



Homeland Security

The Privacy Office
U.S. Department of Homeland Security
Washington, DC 20528
703-235-0780, pia@dhs.gov
www.dhs.gov/privacy

Privacy Threshold Analysis
Version date: April 27, 2010
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PRIVACY THRESHOLD ANALYSIS (PTA)

**This form is used to determine whether
a Privacy Impact Assessment is required.**

Please use the attached form to determine whether a Privacy Impact Assessment (PIA) is required under the E-Government Act of 2002 and the Homeland Security Act of 2002.

Please complete this form and send it to your component Privacy Office. If you do not have a component Privacy Office, please send the PTA to the DHS Privacy Office:

Rebecca J. Richards
Director of Privacy Compliance
The Privacy Office
U.S. Department of Homeland Security
Washington, DC 20528
Tel: 703-235-0780

PIA@dhs.gov

Upon receipt from the component Privacy Office, the DHS Privacy Office will review this form. If a PIA is required, the DHS Privacy Office will send you a copy of the Official Privacy Impact Assessment Guide and accompanying Template to complete and return.

A copy of the Guide and Template is available on the DHS Privacy Office website, www.dhs.gov/privacy, on DHSConnect and directly from the DHS Privacy Office via email: pia@dhs.gov, phone: 703-235-0780.



PRIVACY THRESHOLD ANALYSIS (PTA)

SUMMARY INFORMATION

DATE submitted for review: September 10, 2010

NAME of Project: Form I-130, Petition for Alien Relative.

Name of Component: US Citizenship and Immigration Services

Name of Project Manager: Essie Bell

Email for Project Manager: essie.bell@dhs.gov

Phone number for Project Manager: 202-272-8035

TYPE of Project:

- Information Technology and/or System.*
- A Notice of Proposed Rule Making or a Final Rule.
- Form or other Information Collection.

Other: <Please describe the type of project including paper based Privacy Act system of records.>

* The E-Government Act of 2002 defines these terms by reference to the definition sections of Titles 40 and 44 of the United States Code. The following is a summary of those definitions:

•“Information Technology” means any equipment or interconnected system or subsystem of equipment, used in the automatic acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information. See 40 U.S.C. § 11101(6).

•“Information System” means a discrete set of information resources organized for the collection, processing, maintenance, use, sharing, dissemination, or disposition of information. See: 44. U.S.C. § 3502(8).

Note: for purposes of this form, there is no distinction made between national security systems or technologies/systems managed by contractors. All technologies/systems should be initially reviewed for potential privacy impact.



SPECIFIC QUESTIONS

1. Describe the project and its purpose:

Form I-130 will be used by USCIS to verify the eligibility of citizens or lawful permanent residents of the United States to petition on behalf of certain alien relatives who wish to immigrate to the United States.

2. Status of Project:

This is a new development effort.

This is an existing project.

Date first developed:

Date last updated: 8/26/2010

<Please provide a general description of the update.>

3. Could the project relate in any way to an individual?¹

No. Please skip ahead to the next question.

Yes. Please provide a general description, below.

Yes the information requested relate to citizens or lawful permanent residents of the United States (the petitioner).

4. Do you collect, process, or retain information on: (Please check all that apply)

DHS Employees.

Contractors working on behalf of DHS.

The Public.

The System does not contain any such information.

¹ Projects can relate to individuals in a number of ways. For example, a project may include a camera for the purpose of watching a physical location. Individuals may walk past the camera and images of those individuals may be recorded. Projects could also relate to individuals in more subtle ways. For example, a project that is focused on detecting radioactivity levels may be sensitive enough to detect whether an individual received chemotherapy.



5. Do you use or collect Social Security Numbers (SSNs)? (This includes truncated SSNs)

No.

Yes. Why does the program collect SSNs? Provide the function of the SSN and the legal authority to do so:

Item # 9 in Part B and Part C of the Form I-130 (*Petition For Alien Relative*) asks for the Petitioner's and the Alien Relative's U.S. Social Security Number, if any. When provided, the U.S. SSN is recorded by USCIS in our database (CLAIMS) as a unique identifier for persons who apply for immigration related benefits. As such, the SSN is used to:

- Distinguish individuals appearing in our databases, who may share similar name and dates of birth data from each other;
- Determine whether beneficiaries appearing in our databases and individuals whose name and date of birth data are identified as possible matches are indeed the same person during USCIS routine criminal background checks; and
- Locate USCIS applicants or beneficiaries who may have prior A-numbers in CLAIMS (based on previous admissions or stays in the U.S.) or multiple petitions/applications in their names or aliases so that USCIS may consolidate their files or cross-reference their data when necessary.

Authority: Section 222 of the Immigration and Nationality [8 USC §1202], entitled **Application for visas** provides the following:

(a) Immigrant visas. Every alien applying for an immigrant visa and for alien registration shall make application therefor in such form and manner and at such place as shall be by regulations prescribed. In the application, the alien shall state his full and true name, and any other name which he has used or by which he has been known; age and sex,; the date and place of his birth; *and such additional information necessary to the identification of the applicant and the enforcement of the immigration and nationality laws as may be by regulations prescribed (emphasis added).*

Additionally, Title 8, section 103.2 of Code of Federal Regulations [8 CFR §103.2] entitled **APPLICATIONS, PETITIONS, AND OTHER DOCUMENTS** states the following:

- (a) Filing – (1) General. Every application ..., or other document submitted on any form prescribed by this chapter I, notwithstanding any other regulations to the contrary, *must be filed* with the location and executed *in accordance with the instructions on the form, such instructions being hereby incorporated in this chapter I requiring its submission.... (emphasis added).* 8 CFR §103.2(a)(1).
- (b) Evidence and processing – (1) Demonstrating eligibility at time of filing. An applicant or petitioner must establish that he or she is eligible for the requested benefit at the time of filing the application or petition. *All required application or petition forms must be properly completed*



and filed with any initial evidence required by applicable regulations and/or the form's instructions... (*emphasis added*).

6. What information about individuals could be collected, generated or retained?

Name, Address, Date of Birth, Alien Registration Number, E-Mail Address, and Telephone Number.

7. If this project is a technology/system, does it relate solely to infrastructure? [For example, is the system a Local Area Network (LAN) or Wide Area Network (WAN)]?

No. Please continue to the next question.

Yes. Is there a log kept of communication traffic?

No. Please continue to the next question.

Yes. What type of data is recorded in the log? (Please choose all that apply.)

Header.

Payload Please describe the data that is logged.

<Please list the data elements in the log.>

8. Does the system connect, receive, or share Personally Identifiable Information with any other DHS systems²?

No.

Yes.

Please list:

9. Is there a Certification & Accreditation record within OCIO's FISMA tracking system?

Unknown.

² PII may be shared, received, or connected to other DHS systems directly, automatically, or by manual processes. Often, these systems are listed as "interconnected systems" in TAFISMA.



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No.

Yes. Please indicate the determinations for each of the following:

Confidentiality: Low Moderate High Undefined

Integrity: Low Moderate High Undefined

Availability: Low Moderate High Undefined



**PRIVACY THRESHOLD REVIEW
(TO BE COMPLETED BY THE DHS PRIVACY OFFICE)**

DATE reviewed by the DHS Privacy Office: October 12, 2010

NAME of the DHS Privacy Office Reviewer: Rebecca J. Richards

DESIGNATION

This is NOT a Privacy Sensitive System – the system contains no Personally Identifiable Information.

This IS a Privacy Sensitive System

Category of System

- IT System.
- National Security System.
- Legacy System.
- HR System.
- Rule.
- Other:

Determination

- PTA sufficient at this time.
- Privacy compliance documentation determination in progress.
- PIA is not required at this time.
- PIA is required.
 - System covered by existing PIA: CLAIMS 3 PIA
 - New PIA is required.
 - PIA update is required.
- SORN not required at this time.
- SORN is required.
 - System covered by existing SORN: DHS/USCIS-001
 - New SORN is required.

DHS PRIVACY OFFICE COMMENTS