



U.S. Citizenship and Immigration Services

CARRP: Controlled Application Review and Resolution Process

Asylum Division
Refugee, Asylum and International Operations
Directorate

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Welcome and Introduction

- ❑ National security as a top USCIS concern
- ❑ Establishment of agency-wide standards for consistent treatment of NS information
- ❑ Collection of statistics for data and trend analysis

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Reference Materials

- ❑ Scharfen Memorandum: Policy for Vetting and Adjudicating Cases with National Security Cases with National Security Concerns
- ❑ Langlois Memorandum: Issuance of Revised Section of the *Identity and Security Checks Procedures Manual* Regarding Vetting and Adjudicating Cases with National Security Concerns
- ❑ ISCPM Section VIII Excerpt
- ❑ Guidance for Identifying National Security Concerns
- ❑ BCAA Worksheet
- ❑ BCAA Instructions

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Reference Materials

- ❑ Flowchart 1: Vetting and Adjudication of National Security Cases
- ❑ Flowchart 2: Vetting and Adjudication of National Security Cases Identified as a KST
- ❑ Matrix: Procedures for Handling Cases Involving National Security Concerns
- ❑ AOBTC Lesson Plan: Bars to Asylum Relating to National Security Matters
- ❑ Terrorism-Related Inadmissibility Grounds Reference Sheets
- ❑ QA Referral Sheet

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Objective

- ❑ To successfully implement the agency-wide policy for identifying and handling NS concerns in an effort to promote USCIS strategic goals to ensure consistency and integrity while protecting overall national security.

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Field Performance Objective

- AOs: Given a request to adjudicate an asylum application, the asylum officer will be able to identify NS indicators and, if they are identified, properly handle and process the application according to USCIS CARRP procedures.
- IOs: If presented a case with a national security concern, the FDNS-IO will be able to properly document NS concern, coordinate with the appropriate LEAs, externally vet non-KSTs, facilitate HQFDNS assistance for external vetting and declassification, if necessary.

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Recap Activity: Four Steps of CARRP

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Throughout the four steps of CARRP, FDNS-IOs continually deconflict with law enforcement and update the BCAA.

What is deconfliction?

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Deconfliction is coordination between USCIS and another agency owner of NS information to ensure that adjudicative activities do not compromise an ongoing investigation or other record owner interest.

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Who are we dealing with?

KST

Non-KST

Non-NS concerns

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How do we know an applicant is a KST?

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Identifying a NS Concern

- a NS Concern exists when an individual or organization has been determined to have an *articulable link* to prior, current, or planned involvement in, or association with, an activity, individual, or organization described in sections 212(a)(3)(A), (B), or (F), or 237(a)(4) (A) or (B) of the Immigration and Nationality Act.

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What is an articulable link?

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Designated vs. Undesignated Terrorist Organizations

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Which of the following groups are examples of Designated Terrorist Organizations?

- Oromo Liberation Front
- Rassemblement Congolais pour la Democratie (RCD)
- Liberation Tigers of Tamil Eelam (Tamil Tigers)
- Islamic People's Defense Militia
- United Self-Defense Forces of Colombia (AUC)
- Revolutionary United Front (RUF)
- Allied Democratic Forces (Uganda)
- New People's Army
- Taliban
- Communist Party of Nepal (Maoists)

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☐ Designated Terrorist Organizations

- Oromo Liberation Front
- Rassemblement Congolais pour la Democratie (RCD)
- **Liberation Tigers of Tamil Eelam (Tamil Tigers)**
- Islamic People's Defense Militia
- **United Self-Defense Forces of Colombia (AUC)**
- **Revolutionary United Front (RUF)**
- Allied Democratic Forces (Uganda)
- **New People's Army**
- **Taliban** (to be treated as FTO for immigration purposes)
- **Communist Party of Nepal (Maoists)**

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Practical Exercise on Identifying NS Concerns

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Family Members and Close Associates

- With the exception of firm resettlement, all of the bars to granting asylum that apply to principal applicants apply equally to dependents.
- Spouses and Children of individuals inadmissible under 212(a)(3)(B) are also inadmissible, though certain exceptions exist.

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Practical Exercise on Family Members and Close Associates

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Case Processing of KSTs

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[REDACTED]

Asylum officers must consider whether the NS concern affects eligibility for asylum.

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[REDACTED]

Upon identification of a NS concern, the AO initiates the BCAA, which will be updated by the FDNS-IO at each substantial step in the process.

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Case Processing for Non-KSTs

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Non-KST: Otherwise Eligible

Step 3 - External Vetting

General

- Can be performed by the field
- Obtain additional information on NS concern and how it relates to the applicant
- Generally conducted by IO

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Non-KST: Otherwise Eligible

Step 3 - External Vetting

Process

- AO sends case to FDNS-IO for entry into FDNS-DS and external vetting
- External vetting by FDNS-IO completed within 10 business days
- Information obtained is analyzed to determine whether non-KST NS concern resolved or remains
- FDNS-IO may contact HQFDNS per local procedures for assistance with dealing with third agencies

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Non-KSTs

Step 4 - Final Adjudication

- Information obtained during external vetting analyzed.
- Possible scenarios
 - Refer/deny
 - Hold
 - Approve
- Only with supervisory approval and senior level concurrence (HQASM/QA)

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Non-KSTs

Step 4 - Final Adjudication

- HQASM/Quality Assurance Review
 - Cases Requiring HQASM/Quality Assurance Review
 - Recommended approval in which vetting has not resolved NS concern
 - Evidence applicant otherwise eligible but for terrorist inadmissibility ground where exemption may apply, regardless of office decision on possible exemption
 - Denial/referral based solely on discretion

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Non-KSTs

Step 4 - Final Adjudication

- Cases Requiring HQASM/Quality Assurance Notification due to Mandatory Hold
 - Evidence applicant may be eligible for a favorable exercise of the Secretary's discretionary authority not to apply certain terrorist-related inadmissibility grounds, pursuant to USCIS directives to withhold adjudication on certain categories of cases
 - Place on HQ Hold at time of submission and confirm that case has SECO flag

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Non-KSTs

Step 4 - Final Adjudication

- Cases Requiring HQASM/Quality Assurance Review
 - Place case on HQ hold with a SECO flag
 - Asylum Office submits QA referral packet, including QA referral sheet, assessment or NOID, I-589, declaration, copies of identity documents, relevant supporting documents, completed BCAA, completed security checklist, and any findings from vetting
 - HQASM/QA concurrence required before removal of hold and service of decision

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Use of Discretion

- ❑ Case may warrant denial/referral as a matter of discretion even if there is insufficient evidence to find a mandatory bar
- ❑ Must balance the applicant's qualification as a asylee and other positive factors against negative factors
- ❑ BIA has held "the danger of persecution should generally outweigh all but the most egregious of adverse factors"

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Handling Sensitive Information

Classified Information

- ❑ AO can use classified information in an adjudication but may not disclose it to the applicant
- ❑ AO should rely on classified information only as a last resort

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-
- ❑ Classified information may not be disseminated without prior approval of the originator



- ❑ If classified information is needed for an adjudication
 - AO consults with SAO
 - FDNS-IO seeks assistance in declassification from HQFDNS

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Handling Sensitive Information

Information Sharing and Confidentiality

- No restrictions on internal DHS exchange as long as
 - Authorized purpose
 - Requisite security clearance
 - Adequate protection of information assured

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Other rules on unauthorized disclosures

- Personally identifiable information
- Legalization applicants
- VAWA, T visa, U visa applicants
- Status as an asylum-seeker or records in asylum file

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Deconfliction

- Occurs throughout vetting and adjudication processes
- Generally conducted by FDNS-IO

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Fact Patterns

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Using the Matrix: Practical Exercise

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Quiz/Wrap-up

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