



**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: January 19, 2012

NAME of Project: Form I-601A Application for Provisional Unlawful Presence Waiver

Name of Component: U.S. Citizenship and Immigration Services

Name of Project Manager: Matthew Mumper

Email for Project Manager: matthew.mumper@dhs.gov

Phone number for Project Manager: 202-272-1587

TYPE of Project:

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

* 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:

This form may be used by certain immediate relatives of U.S. citizens to request a provisional waiver of the unlawful presence grounds of inadmissibility under section 212(a)(9)(B) of the Immigration and Nationality Act (INA), prior to departing the United States to appear at a U.S. Embassy or consulate for an immigrant visa interview.

2. Status of Project:

This is a new development effort.

This is an existing project.

Date first developed:

Date last updated:

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.

The form collects personally identifiable information such as name, social security number, and A-number of certain immediate relatives of U.S. citizens to request a provisional waiver of the unlawful presence grounds of inadmissibility under section 212(a)(9)(B) of the Immigration and Nationality Act (INA),

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.



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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:

Providing the social security number is optional. USCIS collects the SSN to facilitate and expedite the adjudication of this request for a waiver. INA 264(f) (8 U.S.C. 1304(f)), states, "Alien's social security account number Notwithstanding any other provision of law, the Attorney General is authorized to require any alien to provide the alien's social security account number for purposes of inclusion in any record of the alien maintained by the Attorney General or the Service." With regard to the collection of SSN from aliens, 264(f) provides USCIS with the authority to collect SSN's. USCIS has determined to collect SSN through Form I-601A on voluntary-basis by indicating in the form that providing this type of information is optional. USCIS does not plan to use the SSN as a unique identifier.

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

Name; Address; Date of Birth; Country and City/Province-State of Birth and of Citizenship/Nationality; USCIS Alien Registration Number; Social Security Number (optional); Consular Case number; email address; Telephone Number; criminal conviction and receipt 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.



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.

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

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.



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

DATE reviewed by the DHS Privacy Office: January 30, 2012

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: Form

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: DHS/USCIS/PIA-016 CLAIMS 3
 - New PIA is required.
 - PIA update is required. CLAIMS 3 PIA update required.
- SORN not required at this time.
- SORN is required.
 - System covered by existing SORN: DHS/USCIS-007 BIS SORN
 - New SORN is required.

DHS PRIVACY OFFICE COMMENTS