



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.



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-612

Form Title: Application for Waiver of the Foreign Residence Requirement (Under Section 212(e) of the INA, as Amended)

Component: U.S. Citizenship and Immigration Services (USCIS) **Office:** **Service Center Operations**

IF COVERED BY THE PAPERWORK REDUCTION ACT:

Collection Title: [Click here to enter text.](#)

OMB Control Number:	1615-0030	OMB Expiration Date:	March 31, 2017
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Collection status:	Revision	Date of last PTA (if applicable):	September 17, 2013
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PROJECT OR PROGRAM MANAGER

Name: Angela Lyons

Office: SCOPS **Title:** Adjudications Officer

Phone: 202.272.1585 **Email:** angela.r.lyons@uscis.dhs.gov

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COMPONENT INFORMATION COLLECTION/FORMS CONTACT

Name: John Ramsay



Office:	PRA Compliance	Title:	PRA Project Compliance Manager
Phone:	202.272.8664	Email:	John.R.Ramsay@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.

The Form I-612, Application for Waiver of the Foreign Residence Requirement (Under Section 212(e) of the INA, as Amended) (OMB No. 1615-0030) expires March 31, 2017 and is scheduled to undergo an Information Collection Revision. The form and instructions are scheduled for non-substantive plain language updates to include Standard Language required by Office of Management and Budget (OMB). USCIS continues to use the USCIS ELIS Account Number to verify whether the applicant has an existing USCIS ELIS account.

To be eligible to apply for an immigrant visa or for lawful permanent residence in the United States, certain J-1 and J-2 exchange visitors must reside and be physically present in the country of their citizenship or nationality or last foreign residence for at least two years following departure from the United States. Form I-612 provides eligible J-1 and J-2 visa holders the opportunity to apply for a waiver of this requirement.

PII collected from the applicant and the applicant's spouse and or children includes: name; date of birth; mailing address; telephone number; e-mail address; zip code; mother's maiden name; A number; country of citizenship or nationality; country of last foreign residence; naturalization certificate number; alias(es); if living abroad, last address in the U.S.; Place of Birth; marital status; exchange program information; occupation; arrival/departure information; signature . The information is used to accurately identify the applicant so we can review the applicant's status, to confirm that the applicant is subject to the 2 year foreign residency requirement, and to verify that the applicant's spouse and or child is a LPR/USC as the waiver's qualifying extreme hardship is to the applicant's LPR/USC spouse or child.



Preparer PII includes: name, address, phone number, email address, business or organization name, and signature.

Interpreter PII includes: name, address, phone number, email address, business or organization name, and signature.

- 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.*

Section 212€ of the INA, as Amended.

2. Describe the IC/Form	
a. Does this form collect any Personally Identifiable Information” (PII ¹)?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. From which type(s) of individuals does this form collect information? (Check all that apply.)	<input checked="" type="checkbox"/> Members of the public <ul style="list-style-type: none"> <input checked="" type="checkbox"/> U.S. citizens or lawful permanent residents <input checked="" type="checkbox"/> Non-U.S. Persons. <input type="checkbox"/> DHS Employees <input type="checkbox"/> DHS Contractors <input type="checkbox"/> Other federal employees or contractors.
c. Who will complete and submit this form? (Check all that apply.)	<input checked="" type="checkbox"/> The record subject of the form (e.g., the individual applicant). <input checked="" type="checkbox"/> Legal Representative (preparer, attorney, etc.). <input type="checkbox"/> Business entity. If a business entity, is the only information collected business contact information? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Law enforcement.

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.



	<input type="checkbox"/> DHS employee or contractor. <input type="checkbox"/> Other individual/entity/organization that is NOT the record subject. <i>Please describe.</i> Click here to enter text.
<p>d. How do individuals complete the form? <i>Check all that apply.</i></p>	<input type="checkbox"/> Paper. <input checked="" type="checkbox"/> Electronic. (ex: fillable PDF) <input type="checkbox"/> Online web form. (available and submitted via the internet) <i>Provide link:</i>
<p>e. What information will DHS collect on the form? <i>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.</i></p>	
<p>The current version of Form I-612 asks for:</p> <ul style="list-style-type: none"> a. Name of lawful permanent resident alien spouse or child b. Alien Registration Number (A-Number) c. Date of adjustment to lawful permanent resident (mm/dd/yyyy) d. Location where your spouse or child became a lawful permanent resident e. Basis (preference category) for adjusting to lawful permanent resident <p>PII collected from the applicant and the applicant’s spouse and or children includes: name; date of birth; mailing address; telephone number; e-mail address; zip code; mother’s maiden name; A number; country of citizenship or nationality; country of last foreign residence; naturalization certificate number; alias(es); if living abroad, last address in the U.S.; Place of Birth; marital status; exchange program information; occupation; arrival/departure information; signature . The information is used to accurately identify the applicant so we can review the applicant’s status, to confirm that the applicant is subject to the 2 year foreign residency requirement, and to verify that the applicant’s spouse and or child is a LPR/USC as the waiver’s qualifying extreme hardship is to the applicant’s LPR/USC spouse or child.</p> <p>Interpreter PII includes: name, address, phone number, email address, business or organization name, and signature.</p> <p>Preparer PII includes: name, address, phone number, email address, business or organization name, and signature.</p>	



<p>f. Does this form collect Social Security number (SSN) or other element that is stand-alone Sensitive Personally Identifiable Information (SPII)? <i>Check all that apply.</i></p>	
<input type="checkbox"/> Social Security number <input checked="" type="checkbox"/> Alien Number (A-Number) <input type="checkbox"/> Tax Identification Number <input type="checkbox"/> Visa Number <input type="checkbox"/> Passport Number <input type="checkbox"/> Bank Account, Credit Card, or other financial account number <input checked="" type="checkbox"/> Other. <i>Please list:</i> USCIS Online Account Number	<input type="checkbox"/> DHS Electronic Data Interchange Personal Identifier (EDIPI) <input type="checkbox"/> Social Media Handle/ID <input type="checkbox"/> Known Traveler Number <input type="checkbox"/> Trusted Traveler Number (Global Entry, Pre-Check, etc.) <input type="checkbox"/> Driver's License Number <input checked="" type="checkbox"/> Biometrics, if required. (signature)
<p>g. List the specific authority to collect SSN or these other SPII elements.</p> <p>INA 264(f) (8 U.S.C. 1304(f)) provides the Secretary of Homeland Security with the specific authority to collect information from those applying for immigration benefits.</p>	
<p>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.</p> <p>USCIS personnel conduct background security checks on applicants for the purpose of determining whether the applicant has established eligibility for the benefit requested. Because the I-612 is typically a non-interview, paper-based adjudication, the data collected is especially useful and provides significant information to verify an applicant's identity and his/her claim to eligibility: providing a critical tool for more accurate and appropriate adjudication determinations for USCIS and the applicant.</p>	
<p>i. Are individuals provided notice at the time of collection by DHS (<i>Does the records subject have notice of the collection or is</i></p>	<input checked="" type="checkbox"/> Yes. Please describe how notice is provided. A Privacy Act Statement is provided on the form instructions. <input type="checkbox"/> No.



<i>form filled out by third party)?</i>	
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3. How will DHS store the IC/form responses?	
a. How will DHS store the original, completed IC/forms?	<input type="checkbox"/> Paper. Please describe. Click here to enter text. <input checked="" type="checkbox"/> Electronic. Please describe the IT system that will store the data from the form. CLAIMS 3 <input type="checkbox"/> 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?	<input checked="" type="checkbox"/> Manually (data elements manually entered). Please describe. Data elements required are prompted by the CLAIMS receipting screen for the specific application/petition type. Relating files, such as family members or group members, are bundled together. CLAIMS will automatically search for and request any existing file on the applicant. Cases not requiring a new or requested "A" file are forwarded prior to adjudication immediately after data entry. <input type="checkbox"/> Automatically. Please describe.
c. How would a user search the information submitted on the forms, <i>i.e.</i> , how is the	<input checked="" type="checkbox"/> By a unique identifier. ² <i>Please describe.</i> If information is retrieved by personal identifier, please submit a Privacy Act Statement with this PTA. Records retrieved by name, A number, date and country of birth

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.



information retrieved?	<input type="checkbox"/> By a non-personal identifier. <i>Please describe.</i> Click here to enter text.
d. What is the records retention schedule(s)? <i>Include the records schedule number.</i>	Five years. The record schedule number is N1-85-96-01
e. How do you ensure that records are disposed of or deleted in accordance with the retention schedule?	The Form is processed in CLAIMS 3. The form is not typically added to an A file. The form is typically sent for short term storage at Harrisonburg and then destroyed after its retention period is over.
f. Is any of this information shared outside of the original program/office? <i>If yes, describe where (other offices or DHS components or external entities) and why. What are the authorities of the receiving party?</i>	
<input type="checkbox"/> Yes, information is shared with other DHS components or offices. Please describe. Click here to enter text. <input checked="" type="checkbox"/> Yes, information is shared <i>external</i> to DHS with other federal agencies, state/local partners, international partners, or non-governmental entities. Please describe. Form I-612 applications filed overseas are accessible to Department of State consular Officers. <input type="checkbox"/> No. Information on this form is not shared outside of the collecting office.	





**Homeland
Security**

Privacy Office
U.S. Department of Homeland Security
Washington, DC 20528
202-343-1717, pia@hq.dhs.gov
www.dhs.gov/privacy

Please include a copy of the referenced form and Privacy Act Statement (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:	March 8, 2017
Date submitted to DHS Privacy Office:	Click here to enter a date.
Have you approved a Privacy Act Statement for this form? <i>(Only applicable if you have received a waiver from the DHS Chief Privacy Officer to approve component Privacy Act Statements.)</i>	<input type="checkbox"/> Yes. Please include it with this PTA submission. USCIS Office of Privacy developed a Privacy Act Statement and is seeking program and OCC approval. <input type="checkbox"/> No. Please describe why not. Click here to enter text.
Component Privacy Office Recommendation: <i>Please include recommendation below, including what existing privacy compliance documentation is available or new privacy compliance documentation is needed.</i>	
<p>The Form I-612, Application for Waiver of the Foreign Residence Requirement (Under Section 212(e) of the INA, as Amended) (OMB No. 1615-0030) expires March 31, 2017 and is scheduled to undergo an Information Collection Revision. The form and instructions are scheduled for non-substantive plain language updates to include Standard Language required by Office of Management and Budget (OMB). USCIS continues to use the USCIS ELIS Account Number to verify whether the applicant has an existing USCIS ELIS account.</p> <p>To be eligible to apply for an immigrant visa or for lawful permanent residence in the United States, certain J-1 and J-2 exchange visitors must reside and be physically present in the country of their citizenship or nationality or last foreign residence for at least two years following departure from the United States. Form I-612 provides eligible J-1 and J-2 visa holders the opportunity to apply for a waiver of this requirement.</p>	



The information is used to accurately identify the applicant so we can review the applicant's status, to confirm that the applicant is subject to the 2 year foreign residency requirement, and to verify that the applicant's spouse and or child is a LPR/USC as the waiver's qualifying extreme hardship is to the applicant's LPR/USC spouse or child.

The Office of Privacy recommends this is a privacy sensitive form with coverage under existing PIA and SORN.

PIA

- DHS/USCIS/PIA-016(a) Computer Linked Application Information Management System (CLAIMS 3) and Associated Systems, March 16, 2016 since this is where information is stored.

SORN

- DHS/USCIS-007 Benefits Information System, October 19, 2016, 81 FR 72069, since the purpose of this system is to permit USCIS' collection, use, maintenance, dissemination, and storage of paper and electronic benefit request information, including case processing and decisional data not included in the A-File SORN (DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records, November 21, 2013, 78 FR 69864). These records assist in the processing of immigrant and nonimmigrant benefit requests from the time when USCIS collects the information from the benefit requestor until the case reaches a final decision in the relevant case management system



PRIVACY THRESHOLD ADJUDICATION

(TO BE COMPLETED BY THE DHS PRIVACY OFFICE)

DHS Privacy Office Reviewer:	Max Binstock
PCTS Workflow Number:	1140092
Date approved by DHS Privacy Office:	March 14, 2017
PTA Expiration Date	March 14, 2020

DESIGNATION

Privacy Sensitive IC or Form:	Yes If "no" PTA adjudication is complete.
Determination:	<input type="checkbox"/> PTA sufficient at this time. <input type="checkbox"/> Privacy compliance documentation determination in progress. <input type="checkbox"/> New information sharing arrangement is required. <input type="checkbox"/> DHS Policy for Computer-Readable Extracts Containing SPII applies. <input checked="" type="checkbox"/> Privacy Act Statement required. <input checked="" type="checkbox"/> Privacy Impact Assessment (PIA) required. <input checked="" type="checkbox"/> System of Records Notice (SORN) required. <input type="checkbox"/> Specialized training required. <input type="checkbox"/> Other. Click here to enter text.
DHS IC/Forms Review:	DHS PRIV has approved 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



	<p>If covered by existing PIA, please list: DHS/USCIS/PIA-016(a) Computer Linked Application Information Management System (CLAIMS 3) and Associated Systems</p> <p>If a PIA update is required, please list: Click here to enter text.</p>
<p>SORN:</p>	<p>System covered by existing SORN</p> <p>If covered by existing SORN, please list: DHS/USCIS-007 Benefits Information System, October 19, 2016, 81 FR 72069; DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records, November 21, 2013, 78 FR 69864</p> <p>If a SORN update is required, please list: Click here to enter text.</p>
<p>DHS Privacy Office Comments: <i>Please describe rationale for privacy compliance determination above.</i></p>	
<p>USCIS Privacy is submitting this PTA because Form I-612 provides eligible J-1 and J-2 visa holders the opportunity to apply for a waiver of the requirement to reside and be physically present in the country of their citizenship or nationality or last foreign residence for at least two years following departure from the United States.</p> <p>PRIV finds that is a privacy sensitive system and a PIA is required because Form I-612 collects PII from members of the public. PRIV agrees with USCIS Privacy that the CLAIMS 3 PIA provides coverage. DHS/USCIS/PIA-016(a) discusses the processing of this form in CLAIMS 3.</p> <p>PRIV finds that a SORN is required because Form I-612 retrieves information by a unique identifier. PRIV agrees with USCIS Privacy that the BIS SORN and A-File SORN provide coverage. DHS/USCIS-007 covers USCIS' collection, use, maintenance, dissemination, and storage of benefit request information, including case processing and decisional data not included in the A-file. DHS/USCIS/ICE/CBP-001 covers the paper and electronic copy A-File and/or Receipt File, supplemental forms, supplemental evidence, and identity history summaries (formally known as RAP sheets), but does not include all case processing and decisional data.</p> <p>PRIV also finds that a PAS is required because Form I-612 asks persons to provide personal information about themselves, which will go into a system of records.</p>	