Federal Register Volume 76, Number 220 (Tuesday, November 15, 2011)]

[Notices]

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From the Federal Register Online via the Government Printing Office [[www.gpo.gov](http://www.gpo.gov)]

[FR Doc No: 2011-29451]

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DEPARTMENT OF HOMELAND SECURITY

Office of the Secretary

[Docket No. DHS-2011-0085]

Privacy Act of 1974; Department of Homeland Security/U.S.

Citizenship and Immigration Services-015 Electronic Immigration System-

2 Account and Case Management System of Records

AGENCY: Privacy Office, DHS.

ACTION: Notice of Privacy Act system of records.

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SUMMARY: In accordance with the Privacy Act of 1974, the Department of

Homeland Security proposes to update and reissue Department of Homeland

Security system of records titled, ``Department of Homeland Security/

U.S. Citizenship and Immigration Services-015 Electronic Immigration

System-2 Account and Case Management System of Records.'' This system

of records will allow the Department of Homeland Security/U.S.

Citizenship and Immigration Services to collect and maintain records on

an individual after he or she submits a benefit request and/or updates

account information to create or update U.S. Citizenship and

Immigration Services Electronic Immigration System accounts; gather any

missing information; manage workflow; assist U.S. Citizenship and

Immigration Services in making a benefit determination; and provide a

repository of data to assist with the efficient processing of future

benefit requests. U.S. Citizenship and Immigration Services Electronic

Immigration System-2 Account and Case Management will also be used to

process and track all actions related to a particular case, including

scheduling appointments and issuing decision notices and/or proofs of

benefit. This system of records notice is being updated to reflect the

incorporation of new forms, new categories of records, and clarified

data retention to better inform the public. Additionally, the

Department of Homeland Security is issuing a Final Rule elsewhere in

the Federal Register, to exempt this system of records from certain

provisions of the Privacy Act. This updated system will be included in

the Department of Homeland Security's inventory of record systems.

DATES: Submit comments on or before December 15, 2011. This system will

be effective December 15, 2011.

ADDRESSES: You may submit comments, identified by docket number DHS-

2011- 0085 by one of the following methods:

 Federal e-Rulemaking Portal: <http://www.regulations.gov>.

Follow the instructions for submitting comments.

 Fax: (703) 483-2999.

 Mail: Mary Ellen Callahan, Chief Privacy Officer, Privacy

Office, Department of Homeland Security, Washington, DC 20528.

 Instructions: All submissions received must include the

agency name and docket number for this rulemaking. All comments

received will be posted without change to <http://www.regulations.gov>,

including any personal information provided.

 Docket: For access to the docket to read background

documents or comments received go to <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: For general questions please contact:

Donald K. Hawkins ((202) 272-8000), Privacy Officer, U.S. Citizenship

and Immigration Services, 20 Massachusetts Avenue NW., Washington, DC

20529. For privacy issues please contact: Mary Ellen Callahan ((703)

235-0780), Chief Privacy Officer, Privacy Office, Department of

Homeland Security, Washington, DC 20528.

SUPPLEMENTARY INFORMATION:

I. Background

 In accordance with the Privacy Act of 1974, 5 U.S.C. 552a, the

Department of Homeland Security (DHS) U.S. Citizenship and Immigration

Services (USCIS) proposes to update and reissue the DHS system of

records titled, ``DHS/USCIS-015 Electronic Immigration System-2 Account

and Case Management System of Records.'' This system of records notice

is being updated to reflect the incorporation of new forms and new

categories of records, to clarify the data retention policy, and to

recognize the issuance of a Final Rule exempting the system from

portions of the Privacy Act. DHS received two public comments which did

not address this system of records notice. DHS will not make any

changes in response to the public comments.

 DHS and USCIS are promulgating the regulation ``Immigration

Benefits Business Transformation, Increment I'' (August 29, 2011, 76 FR

53764) to allow for USCIS to transition to an electronic environment.

This regulation will assist USCIS in the transformation of its

operations by removing references and processes that inhibit the use of

electronic systems or constrain USCIS's ability to respond to changing

workloads, priorities, or statutory requirements.

 DHS/USCIS is creating a new electronic environment known as the

Electronic Immigration System (USCIS ELIS). USCIS ELIS allows

individuals requesting a USCIS benefit to register online and submit

certain benefit requests through the online system. This system will

improve customer service; increase efficiency for processing benefits;

better identify potential national security concerns, criminality, and

fraud; and create improved access controls and better auditing

capabilities.

 Applicants and petitioners (Applicants); co-applicants,

beneficiaries, derivatives, dependents, or other persons on whose

behalf a benefit request is made or whose immigration status may be

derived because of a relationship to an Applicant (Co-Applicants); and

their attorneys and representatives accredited by the Board of

Immigration Appeals (Representatives) may create individualized online

accounts. These online accounts help Applicants and their

Representatives file for benefits, track the status of open benefit

requests, schedule appointments, change their addresses and contact

information, and receive notices and notifications regarding their

particular cases. Through USCIS ELIS, individuals may submit evidence

electronically. Once an individual provides biographic information for

one benefit request, USCIS ELIS uses that information to pre-populate

any future benefit requests by the same individual. This eases the

burden on an individual so he or she does not have to repeatedly type

in the same information and also reduces the number of possible errors.

 USCIS is publishing three System of Records Notices (SORNs) to

cover the following three distinct processes of this new electronic

environment and the privacy and security protections incorporated into

USCIS ELIS:

 1. Temporary Accounts and Draft Benefit Requests: The Electronic

Immigration System-1 Temporary Accounts and Draft Benefit Requests SORN

(DHS/USCIS-014) addresses

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temporary data provided by Applicants or Representatives. This

temporary data includes temporary accounts for first-time Applicants

and draft benefit request data from first-time Applicants, Applicants

with permanent accounts, and Representatives. Applicants first interact

with USCIS ELIS by creating a temporary account, setting notification

preferences, and drafting the first benefit request. If a first-time

Applicant does not begin drafting a benefit request within 30 days of

opening the temporary account, USCIS ELIS deletes the temporary

account. If he or she does not submit the benefit request within 30

days of starting a draft benefit request, USCIS ELIS deletes the

temporary account and all draft benefit request data. If a first-time

Applicant submits the benefit request within 30 days, USCIS ELIS

automatically changes the status of the account from temporary to

permanent. Applicants with permanent USCIS ELIS accounts or

Representatives may also draft benefit requests. USCIS ELIS deletes all

draft benefit requests if they are not submitted within 30 days of

initiation.

 2. Account and Case Management: The Electronic Immigration System-2

Account and Case Management SORN (DHS/USCIS-015) addresses the

activities undertaken by USCIS after Applicants or Representatives

submit a benefit request. USCIS ELIS uses information provided on

initial and subsequent benefit requests and subsequent collections

through the Account and Case Management process to create or update

USCIS ELIS accounts; collect any missing information; manage workflow;

assist USCIS adjudicators as they make a benefit determination; and

provide a repository of data to assist with future benefit requests. In

addition, USCIS ELIS processes and tracks all actions related to the

case, including scheduling appointments and issuing decision notices

and/or proofs of benefit.

 3. Automated Background Functions: The Electronic Immigration

System-3 Automated Background Functions SORN (DHS/USCIS-016) addresses

the actions USCIS ELIS takes to detect duplicate and related accounts

and identify potential national security concerns, criminality, and

fraud to ensure that serious or complex cases receive additional

scrutiny.

 This SORN addresses the USCIS ELIS account and case management

process for applicants. Information for Electronic Immigration System-2

Account and Case Management (USCIS ELIS Account and Case Management) is

derived from multiple sources. The main source of information is the

benefit request formally submitted by the Applicant or Representative

(see Electronic Immigration System-1 Temporary Accounts and Draft

Benefits Requests SORN). Upon the formal submission of a benefit

request to USCIS, this information will no longer be considered

temporary and is subject to the retention schedules provided for in

this SORN.

 DHS is revising the list of legacy forms that will be incorporated

into USCIS ELIS. Additional forms from which information will be

collected will be posted to the USCIS ELIS Web site as the system

develops. New categories of records collected on this revised list of

forms include immigration history (citizenship/naturalization

certificate number, removals, statuses, explanations, etc.), appeals or

motions to reopen or reconsider decisions, U.S. State Department-Issued

Personal Identification Number (PID), vaccinations, and medical

referrals. In the first release of USCIS ELIS, USCIS collects

information from the following updated list of forms:

 I-90--Application to Replace Permanent Residence Card

(1615-0082), 08/31/12;

 I-102--Application for Replacement/Initial Nonimmigrant

Departure Document (1615-0079), 08/31/12;

 I-130--Petition for Alien Relative (1615-0012), 01/31/12

(as evidence);

 I-131--Application for Travel Document (1615-0013), 03/31/

12;

 I-134--Affidavit of Support (1615-0014), 05/31/12 (as

evidence);

 I-290B--Notice of Appeal or Motion (91615-0095), 05/31/12;

 I-508/I-508F--Waiver of Rights, Privileges, Exemptions,

and Immunities (1615-0025), 11/30/11;

 I-539--Application to Extend/Change Nonimmigrant Status

(1615-0003), 02/29/12;

 I-539--Application to Extend/Change Nonimmigrant Status

(On-Line Application) (Pending);

 I-566--Interagency Record of Request--A, G or NATO

Dependent Employment Authorization or Change/Adjustment to/from A, G or

NATO Status (1615-0027), 01/31/11(as evidence);

 I-601--Application for Waiver of Grounds of

Inadmissibility (1615-0029), 06/30/12;

 I-693--Report of Medical Examination and Vaccination

Record (1615-0033), 10/31/11;

 I-765--Application for Employment Authorization (1615-

0040), 09/30/11;

 I-821--Application for Temporary Protected Status (1615-

0043), 10/31/13;

 I-912--Request for Fee Waiver (1615-0116), 10/31/12;

 AR-11--Alien Change of Address Card System (1615-0007),

09/30/11; and

 G-28 Notice of Entry of Appearance as Attorney or

Accredited Representative (1615-0105), 04/30/12.

 The information collected throughout the USCIS ELIS Account and

Case Management process is necessary to conduct an accurate and

thorough adjudication of a request for immigration benefits. USCIS ELIS

will use information from an Applicant's benefit request; account

updates; and/or responses to a request for evidence; as well as

information obtained during an interview and/or a biometrics collection

at an Application Support Center. The information provided by the

Applicant or his or her Representative will be used to create or update

USCIS ELIS accounts; gather any missing information; manage workflow;

generate reports; assist USCIS in making a benefit determination; and

provide a repository of data to assist with future benefit requests.

Pursuant to 8 CFR 103.2 (a)(3), Co-Applicants may not access, modify,

or participate in benefit requests submitted by the Applicant. However,

Co-Applicants may create their own USCIS ELIS accounts as Applicants

and submit their own benefit requests. USCIS personnel may input

information as they process a case, including information from

commercial sources, like LexisNexis or Dun and Bradstreet, to verify

information provided by an Applicant or Co-Applicant in support of a

request for a benefit. The USCIS ELIS Account and Case Management

process will be used to process and track all actions related to the

case, including scheduling appointments and issuing decision notices

and/or proofs of benefit. USCIS ELIS will generate notices and

notifications that will be available to individuals online, via email,

text message, or postal mail. These notices will also be stored in the

Applicant's USCIS ELIS account.

 Results from Electronic Immigration System-3 Automated Background

Functions (USCIS ELIS Automated Background Functions) will also be

stored in the individual's USCIS ELIS account and/or case. This

includes information from other USCIS, DHS, and federal government

systems to confirm identity, determine eligibility, and perform

background checks. USCIS ELIS Account and Case Management may store

information from DHS systems including: DHS/USCIS-001--Alien File,

Index, and National File Tracking System of Records; DHS/USCIS-007--

Benefits Information System (BIS); DHS/USCIS/010--Asylum

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Information and Pre-Screening; DHS/USCIS-006--Fraud Detection and

National Security Data System (FDNS-DS); DHS/CBP-011--U.S. Customs and

Border Protection TECS; DHS/ICE-001--Student and Exchange Visitor

Information System (SEVIS); DHS/ICE-011--Immigration Enforcement

Operational Records System (ENFORCE); DHS/USVISIT-001--Arrival and

Departure Information System (ADIS); and DHS/USVISIT-0012--DHS

Automated Biometric Identification System (IDENT). Furthermore, USCIS

ELIS Account and Case Management may store information from systems

outside of DHS, including: Department of State Consular Consolidated

Database (CCD); JUSTICE/EOIR-001--Records and Management Information

System; JUSTICE/FBI-002--FBI Central Records System; JUSTICE/FBI-009--

Fingerprint Identification Records System (FIRS); and TREASURY/FMS-

017--Collections Records--Treasury/Financial Management Service.

 To protect Applicant, Co-Applicant, and Representative information,

USCIS ELIS will employ role-based access controls to ensure internal

users of the system do not have access to information beyond the

functions of their employment. USCIS ELIS will also maintain audit logs

of account access information by recording user identification and the

date and time of access. Case and account histories are kept in order

to track who created, deleted, or edited a record and when the change

was made.

 USCIS collects, uses, and maintains account and case management

information pursuant to Sections 103 and 290 of the Immigration and

Nationality Act (INA), as amended (8 U.S.C. 1103 and 1360), and the

regulations issued pursuant thereto; and Section 451 of the Homeland

Security Act of 2002 (Pub. L. 107-296).

 Consistent with DHS's information sharing mission, information

stored in the Electronic Immigration Services-2 Account and Case

Management SORN may be shared with other DHS components, as well as

appropriate federal, state, local, tribal, territorial, foreign, or

international government agencies. This sharing will only take place

after DHS determines that the receiving component or agency has a need-

to-know the information to carry out national security, law

enforcement, immigration, intelligence, or other functions consistent

with the routine uses set forth in this system of records notice. USCIS

provides information related to the immigration status of persons to

employers participating in the USCIS E-Verify program (see DHS/USCIS-

011 E-Verify Program SORN). In addition, USCIS provides the immigration

status of persons applying for benefits from a government agency

through the USCIS Systematic Alien Verification for Entitlements (SAVE)

program (see DHS/USCIS-004 Systematic Alien Verification for

Entitlements Program SORN).

 DHS is issuing a Final Rule to exempt this system of records from

certain provisions of the Privacy Act pursuant to 5 U.S.C. 552a(k)(2),

elsewhere in the Federal Register. Additionally, many of the functions

in this system require retrieving records from law enforcement systems.

Where a record received from another system has been exempted in that

source system under 5 U.S.C. 552a(j)(2), DHS will claim the same

exemptions for those records that are claimed for the original primary

systems of records from which they originated and claims any additional

exemptions in accordance with this rule. This updated system will be

included in DHS's inventory of record systems.

II. Privacy Act

 The Privacy Act embodies fair information practice principles in a

statutory framework governing the means by which the U.S. Government

collects, maintains, uses, and disseminates individuals' records. The

Privacy Act applies to information that is maintained in a ``system of

records.'' A ``system of records'' is a group of any records under the

control of an agency for which information is retrieved by the name of

an individual or by some identifying number, symbol, or other

identifying particular assigned to the individual. In the Privacy Act,

an individual is defined to encompass U.S. citizens and lawful

permanent residents. As a matter of policy, DHS extends administrative

Privacy Act protections to all individuals where systems of records

maintain information on U.S. citizens, lawful permanent residents, and

visitors.

 Below is the description of the DHS/USCIS-015 Electronic

Immigration System-2 Account and Case Management System of Records.

 In accordance with 5 U.S.C. 552a(r), DHS has provided a report of

this system of records to the Office of Management and Budget and to

Congress.

System of Records

DHS/USCIS-015

System name:

 DHS/USCIS-015 Electronic Immigration System-2 Account and Case

Management System of Records

Security classification:

 Unclassified, sensitive, for official use only, law enforcement

sensitive

System location:

 Records are maintained at the USCIS Headquarters in Washington, DC

and field offices.

Categories of individuals covered by the system:

 USCIS ELIS Account and Case Management stores and/or uses

information about individuals who receive or petition for benefits

under the Immigration and Nationality Act, as amended. These

individuals include: Applicants and petitioners (Applicants); co-

applicants, beneficiaries, derivatives, dependents, or other persons on

whose behalf a benefit request is made or whose immigration status may

be derived because of a relationship to an Applicant (Co-Applicants);

attorneys and representatives accredited by the Board of Immigration

Appeals (Representatives); and individuals that assist in the

preparation of the benefit request.

Categories of records in the system:

 Information about Applicants and Co-Applicants may include:

 USCIS ELIS account number

 Alien Registration Number(s)

 Family Name

 Given Name

 Middle Name

 Alias(es)

 Physical and mailing address(es):

 [cir] Address

 [cir] Unit Number

 [cir] City

 [cir] State

 [cir] ZIP Code

 [cir] Postal Code

 [cir] Province

 [cir] Country

 Date Of Birth

 Deceased Date

 Nationality

 Country of Citizenship

 City Of Birth

 State Of Birth

 Province Of Birth

 Country Of Birth

 Gender

 Marital Status

 Military Status

 Preferred Contact Method

 Phone Number

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 Phone Extension

 Email Address

 Password

 Challenge questions and answers

 Immigration status

 Government-issued identification (e.g. passport, driver's

license):

 [cir] Document type

 [cir] Issuing organization

 [cir] Document number

 [cir] Expiration date

 Benefit requested

 Signature (electronic or scanned physical signature)

 [Pay.gov](http://www.gpo.gov/fdsys/pkg/FR-2011-11-15/html/Pay.gov) payment tracking number

 IP Address and browser information

 USCIS ELIS case submission confirmation number

 Benefit-specific eligibility information (if applicable) may

include:

 U.S. State Department-Issued Personal Identification Number

(PID)

 Arrival/Departure Information

 Immigration history (citizenship/naturalization certificate

number, removals, explanations, etc.)

 Family Relationships (e.g., Parent, Spouse, Sibling, Child,

Other Dependents, etc., as well as polygamy, custody, guardianship, and

other relationship practices)

 USCIS Receipt/Case Number

 Personal Background Information (e.g., involvement with

national security threats, Communist party, torture, genocide, killing,

injuring, forced sexual contact, limiting or denying others religious

beliefs; service in military or other armed groups; work in penal or

detention systems, weapons distribution, combat training, etc.)

 Health Information (e.g., vaccinations, referrals,

communicable disease, physical or mental disorder, prostitution, drug

abuse, etc.)

 Education History

 Work History

 Financial Information (income, expenses, scholarships,

savings, assets, property, financial support, supporter information,

life insurance, debts, encumbrances, etc.)

 Social Security Number (SSN), if applicable

 Supporting documentation as necessary (i.e. birth certificate,

appeals or motions to reopen or reconsider decisions, etc.)

 Physical Description

 Fingerprint(s)

 Photographs

 FBI Identification Number

 Fingerprint Identification Number

 Criminal Records

 Criminal and National Security background check information

 Preparer information includes:

 Name

 Organization

 Physical and Mailing Addresses

 Email Address

 Phone and Fax Numbers

 Paid/Not Paid

 Relationship to Applicant

 Representative information includes:

 Name

 Law Firm/Recognized Organization

 Physical and Mailing Addresses

 Phone and Fax Numbers

 Email Address

 Attorney Bar Card Number or Equivalent

 BAR Membership

 Accreditation Date

 BIA Representative Accreditation Expiration Date

 Law Practice Restriction Explanation

Authority for maintenance of the system:

 Authority for maintaining this system is in Sections 103 and 290 of

the INA, as amended (8 U.S.C. 1103 and 1360), and the regulations

issued pursuant thereto; and Section 451 of the Homeland Security Act

of 2002 (Pub. L. 107-296).

Purpose(s):

 The purpose of this system is to manage USCIS ELIS accounts; gather

information related to a benefit request; manage workflow; generate

reports; assist USCIS in making a benefit determination; and provide a

repository of data to assist with future benefit requests. In addition,

the USCIS ELIS Account and Case Management process will be used to

process and track all actions related to the case, including scheduling

appointments and issuing decision notices and/or proofs of benefit.

Routine uses of records maintained in the system, including categories

of users and the purposes of such uses:

 In addition to those disclosures generally permitted under 5 U.S.C.

552a(b) of the Privacy Act, all or a portion of the records or

information contained in this system may be disclosed outside DHS as a

routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

 A. To the Department of Justice (DOJ), including U.S. Attorney

Offices, or other federal agencies conducting litigation or in

proceedings before any court, adjudicative or administrative body, when

it is necessary to the litigation and one of the following is a party

to the litigation or has an interest in such litigation:

 1. DHS or any component thereof;

 2. any employee of DHS in his/her official capacity;

 3. any employee of DHS in his/her individual capacity where DOJ or

DHS has agreed to represent the employee; or

 4. If the U.S. or any agency thereof, is a party to the litigation

or has an interest in such litigation, and DHS determines that the

records are both relevant and necessary to the litigation and the use

of such records is compatible with the purpose for which DHS collected

the records.

 B. To a congressional office from the record of an individual in

response to an inquiry from that congressional office made at the

request of the individual to whom the record pertains.

 C. To the National Archives and Records Administration (NARA) or

other federal government agencies pursuant to records management

inspections being conducted under the authority of 44 U.S.C. 2904 and

2906.

 D. To an agency, organization, or individual for the purpose of

performing audit or oversight operations as authorized by law, but only

such information as is necessary and relevant to such audit or

oversight function.

 E. To appropriate agencies, entities, and persons when:

 1. DHS suspects or has confirmed that the security or

confidentiality of information in the system of records has been

compromised;

 2. DHS has determined that as a result of the suspected or

confirmed compromise there is a risk of harm to economic or property

interests, identity theft or fraud, harm to the security or integrity

of this system or other systems or programs (whether maintained by DHS

or another agency or entity), or harm to the individual that relies

upon the compromised information; and

 3. The disclosure made to such agencies, entities, and persons is

reasonably necessary to assist in connection with DHS's efforts to

respond to the suspected or confirmed compromise and prevent, minimize,

or remedy such harm.

 F. To contractors and their agents, grantees, experts, consultants,

and others performing or working on a contract, service, grant,

cooperative agreement, or other assignment for DHS, when necessary to

accomplish an agency function related to this system of records.

Individuals provided information under this routine use are subject to

the same Privacy Act requirements and limitations on disclosure as are

applicable to DHS officers and employees.

 G. To an appropriate federal, state, tribal, local, international,

or foreign law enforcement agency or other appropriate authority

charged with investigating or prosecuting a violation or enforcing or

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implementing a law, rule, regulation, or order, where a record, either

on its face or in conjunction with other information, indicates a

violation or potential violation of law, which includes criminal,

civil, or regulatory violations and such disclosure is proper and

consistent with the official duties of the person making the

disclosure.

 H. To clerks and judges of courts exercising naturalization

jurisdiction for the purpose of filing petitions for naturalization and

to enable such courts to determine eligibility for naturalization or

grounds for revocation of naturalization.

 I. To courts, magistrates, administrative tribunals, opposing

counsel, parties, and witnesses, in the course of immigration, civil,

or criminal proceedings before a court or adjudicative body when:

 1. DHS or any component thereof; or

 2. Any employee of DHS in his or her official capacity; or

 3. Any employee of DHS in his or her individual capacity where the

agency has agreed to represent the employee; or

 4. The United States, where DHS determines that litigation is

likely to affect DHS or any of its components;

 Is a party to litigation or has an interest in such litigation, and

DHS determines that use of such records is relevant and necessary to

the litigation, and that in each case, DHS determines that disclosure

of the information to the recipient is a use of the information that is

compatible with the purpose for which it was collected.

 J. To an attorney or representative (as defined in 8 CFR 1.1(j))

who is acting on behalf of an individual covered by this system of

records in connection with any proceeding before USCIS, ICE, or CBP or

the DOJ Executive Office for Immigration Review (EOIR).

 K. To DOJ (including United States Attorneys' Offices) or other

federal agencies conducting litigation or in proceedings before any

court, adjudicative or administrative body, where necessary to assist

in the development of such agency's legal and/or policy position.

 L. To the Department of State (DOS) in the processing of petitions

or applications for benefits under the Immigration and Nationality Act,

and all other immigration and nationality laws including treaties and

reciprocal agreements; or when DOS requires information to consider

and/or provide an informed response to a request for information from a

foreign, international, or intergovernmental agency, authority, or

organization about an alien or an enforcement operation with

transnational implications.

 M. To appropriate federal, state, local, tribal, territorial, or

foreign governments, as well as to other individuals and organizations

during the course of an investigation by DHS or the processing of a

matter under DHS's jurisdiction, or during a proceeding within the

purview of the immigration and nationality laws, when DHS deems that

such disclosure is necessary to carry out its functions and statutory

mandates to elicit information required by DHS to carry out its

functions and statutory mandates.

 N. To an appropriate federal, state, tribal, territorial, local, or

foreign government agency or organization, or international

organization, lawfully engaged in collecting law enforcement

intelligence, whether civil or criminal, or charged with investigating,

prosecuting, enforcing or implementing civil or criminal laws, related

rules, regulations or orders, to enable these entities to carry out

their law enforcement responsibilities, including the collection of law

enforcement intelligence, and the disclosure is appropriate to the

proper performance of the official duties of the person receiving the

information.

 O. To an appropriate federal, state, local, tribal, territorial,

foreign, or international agency, if the information is relevant and

necessary to a requesting agency's decision concerning the hiring or

retention of an individual, or issuance of a security clearance,

license, contract, grant, or other benefit, or if the information is

relevant and necessary to a DHS decision concerning the hiring or

retention of an employee, the issuance of a security clearance, the

reporting of an investigation of an employee, the letting of a

contract, or the issuance of a license, grant, or other benefit.

 P. To an individual's current employer to the extent necessary to

determine employment eligibility or to a prospective employer or

government agency to verify an individual is eligible for a government-

issued credential that is a condition of employment.

 Q. To a former employee of DHS, in accordance with applicable

regulations, for purposes of: Responding to an official inquiry by a

federal, state, or local government entity or professional licensing

authority; or facilitating communications with a former employee that

may be necessary for personnel-related or other official purposes where

the Department requires information or consultation assistance from the

former employee regarding a matter within that person's former area of

responsibility.

 R. To the Office of Management and Budget (OMB) in connection with

the review of private relief legislation as set forth in OMB Circular

No. A-19 at any stage of the legislative coordination and clearance

process as set forth in the Circular.

 S. To the U.S. Senate Committee on the Judiciary or the U.S. House

of Representatives Committee on the Judiciary when necessary to inform

members of Congress about an alien who is being considered for private

immigration relief.

 T. To a federal, state, tribal, or local government agency and/or

to domestic courts to assist such agencies in collecting the repayment

of loans, or fraudulently or erroneously secured benefits, grants, or

other debts owed to them or to the U.S. Government, or to obtain

information that may assist DHS in collecting debts owed to the U.S.

Government;

 U. To an individual or entity seeking to post or arrange, or who

has already posted or arranged, an immigration bond for an alien to aid

the individual or entity in (1) identifying the location of the alien,

or (2) posting the bond, obtaining payments related to the bond, or

conducting other administrative or financial management activities

related to the bond.

 V. To a coroner for purposes of affirmatively identifying a

deceased individual (whether or not such individual is deceased as a

result of a crime).

 W. Consistent with the requirements of the INA, to the Department

of Health and Human Services (HHS), the Centers for Disease Control and

Prevention (CDC), or to any state or local health authorities, to:

 1. Provide proper medical oversight of DHS-designated civil

surgeons who perform medical examinations of both arriving aliens and

of those requesting status as a lawful permanent resident; and

 2. Ensure that all health issues potentially affecting public

health and safety in the United States are being or have been

adequately addressed.

 X. To a federal, state, local, tribal, or territorial government

agency seeking to verify or ascertain the citizenship or immigration

status of any individual within the jurisdiction of the agency for any

purpose authorized by law.

 Y. To the Social Security Administration (SSA) for the purpose of

issuing a SSN and Social Security card to an alien who has made a

request for a SSN as part of the immigration process and in accordance

with any related agreements in effect between the SSA, DHS, and DOS

entered into pursuant to 20 CFR 422.103(b)(3); 422.103(c); and

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422.106(a), or other relevant laws and regulations.

 Z. To federal and foreign government intelligence or

counterterrorism agencies or components where DHS becomes aware of an

indication of a threat or potential threat to national or international

security, or where such use is to conduct national intelligence and

security investigations or assist in anti-terrorism efforts.

 AA. To third parties to facilitate placement or release of an

individual (e.g., at a group home, homeless shelter, etc.) who has been

or is about to be released from DHS custody but only such information

that is relevant and necessary to arrange housing or continuing medical

care for the individual.

 BB. To foreign governments for the purpose of coordinating and

conducting the removal of individuals to other nations under the INA;

and to international, foreign, and intergovernmental agencies,

authorities, and organizations in accordance with law and formal or

informal international arrangements.

 CC. To a federal, state, local, territorial, tribal, international,

or foreign criminal, civil, or regulatory law enforcement authority

when the information is necessary for collaboration, coordination, and

de-confliction of investigative matters, prosecutions, and/or other law

enforcement actions to avoid duplicative or disruptive efforts and to

ensure the safety of law enforcement officers who may be working on

related law enforcement matters.

 DD. To the DOJ Federal Bureau of Prisons and other federal, state,

local, territorial, tribal, and foreign law enforcement or custodial

agencies for the purpose of placing an immigration detainer on an

individual in that agency's custody, or to facilitate the transfer of

custody of an individual from DHS to the other agency. This will

include the transfer of information about unaccompanied minor children

to HHS to facilitate the custodial transfer of such children from DHS

to HHS.

 EE. To federal, state, local, tribal, territorial, or foreign

governmental or quasi-governmental agencies or courts to confirm the

location, custodial status, removal, or voluntary departure of an alien

from the United States, in order to facilitate the recipients' exercise

of responsibilities pertaining to the custody, care, or legal rights

(including issuance of a U.S. passport) of the removed individual's

minor children, or the adjudication or collection of child support

payments or other debts owed by the removed individual.

 FF. To a federal, state, tribal, territorial, local, international,

or foreign government agency or entity for the purpose of consulting

with that agency or entity: (1) To assist in making a determination

regarding redress for an individual in connection with the operations

of a DHS component or program; (2) for the purpose of verifying the

identity of an individual seeking redress in connection with the

operations of a DHS component or program; or (3) for the purpose of

verifying the accuracy of information submitted by an individual who

has requested such redress on behalf of another individual.

 GG. To the Department of Treasury to process and resolve payment

issues.

 HH. To the news media and the public, with the approval of the

Chief Privacy Officer in consultation with counsel, when there exists a

legitimate public interest in the disclosure of the information or when

disclosure is necessary to preserve confidence in the integrity of DHS

or is necessary to demonstrate the accountability of DHS's officers,

employees, or individuals covered by the system, except to the extent

it is determined that release of the specific information in the

context of a particular case would constitute an unwarranted invasion

of personal privacy.

Disclosure to consumer reporting agencies:

 None.

Policies and practices for storing, retrieving, accessing, retaining,

and disposing of records in the system:

Storage:

 Records in this system are stored electronically or on paper in

secure facilities in a locked drawer behind a locked door. The records

are stored on magnetic disc, tape, digital media, and CD-ROM.

Retrievability:

 Records may be retrieved by any of the data elements listed above

or a combination thereof.

Safeguards:

 Records in this system are safeguarded in accordance with

applicable rules and policies, including all applicable DHS automated

systems security and access policies. Strict controls have been imposed

to minimize the risk of compromising the information that is being

stored. Access to the computer system containing the records in this

system is limited to those individuals who have a need-to-know the

information for the performance of their official duties and who have

appropriate clearances or permissions.

Retention and disposal:

 USCIS is currently working with the National Archives and Records

Administration (NARA) to establish and publish the proposed USCIS ELIS

records retention schedules. USCIS currently plans to retain all

account information and supporting evidence for 100 years after the

account holder's date of birth, or 15 years from last action, whichever

is later. Permanent accounts (e.g. for applicants who currently have A-

files) and related case snapshots and supporting evidence are permanent

and will be transferred to the custody of the NARA 100 years after the

individual's date of birth. Non-immigrant case information and

supporting evidence will be stored for 15 years from last action.

 U.S. citizen accounts and cases will be archived internally after

five years. All accounts and cases will be put in an inactive status 15

years after last action.

 Records that are linked to national security, law enforcement, or

fraud investigations or cases will remain accessible for the life of

the related activity, to the extent retention for such purposes exceeds

the normal retention period for such data in USCIS ELIS. USCIS is

reviewing its needs for the information as it transitions to a fully

electronic environment and may amend its retention plans and schedules

as needed.

 USCIS proposes that, in compliance with NARA General Records

Schedule 24, section 6, ``User Identification, Profiles,

Authorizations, and Password Files,'' internal USCIS personnel accounts

will be destroyed or deleted six years after the account is terminated,

or when no longer needed for investigative or security purposes,

whichever is later.

System Manager and address:

 The DHS system manager is the Chief, Records Division, U.S.

Citizenship and Immigration Services, Department of Homeland Security,

U.S. Citizenship and Immigration Services, 20 Massachusetts Avenue NW.,

Washington, DC 20529.

Notification procedure:

 Applicants may access and amend this information by logging in to

their USCIS ELIS account. Pursuant to 8 CFR 103.2(a)(3), Co-Applicants

may access their information by logging in to USCIS ELIS after the

benefit request has been approved or denied. Further, individuals

seeking notification of and access to any record contained in this

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system of records, or seeking to contest its content, may submit a

request in writing to the National Records Center, FOIA/PA Office, P.O.

Box 648010, Lee's Summit, MO 64064-8010. Specific FOIA contact

information can be found at <http://www.dhs.gov/foia> under ``Contacts.''

If an individual believes more than one component maintains Privacy Act

records concerning him or her, the individual may submit the request to

the Chief Privacy Officer and Chief Freedom of Information Act Officer,

Department of Homeland Security, 245 Murray Drive SW., Building 410,

STOP-0655, Washington, DC 20528.

 When seeking records about yourself from this system of records or

any other Departmental system of records your request must conform with

the Privacy Act regulations set forth in 6 CFR part 5. You must first

verify your identity, meaning that you must provide your full name,

current address and date and place of birth. You must sign your request

and your signature must either be notarized or submitted under 28

U.S.C. 1746, a law that permits statements to be made under penalty of

perjury as a substitute for notarization. While no specific form is

required, you may obtain forms for this purpose from the Chief Privacy

Officer and Chief Freedom of Information Act Officer, <http://www.dhs.gov> or 1-(866) 431-0486. In addition you should:

 Provide an explanation of why you believe the Department

would have information on you;

 Identify which component(s) of the Department you believe

may have the information about you;

 Specify when you believe the records would have been

created;

 Provide any other information that will help the FOIA

staff determine which DHS component agency may have responsive records;

and

 If your request is seeking records pertaining to another

living individual, you must include a statement from that individual

certifying his/her agreement for you to access his/her records.

 Without this bulleted information the component(s) may not be able

to conduct an effective search and your request may be denied due to

lack of specificity or lack of compliance with applicable regulations.

Record access procedures:

 See ``Notification procedure'' above.

Contesting record procedures:

 See ``Notification procedure'' above.

Record source categories:

 Records are obtained from the Applicant or his or her

Representative. USCIS personnel may input information as they process a

case, including information from commercial sources, like LexisNexis or

Dunn and Bradstreet, to verify whether an Applicant or Co-Applicant is

eligible for the benefit requested. USCIS ELIS Account and Case

Management will also store and use information from the following

USCIS, DHS, and other federal agency systems of records:

 DHS/USCIS-001--Alien File, Index, and National File

Tracking System of Records;

 DHS/USCIS-007--Benefits Information System (BIS);

 DHS/USCIS-010--Asylum Information and Pre-Screening;

 DHS/USCIS-006--Fraud Detection and National Security Data

System (FDNS-DS);

 DHS/USCIS-014--Electronic Immigration System-1 Temporary

Accounts and Draft Benefit Requests System of Records;

 DHS/USCIS-016--Electronic Immigration System-3 Automated

Background Functions System of Records;

 DHS/CBP-011--U.S. Customs and Border Protection TECS;

 DHS/ICE-001--Student and Exchange Visitor Information

System (SEVIS);

 DHS/ICE-011--Immigration Enforcement Operational Records

System (ENFORCE);

 DHS/USVISIT-001--Arrival and Departure Information System

(ADIS);

 DHS/USVISIT-0012--DHS Automated Biometric Identification

System (IDENT);

 Department of State Consular Consolidated Database (CCD);

 JUSTICE/EOIR-001--Records and Management Information

System;

 JUSTICE/FBI-002--FBI Central Records System;

 JUSTICE/FBI-009--Fingerprint Identification Records System

(FIRS); and

 TREASURY/FMS-017--Collections Records--Treasury/Financial

Management Service.

Exemptions claimed for the system:

 The Secretary of Homeland Security has exempted this system from

the following provisions of the Privacy Act pursuant to 5 U.S.C.

552a(k)(2): 5 U.S.C. 552a(c)(3); (d); (e)(1), (e)(4)(G), (e)(4)(H),

(e)(4)(I); and (f). Additionally, many of the functions in this system

require retrieving records from law enforcement systems. Where a record

received from another system has been exempted in that source system

under 5 U.S.C. 552a(j)(2), DHS will claim the same exemptions for those

records that are claimed for the original primary systems of records

from which they originated and claims any additional exemptions in

accordance with this rule.

 Dated: November 2, 2011.

Mary Ellen Callahan,

Chief Privacy Officer, Department of Homeland Security.

[FR Doc. 2011-29451 Filed 11-14-11; 8:45 am]

BILLING CODE 9111-97-P