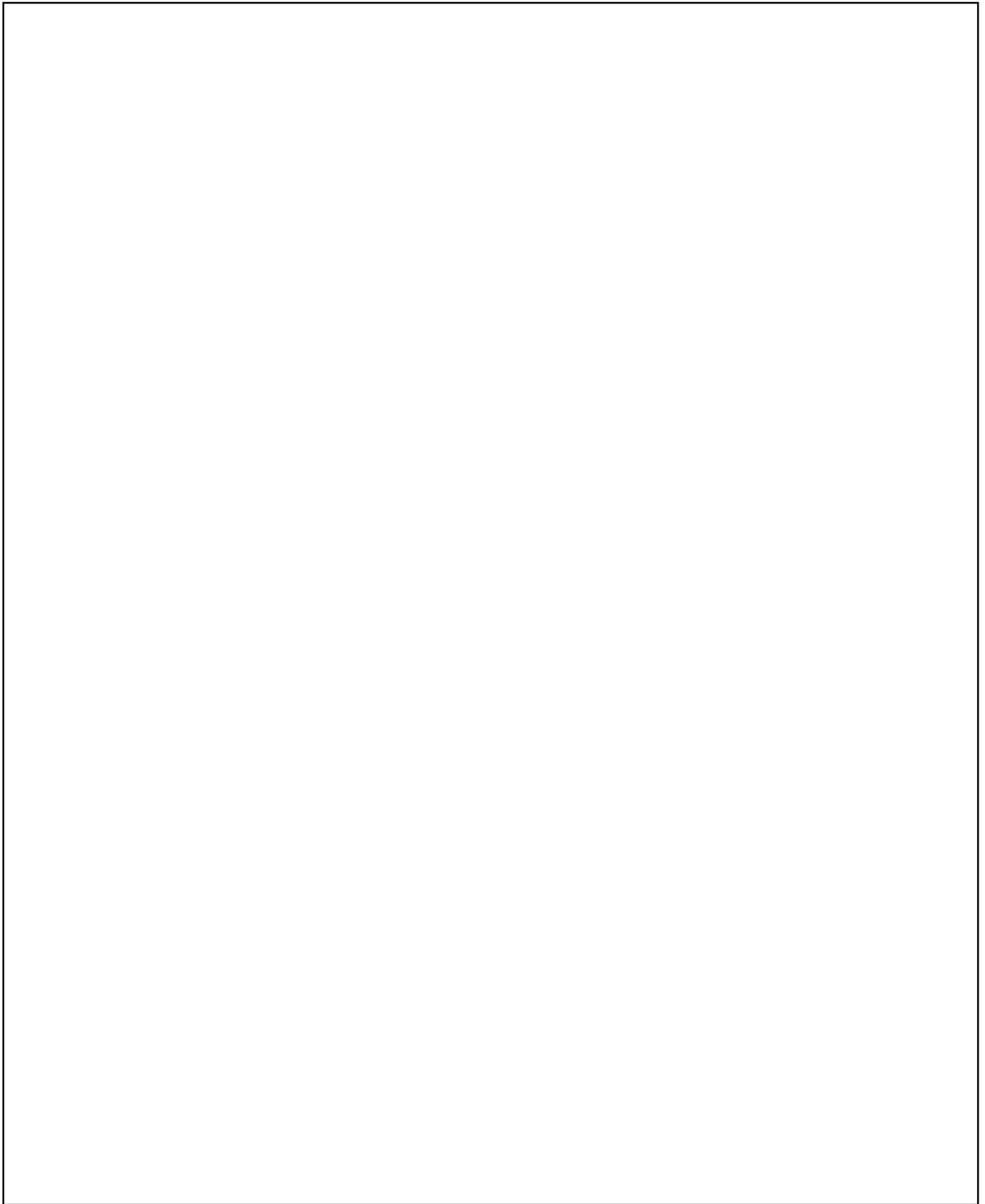


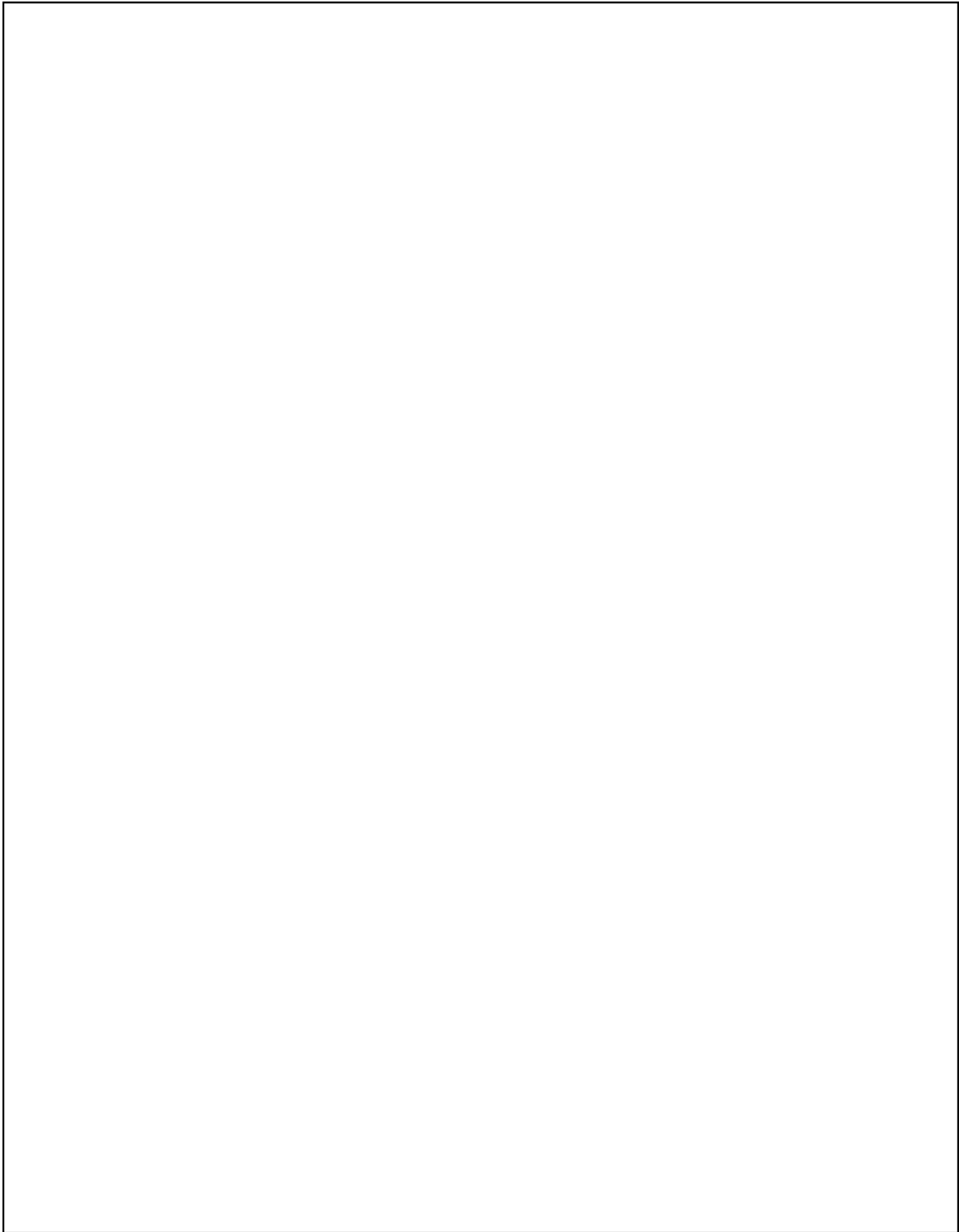


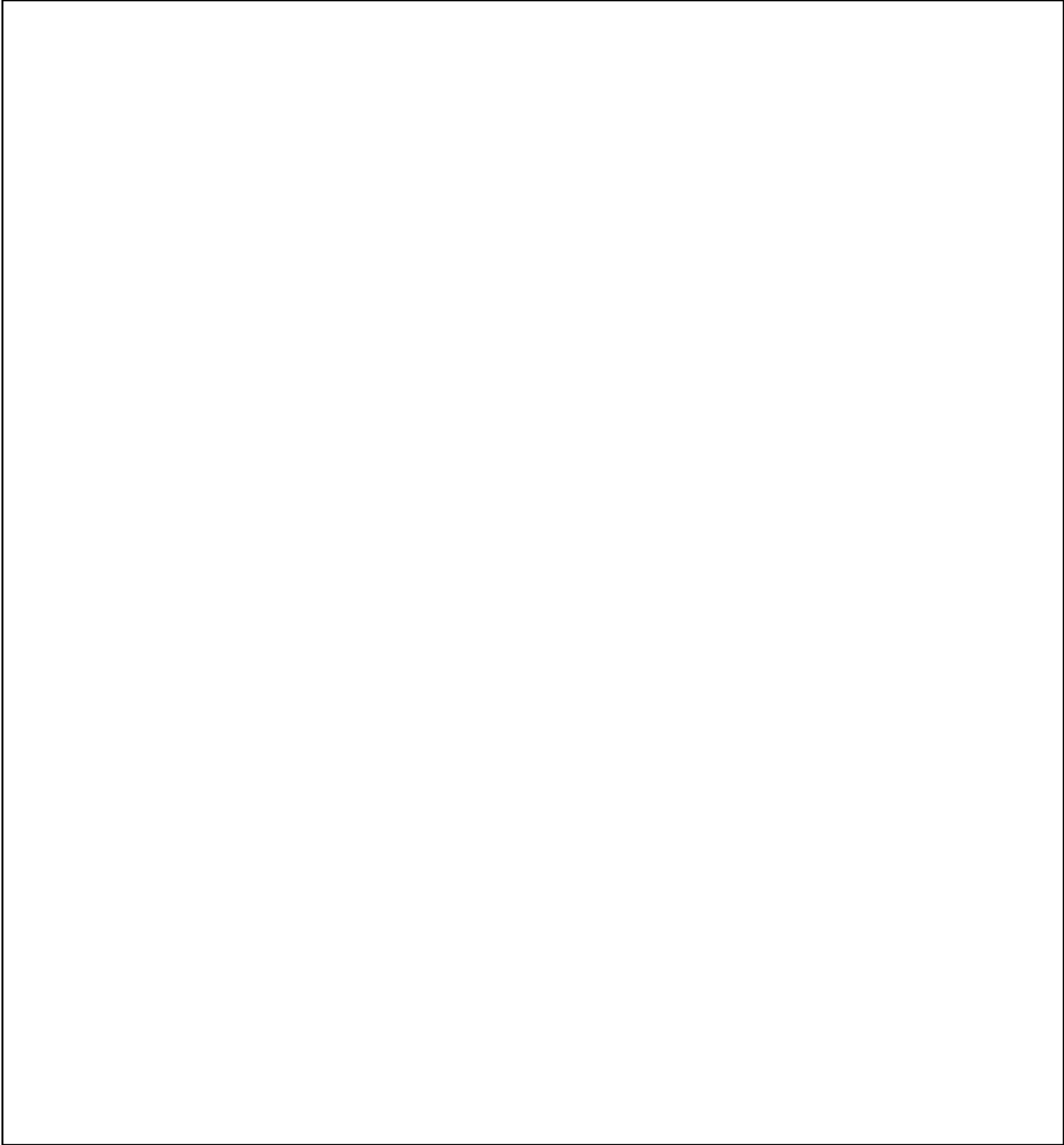


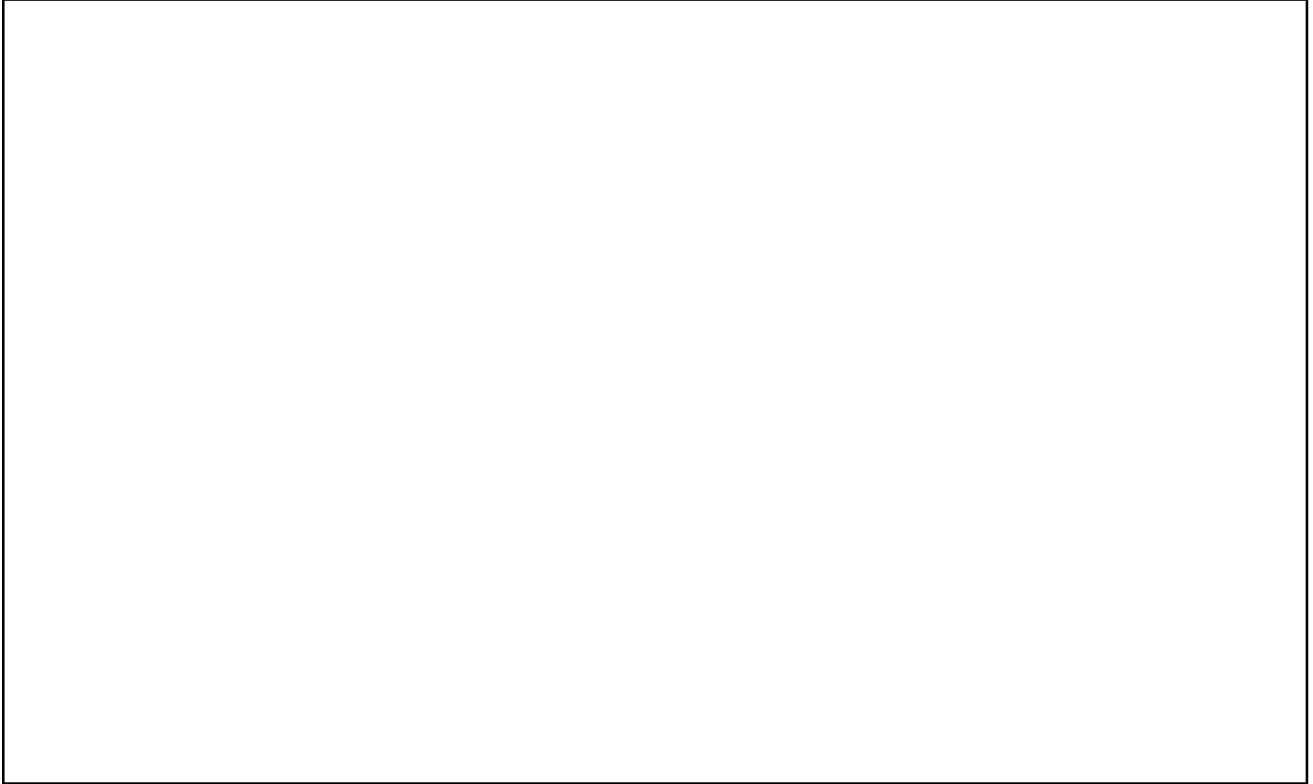




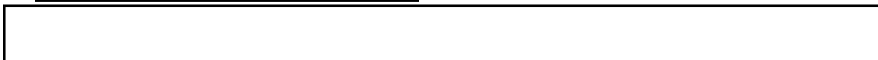




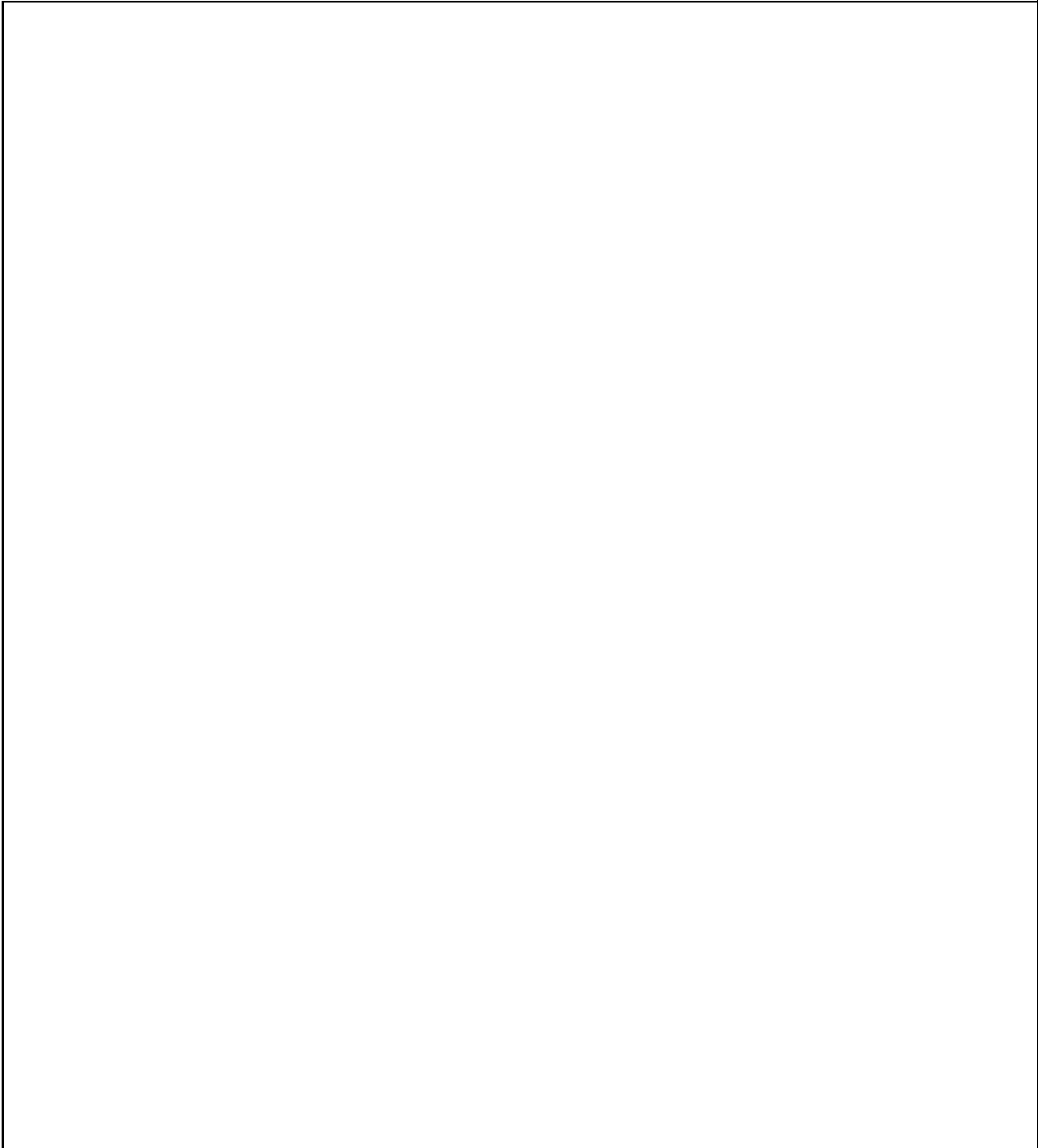




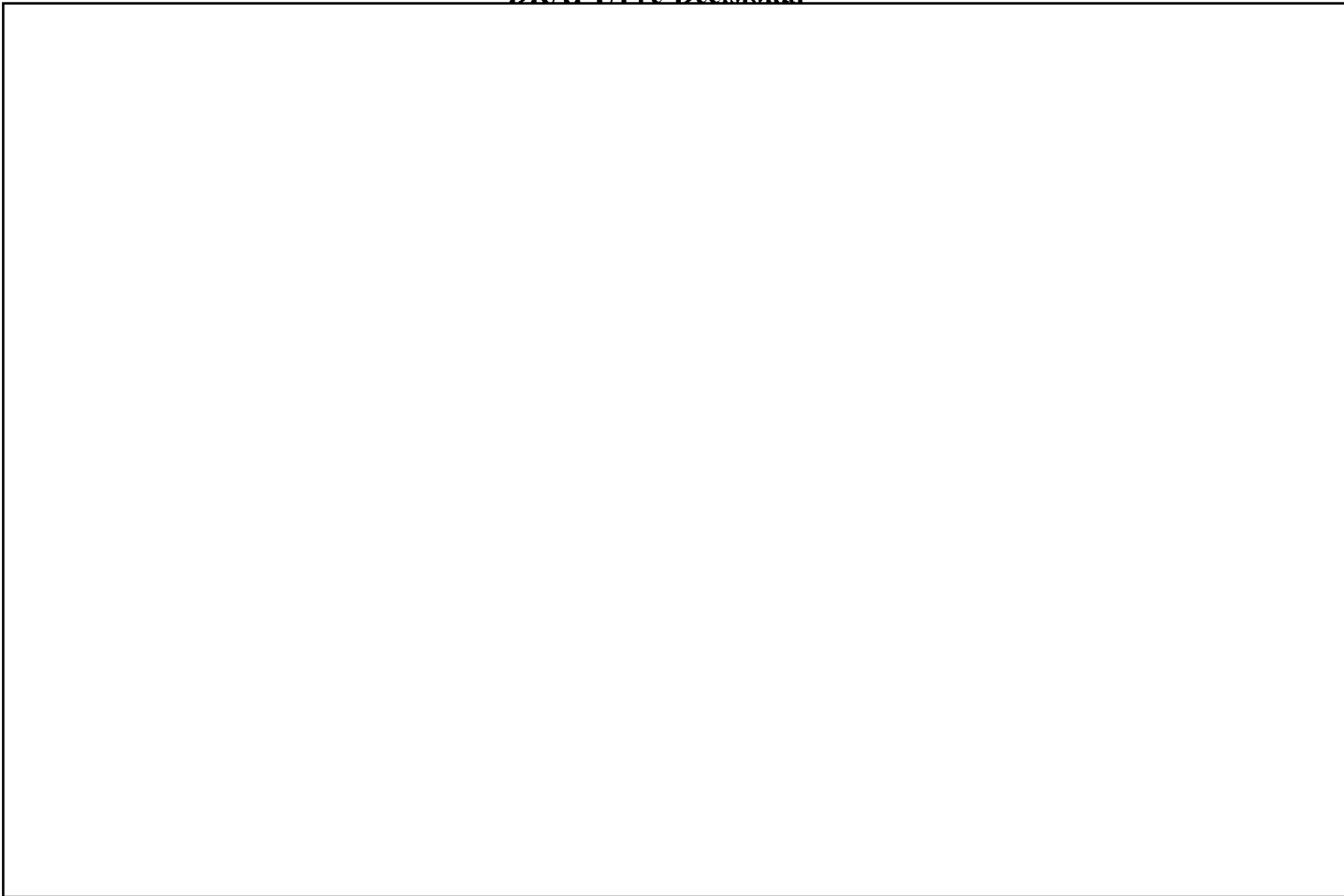
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APPENDIX A







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U.S Citizenship and
Immigration Services
Refugee Affairs Division

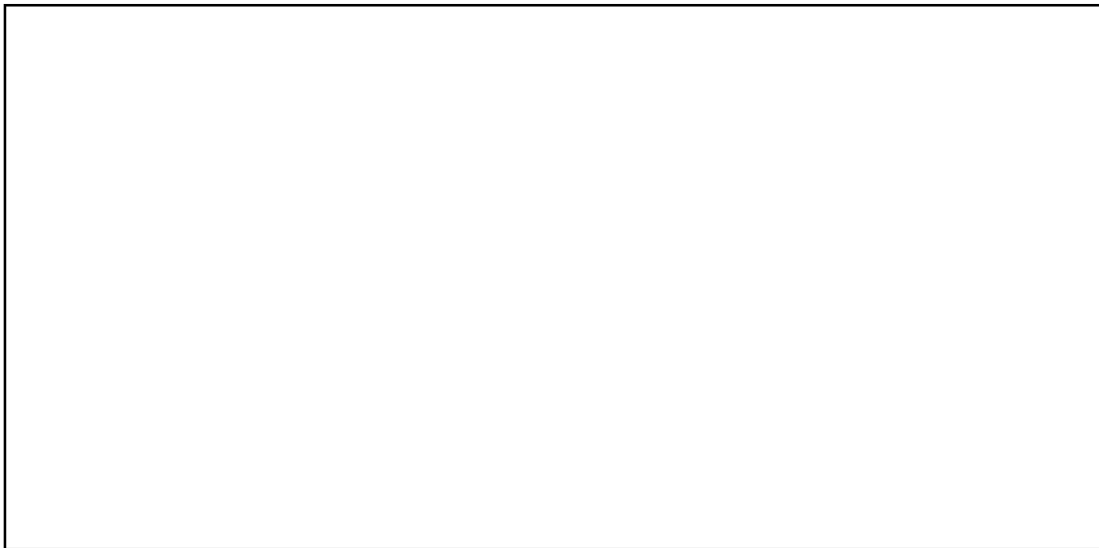
GUIDANCE FOR USE OF SOCIAL MEDIA IN REFUGEE ADJUDICATIONS

TABLE OF CONTENTS

(b)(5) (b)(7)(e)

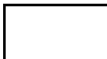
I. PURPOSE.....3

II.
III.
IV.
V.
VI.
VII.

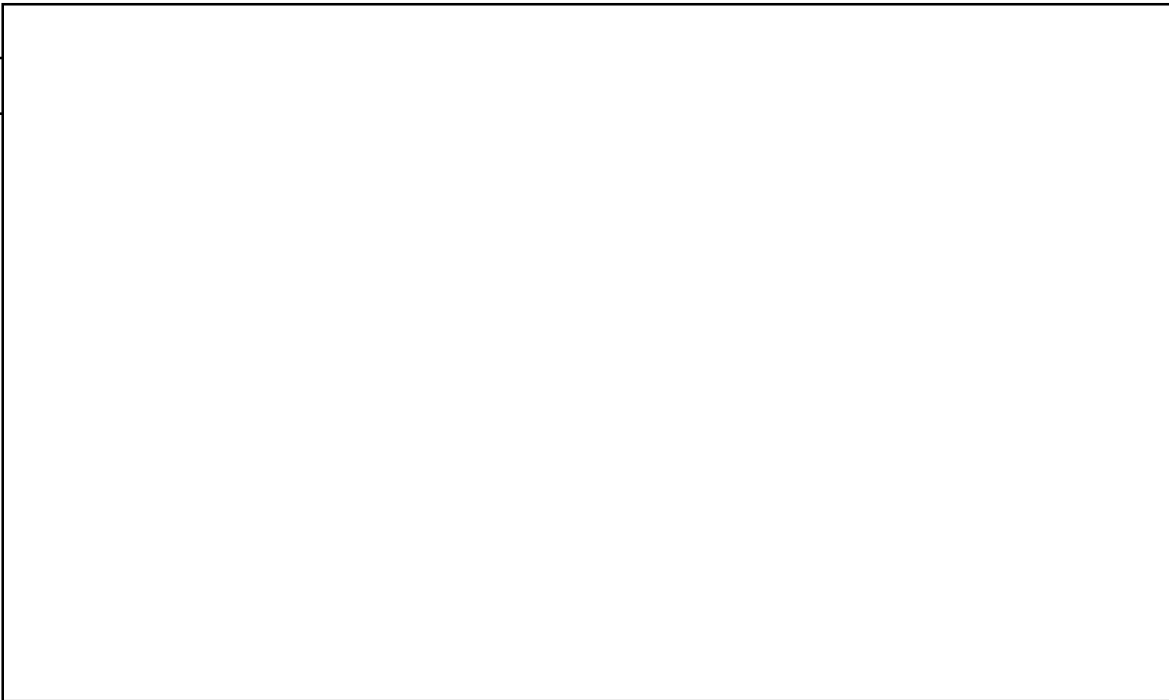


VIII. POINTS OF CONTACT.....8

IX.



X.

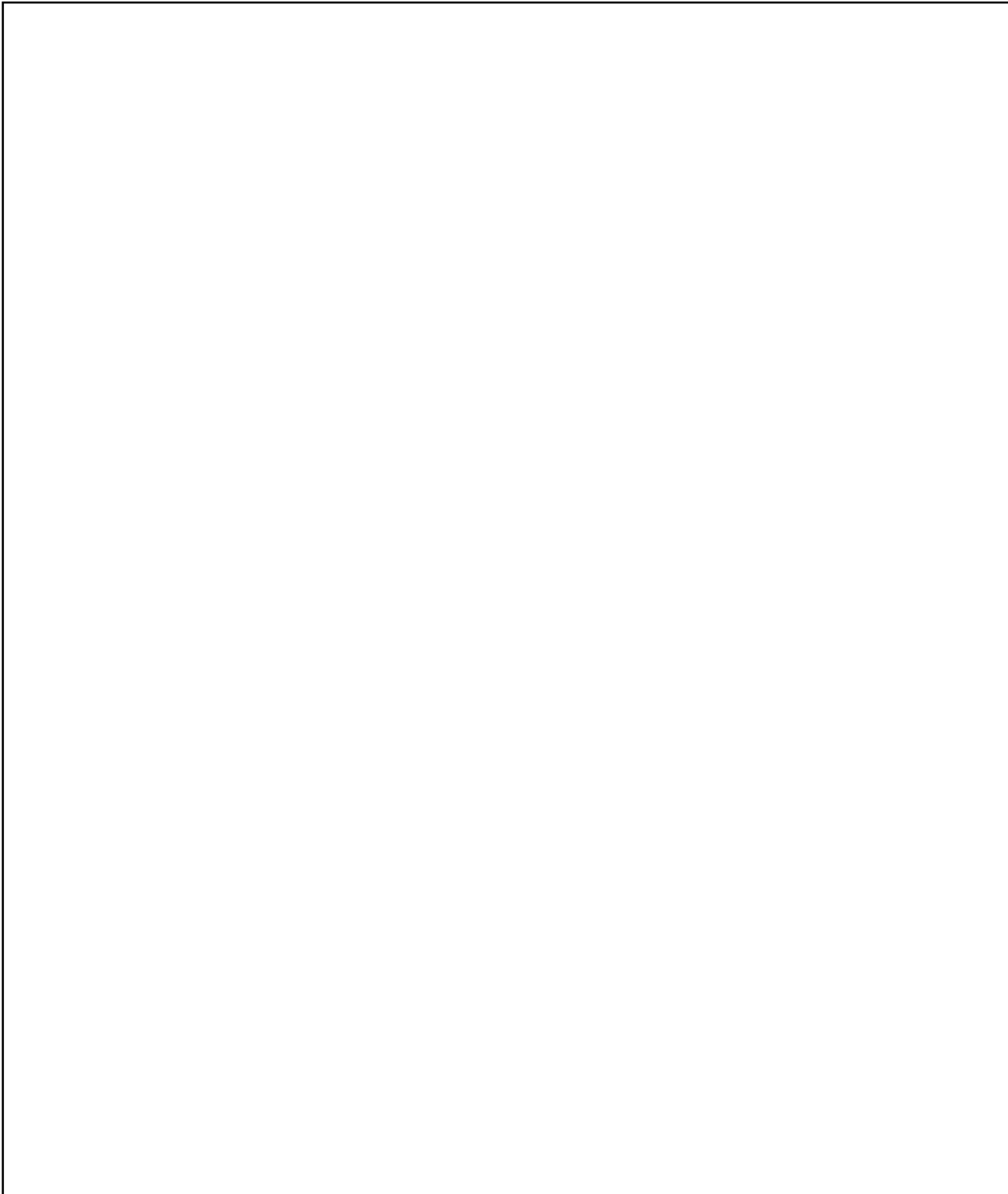


I. PURPOSE

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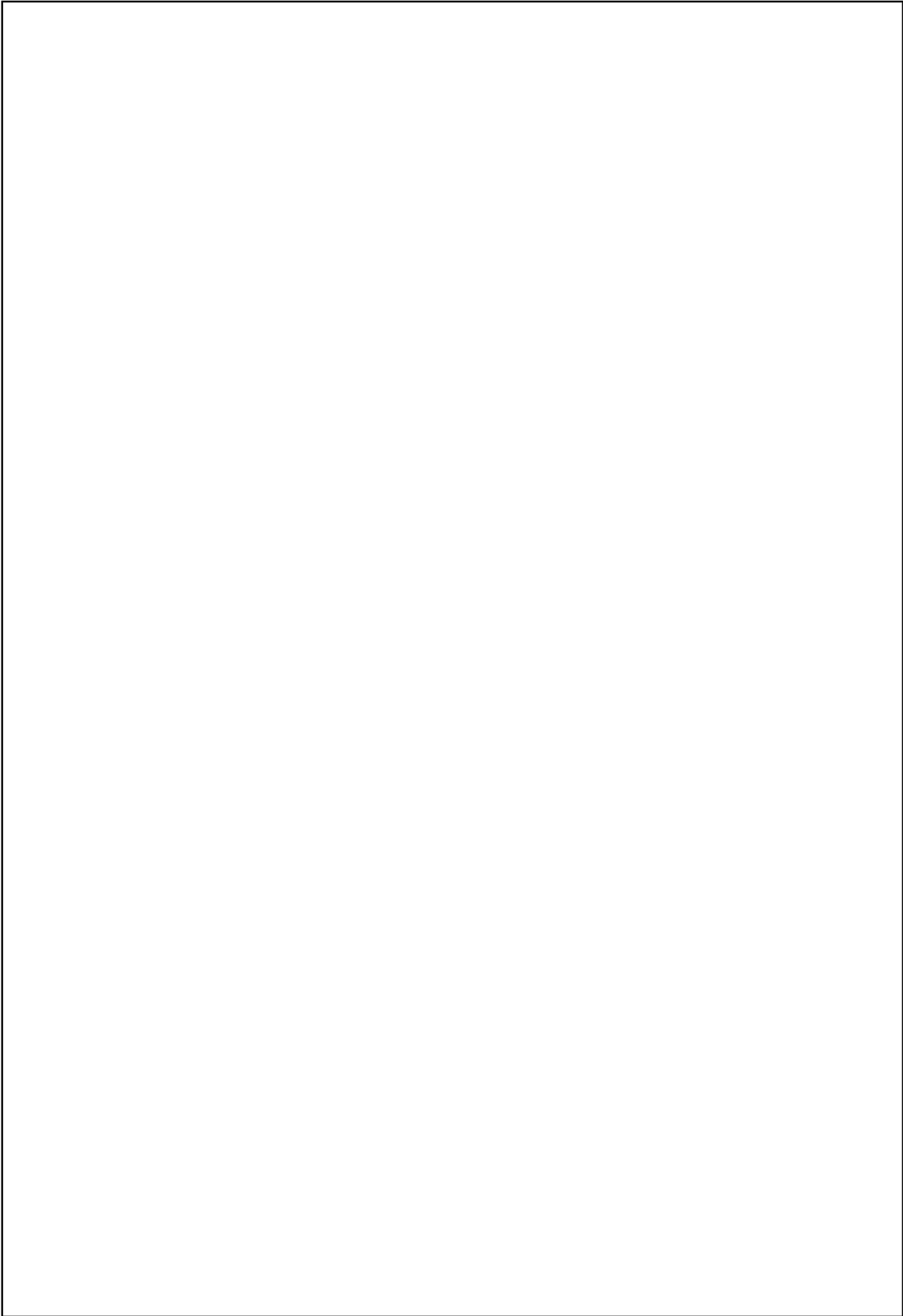
The purpose of this guidance is to provide officers with information and tools to use the results of social media checks in the refugee adjudication process.

II.



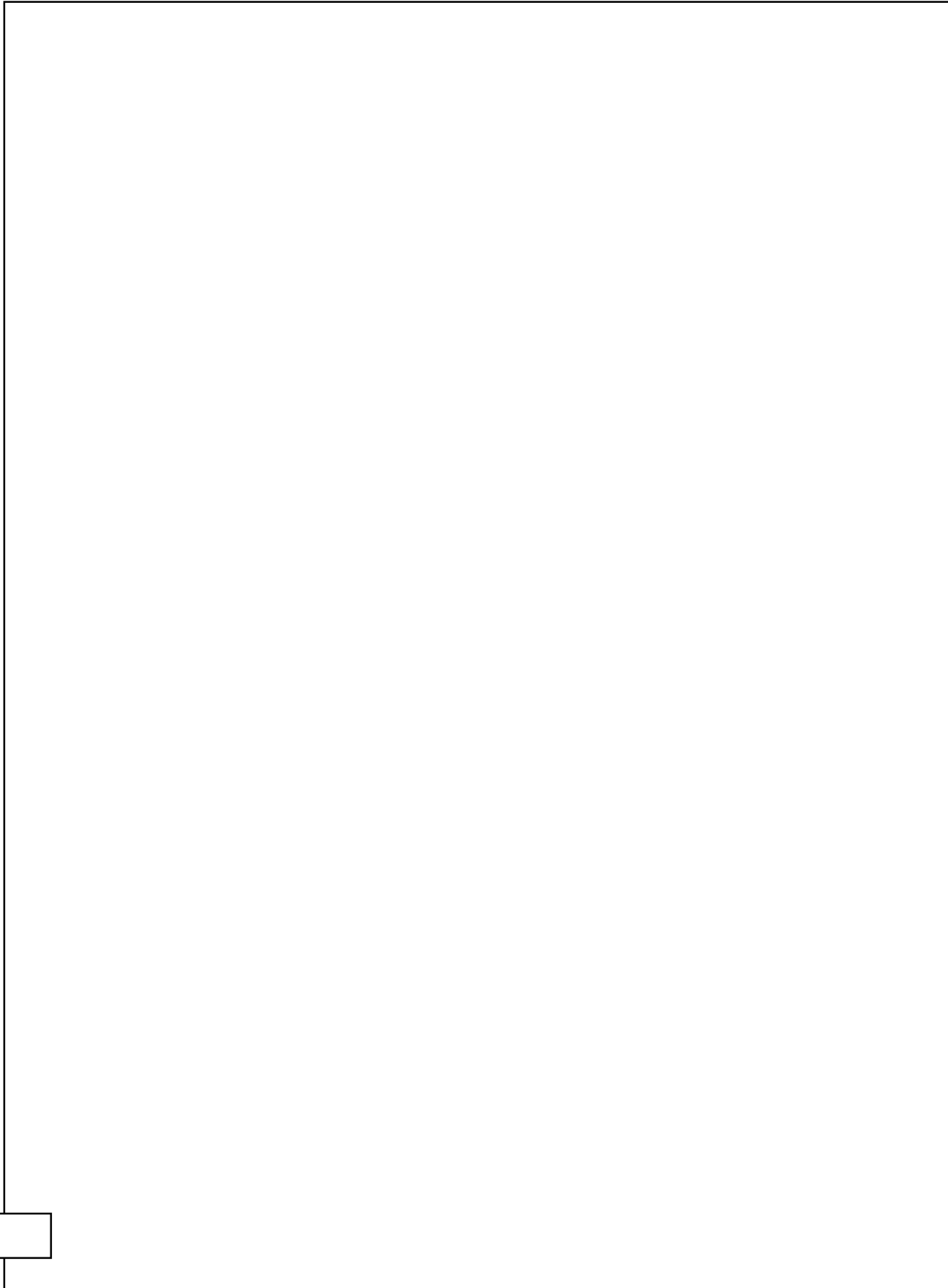
III.

IV.

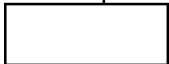


V.

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VI.

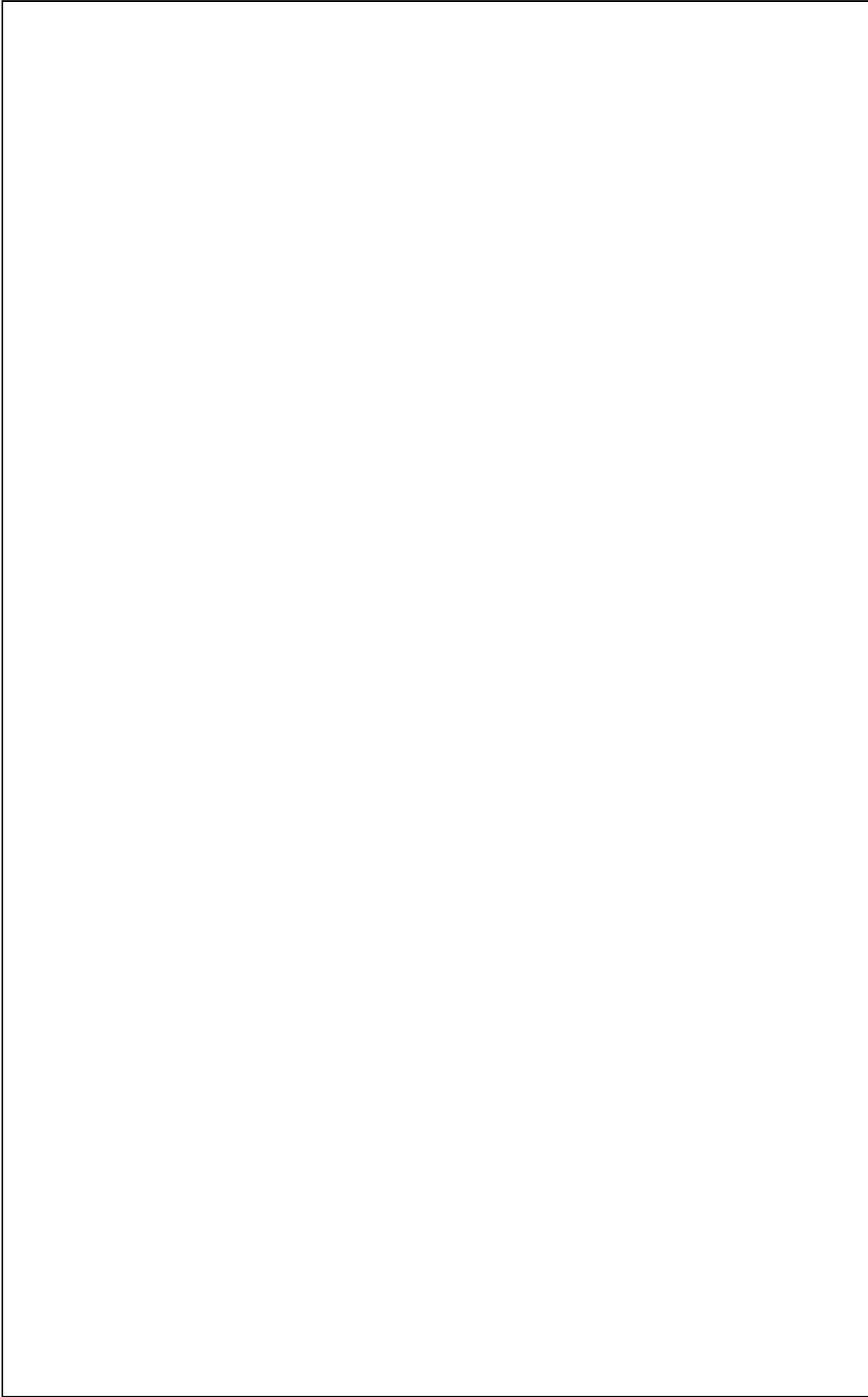


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VII.

A.



B.

C.

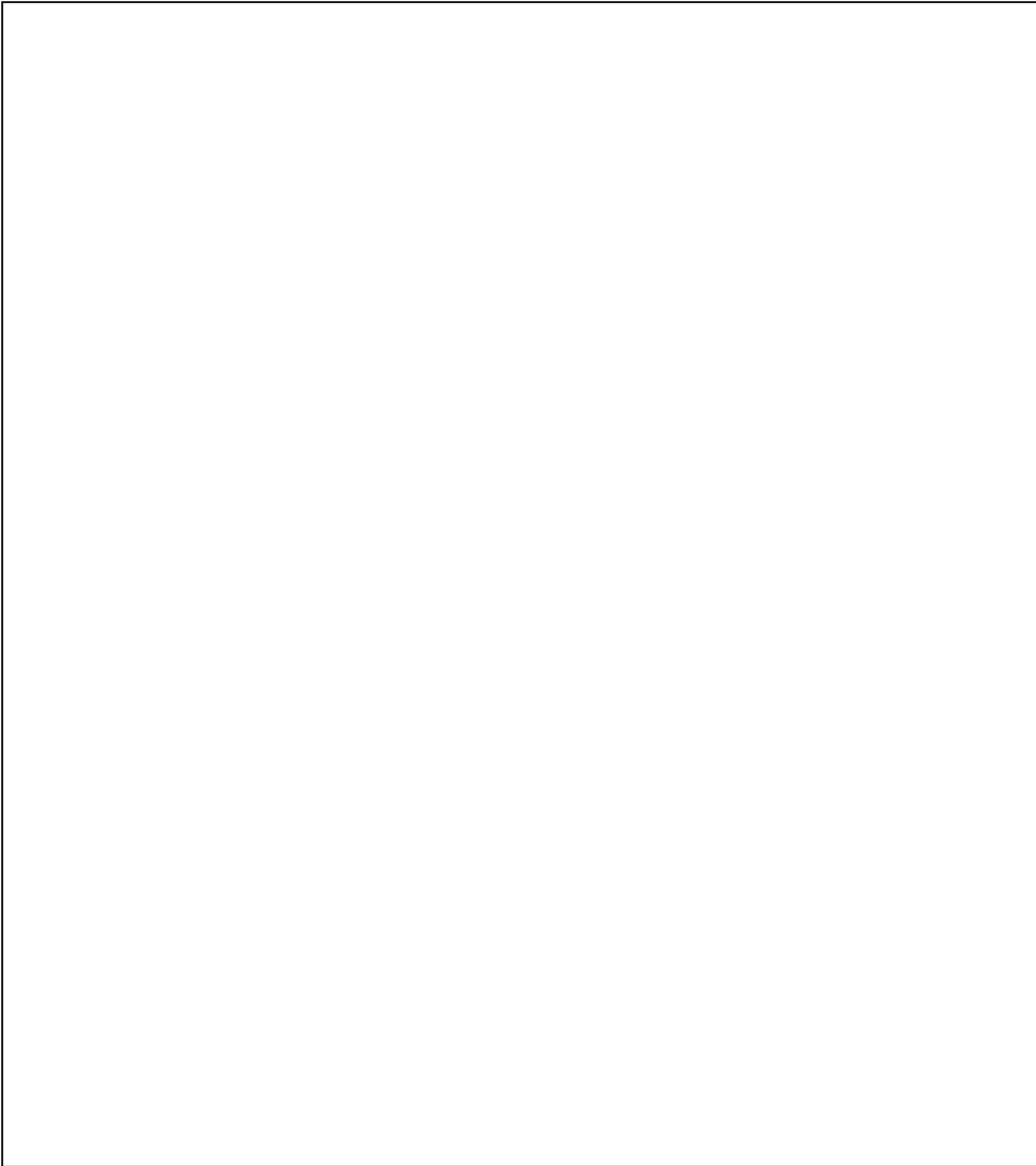
D.



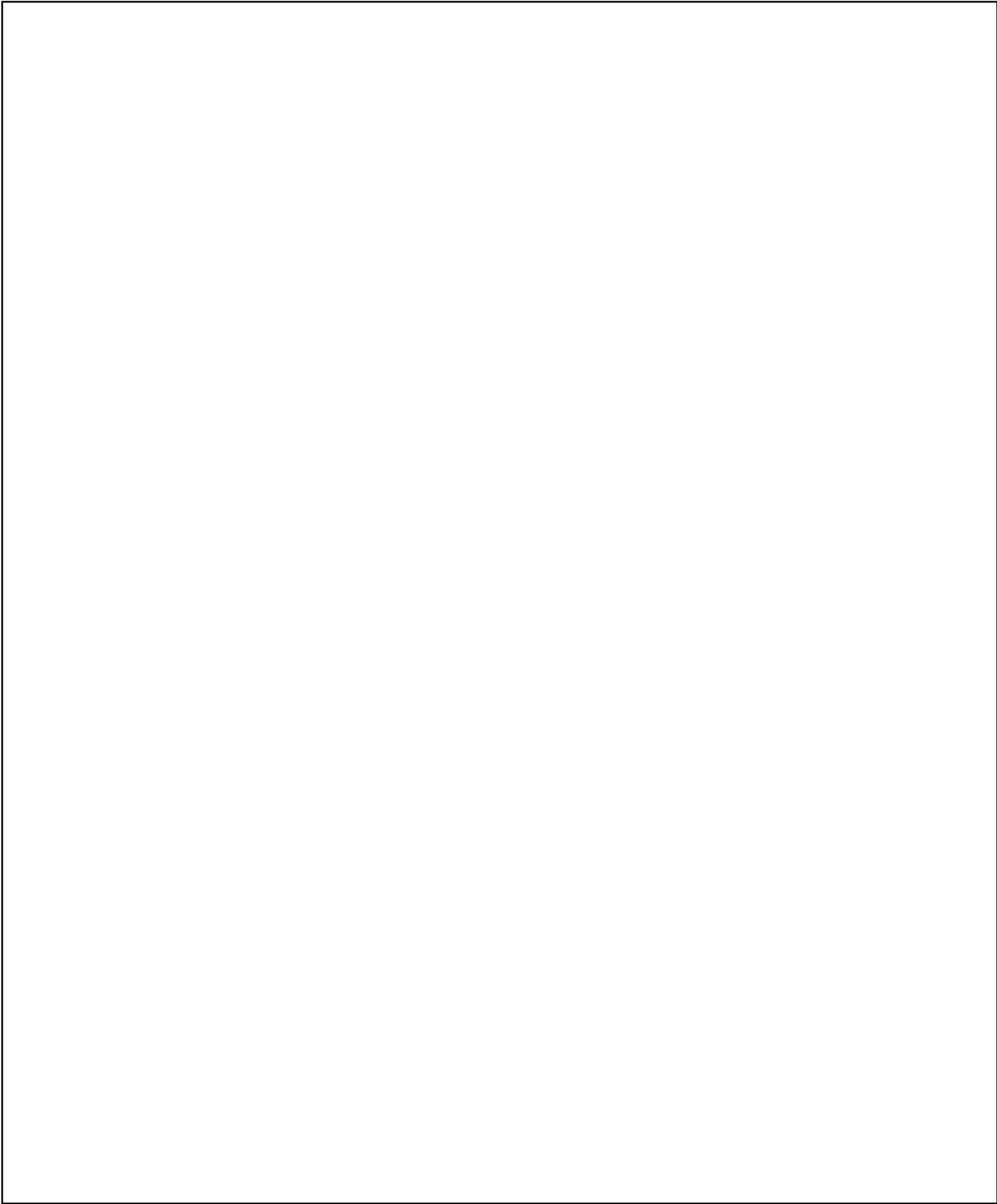
VIII. POINTS OF CONTACT

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Please direct inquiries regarding RAD social media policy to the RAD Branch Chiefs for Policy and SVPI with the appropriate Regional Operations desk(s) in copy.

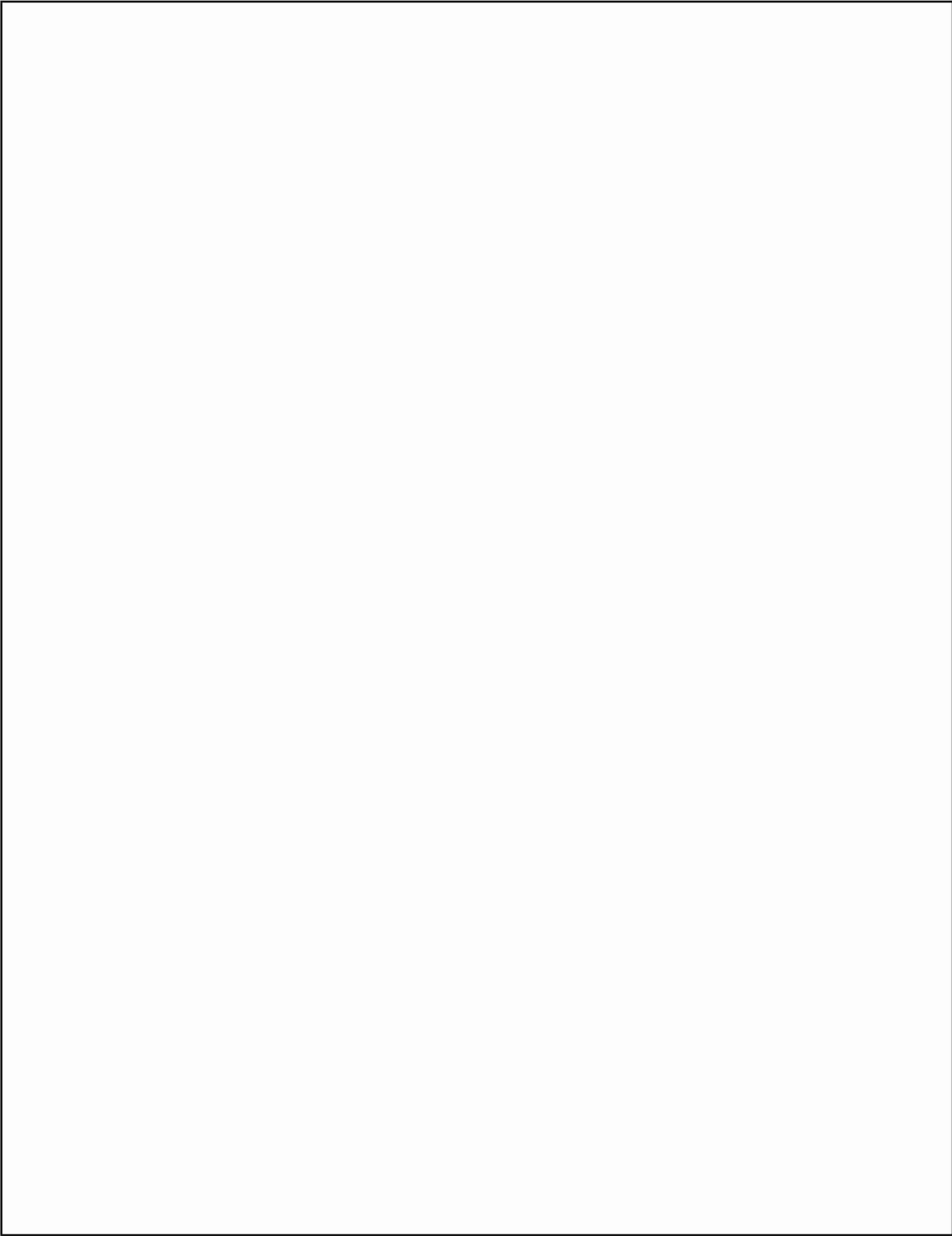


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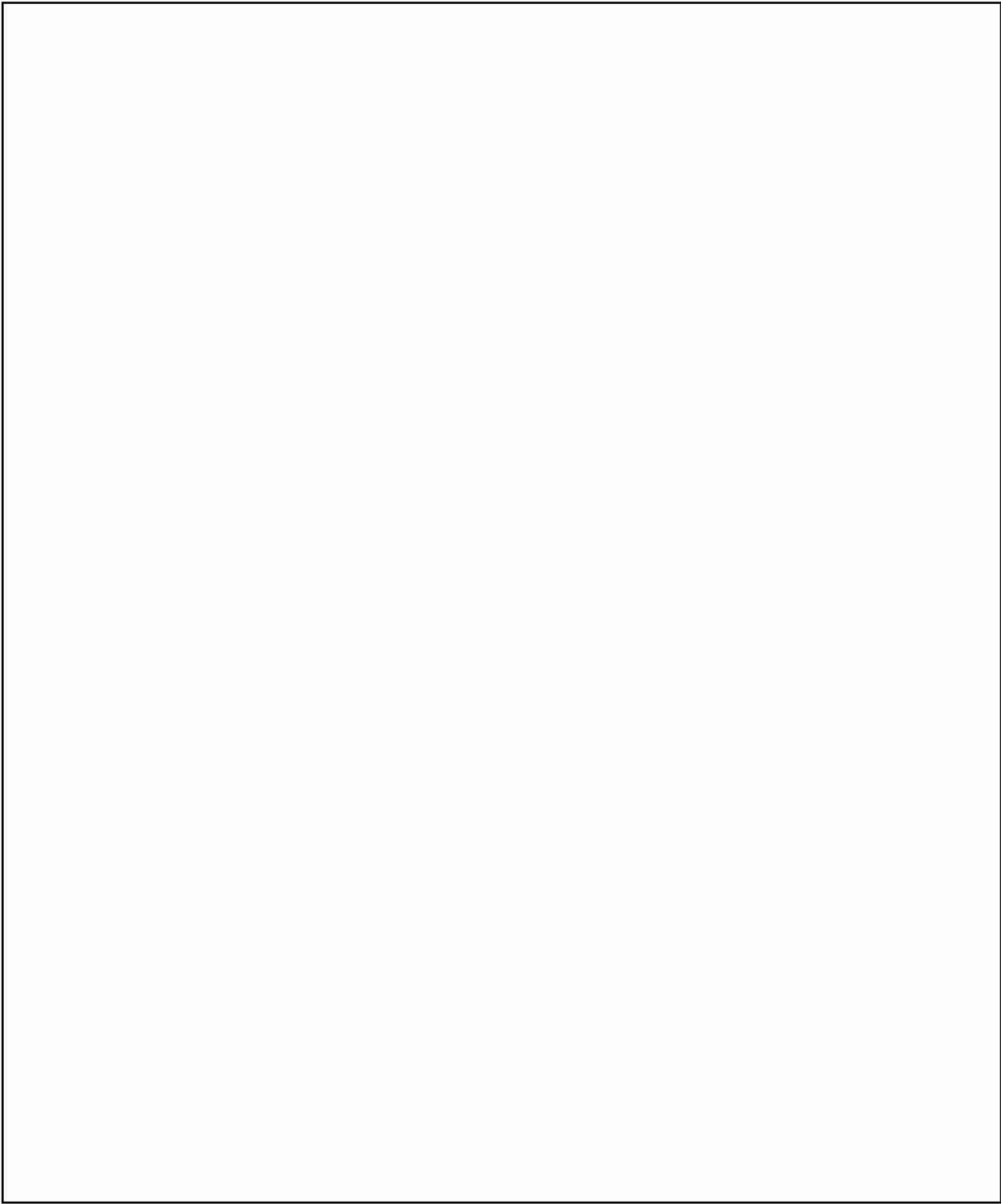




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U.S. CITIZENSHIP AND IMMIGRATION SERVICES



REVIEW OF REFUGEE SCREENING SOCIAL MEDIA PILOT

Fraud Detection & National Security Directorate
16 March 2016

**For Official Use Only – Law Enforcement Sensitive
DRAFT/Pre-Decisional**

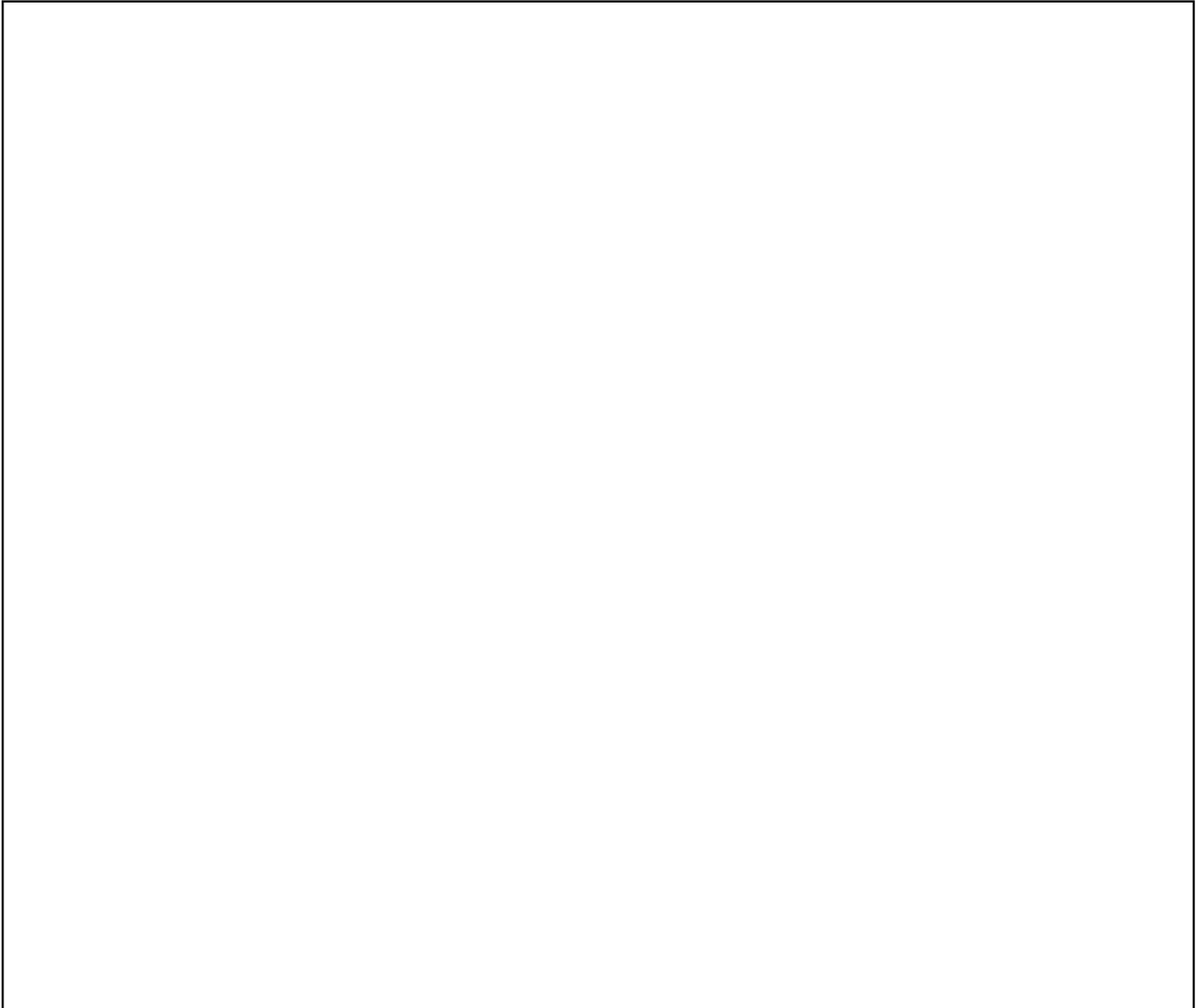


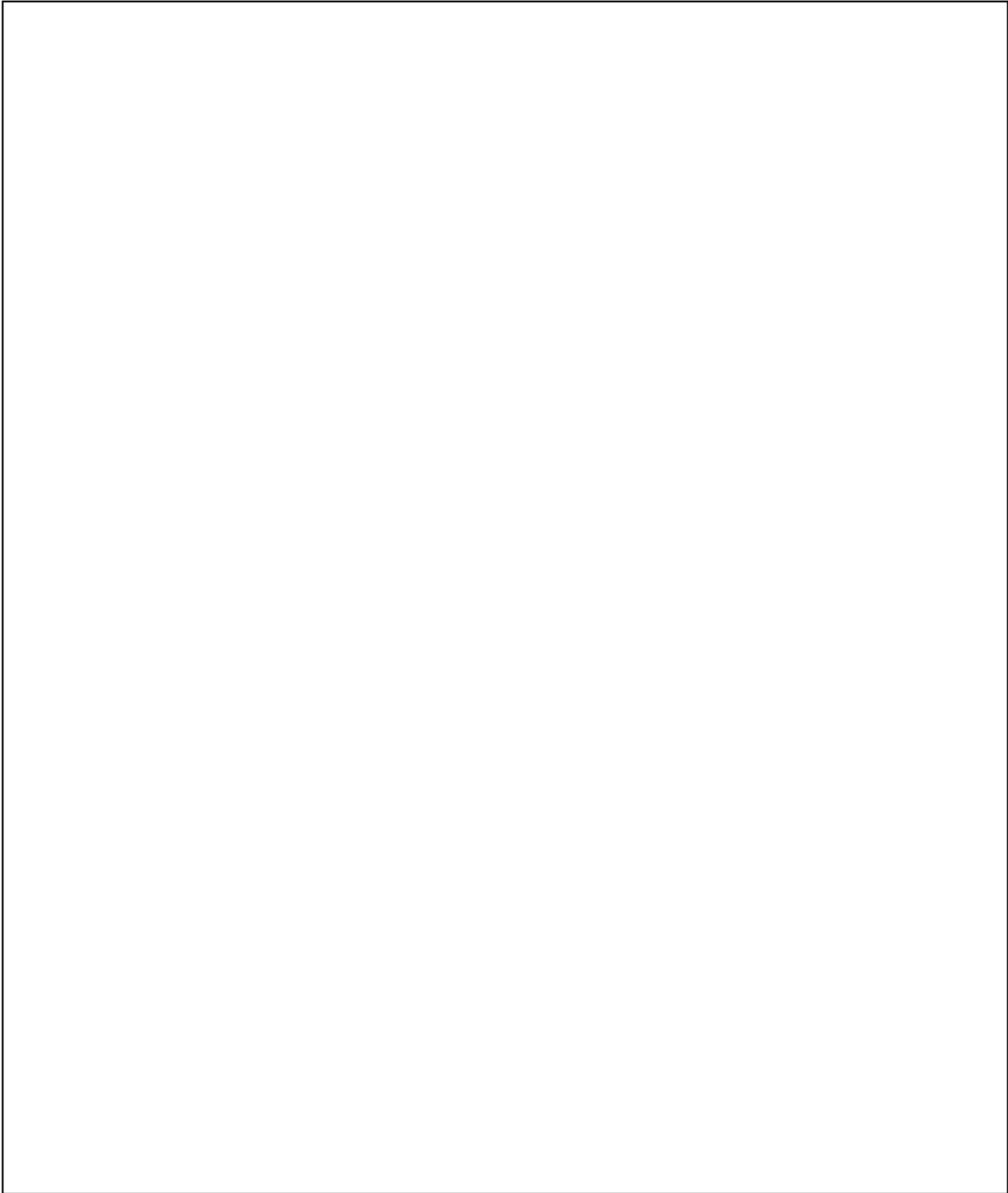
Overview

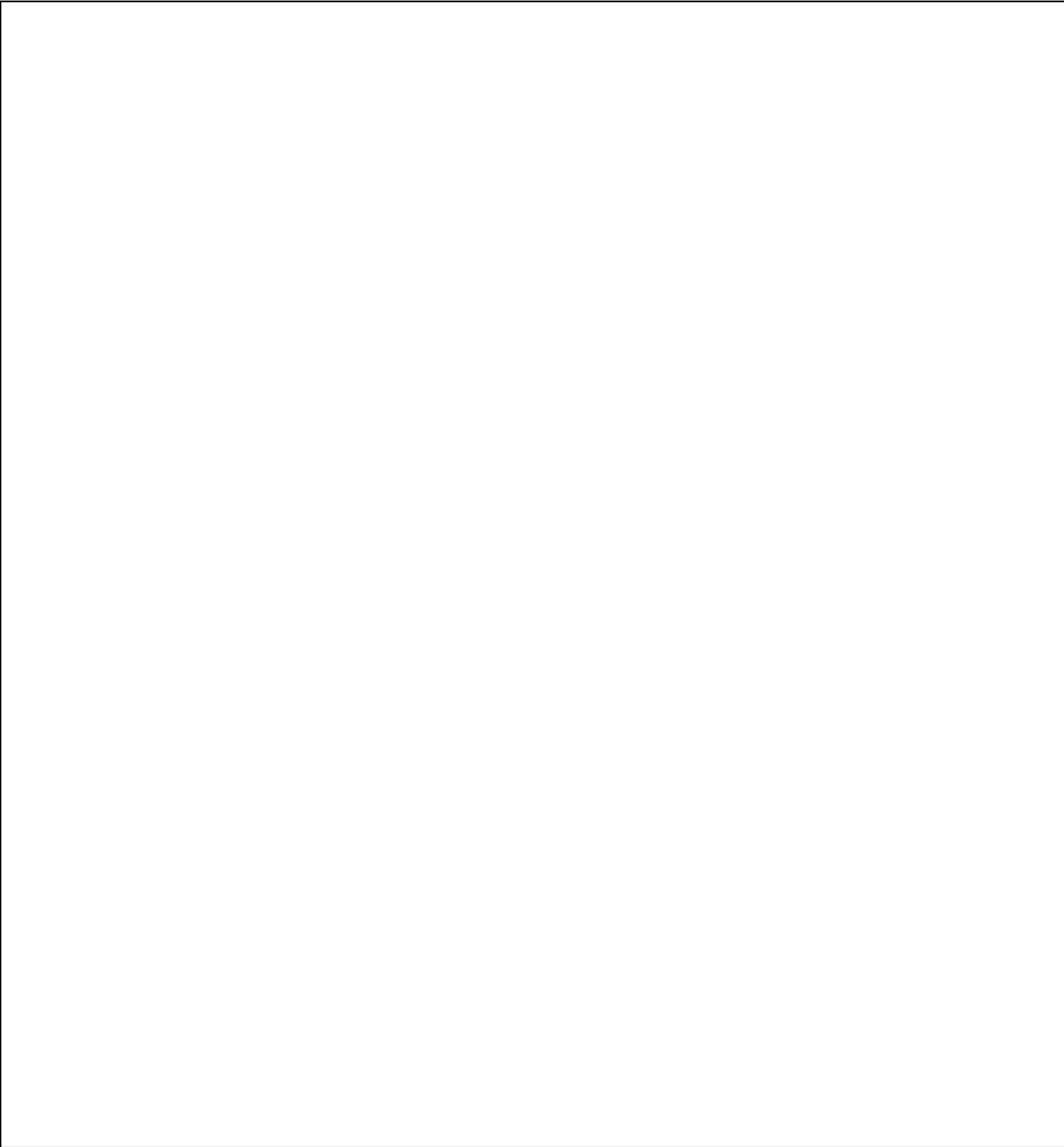
The Department of Homeland Security (DHS) asked United States Citizenship and Immigration Services (USCIS) to examine the feasibility of using social media for screening refugee applicants. USCIS sought to determine if reviewing the social media presence of these individuals could provide useful information for adjudicating their applications, and gauge how resource intensive this screening could be.

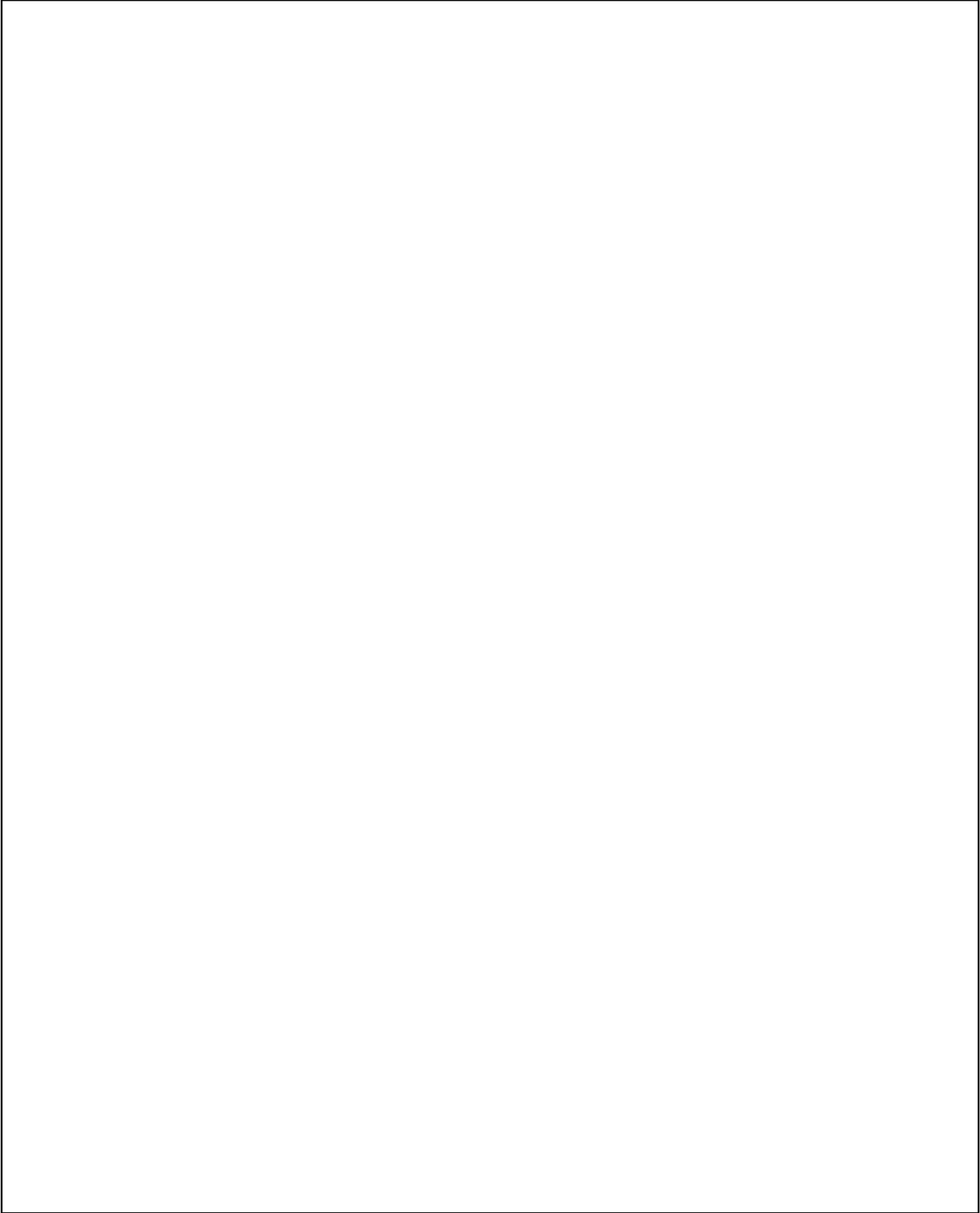
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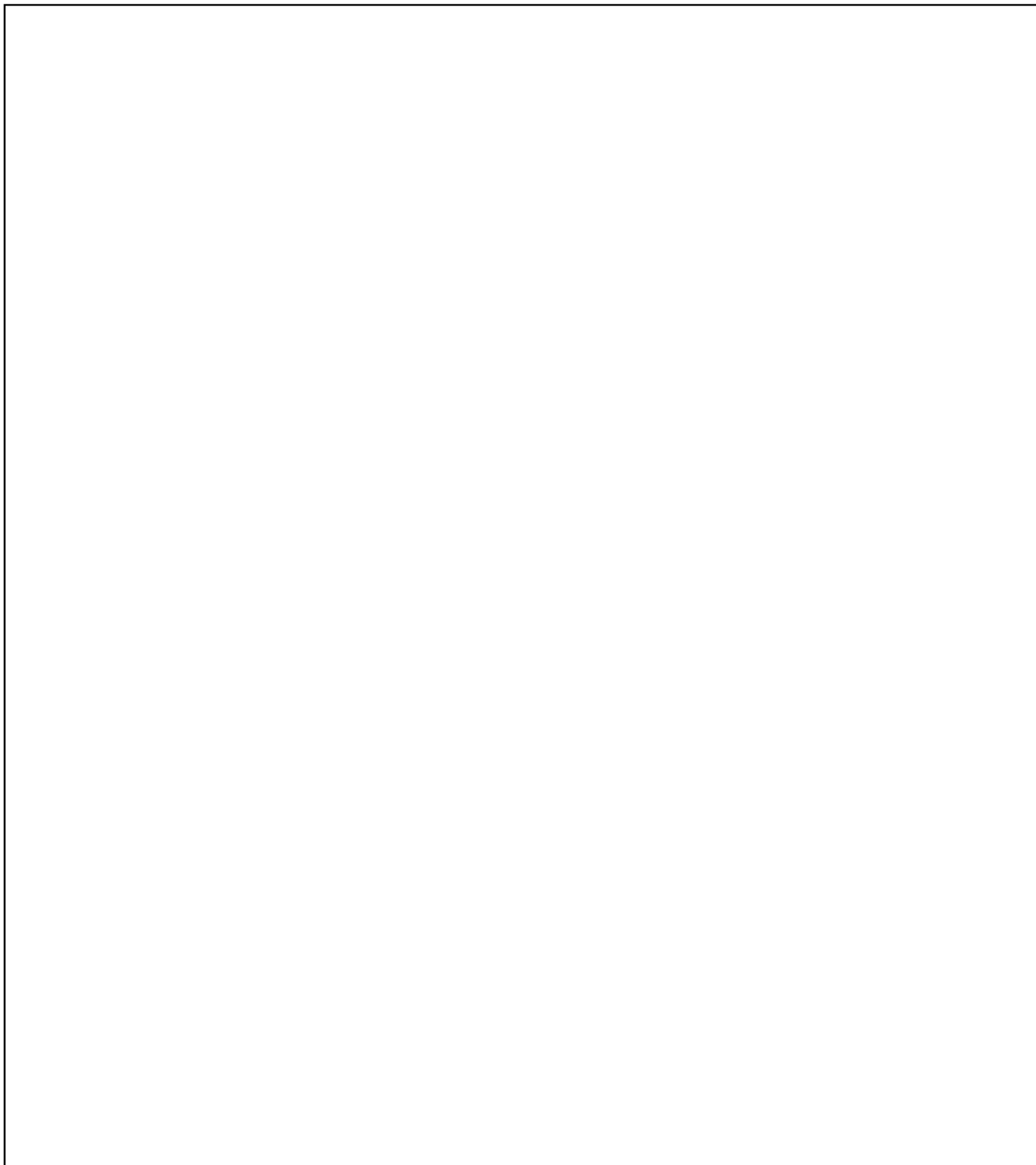
While USCIS had used social media in a limited capacity for the enhanced vetting of certain refugees, it does not have any experience in using it as a large scale screening tool. The agency therefore decided to approach this work as an open-ended exploration with very flexible research parameters. The team supporting this pilot utilized an adaptive approach to create, implement, and continually revise its social media screening procedures.



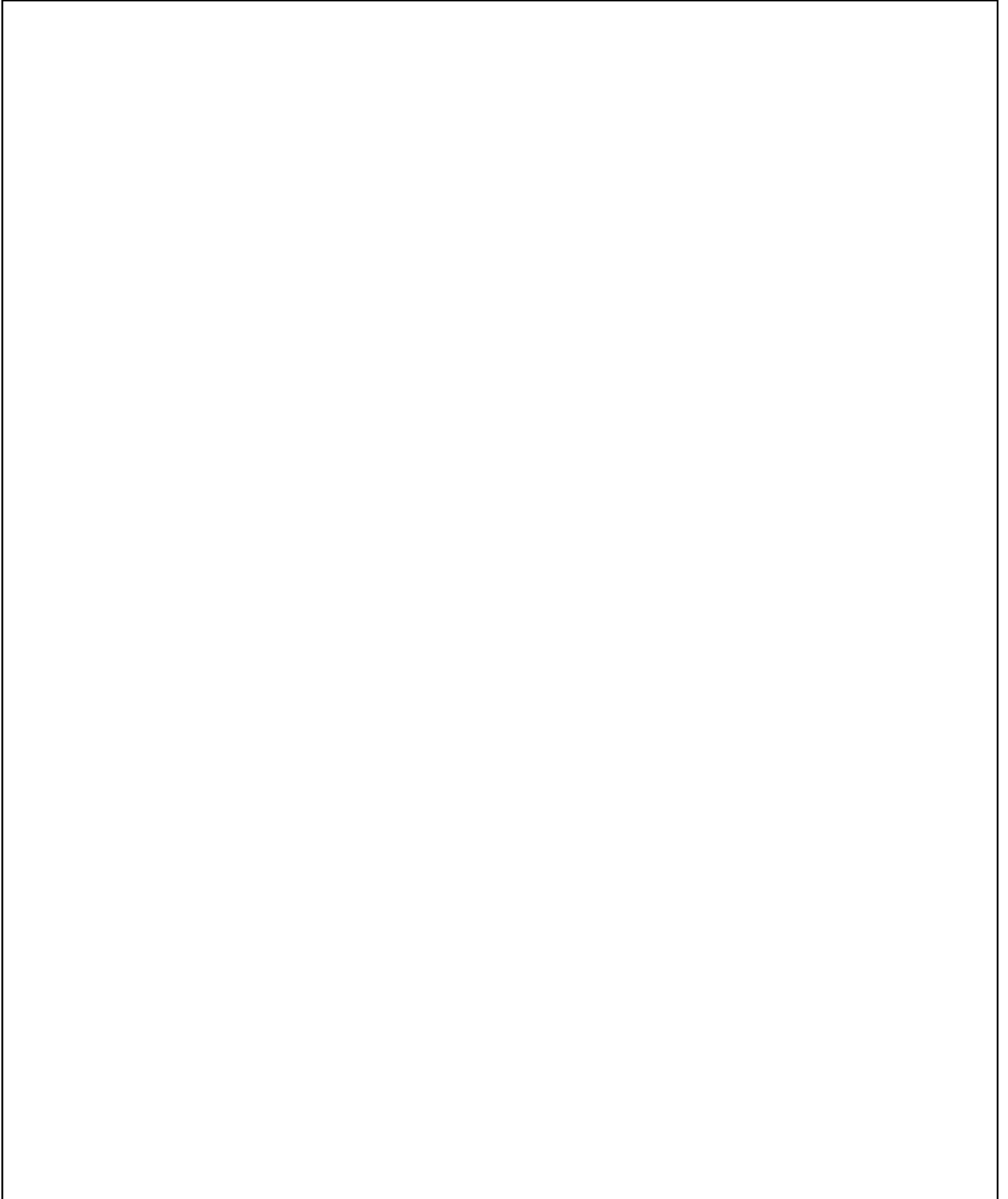








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