



Privacy Impact Assessment  
for the

**U.S. Citizenship and Immigration  
Services Electronic Immigration System  
(ELIS-2)**

Account and Case Management

**DHS/USCIS/PIA-042**

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## Abstract

U.S. Citizenship and Immigration Services (USCIS) is the component of the Department of Homeland Security (DHS) that oversees lawful immigration to the United States. USCIS is transforming its operations by creating a new electronic environment known as the USCIS Electronic Immigration System (USCIS ELIS), which 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. This Privacy Impact Assessment (PIA) is being conducted because USCIS ELIS collects and uses personally identifiable information (PII). This new electronic environment is divided into three distinct processes: 1) Temporary Account and Draft Benefit Requests; 2) Account and Case Management; and 3) Automated Background Functions. This PIA addresses the Account and Case Management process by describing how USCIS ELIS uses information provided on initial and subsequent benefit requests and subsequent collections to create or update USCIS ELIS accounts; gather any missing information; manage workflow; assist USCIS in making a benefit determination; and provide a repository of data to assist with future benefit requests. USCIS is publishing separate PIAs for the other two USCIS ELIS processes concurrent with this PIA.

## Overview

U.S. Citizenship and Immigration Services (USCIS) is the component of the Department of Homeland Security (DHS) that oversees lawful immigration to the United States. USCIS is transforming its operations by creating a new electronic environment known as the USCIS Electronic Immigration System (USCIS ELIS), which allows individuals requesting a USCIS benefit to register online and submit certain benefit requests. 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/or their attorneys and representatives recognized by USCIS and/or 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 cases. Through USCIS ELIS, individuals may submit evidence electronically. Once an individual provides biographic information in one benefit request, USCIS ELIS uses that information to pre-populate certain fields in future benefit requests. This eases the burden on an individual so he or she does not have to repeatedly type in the same information each time the individual is seeking a benefit from USCIS.



USCIS is publishing three PIAs to cover the following three distinct processes of this new electronic environment and the privacy and security protections incorporated into USCIS ELIS:<sup>1</sup>

- 1. Temporary Accounts and Draft Benefit Requests:** The *DHS/USCIS/PIA-041 Temporary Accounts and Draft Benefit Requests (USCIS ELIS-1) PIA* addresses temporary data provided by Applicants or Representatives. All Applicants first interact with USCIS ELIS by creating a temporary account, setting notification preferences, and drafting their first benefit request. If a first-time Applicant does not begin drafting a benefit request within 30 days of opening a 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 changes the status of the account from temporary to permanent, at which point it is processed according to the *DHS/USCIS/PIA-042 Account and Case Management (ELIS-2) PIA* detailed below. Applicants with permanent USCIS ELIS accounts or Representatives may also draft benefit requests. USCIS ELIS deletes all draft benefit requests, both first-time and existing Applicants, if they are not submitted within 30 days of initiation.
- 2. Account and Case Management:** The *DHS/USCIS/PIA-042 Account and Case Management (USCIS ELIS-2) PIA* 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 *DHS/USCIS/PIA-043 Automated Background Functions (USCIS ELIS-3) PIA* addresses the actions USCIS ELIS takes to detect duplicate and related accounts, compare and append information from existing immigration benefit data previously collected by USCIS, and identify potential national security concerns, criminality, and fraud to ensure that serious or complex cases receive additional scrutiny.

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<sup>1</sup> The three PIAs covering USCIS ELIS: DHS/USCIS/PIA-041, DHS/USCIS/PIA-042, and DHS/USCIS/PIA-043, were conducted concurrently and are all available at [http://www.dhs.gov/files/publications/gc\\_1279308495679.shtm](http://www.dhs.gov/files/publications/gc_1279308495679.shtm).



This PIA addresses the Account and Case Management portion of USCIS ELIS. Specifically, this PIA explains how Applicants, Co-Applicants, and Representatives may manage their USCIS ELIS accounts and how USCIS ELIS handles a case by processing the information provided through a benefit request and related activities.

## **Account Management**

As described below, Applicants, Co-Applicants, and Representatives have different account setup procedures because of their distinct roles in USCIS ELIS. USCIS instructs all Applicants, Co-Applicants, and Representatives to secure their account information to ensure confidentiality. Further, USCIS warns them that divulging confidential information to others presents the risk that others may alter their benefit requests to their detriment or abuse the personally identifiable information (PII) contained therein.

### ***Applicants***

An Applicant may create a permanent USCIS ELIS account through two different methods. Typically, an Applicant makes a temporary account permanent by submitting his or her first benefit request through USCIS ELIS (See *DHS/USCIS/PIA-041 Temporary Accounts and Draft Benefit Requests (ELIS-1)* PIA). An Applicant may make certain updates to a USCIS ELIS account to correct outdated information. If an Applicant changes account information that may affect his or her eligibility for a benefit, such as name, gender, date of birth, identity document, or other biographic information, USCIS ELIS asks the Applicant to submit scanned evidence or legal documentation showing that the change was authorized and accurate. An Applicant can change other information, such as email address, phone numbers, addresses, and notification preferences (standard mail, email, or SMS text message) without providing supporting evidence. Before the Applicant submits the updated information, USCIS ELIS provides a Privacy Act Statement notification stating that the information is used to update the account and determine eligibility for any pending benefit requests. USCIS ELIS confirms the account changes by displaying the changes and sending a notice to the Applicant via the Applicant's notification preference. If the Applicant provides a new email address, USCIS ELIS verifies the email address by sending a confirmation link to the new email address. Once the Applicant clicks the link, the Applicant must provide his or her second factor authentication (*e.g.*, answer challenge questions, provide a PIN sent to the Applicant's phone via text message, or an automated voice call) to complete the change.

### ***Representatives***

Through USCIS ELIS or the paper *Notice of Entry of Appearance as Attorney or Accredited Representative* (Form G-28) process, an Applicant may authorize a Representative to view and participate in pending benefit requests through USCIS ELIS. This authorization follows the requirements for the Form G-28 and may be terminated by the Applicant at any time.

Representatives must create permanent USCIS ELIS accounts before conducting business on a client's behalf to ensure proper benefit association and authorization by the client. Representatives create a USCIS ELIS account by providing their name, address, contact method, and email address. Attorney Representatives also provide their attorney license number, bar membership, accreditation date, accredited organization name, and any law practice restriction information. Once the Representative has provided this information, USCIS ELIS creates a permanent USCIS ELIS account for the Representative.



In order to work on a client's case, the Representative must complete and submit the Form G-28 with the client's signature, either electronically through USCIS ELIS or through the traditional paper process. USCIS also is developing the functionality for Representatives to fill out a G-28 online and link it to the appropriate cases/applicants. Once the Form G-28 is approved, the Representatives can view data requests, receive status updates, and respond to requests for evidence regarding a pending benefit request.

USCIS ELIS incorporates the Form G-28 into all benefit requests, so a Representative may draft the benefit request and have the Applicant complete the Form G-28 at the same time. Either the Applicant or the Representative may terminate the representation through USCIS ELIS by accessing the case and selecting "Terminate Representation." After the relationship between a client and Representative is terminated, only the name of the former client, USCIS ELIS case number, benefit type, and the date of termination is visible in the Representative's account.

### ***Inferred Accounts***

Alternatively, if a Representative drafts and submits a benefit request on behalf of the Applicant, USCIS ELIS will create an inferred account for the Applicant. Inferred accounts are placeholder accounts for an Applicant within the system and will allow USCIS ELIS to begin processing the case after the benefit request is formally submitted. After creation of the inferred account, USCIS will mail a system-generated access code to the Applicant's mailing address instructing the Applicant how to activate his or her inferred account. Upon receipt of the access code, an Applicant will access the inferred account by visiting USCIS ELIS online, entering the code, and assigning his or her email address to the USCIS ELIS account associated with the pending benefit request. Thereafter, the USCIS ELIS account will become a permanent account (i.e., no longer in inferred status) and the Applicant is able to view and update the account, monitor the status of the pending benefit request, reschedule appointments, and request other benefits associated with the account, including setting notification preferences (standard mail, email, or SMS text message).

### ***Co-Applicants***

Co-Applicants have USCIS ELIS accounts inferred for them through the benefit request submitted by the Applicant. When the Applicant submits the benefit request containing Co-Applicant information, the Co-Applicant account becomes permanent. USCIS ELIS sends a notice to the Applicant that includes the Co-Applicant's USCIS ELIS account number. 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 and submit their own benefit requests. If the Co-Applicant later requests a separate benefit as an individual Applicant, USCIS ELIS merges the individual's Applicant account with the Inferred Co-Applicant account.

### ***Preparers***

Unlike a Representative, who is formally representing an Applicant (usually an attorney), a Preparer is an individual who assists the Applicant in completing the benefit request without specific qualifications, such as a friend of the Applicant. USCIS ELIS does not allow for Preparers to open accounts and edit benefit requests as it does for Applicants and Representatives. If the Applicant has a Preparer assisting him/her when the Applicant is completing the benefit request, USCIS ELIS also asks



for that Preparer's information. The Preparer is prompted to self-identify, but is not permitted to act on behalf of the Applicant or represent the Applicant before USCIS or in USCIS ELIS.

## **Case Management**

When a benefit request has been formally submitted by the Applicant or Representative, USCIS ELIS goes through the following steps: 1) Case Receipt Intake Process; 2) Case Review and Requests for Evidence; 3) Adjudication; and 4) Issuance of Decision. Each of these steps is designed to ensure a thorough review and the efficient management of an individual benefit request. USCIS ELIS moves the case through different steps. USCIS ELIS automatically and, in some cases manually on an *ad hoc* basis, generates reports to help manage workflow and provide statistics about the system. While simple cases may require little human involvement, more complex cases may require more extensive review by USCIS personnel. USCIS personnel review all cases as the final step in the benefits adjudication process.

Throughout the benefit adjudication process, USCIS notifies the Applicant about the status of the case and changes to his or her USCIS ELIS account. Notifications are available online through USCIS ELIS, through the Applicant's USCIS ELIS notification preference (standard mail, email, or SMS text message), through the USCIS customer service call center, or in-person at a USCIS Field Office. USCIS issues notifications of the actions taken on the case, including, but not limited to, acceptance of a benefit request, changes to the USCIS ELIS account, Request(s) for Evidence (RFE), appointments for interviews or biometrics collections, and issuance of decisions. In some cases the notification may request action by the Applicant, such as responding to a RFE. In addition, the Applicant or Representative can log in to USCIS ELIS to reschedule an appointment or update USCIS ELIS account information.

### ***Step 1: Case Receipt Intake Process***

After logging in to USCIS ELIS and drafting a benefit request, the Applicant (and/or Representative, if applicable) must formally submit the benefit request by e-signing it and providing payment through an embedded Pay.gov<sup>2</sup> screen. If Pay.gov indicates the payment information is valid, USCIS ELIS accepts the benefit request and creates a permanent USCIS ELIS account for the Applicant if one does not already exist. Once the individual formally submits the benefit request, USCIS ELIS notes the date, time, Internet Protocol Address (IP Address), and browser information of the submission. A copy of all of this information is stored as an unalterable PDF "snapshot" that serves as an official record of the information provided by the individual (see the *DHS/USCIS/PIA-041 Temporary Accounts and Draft Benefit Requests (ELIS-1) PIA* for more information on this intake method). Once the benefit request has been submitted, USCIS may use the email address provided by the individual to send an optional anonymous customer satisfaction survey to gather feedback about USCIS ELIS.

### ***Step 2: Case Review and Requests for Evidence***

After a benefit request has been submitted, USCIS ELIS uses the information provided on the benefit request to create or update the Applicant or Co-Applicant's USCIS ELIS account and create a case

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<sup>2</sup> See U.S. Department of Treasury *Financial Management Service Pay.gov PIA* at [http://www.fms.treas.gov/pia/paygov\\_pia%20.pdf](http://www.fms.treas.gov/pia/paygov_pia%20.pdf) and *Collections Records*, and *SORN*, <https://www.federalregister.gov/articles/2003/02/04/03-2521/privacy-act-of-1974-as-amended-system-of-records>.



for the requested benefit. USCIS ELIS performs an initial assessment to prepare the case for adjudication by checking for all required evidence, performing the necessary system and background checks, scheduling any necessary appointments, and checking for obvious eligibility issues (e.g., an Applicant requests Temporary Protected Status, but claims citizenship of a country that has not been designated as qualifying for Temporary Protected Status).

Once the Applicant or Representative provides all the required information, e-signs, pays, and submits the case to USCIS, the case goes through several steps in preparation for adjudication. These steps vary depending on the complexity of the case. USCIS ELIS automatically moves the case through the steps as USCIS personnel complete the required actions. USCIS personnel involved in these processes have assigned roles that will permit them to access or edit the information required for their job functions. Less complex cases may require fewer actions by USCIS personnel. USCIS adjudicators will review all cases where a benefit may be denied. This workflow management can reduce the processing time for a benefit request. Some benefit requests require USCIS to collect further information from the Applicant or Co-Applicant. USCIS ELIS arranges for collections through the appropriate means, which may include one or more of the following:

1. **RFE/RFO** – If any required evidence or information for a benefit requested through USCIS ELIS is missing, USCIS issues an RFE asking the Applicant or Representative to provide the missing evidence or information. An Applicant or Representative may respond to RFEs by logging into USCIS ELIS and uploading and submitting scanned copies of the evidence. If USCIS requires an original piece of evidence, USCIS issues a Request for Original (RFO) specifying which evidence is required and where it may be mailed. USCIS returns all mailed original pieces of evidence to the Applicant or Representative unless USCIS determines the evidence is fraudulent, in which case it is retained for investigative purposes.
2. **Biometrics Collection** – If the requested benefit requires that the Applicant or Co-Applicant provide fingerprints and/or other biometrics, USCIS ELIS prompts the Applicant to schedule an appointment at the Application Support Center (ASC) office closest to the Applicant's address.
3. **Interviews** – If the requested benefit requires USCIS to interview the Applicant or Co-Applicant, USCIS ELIS prompts the Applicant to schedule an appointment at the Field Office with jurisdiction over the Applicant's address.

USCIS ELIS runs this additional information through the Automated Background Functions process and stores the new information and results from the Automated Background Functions process in the Automated Background Functions until a USCIS personnel reviews the information and appends it to the Applicant's or Co-Applicant's account and case in the USCIS ELIS Account and Case data.<sup>3</sup> Following completion of the Automated Background Functions process and any initial USCIS background check results review, USCIS ELIS checks the case to ensure that all the required information is available, all the necessary system queries are complete, and the case is ready for adjudication. If some

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<sup>3</sup> See the *DHS/USCIS/PIA-043 Automated Background Functions (ELIS-3) PIA* for more information about these steps, which include detecting duplicate and related accounts and detecting national security, criminality, and fraud issues.



information or evidence is missing, USCIS ELIS automatically moves the case back to the proper step in the process. Once USCIS ELIS determines that all necessary information has been provided, it will move the case to adjudication through System Qualified Adjudication (SQA) or evaluation by USCIS personnel.

### ***Step 3: Adjudication***

Depending on the complexity of the case, an application may go through SQA or go to USCIS personnel for review. USCIS ELIS will use SQA for cases involving simple adjudications, where the cases require only minimal review by USCIS personnel. USCIS ELIS will only use SQA to approve a case. When USCIS ELIS cannot approve a case, it sends it to USCIS personnel for evaluation and a decision.

For cases requiring USCIS personnel to be more involved in the review and decision-making process, USCIS personnel review all the information provided by the Applicant – along with any additional information compiled during the Case Review, RFE, and Automated Background Functions process. USCIS personnel may issue an RFE/RFO, perform ad hoc queries of other USCIS and federal agency systems identified in Section 2.2 of this PIA, or refer cases to USCIS subject matter experts to gather all relevant information. USCIS ELIS maintains a repository of guides and directives to assist USCIS personnel in the adjudication process. USCIS ELIS takes snapshots at different points in the case process (*e.g.*, the point in time a decision is rendered on the case). These snapshots contain all information known about the case at that point in the benefit request process, including internal USCIS notes and results from the Automated Background Functions process. These snapshots are stored in the Applicant's case data.

### ***Step 4: Issuance of Decision***

If USCIS grants the benefit to the Applicant and/or Co-Applicant, USCIS ELIS automatically generates an approval notice and sends it to the Applicant and/or Representative's current address, as appropriate. Depending on the benefit granted, the Applicant (and any Co-Applicants) or Representative (as appropriate) receives evidence of the new benefit or immigration status on a paper document or official card stock, otherwise known as a proof of benefit.<sup>4</sup> USCIS ELIS records and tracks each proof of benefit using a confirmation code which is stored in USCIS ELIS with an electronic copy of the proof of benefit. The electronic proof of benefit feature provides Applicants, Co-Applicants, Representatives, and USCIS personnel with the ability to view USCIS documents previously issued to an Applicant or Co-Applicant. If USCIS denies a benefit request, USCIS ELIS issues a denial notice with an explanation citing the reason(s) USCIS denied the benefit, and, where appropriate, the process to appeal the denial or reopen the case.

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<sup>4</sup> The proof of benefit is documentary evidence that gives the Applicant and/or Co-Applicant legal proof of an immigration status or proof of a temporary benefit.





## **Section 1.0 Authorities and Other Requirements**

### **1.1 What specific legal authorities and/or agreements permit and define the collection of information by the project in question?**

The primary legal authority supporting the collection of the information provided to USCIS is 8 U.S.C. § 1101 et seq. Specifically, 8 U.S.C. § 1360 established a central file of information for the security and enforcement agencies of the Government of the United States which contains the names of all aliens admitted or denied admission to the United States and such other relevant information as required to aid in the proper enforcement of this chapter. The Homeland Security Act of 2002, Pub. L. No.107-296, 116 Stat. 2135 (2002), 6 U.S.C. § 112, and the INA charge the Secretary of Homeland Security with administration and enforcement of the immigration and naturalization laws. The Secretary of Homeland Security has delegated duties to USCIS pursuant to a DHS Management Directive MD 0150.1. DHS has also promulgated regulations which permit the collection and processing of benefit requests online entitled, "Immigration Benefits Business Transformation, Increment I." 76 Fed. Reg. 53764 (August 29, 2011); "Immigration Benefits Business Transformation, Increment I; Correction." 76 Fed. Reg. 73475, (Nov. 29, 2011).

The Government Paperwork Elimination Act (GPEA), 44 U.S.C. § 3504 (2004), provides that, when possible, federal agencies use electronic forms, electronic filing, and electronic submissions to conduct agency business with the public. GPEA establishes the criteria and guidelines for the use of electronic signatures. Executive Order 13571, 75 Fed. Reg. 24339 (Apr. 27, 2011), requires federal agencies to develop plans to streamline delivery of services and improve customer service by exploring lower-cost, self-service options accessed by the Internet or mobile phone and improved processes that deliver services faster and more responsively, reducing the overall need for customer inquiries and complaints.

### **1.2 What Privacy Act System of Records Notice(s) (SORN(s)) apply to the information?**

DHS/USCIS issued *DHS/USCIS-015 – Electronic Immigration System-2 Account and Case Management SORN* (76 FR 70739, November 15, 2011) to cover the collection, maintenance, and use of this information. USCIS ELIS Account and Case Management also relies on several existing SORNs to support its operation. Benefit request information from formally submitted benefit requests is covered by *DHS/USCIS-014 – Electronic Immigration System-1 Temporary Accounts and Draft Benefit Requests SORN* (76 FR 70730, November 15, 2011). Duplicate and related account and case information, as well as potential national security concerns, criminality, and fraud check information is covered by *DHS/USCIS-016 – Electronic Immigration System-3 Automated Background Functions SORN* (76 FR 70735, November 15, 2011). Internal user roles and access information is covered by *DHS/ALL-004 –*



*General Information Technology Access Account Records System SORN (74 FR 49882, September 29, 2009).*<sup>5</sup>

### **1.3 Has a system security plan been completed for the information system(s) supporting the project?**

Yes. The comprehensive System Security Plan for USCIS ELIS is in place which includes the Account and Case Management process. The Authority to Operate (ATO) was issued on December 6, 2011 and is valid through July 2012, at which time USCIS expects to issue a new 12-month ATO.

### **1.4 Does a records retention schedule approved by the National Archives and Records Administration (NARA) exist?**

No. 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 Alien Files (A-files)), related case snapshots, and supporting evidence will be transferred to the custody of NARA 100 years after the individual's date of birth. Non-immigrant case information and supporting evidence will be actively accessible for 15 years from last action and then made inactive, unless related to a national security, law enforcement, or fraud investigation concern, as described below.

Records that are linked to national security, law enforcement, or fraud investigations 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 requirements for the information as it transitions to a fully electronic environment and may amend its retention plans and schedules as needed.

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.

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 they are no longer needed for investigative or security purposes, whichever is later.

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<sup>5</sup> All of these SORNs are available for review on the DHS Privacy website at <http://www.dhs.gov/privacy>.



**1.5 If the information is covered by the Paperwork Reduction Act (PRA), provide the OMB Control number and the agency number for the collection. If there are multiple forms, include a list in an appendix.**

USCIS has obtained approval from OMB for the data collections required for USCIS ELIS accounts and benefit requests. Please see the Appendix for the list of approved forms and OMB Control numbers.

## **Section 2.0 Characterization of the Information**

**2.1 Identify the information the project collects, uses, disseminates, or maintains.**

Information about Applicants and Co-Applicants may include:

- USCIS ELIS account number;
- Alien Registration Number(s) (A-Number);
- Family Name;
- Given Name;
- Middle Name;
- Alias(es);
- Physical and mailing address(es):
  - Address,
  - Unit Number,
  - City,
  - State,
  - ZIP Code,
  - Postal Code,
  - Province,
  - 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;
- Phone Extension;
- Email Address;
- Password;
- Challenge questions and answers;
- Immigration status;
- Government-issued identification (e.g. passport, driver's license):
  - Document type,
  - Issuing organization,
  - Document number,
  - Expiration date;
- Benefit requested;
- Signature (electronic or scanned physical signature);
- Payment tracking number;
- IP Address and browser information; and
- 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 custody, guardianship, and other relationship practices);
- USCIS Receipt/Case Number;
- Personal Background Information (e.g., involvement with: national security threats, the Communist Party, torture, genocide, killing, injuring, polygamy, 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; and
- Criminal and National Security Background Check Information.

Preparer information<sup>6</sup> includes:

- Name;
- Organization;
- Physical and Mailing Addresses;
- Email Address;
- Phone and Fax Numbers;
- Paid/Not Paid; and
- Relationship to Applicant.

Representative information<sup>7</sup> 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; and
- Law Practice Restriction Explanation.

USCIS ELIS stores this information in the individual's account and case in three forms: 1) raw data; 2) PDF snapshots; and 3) evidence or other supporting files uploaded by the Applicant, Representative, or USCIS. A copy of this information is stored in USCIS ELIS for management reporting functions.

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<sup>6</sup> Preparers do not formally represent the Applicant. If the Applicant has a Preparer assisting him/her when completing the benefit request, USCIS requests this information.

<sup>7</sup> Representatives must complete and submit the Form G-28 with client's signature either electronically or in paper format.



## 2.2 What are the sources of the information and how is the information collected for the project?

USCIS ELIS derives information for the Account and Case Management process from multiple sources. The main source of information is the benefit request filed by the Applicant or Representative. The Applicant or Representative provides the initial benefit request information by e-filing it as described above. USCIS ELIS gathers additional information from the Applicant or Representative during account updates, submitted Forms G-28, or in responses to RFEs. If required for a particular benefit request, USCIS collects further information from the individual in person at a Field Office during an interview or at an ASC.

Data stored within USCIS ELIS from previously submitted benefit requests is used to pre-populate certain fields for future benefit requests. If USCIS discovers that an Applicant or Co-Applicant has multiple USCIS ELIS accounts, USCIS ELIS merges the accounts to maintain one account per person. Cases associated with duplicate accounts will be maintained as they were, but will be re-associated with the merged account. USCIS personnel use commercial sources outside of USCIS ELIS (e.g., LexisNexis or Dun and Bradstreet) to verify information that the Applicant or Co-Applicant provides in support of the benefit requested. USCIS personnel input and store notes or data from these commercial sources with the case or account in USCIS ELIS, if relevant to the case. The USCIS ELIS Account and Case Management process also stores and uses information from the following USCIS and other DHS systems of records for USCIS ELIS Applicants, Co-applicants, Representatives, and Preparers:

- *DHS/USCIS/PIA-009 – Central Index System (CIS).*
  - *DHS/USCIS/ICE/CBP-001 – Alien File, Index, and National File Tracking System of Records*, June 13, 2011, 76 FR 34233.
- *DHS/USCIS/PIA-013 – Fraud Detection and National Security Data System (FDNS-DS).*
  - *DHS-USCIS-006 – Fraud Detection and National Security Data System (FDNS-DS)*, August 18, 2008, 73 FR 48231.
- *DHS/USCIS/PIA-015 – Computer Linked Application Information Management System Version 4 (CLAIMS 4).*
  - *DHS-USCIS-007 – Benefits Information System (BIS)*, September 29, 2008, 73 FR 56596.
- *DHS/USCIS/PIA-016 – Computer Linked Application Information Management System Version 3 (CLAIMS 3).*
  - *DHS-USCIS-007 – Benefits Information System (BIS)*, September 29, 2008, 73 FR 56596.
- *DHS/USCIS/PIA-027 – Refugee, Asylum, and Parole System and the Asylum Pre-Screening System (RAPS/APSS).*
  - *DHS/USCIS-010 – Asylum Information and Pre-Screening*, January 5, 2010, 75 FR 409.
- *DHS/CBP/PIA-009 – TECS System: CBP Primary and Secondary Processing.*
  - *DHS/CBP-011 – U.S. Customs and Border Protection TECS*, December 19, 2008, 73 FR 77778.
- *DHS/ICE/PIA-001 – Student and Exchange Visitor Information System (SEVIS).*



- *DHS/ICE 001 – Student and Exchange Visitor Information System (SEVIS)*, January 5, 2010, 75 FR 412.
- *DHS/ICE/PIA-015 – Enforcement Integrated Database (EID)*.
  - *DHS/ICE-011 – Immigration Enforcement Operational Records System (ENFORCE)*, May 3, 2010, 75 FR 23274.
- *DHS/US-VISIT/PIA-005 – Arrival and Departure Information System (ADIS)*.
  - *DHS/USVISIT-001 – Arrival and Departure Information System (ADIS)*, August 22, 2007, 72 FR 47057.
- *DHS/US-VISIT/PIA-002(b) – Automated Biometric Identification System (IDENT)*.
  - *DHS/USVISIT-0012 – DHS Automated Biometric Identification System (IDENT)*, June 5, 2007, 72 FR 31080.

USCIS ELIS may also gather information from systems outside of DHS. These include the following systems and SORNs:

- Department of State – Consular Consolidated Database (CCD).
- Department of Justice Executive Office for Immigration Review – Case Access System for the Executive Office of Immigration Review (CASE).
  - *JUSTICE/EOIR-001-Records and Management Information System*, May 11, 2004, 69 FR 26179.
- Department of Justice Federal Bureau of Investigation – Central Records System (CRS).
  - *JUSTICE/FBI-002- FBI Central Records System*, February 20, 1998, 64 FR 52343.
- Department of Justice Federal Bureau of Investigation – Fingerprint Identification Records System (FIRS).
  - *JUSTICE/FBI-009–Fingerprint Identification Records System (FIRS)*, September 28, 1999, 64 FR 52347.
- Department of Treasury Financial Management Services Collection Records (Pay.gov).
  - *TREASURY/FMS-017-Collections Records – Treasury/Financial Management Service*, May 15, 2009, 74 FR 23019.

### **2.3 Does the project use information from commercial sources or publicly available data? If so, explain why and how this information is used.**

USCIS ELIS does not currently connect to commercial sources or publicly available data. However, USCIS personnel use commercial sources outside of USCIS ELIS (e.g., LexisNexis or Dun and Bradstreet) to verify information that the Applicant or Co-Applicant provided in support of the benefit requested. If relevant to the case, USCIS personnel input and store notes or data from these commercial sources with the case or account in USCIS ELIS.

### **2.4 Discuss how accuracy of the data is ensured.**

USCIS ELIS records all data changes made in the system in order to make it available for auditing purposes. USCIS ELIS generates a snapshot of all the information before it is submitted for the



Applicant's review. If a Representative drafted the benefit request, USCIS requires the Applicant to electronically sign or physically sign a copy of the snapshot before the Representative submits the benefit request. During the drafting of a benefit request, USCIS provides several reminders for the Applicant or Representative to review information for accuracy before submission. Only the Applicant and his or her Representative may submit information directly to USCIS.

For information that is collected from other DHS components or other federal agencies, USCIS personnel review the information to ensure that it is correct and accurate. Applicants may challenge information during the interview process or the appeals process, if applicable. Before USCIS denies a benefit request for which the opportunity to contest exists, the Applicant is given the opportunity to withdraw without prejudice and re-file or contest the information used to deny the benefit request through a motion to reopen/reconsider or administrative appeal (if available).

## **2.5 Privacy Impact Analysis: Related to Characterization of the Information**

**Privacy Risk:** There is a risk that USCIS may collect more information than is necessary.

**Mitigation:** USCIS developed a detailed process to review what information is necessary to determine an Applicant or Co-Applicant's eligibility for a requested benefit. USCIS reviewed all the data elements that are collected on every available form. This review provided an understanding of common data elements across all form types and allowed for the grouping of information into standard categories for the benefit requests, which include: 1) the Applicant; 2) the benefit being requested; 3) the eligibility for that benefit; 4) the other individuals included in the benefit request; 5) the signatures; and 6) the Preparers and Representatives who assisted with the benefit request process.

All benefit requests processed through USCIS ELIS use these standard sections. Sections 1 and 5 are the same for all benefit requests available in USCIS ELIS. Sections 2 and 3 vary depending on the type of benefit. Section 4 is only completed if multiple people are part of the benefit request. Section 6 must be completed if there is a representative or preparer assisting in the benefit request process.

With the sections of the benefit request standardized, USCIS undertook a review of each data element that was being requested. The information was evaluated against multiple criteria to ensure that it was necessary for the benefit being sought. USCIS reviewed the data to ensure that it would increase processing efficiency, provide better customer service, and ensure the benefit is provided to only those who were qualified to receive it. Data that did not meet these requirements were eliminated from the benefit request. As an example, SSNs will no longer be requested for many benefit types.

**Privacy Risk:** There is a risk that USCIS may collect inaccurate information from the various sources.

**Mitigation:** USCIS collects information primarily from the Applicant or Representative so that the Applicant and Co-Applicant's most current and accurate information is available to USCIS. However, in order to verify the information provided by the Applicant or Representative and perform necessary background and national security checks, USCIS ELIS receives information from other federal systems. USCIS employees may check other sources, including commercial sources, to verify





information provided by the Applicant or Representative. USCIS employees always evaluate and verify information before using it to make a final decision.

Where USCIS collects information from sources other than the Applicant or Representative, USCIS ELIS only retains information if it is relevant to the case. USCIS ELIS discards irrelevant records, such as system query results that pertain to the wrong individual, to prevent USCIS from retaining more information than is necessary.

**Privacy Risk:** There is a risk that USCIS ELIS will make a wrong decision through the SQA.

**Mitigation:** USCIS ELIS's SQA will only be used for simple issues in benefit requests for which no substantive evaluation is needed by USCIS personnel. If an SQA case cannot be approved by the system, the case will be moved to USCIS employees for evaluation and a decision.

## Section 3.0 Uses of the Information

### 3.1 Describe how and why the project uses the information.

USCIS ELIS begins processing benefit requests after they are received through the intake process. USCIS ELIS uses information provided in an Applicant's benefit request, account updates, response to an RFE, through an interview or ASC biometrics collection, and from Automated Background Functions results to:

- Create or update USCIS ELIS accounts and cases;
- Gather any missing information;
- Manage workflow;
- Generate reports;
- Assist USCIS in making a benefit determination;
- Provide a repository of data to assist with future benefit requests;
- Schedule appointments and interviews; and
- Issue decision notices and/or proof of benefit.

USCIS uses and shares this information to verify an Applicant's immigration status and for other purposes related to the immigration process. USCIS also provides this information to DHS and other federal, state, local, and tribal agencies for law enforcement purposes and other uses consistent with the *USCIS ELIS Account and Case Management SORN*.

The two main purposes of collecting this information through USCIS ELIS are to determine the Applicant's and Co-Applicant's eligibility for the requested benefit and to improve customer service.

**Benefit Eligibility:** USCIS collects standardized biographical information to provide a consistent means of analyzing each Applicant's benefit request. USCIS ELIS assists USCIS personnel in flagging issues of eligibility. For instance, if an applicant submitted a benefit request without providing any identity documentation, USCIS ELIS flags the issue for USCIS personnel review. This results in USCIS personnel making a faster, higher quality evaluation of a requested benefit than is possible in the paper-based environment.



**Improved Customer Service:** USCIS is striving to substantially improve its ability to provide excellent customer service. To gather feedback about a user's experience with USCIS ELIS, USCIS may use the email address provided during the submission of a benefit request to email out a link to an anonymous OMB-approved customer satisfaction survey. The email address is not associated with the survey responses, and USCIS does not track or identify whether or not an individual chooses to complete the survey. The survey does not ask for personally identifiable information, only for the user's opinions about their experience with USCIS ELIS. USCIS ELIS also facilitates increased contact with individuals online, via email, text message, or voice call, and improves the quality of communications. By fostering a more communicative relationship between USCIS and the Applicant, USCIS provides better service to the Applicant.

### **3.2 Does the project use technology to conduct electronic searches, queries, or analyses in an electronic database to discover or locate a predictive pattern or an anomaly? If so, state how DHS plans to use such results.**

No. The Account and Case Management process performs queries and searches of electronic databases, but does not create predictive results or discover unknown anomalies. Management reports may be generated to identify trends for efficiency and management purposes, but are not generated to identify predictive patterns or anomalies associated with criminal or terrorist activity. See the *DHS/USCIS/PIA-043 Automated Background Functions (ELIS-3) PIA* for a discussion of the functions used to evaluate potential risks and fraud.

### **3.3 Are there other components with assigned roles and responsibilities within the system?**

Yes. USCIS ELIS shares information with other components within DHS through the Person Centric Query Service (PCQS), which permits a user to query USCIS ELIS and view content. PCQS provides access to other DHS components, including CBP, ICE, US-VISIT, and DHS Office of Inspector General. USCIS ELIS also pushes case status update information to ADIS and SEVIS to assist other DHS components, such as ICE and CBP, in determining a person's immigration status for purposes of admission or obtaining a specific immigration benefit. Employees from these other components must meet the same requirements for access (background checks, privacy and security training, and job functions giving them an official need to know). Pursuant to the OneDHS policy,<sup>8</sup> USCIS shares information in USCIS ELIS with other components of DHS on a case-by-case basis where the component has demonstrated a proper need-to-know. USCIS shares this information consistent with the permitted uses under the Privacy Act, the USCIS ELIS Account and Case Management SORN, and DHS information sharing agreements. Regular internal and external data exchanges are noted above.

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<sup>8</sup> DHS Memorandum "DHS Policy for Internal Information Exchange and Sharing" (February 1, 2007).



## Section 4.0 Notice

### **4.1 How does the project provide Individuals notice prior to the collection of information? If notice is not provided, explain why not.**

USCIS has published several SORNs (see Section 1.2, above) to cover the various collections of information used in USCIS ELIS. Further, USCIS is engaged in on-going public outreach efforts to notify the public about USCIS ELIS and posts updates on [www.uscis.gov/elis](http://www.uscis.gov/elis). USCIS targets outreach efforts to different populations depending on which populations it expects to be impacted by USCIS ELIS releases.

Where USCIS ELIS collects information from other systems, USCIS relies on the notice provided by those systems. USCIS ELIS presents individuals with a Privacy Act Statement as required by Section (e)(3) of the Privacy Act before logging in to USCIS ELIS and before submitting any information. All paper-based USCIS applications include a Privacy Act Statement on the benefit form. The Privacy Act Statement details the authority to collect the information requested, purpose(s) for which the information is intended to be used, routine uses which may be made of the information, and any effects on the individual of not providing the requested information. Lastly, USCIS notifies the individual and obtains their consent before collecting information in person at ASCs or in interviews.

### **4.2 What opportunities are available for Individuals to consent to uses, decline to provide information, or opt out of the project?**

Providing information to USCIS ELIS is a voluntary act on the part of the Applicant. USCIS ELIS informs the Applicant at the point of data collection that it is within his or her right to decline to provide the requested information; however, failure to provide accurate information may delay a final decision or result in denial of the pending benefit request. USCIS ELIS gives Applicants several opportunities to update their accounts or correct information in an interview, if applicable. Once an Applicant has provided information to USCIS ELIS, USCIS may re-use that information for additional authorized compatible purposes without requiring the Applicant to consent to each particular use.

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 and submit their own benefit requests.

### **4.3 Privacy Impact Analysis: Related to Notice.**

**Privacy Risk:** There is a risk that an individual may not be fully aware of the extent of the collections, information sharing, or the potential uses of his or her information.

**Mitigation:** USCIS provides notice to individuals through the publication of SORNs in the Federal Register, this PIA, its public outreach efforts, and information on [www.uscis.gov](http://www.uscis.gov). USCIS notifies individuals via a Privacy Act Statement on all forms and in USCIS ELIS. Before an individual



submits information in USCIS ELIS, he or she must acknowledge that the information provided will be used to create or update accounts, determine eligibility for the requested benefit, and conduct background and security checks.

**Privacy Risk:** There is a risk that Co-Applicants may not consent to or know that USCIS has collected their information because the Applicant consents for Co-Applicants by including the Co-Applicant in the benefit request.

**Mitigation:** This risk is largely mitigated by the fact that Co-Applicants are in many cases the Applicant's dependents who are in close contact with the Applicant. In most cases, the Co-Applicant is married to or the child of the Applicant. USCIS warns Applicants that the information they provide about themselves and any Co-Applicants on a benefit request must be true, accurate and complete. Applicants must attest to the accuracy and completeness about the Co-Applicant's information as part of the submission process. 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 and submit their own benefit requests using the USCIS ELIS account.

## **Section 5.0 Data Retention by the Project**

### **5.1 Explain how long and for what reason the information is retained.**

USCIS is currently working with the National Archives and Records Administration (NARA) to establish and publish the proposed USCIS ELIS records retention schedules.

USCIS ELIS retains information to assist USCIS in making a benefit determination, including using the information as a historical reference to support the evaluation of subsequent benefits sought by an individual. This information also serves as a repository of data to assist the Applicant in completing future benefit requests, verify status, and for litigation purposes. Because these business needs extend well beyond normal records retention requirements, 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.

Prior to deletion from USCIS ELIS, accounts for applicants who currently have A-files and related case snapshots and supporting evidence will be transferred to the custody of the NARA 100 years after the individual's date of birth. Nonimmigrant case information and supporting evidence will be stored for 15 years from last action. U.S. citizen accounts and cases will be moved to internal archives after five years. If the Applicant's or Co-Applicant's account and case have no activity for 15 years, did not present any fraud, national security, or law enforcement issues, and have no pending related cases, USCIS will put the case data in an inactive status until 100 years from date of birth.

Records that are linked to national security, law enforcement, or fraud investigations 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 need for the information as it transitions to a fully electronic environment and may amend its retention plans and schedules as needed.



USCIS ELIS retains other USCIS-generated information concerning a benefit request along with the case, as well as account and case history, which includes when and by whom a record was changed or altered. USCIS ELIS keeps active audit logs recording every system action for 90 days and then archives the audit logs for seven years. 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.

## **5.2 Privacy Impact Analysis: Related to Retention**

**Privacy Risk:** There is a risk that USCIS may retain information longer than is necessary to approve or deny the benefit sought.

**Mitigation:** USCIS retains data beyond the approval or denial of a benefit in order to ensure the information is available for several purposes, including future immigration status verification, evaluating subsequent benefits sought by an Applicant, and for litigation. Many records serve the same purpose as the paper-based A-File, which NARA has determined to be of permanent historical value. Where information is no longer necessary, USCIS will retire it according to the retention period described in the appropriate SORN (see Section 1.2, above).

## **Section 6.0 Information Sharing**

### **6.1 Is information shared outside of DHS as part of the normal agency operations? If so, identify the organization(s) and how the information is accessed and how it is to be used.**

USCIS ELIS automatically shares information with other federal agencies, including the Department of Justice and the Department of State, through the system queries for background checks listed in Section 2.2 above. The *DHS/USCIS/PIA-043 Automated Background Functions (ELIS-3) PIA* contains detailed information about this sharing. USCIS ELIS receives payment confirmation information from the Department of Treasury's Financial Management Services. The Department of State accesses USCIS ELIS through PCQS to assist it in issuing visas.

Certain USCIS ELIS data is ingested into other DHS systems, such as USCIS E-Verify, US-VISIT ADIS, and ICE SEVIS, therefore certain USCIS ELIS data also may be shared via these other DHS systems. USCIS also shares this information on a case-by-case basis with federal, state, tribal, and local agencies consistent with the routine uses published in the USCIS ELIS SORNs in Section 1.2 above.

### **6.2 Describe how the external sharing noted in 6.1 is compatible with the SORN noted in 1.2.**

USCIS ELIS only shares information as permitted under the Routine Uses outlined in the applicable SORNs. USCIS ELIS performs system queries to determine eligibility for the benefit requested. USCIS ELIS shares information with other agencies to assist the receiving agency in



determining a person's immigration status. USCIS ELIS also shares information with other agencies for law enforcement purposes, or other uses compatible with *DHS/USCIS-015 - Electronic Immigration System-2 Account and Case Management SORN*.

### **6.3 Does the project place limitations on re-dissemination?**

Yes. DHS has Memoranda of Understanding (MOU) in place with external organizations whenever there is sharing of information. When sharing information with parties outside of DHS, the same specifications related to security and privacy that are in place for USCIS and DHS apply to the outside entity. Access to records is governed by need-to-know criteria that demand the receiving entity to demonstrate the mission related need for the data before access is granted. The reason for the access, an intended use consistent with the receiving agency's purpose, USCIS's justification for collecting the data, and an acknowledgement that the receiving agency will not share the information without USCIS's permission are also concerns that are included in either the terms of a negotiated MOU or the language of an authorization providing information to an external agency.

### **6.4 Describe how the project maintains a record of any disclosures outside of the Department.**

For data sharing on an ad hoc basis, USCIS requires a representative from the outside agency to establish, in writing, what specific information they need on particular individuals. USCIS also requires the representative to sign a non-disclosure statement before the information is released. USCIS maintains a record of any ad hoc information sharing activities.

### **6.5 Privacy Impact Analysis: Related to Information Sharing**

**Privacy Risk:** There is a risk that USCIS may release more information about an individual than is necessary to support the adjudication of his or her immigration benefit request.

**Mitigation:** This risk is mitigated by the data sharing agreements in place along with the appropriate MOUs. For ad hoc disclosures, USCIS provides only the requested information to prevent any otherwise unauthorized or inappropriate release of information.

## **Section 7.0 Redress**

### **7.1 What are the procedures that allow individuals to access their information?**

Representatives may log into their USCIS ELIS accounts to access information regarding their client case(s) and account; current contact information; draft, pending, and closed benefit requests; and current case statuses. However, Representatives cannot see information in cases for individuals they no longer represent if the Applicant or Representative removes access.



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 and submit their own benefit requests. If the Co-Applicant might be denied a benefit because of information provided by the Applicant in an earlier benefit request, USCIS provides the Co-Applicant with the opportunity to challenge the information during the interview process, appeals process, or through an RFE/Notice of Intent to Deny (NOID), as applicable.

DHS has issued a Final Rule exempting the *DHS/USCIS-015 Electronic Immigration System-2 Account and Case Management System of Records* from certain provisions of the Privacy Act pursuant to 5 U.S.C. § 552a(k)(2).<sup>9</sup> Some information in USCIS ELIS relates to official DHS national security, law enforcement, and immigration activities. The exemptions are required to preclude subjects from compromising an ongoing law enforcement, national security or fraud investigation; to avoid disclosure of investigative techniques; to protect the identities and physical safety of confidential informants and law enforcement personnel; and to ensure DHS's ability to obtain information from third parties and other sources. 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 claims the same exemption for the information obtained from the third-agency records that would be claimed for the original system of records and any authorized additional exemptions in accordance with this rule.

## **7.2 What procedures are in place to allow the subject Individual to correct inaccurate or erroneous information?**

Before the Applicant submits the benefit request, USCIS ELIS provides a snapshot of all the data provided. USCIS ELIS prompts the Applicant or Representative to review the contents of the snapshot prior to final submission. If any changes to the snapshot are needed, the Applicant or Representative has the ability to go back to any portion of the draft benefit request and make the necessary changes. An applicant must always review and electronically or physically sign any benefit request drafted by a Representative.

An Applicant may make certain updates to his or her USCIS ELIS account to correct outdated information. If an Applicant is changing account information that may affect eligibility for a benefit, such as name, gender, date of birth, identity document, or other biographic information, the Applicant must provide evidence or legal documentation showing that the change was authorized. Other information, such as phone numbers, addresses, and notification preferences may be changed without providing supporting evidence. Before the Applicant submits the updated information, USCIS ELIS provides a Privacy Act Statement indicating that USCIS uses the information to update the account and determine eligibility for any pending benefit requests. USCIS ELIS confirms the account changes by sending a notice to the Applicant or Co-Applicant via the Applicant's notification preference (standard mail, email, or SMS text message). If the Applicant or Co-Applicant provides a new email address, USCIS ELIS

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<sup>9</sup> 76 FR 70638 (Nov. 15, 2011).



verifies that email address by sending a confirmation link to the new email address. Once the Applicant or Co-Applicant clicks the link, he or she must provide a second factor authentication, such as answering challenge questions or entering the PIN number sent to his/her mobile phone to complete the change.

USCIS provides opportunities to correct information through the interview process and RFE/NOIDs. If the Applicant is denied the requested benefit, he or she may appeal the decision (if available), file a motion to reopen/reconsider the case, or file a new benefit request as appropriate. 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 access the portion of a benefit request that relates to him or her after the case has been closed.

While some information in USCIS ELIS has been exempted from portions of the Privacy Act of 1974 pursuant to 5 U.S.C. § 552a(k)(2), and records from law enforcement systems will retain their exemptions pursuant to 5 U.S.C. § 552a(j)(2), individuals seeking notification of and access to any record contained in this system of records, or seeking to contest its content, may submit a request in writing to:

National Records Center  
FOIA/PA Office  
P.O. Box 648010  
Lee's Summit, MO 64064-8010

If an individual believes more than one component of DHS maintains Privacy Act records concerning him or her, the individual may submit the request the component's FOIA Officer, whose contact information can be found at: [http://www.dhs.gov/xfoia/editorial\\_0579.shtm](http://www.dhs.gov/xfoia/editorial_0579.shtm) under "contacts," or to the Chief Privacy Officer, Department of Homeland Security, 245 Murray Drive, SW., Building 410, STOP-0550, Washington, DC 20528.

### **7.3 How does the project notify Individuals about the procedures for correcting their information?**

USCIS notifies Applicants about the process for correcting information before submission through warning banners, a pre-submission PDF for review, through the account update features in USCIS ELIS. USCIS informs individuals during the interview process that they may provide or correct information regarding their benefit request. Otherwise, the individual is notified through the publication of the appropriate SORNs and this PIA.

### **7.4 Privacy Impact Analysis: Related to Redress**

**Privacy Risk:** There is a risk that an individual may submit information that is inaccurate and be unable to correct it before a determination is made.

**Mitigation:** USCIS provides several opportunities to correct information before it is submitted (see *USCIS/DHS/PIA-041 Temporary Account and Draft Benefit Request (ELIS-1) PIA*). However, an Applicant or Representative cannot make changes to the benefit request once it has been submitted in USCIS ELIS. Once submitted, the pending benefit request may only be amended at an interview, under oath, before a USCIS adjudicator or through a response to a RFE/NOID.





Applicants, Co-Applicants, and Representatives may correct or amend account and notification information by logging in to USCIS ELIS. This feature allows Applicants to make normal changes in information, including name, relationship, and contact method changes. Applicants and their representatives may also update their information by mailing it to USCIS through the existing paper process.

## **Section 8.0 Auditing and Accountability**

### **8.1 How does the project ensure that the information is used in accordance with stated practices in this PIA?**

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 keep audit logs and account access information by recording the user identification and the date and time of access. USCIS ELIS will keep case and account histories to track who created, deleted, or edited a record and when a change is made.

In accordance with National Institute of Standards and Technology (NIST) controls and OMB requirements, staff and/or administrators of USCIS ELIS conduct a self-assessment of privacy policies and security controls, at least annually, to determine the extent to which policies and controls are implemented correctly, operating as intended, and producing the desired outcome with respect to meeting the privacy and security requirements for the operating environment.

### **8.2 Describe what privacy training is provided to users either generally or specifically relevant to the project.**

All internal USCIS ELIS users, whether federal employees or contractors, must complete annual privacy training to ensure they properly handle PII. DHS personnel, contractors, and vendors with significant security responsibilities (*e.g.*, ISSOs, system administrators) receive initial specialized training, and annual refresher training thereafter, specific to their security and privacy responsibilities. USCIS ELIS incorporates simulated events into incident response training to facilitate effective response by personnel. Staff who are responsible for maintaining USCIS ELIS also train personnel on their incident response roles and responsibilities with respect to the USCIS solution as well as provide refresher training on an annual basis.

USCIS maintains training records including name, position, type of training received, and costs of training. USCIS requires security and privacy awareness training be completed before authorizing internal accounts. Training records are maintained by USCIS.



### **8.3 What procedures are in place to determine which users may access the information and how does the project determine who has access?**

USCIS ensures that all USCIS ELIS employees are trained and agree to USCIS-wide system rules of behavior before being granted access. USCIS provides security awareness training to all information system users (including managers, senior executives, and contractors) as part of initial training for new users, when required by system changes, and annually thereafter. DHS personnel and contractors with significant security responsibilities (*e.g.*, ISSOs, system administrators) receive initial specialized training, and annual refresher training thereafter, specific to their security responsibilities prior to being granted access to DHS systems.

USCIS ELIS has formal documented procedures that establish appropriate divisions of responsibility and separate duties, as needed, to eliminate conflicts of interest in the responsibilities and duties of individuals. The purpose of this segregation of duties is to prevent users from having all of the necessary authority or access to information to perform fraudulent activity absent collusion.

Access controls for USCIS ELIS will follow the principles of least privilege necessary to complete the assigned tasks. USCIS will maintain a list of security functions deployed in hardware, software, and firmware and security-related information. USCIS explicitly authorizes access to that functionality when feasible. In addition, USCIS advises users with privileges to use non-privileged access when accessing functions that do not require privileged access.

USCIS ELIS employees have access to different views and content based on their roles and access privileges. USCIS ELIS will record all employee access along with their activities in USCIS ELIS. USCIS ELIS will limit each user's view to the data required to perform their job function (*e.g.*, adjudicator, supervisor or performance analyst).



## **8.4 How does the project review and approve information sharing agreements, MOUs, new uses of the information, new access to the system by organizations within DHS and outside?**

The USCIS Office of Transformation Coordination - Program Management Office, USCIS Office of Information Technology, USCIS Privacy Office, and USCIS Office of Chief Counsel review all MOUs related to USCIS ELIS.

New uses of information and or new access requests for the system by organizations within DHS and outside agencies go through the USCIS change control process, including assessments of impact, and must be approved by the proper Program Authorities of this process (e.g., USCIS Privacy Office, USCIS Transformation Program Office Change Control Board, USCIS Office of Information Technology, and DHS offices, where applicable.)

### **Responsible Officials**

Donald Hawkins  
Privacy Officer  
U.S. Citizenship and Immigration Services  
Department of Homeland Security

### **Approval Signature**

[Original signed copy on file with the DHS Privacy Office]

Mary Ellen Callahan  
Chief Privacy Officer  
Department of Homeland Security