PRIVACY THRESHOLD ANALYSIS (PTA)

This form serves as the official determination by the DHS Privacy Office to identify the privacy compliance requirements for all Departmental uses of personally identifiable information (PII).

A Privacy Threshold Analysis (PTA) serves as the document used to identify information technology (IT) systems, information collections/forms, technologies, rulemakings, programs, information sharing arrangements, or pilot projects that involve PII and other activities that otherwise impact the privacy of individuals as determined by the Chief Privacy Officer, pursuant to Section 222 of the Homeland Security Act, and to assess whether there is a need for additional Privacy Compliance Documentation. A PTA includes a general description of the IT system, information collection, form, technology, rulemaking, program, pilot project, information sharing arrangement, or other Department activity and describes what PII is collected (and from whom) and how that information is used and managed.

Please complete the attached Privacy Threshold Analysis and submit it to your component Privacy Office. After review by your component Privacy Officer the PTA is sent to the Department's Senior Director for Privacy Compliance for action. If you do not have a component Privacy Office, please send the PTA to the DHS Privacy Office:

Senior Director, Privacy Compliance
The Privacy Office
U.S. Department of Homeland Security
Washington, DC 20528
Tel: 202-343-1717

PIA@hq.dhs.gov

Upon receipt from your component Privacy Office, the DHS Privacy Office will review this form and assess whether any privacy compliance documentation is required. If compliance documentation is required – such as Privacy Impact Assessment (PIA), System of Records Notice (SORN), Privacy Act Statement, or Computer Matching Agreement (CMA) – the DHS Privacy Office or component Privacy Office will send you a copy of the relevant compliance template to complete and return.

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Privacy Threshold Analysis (PTA)

Specialized Template for
Information Collections (IC) and Forms

The Forms-PTA is a specialized template for Information Collections and Forms. This specialized PTA must accompany all Information Collections submitted as part of the Paperwork Reduction Act process (any instrument for collection (form, survey, questionnaire, etc.) from ten or more members of the public). Components may use this PTA to assess internal, component-specific forms as well.

Form Number:	**I-881**

Form Title:	**Application for Suspension of Deportation or Special Rule Cancellation of Removal (Pursuant to Section 203 of Public Law 105-100 (NACARA) here to enter text.**
Component:	U.S. Citizenship and Immigration Services (USCIS)	**RAIO – Asylum Division**

IF COVERED BY THE PAPERWORK REDUCTION ACT:

Collection Title:	Click here to enter text.		
OMB Control Number:	Click here to enter text.	OMB Expiration Date:	Click here to enter a date.
Collection status:	Choose an item.	Date of last PTA (if applicable):	Click here to enter a date.

PROJECT OR PROGRAM MANAGER

Name:	Giacomo A. Picciotto		
Office:	RAIO-Asylum Division	Title:	Asylum officer
Phone:	202-272-1620	Email:	Giacomo.a.picciotto@uscis.dhs.gov

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COMPONENT INFORMATION COLLECTION/FORMS CONTACT

Name:	Giacomo A. Picciotto/Cynthia J. Beauchamps		
Office:	USCIS RAIO-Asylum Division	Title:	Asylum officer
Phone:	202-272-1620	Email:	Giacomo.a.picciotto@uscis.dhs.gov

SPECIFIC IC/Forms PTA QUESTIONS

1. Purpose of the Information Collection or Form
a. Describe the purpose of the information collection or form. *Please provide a general description of the project and its purpose, including how it supports the DHS mission, in a way a non-technical person could understand (you may use information from the Supporting Statement).*   *If this is an updated PTA, please specifically describe what changes or upgrades are triggering the update to this PTA.*

Form I-881 Application for Suspension of Deportation or Special Rule Cancellation of Removal (Pursuant to Section 203 of Public Law 105-100 (NACARA) here to enter text

The PTA expired and requires an update. **No changes have been made to Form I-881, the Form, or the Instructions.**
The purpose of this form is to provide a means for eligible aliens to apply for suspension of deportation of special rule cancellation of removal under section 203 of Public Law 105-100, the Nicaraguan Adjustment and Central American Relief Act (NACARA 203).

The form is intended for:

1. Nationals of El Salvador or Guatemala;
2. Nationals (on December 31, 1991) of Soviet Union, Russia, any Republic of the former Soviet Union (including Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan), Latvia, Estonia, Lithuania, Poland, Czechoslovakia, Romania, Hungary, Bulgaria, Albania, East Germany (German Democratic Republic), Yugoslavia, or any former state of Yugoslavia (including Bosnia and Herzegovina, Croatia, Kosovo, Macedonia, Montenegro, Slovenia, and Serbia); or

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3. Spouses, children or unmarried son/daughter of one of the nationals described above (in addition to other various requirements). Certain individuals who have been battered or subjected to extreme cruelty, can also use this form if they meet the other various requirements.

Information from the form is entered in the Refugees, Asylum and Parole System (RAPS). The form is placed in the Alien File and is forwarded to a USCIS Asylum Office for interview and adjudication. If the applicant is ineligible, the form is referred to the Department of Justice, Executive Office for Immigration Review, for further review.

b. List the DHS (or component) authorities to collect, store, and use this information. *If this information will be stored and used by a specific DHS component, list the component-specific authorities.*	

The authority to collect information in this form is set forth in the Immigration and Nationality Act, 8 U.S.C. §§ 1103, 1158, 1225, 1228, and Title II of Public Law 105-100 and in the implementing regulations found in volume 8 of the Code of Federal Regulations (CFR).

2. Describe the IC/Form	
a. Does this form collect any Personally Identifiable Information" (PII[1])?	☒ Yes ☐ No

b. From which type(s) of individuals does this form collect information? (*Check all that apply*.)	☒ Members of the public
	     ☒ U.S. citizens or lawful permanent residents
	     ☒ Non-U.S. Persons.
	 ☐ DHS Employees
	 ☐ DHS Contractors
	 ☐ Other federal employees or contractors.

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[1] Personally identifiable information means any information that permits the identity of an individual to be directly or indirectly inferred, including any other information which is linked or linkable to that individual regardless of whether the individual is a U.S. citizen, lawful permanent resident, visitor to the U.S., or employee or contractor to the Department.

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c.	Who will complete and submit this form? (*Check all that apply*.)	☒ The record subject of the form (e.g., the individual applicant). ☒ Legal Representative (preparer, attorney, etc.). ☐ Business entity. If a business entity, is the only information collected business contact information? ☐ Yes ☐ No ☐ Law enforcement. ☐ DHS employee or contractor. ☐ Other individual/entity/organization **that is NOT the record subject**. *Please describe*. Click here to enter text.
d.	How do individuals complete the form? *Check all that apply.*	☒ Paper. ☐ Electronic. (ex: fillable PDF) ☐ Online web form. (available and submitted via the internet) *Provide link:*
e.	What information will DHS collect on the form? *List all PII data elements on the form. If the form will collect information from more than one type of individual, please break down list of data elements collected by type of individual.*	

Public

The form collects an individual's: Alien Number, Complete Name, Aliases, Complete Address, Date of Birth, Place of Birth, Social Security Number, Gender, Citizenship, Home Phone Number, Past residences addresses and dates of residing, U.S. entry date(s), Port(s) of entry, Status upon entry(ies), Name used on first entry, period(s) admitted, change(s) of status, date(s) of status change, port(s) of departure, date(s) of departure, reason for traveling pertaining to each departure, destination, status at entry, inspection results, immigration deportation/removal information, information about presence in the U.S., financial status and employment information, marital status/spouse information,

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information about child(ren), information about parent(s) and information about applicant's habits/lifestyle.

Preparer/Attorney (see comment 2c): Attorney State License Number. Signature, name, telephone number and complete address of the person who prepared the application.

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f. Does this form collect Social Security number (SSN) or other element that is stand-alone Sensitive Personally Identifiable Information (SPII)? *Check all that apply.*

☒ Social Security number

☒ Alien Number (A-Number)

☐ Tax Identification Number

☒ Visa Number

☒ Passport Number

☐ Bank Account, Credit Card, or other financial account number

☐ Other. *Please list:*

☐ DHS Electronic Data Interchange Personal Identifier (EDIPI)

☐ Social Media Handle/ID

☐ Known Traveler Number

☐ Trusted Traveler Number (Global Entry, Pre-Check, etc.)

☐ Driver's License Number

☐ Biometrics

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g. List the ***specific authority*** to collect SSN or these other SPII elements.

Immigration and Nationality Act, 8 U.S.C. §§ 1103, 1158, 1225, 1228, and Title II of Public Law 105-100 and in the implementing regulations found in volume 8 of the Code of Federal Regulations (CFR).

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h. How will this information be used? What is the purpose of the collection? Describe ***why*** this collection of SPII is the minimum amount of information necessary to accomplish the purpose of the program.

The SSN information and other SPII elements are collected within the form I-881 application is used to assist the DHS in establishing eligibility for the benefit being sought, as well as enforcing the immigration laws of the United States by providing timely and accurate information about persons who are subject to those laws. The SSN is used to verify the identity of the applicant and dependents.

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i. Are individuals provided notice at the time of collection by DHS (*Does the records subject have notice of the collection or is form filled out by third party*)?	☒ Yes. Please describe how notice is provided. A Privacy Act Statement is provided with the form instructions. ☐ No.

3.	**How will DHS store the IC/form responses?**

a. How will DHS store the original, completed IC/forms?	☒ Paper. Please describe.
	
	    The paper application will be housed in the applicant's A-File.
	☒ Electronic. Please describe the IT system that will store the data from the form.
	
	    Some information is entered in the Refugee, Asylum and Parole System (RAPS), a System of Records database
	☐ Scanned forms (completed forms are scanned into an electronic repository). Please describe the electronic repository.
	
	    Click here to enter text.

b. If electronic, how does DHS input the responses into the IT system?	☒ Manually (data elements manually entered). Please describe.
	
	    Upon receipt of the application, some information is typed-in and entered in the Refugee, Asylum and Parole System (RAPS), a system of records database.
	☐ Automatically. Please describe.
	
	    Click here to enter text.

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c.	How would a user search the information submitted on the forms, *i.e.*, how is the information retrieved?	☒ By a unique identifier.[2] *Please describe.* If information is retrieved by personal identifier, please submit a Privacy Act Statement with this PTA. If the applicant doesn't already have an A-File Number assigned at time of application, an A-File number is assigned upon receipt of Form I-881. The A-File is stored in an electronically trackable location and retrieved when needed. The information may be retrieved by A-Number in NFTS, RAPS, or A-Number, name and date of birth in RAPS. ☐ By a non-personal identifier. *Please describe.* Click here to enter text.
d.	What is the records retention schedule(s)? *Include the records schedule number.*	As directed by File Plan. The form is placed into the A-File and becomes a permanent part of the file. It's under the RAPS system schedule under the Inputs section. You can review the schedule via the link below. **https://www.archives.gov/records-mgmt/rcs/schedules/departments/department-of-homeland-security/rg-0563/n1-563-04-006_sf115.pdf** DISPOSITION: a. Electronic records. TEMPORARY. Destroy/Delete after the data has been transferred to the master file and verified. b. Paper records, Form 1-589 "Application for Asylum and Withholding or Removal," and Form 1-881, "Application for Suspension of Deportation or Special Rule Cancellation." Place in the applicant's A-File. DISPOSITION:

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[2] Generally, a unique identifier is considered any type of "personally identifiable information," meaning any information that permits the identity of an individual to be directly or indirectly inferred, including any other information which is linked or linkable to that individual regardless of whether the individual is a U.S. citizen, lawful permanent resident, visitor to the U.S., or employee or contractor to the Department.

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		a. Complete system. Restrictions per 5 U.S.C. 552(b)(3) PERMANENT. Copy data offline annually after case is closed. Transfer to the National Archives after 25 years in accordance with 36 CFR 1228.270. Public access restricted for 75 years after close of case. Public use version. Consists of redacted copy of item 2a with personal identifiers removed. PERMANENT. Copy data offline annually after case is closed. Transfer to the National Archives after 25 years in accordance with 36 CFR 1228.270. Note: The redacted version becomes obsolete when the unredacted version becomes public.
e.	How do you ensure that records are disposed of or deleted in accordance with the retention schedule?	The system owner is responsible for ensuring the records are deleted in accordance with the approved records retention schedule.

f.	Is any of this information shared outside of the original program/office? *If yes, describe where (other offices or DHS components or external entities) and why. What are the authorities of the receiving party?*

☒ Yes, information is shared with other DHS components or offices. Please describe. **If the benefit application is not granted, USCIS lacks authority to deny it and the application is referred to the Executive Office for Immigration Review, an agency of the Department of Justice, for an immigration judge to determine if it should be approved or denied. At that time, a copy of the application is shared with DHS - Immigration and Customs Enforcement, the agency charged with representing DHS in proceedings before the immigration judge.**

☒ Yes, information is shared *external* to DHS with other federal agencies, state/local partners, international partners, or non-governmental entities. Please describe.

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The information may be shared with law enforcement agencies in the context of a criminal investigation, or prosecution.

☐ No. Information on this form is not shared outside of the collecting office.

Please include <u>a copy of the referenced form and Privacy Act Statement</u> (if applicable) with this PTA upon submission.

PRIVACY THRESHOLD REVIEW

(TO BE COMPLETED BY COMPONENT PRIVACY OFFICE)

Component Privacy Office Reviewer:	**Kim Mott**
Date submitted to component Privacy Office:	**December 20, 2016**
Date submitted to DHS Privacy Office:	**December 21, 2016**
Have you approved a Privacy Act Statement for this form? (*Only applicable if you have received a waiver from the DHS Chief Privacy Officer to approve component Privacy Act Statements.*)	☐ Yes. Please include it with this PTA submission. ☒ No. Please describe why not. PAS is currently in review with OCC.

Component Privacy Office Recommendation:
Please include recommendation below, including what existing privacy compliance documentation is available or new privacy compliance documentation is needed.

Form I-881, Application for Suspension of Deportation or Special Rule Cancellation of Removal (Pursuant to Section 203 of Public Law 105-100, NACARA)

The form collects an individual's: Alien Number, Complete Name, Aliases, Complete Address, Date of Birth, Place of Birth, Social Security Number, Gender, Citizenship, Home Phone Number, Past residences addresses and dates of residing, U.S. entry date, Port of entry, Status upon entry, Name when entering on first entry, period admitted, change of status, date of status change, port of departures, departures date, reason for traveling, destination, status at entry, inspection results, immigration deportation/removal information, information about your presence in the U.S., Financial status and employment information, marital status/spouse information, information about child(ren), information about parent(s) and information about applicants habits/lifestyle.

USCIS recommend coverage under:
- [DHS/USCIS/PIA-027(b) Refugee, Asylum, and Parole System (RAPS) and the Asylum Pre-Screening System (APSS) Update](#)
- [DHS/USCIS-010 Asylum Information and Pre-Screening System of Records](#)

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- Form will require a Privacy Act (e)(3) Statement

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PRIVACY THRESHOLD ADJUDICATION

(TO BE COMPLETED BY THE DHS PRIVACY OFFICE)

DHS Privacy Office Reviewer:	**Max Binstock**
PCTS Workflow Number:	**1136553**
Date approved by DHS Privacy Office:	December 28, 2016
PTA Expiration Date	December 28, 2019

DESIGNATION

Privacy Sensitive IC or Form:	**Yes If "no" PTA adjudication is complete.**
Determination:	☐ PTA sufficient at this time. ☐ Privacy compliance documentation determination in progress. ☐ New information sharing arrangement is required. ☐ DHS Policy for Computer-Readable Extracts Containing SPII applies. ☐ Privacy Act Statement required. ☒ Privacy Impact Assessment (PIA) required. ☒ System of Records Notice (SORN) required. ☐ Specialized training required. ☐ Other. Click here to enter text.
DHS IC/Forms Review:	DHS PRIV has not received this ICR/Form.
Date IC/Form Approved by PRIV:	Click here to enter a date.
IC/Form PCTS Number:	Click here to enter text.
Privacy Act Statement:	**New e(3) statement is required.** Click here to enter text.
PTA:	**New system PTA required.** Click here to enter text.
PIA:	**System covered by existing PIA** If covered by existing PIA, please list:

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	If a PIA update is required, please list: DHS/USCIS/PIA-027 Refugee, Asylum, and Parole System (RAPS) and the Asylum Pre-Screening System (APSS) Update
SORN:	**System covered by existing SORN** If covered by existing SORN, please list: DHS/USCIS-010 Asylum Information and Pre-Screening System of Records If a SORN update is required, please list: Click here to enter text.

DHS Privacy Office Comments:
Please describe rationale for privacy compliance determination above.

USCIS is submitting this PTA to document Form I-881, which provides a means for eligible aliens to apply for suspension of deportation of special rule cancellation of removal under section 203 of Public Law 105-100, the Nicaraguan Adjustment and Central American Relief Act (NACARA 203).

PRIV finds that is a privacy sensitive system and a PIA is required because Form I-881 collects PII from members of the public. PRIV finds that the forthcoming re-write to the RAPS APSS PIA (the Asylum Program PIA), will provide significant coverage. DHS/USCIS/PIA-027 and the forthcoming Asylum Program PIA cover this this form and discusses its relation to the asylum program.

PRIV finds that a SORN is required because Form I-881 retrieves information by a unique identifier. PRIV agrees with USCIS Privacy that the Asylum Information and Pre-Screening SORN provides coverage. DHS/USCIS-010 covers information stored in physical documents and supplemental documentation in the Alien File and processes asylum, NACARA and follow-to-join applications, and credible fear or reasonable fear determinations in the respective case management system.

Final SORN coverage will be determined during the Asylum Program PIA re-write.