

One month ago, we published [our story on Boston Marathon bomber Tamerlan Tsarnaev](#). Since then, we've received some answers to our questions from a spokesperson with U.S. Citizenship and Immigration Services (USCIS).

You can see our updates [in the story](#), but we wanted to publish their answers in their entirety as well. Below are our questions and answers, exchanged via email.

Can USCIS identify and confirm which country the Tsarnaev family sought asylum from in 2003?

This information was redacted from the A-File that was provided to reporters. It was omitted due to confidentiality and privacy protections and/or due to pending litigation on the case of the brother, Dzhokhar Tsarnaev. This information is not available.

On page 84 of Tamerlan Tsarnaev's A-File, there is a form "Registration for Classification as Refugee". Under the question "Country from which I fled", the answer "Kyrgyzstan" is handwritten. Can USCIS confirm Tamerlan Tsarnaev claimed asylum from Kyrgyzstan?

No. This information was redacted from the A-File that was provided to reporters. It was omitted due to confidentiality and privacy protections and/or due to pending litigation on the case of the brother, Dzhokhar Tsarnaev. This information is not available.

Tamerlan Tsarnaev traveled to Russia for 178 days in 2012. Would that travel have jeopardized his Legal Permanent Resident status, because it was to the same region from which he claimed asylum?

Permanent residents are free to travel outside the United States, and temporary or brief travel usually does not affect permanent resident status.

In Tsarnaev's A-file there is a page containing the image of a computer window. It says "Oath Ceremony Schedule for TAMERLAN

TSARNAEV." The window also contains oath ceremony location information, and a time and date: Oct. 16, 2012, 8 a.m. What is this window indicating?

That part of the system pertains to the most recent or scheduled appointment related to the application which may include appointments for biometrics collection, an interview, or an oath ceremony. As the file shows, his N-400 was never approved, and someone may not be scheduled for an oath ceremony before the application has been adjudicated.

There are two biometric forms in Tamerlan Tsarnaev's A-File. There seem to be two different pictures on them. You previously sent your 2016 statement in response to our questions about the pictures. Can USCIS send an official explanation about the pictures that would end the confusion? And if so, what is USCIS's explanation?

The errors in the photo were the result of scanning issues. The photos are being rescanned to be added to the documents available on the USCIS electronic reading room.

Was Tamerlan Tsarnaev's naturalization application processed through CARRP?

USCIS does not comment on the internal handling procedures of specific immigration cases.

If so, can you indicate which federal government law enforcement agency was involved in Tsarnaev's CARRP processing?

USCIS does not comment on the internal handling procedures of specific immigration cases. All immigration benefit decisions are made in compliance with immigration laws and with a steadfast commitment to maintaining the integrity of the immigration process.

Was Dzhokhar Tsarnaev's naturalization application processed through CARRP?

USCIS does not comment on the internal handling procedures of specific immigration cases.

How many immigration case files have been processed through CARRP since 2008?

A Freedom of Information Act request may be submitted for this information

What is the trigger for invoking CARRP? When, under what circumstances, what are the kinds of facts and concerns that occasion CARRP review? Is there a given protocol?

Through policy and operational guidance, CARRP provides USCIS personnel with a disciplined approach for identifying, recording, and adjudicating immigration benefit requests where a national security concern is identified. These national security concerns may be raised either through security and background checks or through interviews and personal testimony.

And, for applications that are processed through CARRP, if citizenship is granted in the end, is there a protocol for keeping watch on or contact with the person?

Although USCIS works with law enforcement agencies in the process of adjudicating immigration benefit requests, USCIS is not a law enforcement agency. USCIS does not routinely monitor or remain in contact with naturalized citizens.

How long do CARRP applications take from initial submission by the applicant to final decision to grant/deny/ naturalization?

All immigration benefit requests are handled on a case-by-case basis, and individual case processing times vary widely depending on resolution and adjudication of all eligibility factors. Each case, CARRP or otherwise, is decided on its own merits according to existing laws, regulations, and USCIS policies, and with a commitment to ensuring national security, public safety, and the integrity of the immigration system.

What is law enforcement's role in CARRP adjudication?

USCIS adjudicates all applications and petitions on a case-by-case basis according to existing laws, regulations, and USCIS policies, including those pertaining to fraud, criminality and national security. As part of our thorough review of every case, USCIS conducts national security and criminal background clearance checks on petitioners and applicants who seek immigrant benefits and services. USCIS assesses information it receives through these checks to ensure nationally consistent handling of cases and to ensure eligibility for the immigration benefits sought. In some cases, the national security and criminal background clearance checks produce information that USCIS must review with its partners in the law enforcement and intelligence communities. This process allows USCIS to discover information relevant to adjudication of the immigration benefit request.

Does deconfliction resolution depend on final approval from law enforcement officers who initially placed the grant/hold/delay request?

Although USCIS works with law enforcement agencies in possession of information impacting its adjudications, USCIS maintains its authority to adjudicate immigration benefit requests. Deconfliction is a step to ensure that USCIS properly considers the impact of a national security concern on eligibility and that any planned USCIS action does not impede any investigations or law enforcement activities relating to the concern. USCIS considers all evidence relevant to eligibility, and it is USCIS policy to take law enforcement activities into consideration prior to making a decision or taking action on any case with national security concerns.

Can a CARRP officer override a law enforcement official's request to grant/hold/delay an application?

Although USCIS duly considers requests from law enforcement, USCIS maintains its authority to adjudicate immigration benefit requests. As noted earlier, deconfliction with law enforcement agencies is an important part of CARRP. Appropriate policies are in place to ensure that USCIS takes investigations or enforcement activities into consideration. However, those investigations or enforcement activities, in and of themselves, are not

determinative of USCIS's final adjudicative decisions. All cases are reviewed on a case-by-case basis, taking into consideration all information available to USCIS prior to a final determination on eligibility for an immigration benefit request.

What is USCIS's response to the ACLU's claim that: "Under CARRP, USCIS officers are instructed to follow FBI direction. ... As a result, CARRP has effectively turned the immigration benefits adjudication process over to the FBI."

USCIS is not a law enforcement agency, and it must work with law enforcement and intelligence agencies that possess information relevant to USCIS adjudications, particularly regarding fraud, criminal and national security ineligibilities. The FBI is an important partner in the security and background check process conducted on all individuals requesting an immigration benefit, and USCIS considers relevant information obtained through or provided by the FBI, but USCIS maintains the authority to adjudicate immigration benefit requests.