

### 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-20		
Form Title:	Certificate of Eligibility for Nonimmigrant Student Status		
Component:	Immigration and	Office:	Student & Exchange
	Customs Enforcement Visitor Program (SEVP)		
	(ICE)		

#### IF COVERED BY THE PAPERWORK REDUCTION ACT:

<b>Collection Title:</b>	Certificate of Eligibility for Nonimmigrant Student Status		
OMB Control	1653-0038	OMB Expiration	March 31, 2018
Number:		Date:	
Collection status:	Revision	Date of last PTA (if	N/A
		applicable):	

### PROJECT OR PROGRAM MANAGER

Name:	Ezequiel Vasquez		
Office:	Student and Exchange	Title:	Project Lead
	Visitor Program (SEVP)		
Phone:	+(703) 603-3469	Email:	Ezequiel.vasquez@ice.dhs.gov

### COMPONENT INFORMATION COLLECTION/FORMS CONTACT

Name:	Scott Elmore		
Office:	ICE OCIO	Title:	ICE Forms Manager
Phone:	+2027322601	Email:	Scott.A.Elmore@ice.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.

DHS Form I-20, "Certificate of Eligibility for Nonimmigrant Student Status," OMB Control No. 1653-0038, is used to determine eligibility for F<sup>1</sup> and M<sup>2</sup> nonimmigrant student status and benefits. Also, nonimmigrant students must provide a Form I-20 for any eligible dependents that they plan on bringing to the United States.

In order to study in the United States, a nonimmigrant student must first apply to an SEVP-certified school in the United States and be accepted by that school. Once a nonimmigrant student is accepted into a SEVP-certified school, the respective school enters the nonimmigrant's data per the Form I-20 via the Student and Exchange Visitor Information System (SEVIS). The school official then issues that nonimmigrant student with a copy of the completed Form I-20, otherwise known as a Certificate of Eligibility (COE). The nonimmigrant student is then responsible to verify that the information is correct and to use that COE to complete the following tasks:

- **1.** Pay the I-901 SEVIS Fee: Prior to entering the United States, a completed Form I-20 is necessary to pay the I-901 SEVIS fee.
- **2.** Apply for nonimmigrant visa: Prior to entering the United States, Form I-20 lists the program start date. Nonimmigrant students may enter the United States 30 days prior to this date.
- **3.** Enter the United States: Form I-20 must be presented to the U.S. Customs and Border Protection at the port of entry.
- **4.** <u>Change of status to F or M while in United States:</u> Nonimmigrant students must provide Form I-20 when applying to USCIS to change status to F or M.
- **5.** Apply for benefits: Nonimmigrant students may need to present Form I-20 to apply for a driver's license, social security number, or other benefits.

At this time, nonimmigrant students with practical training can verify and update some of the information collected using Form I-20 through the SEVP Portal, a SEVIS subsystem. Information that is entered in SEVP Portal directly updates the nonimmigrant student's SEVIS record. Details related to SEVP Portal are laid out in the DHS/ICE/PIA-001(c) Student and Exchange and Visitor Information System (SEVIS) PIA.

Form I-20 is being reviewed and revised.

1

<sup>&</sup>lt;sup>1</sup> F Students: Form I-20, "Certificate of Eligibility for Nonimmigrant Student Status – For Academic and Language Students."

<sup>&</sup>lt;sup>2</sup> M Students: Form I-20, "Certificate of Eligibility for Nonimmigrant Student Status – For Vocational Students."



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.* 

Authority for collecting Form I-20 information as follows:

- 1. Section 641 of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996 (codified at 8 U.S.C. 1372), Public Law 104-208;
- 2. Public Law 107-56, U.S.A. PATRIOT Act;
- 3. 8 U.S.C. 1372;
- 4. Homeland Security Presidential Directive-2 (HSPD 2, Combating Terrorism Through Immigration Policies), as amended by HSPD-5, Management of Domestic Incidents, Compilation of HSPDs);
- 5. 8 CFR 214.2(f)(10)-(12); and
- **6.** 8 CFR 274a.12(b)(6)(iv).

2.	Describe the IC/Form	
a.	Does this form collect any Personally Identifiable	⊠ Yes □ No
	Information" (PII <sup>3</sup> )?	
b.	From which type(s) of	
	individuals does this form	☑ U.S. citizens or lawful permanent
	collect information?	residents
	(Check all that apply.)	⊠ Non-U.S. Persons.
		☐ DHS Employees
		☐ DHS Contractors
		$\square$ Other federal employees or contractors.
C.	Who will complete and	oxtimes The record subject of the form (e.g., the
	submit this form? (Check	individual applicant). Updates Form I-20
	all that apply.)	information inputted by the school official in
		SEVIS.
		$\square$ Legal Representative (preparer, attorney,
		etc.).
		$\square$ Business entity.

Privacy Threshold Analysis - IC/Form

<sup>&</sup>lt;sup>3</sup> 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.



	If a business entity, is the only	
	information collected business contact	
	information?	
	□ Yes	
	□ No	
	$\square$ Law enforcement.	
	☐ DHS employee or contractor.	
	oxtimes Other individual/entity/organization <b>that is</b>	
	NOT the record subject.	
	School official inputs the information requested by	
	the Form I-20 into SEVIS.	
d. How do individuals	☐ Paper. (See attached. See Appendix A)	
complete the form? <i>Check</i>	☐ Electronic. (ex: fillable PDF)	
all that apply.	$oxtimes$ Online web form. $^4$ (available and submitted	
	via the internet)	
	Access via SEVIS and SEVP Portal	
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 da	ta elements collected by type of individual.	
Below are links that outline all the	e information collected under Form I-20 via SEVIS.	
	hs.gov/sevis-help-hub/student-records	
	hs.gov/sevis-help-hub/student-records/certificates-of-	
eligibility		
<ul> <li>https://studyinthestates.dhs.gov/sevis-help-hub/student-records/update- student-records</li> </ul>		
	ates.dhs.gov/sevis-help-hub/student-	
records/dependents	• • • • • • • • • • • • • • • • • • • •	
	hs.gov/sevis-help-hub/student-	
1	dependent-to-student-record	
Student Employment:		
<ul> <li>https://studyinthestates.dl</li> </ul>	hs.gov/sevis-help-hub/student-records/fm-student-	

Privacy Threshold Analysis - IC/Form

employment

<sup>&</sup>lt;sup>4</sup> Currently, Form I-20 is a paper form completed by a designated school official. Eventually with the first release of SEVIS Mod, Form I-20 will become a web form for designated school officials to complete. (*See* SEVISNIM-263).



### **Optional Practical Training (OPT):**

- https://studyinthestates.dhs.gov/sevis-help-hub/student-records/fm-student-employment/f-1-optional-practical-training
- https://studyinthestates.dhs.gov/sevis-help-hub/student-records/fm-student-employment/add-edit-delete-opt-employer

### M-1 Practical Training:

• https://studyinthestates.dhs.gov/sevis-help-hub/student-records/fm-student-employment/m-1-practical-training

### CPT:

• https://studyinthestates.dhs.gov/sevis-help-hub/student-records/fm-studentemployment/curricular-practical-training-cpt

### Off-Campus Employment:

https://studyinthestates.dhs.gov/sevis-help-hub/student-records/fm-student-employment/off-campus-employment-and-international-organization-internship

### **Non-immigrant PII collected:**

- Name (surname/primary name, passport name, and preferred name)
- Date of Birth
- Country of birth
- Country of citizenship
- Gender
- Address (foreign address, U.S. physical address, and U.S. mailing address)
- Email address
- Telephone number (foreign and U.S.)
- Financial support information
  - Funding
    - Student's personal funds
    - Funds from other sources

#### **Non-immigrant's Dependents PII Collected:**

- Name (surname/primary name, given name, passport name, preferred name)
- Relationship to non-immigrant
- Email address
- Birth date
- Country of birth
- Country of citizenship
- Gender



Employor DII Collected			
- ·	<ul> <li>Employer PII Collected:</li> <li>Employer Identification Number (EIN) <sup>5</sup></li> </ul>		
Supervisor Name	(21)	•)	
<ul> <li>Supervisor Phone n</li> </ul>	umber		
Supervisor Email ac	ldress		
		1 (001)	
	-	mber (SSN) or other element that is	
apply.	ersonany identii	able Information (SPII)? Check all that	
☐ Social Security number		☐ DHS Electronic Data Interchange	
☐ Alien Number (A-Numb	erl	Personal Identifier (EDIPI)	
☐ Tax Identification Numb		☐ Social Media Handle/ID	
☐ Visa Number	)C1	☐ Known Traveler Number	
☐ Passport Number		☐ Trusted Traveler Number (Global	
☐ Bank Account, Credit Card, or other		Entry, Pre-Check, etc.)	
financial account number		☐ Driver's License Number	
□ Other:		☐ Biometrics	
g. List the <i>specific author</i>	<b>ity</b> to collect SSN	or these other SPII elements.	
N/A			
h. How will this informati	on be used? Wha	t is the purpose of the collection?	
Describe why this colle	Describe why this collection of SPII is the minimum amount of information		
necessary to accomplis	h the purpose of	the program.	
N/A			
i. Are individuals	⊠ Yes. Plea	se describe how notice is provided.	
provided notice at the	Privacy s	tatement is provided to nonimmigrants	
time of collection by	that ente	r their information directly into the SEVP	
DHS (Does the records	Portal, a	sub-system of SEVIS.	
subject have notice of			
the collection or is	□ No.		

Privacy Threshold Analysis - IC/Form

 $<sup>^{\</sup>rm 5}$  Please note that EIN may be a social security number for sole proprietors.

form filled out by	
third party)?	

3. How will DHS store th	e IC/form responses?
a. How will DHS store the original, completed IC/forms?	<ul> <li>□ Paper. Please describe.</li> <li>Click here to enter text.</li> <li>⋈ Electronic. Please describe the IT system that will store the data from the form.</li> <li>Student &amp; Exchange Visitor Information System (SEVIS) and SEVP Portal, a SEVIS sub-system.</li> <li>□ Scanned forms (completed forms are scanned into an electronic repository). Please describe the electronic repository.</li> <li>Click here to enter text.</li> </ul>
b. If electronic, how does DHS input the responses into the IT system?	<ul> <li>☑ Manually (data elements manually entered). Please describe.</li> <li>School officials (via SEVIS)</li> <li>Students with OPT or STEM OPT (via SEVP Portal)</li> <li>☑ Automatically. Please describe.</li> <li>Batch processing is available to schools when multiple Form I-20s need to be completed. Schools create a batch file and it is imported into SEVIS.</li> </ul>
c. How would a user search the information submitted on the forms, <i>i.e.</i> , how is the information retrieved?	<ul> <li>☑ By a unique identifier. Please describe. Name, EIN If information is retrieved by personal identifier, please submit a Privacy Act Statement with this PTA.</li> <li>See Appendix A for a copy of the Privacy Statement.</li> <li>☑ By a non-personal identifier. Please describe.</li> <li>For high level data searches, non-personal identifiers such as country of birth, country of citizenship, and gender may be used.</li> </ul>

<sup>&</sup>lt;sup>6</sup> 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.

Privacy Threshold Analysis - IC/Form

d. What is the records	The SEVIS records retention schedule is in draft. Until		
retention	the schedule is approved by NARA, SEVIS records are		
schedule(s)? <i>Include</i>	maintained permanently.		
the records schedule			
number.			
e. How do you ensure	See above.		
that records are			
disposed of or deleted			
in accordance with			
the retention			
schedule?			
f. Is any of this information	on shared outside of the original program/office? <i>If yes,</i>		
describe where (other offices or DHS components or external entities) and why.			
What are the authoritie	s of the receiving party?		
🛮 Yes, information is share	ed with other DHS components or offices. Please describe.		
SEVP shares Form I-20 information with U.S. Customs and Border Protection and U.S.			
Citizenship and Immigration Services. Portal information may be shared internally			
	llment, enforcement, investigatory, litigation, or other		
purposes.	ad automorto DUC acido abasa fadasal a caraisa atata (la cal		
· ·	ed external to DHS with other federal agencies, state/local		
partners, international partners, or non-governmental entities. Please describe.			
SEVP shares Form I-20 information to Department of State when the nonimmigrant goes			
to apply for an F or M visa, so to enter the country and attend the SEVP certified school.			
The information may also be shared external DHS with federal, state, local, tribal,			
	territorial, and foreign law enforcement; other government agencies; and other parties		
	for audit, enrollment, enforcement, investigatory, litigation, or other purposes.		
☐ 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:	Michelle Escobar	
Date submitted to component Privacy Office:	November 3, 2017	
Date submitted to DHS Privacy Office:	December 8, 2017	
Have you approved a Privacy Act		
Statement for this form? (Only	submission.	
applicable if you have received a	$\square$ No. Please describe why not.	
waiver from the DHS Chief Privacy	Click here to enter text.	
Officer to approve component Privacy		
Act Statements.)	See Appendix A for a copy of the Privacy	
	Statement.	
Component Privacy Office Recommendation:		
Please include recommendation below, including what existing privacy compliance		
documentation is available or new privacy compliance documentation is needed.		
ICE Privacy recommends that the PTA is sufficient at this time. The information collected		
by the Form-20 is covered under DHS/ICE/PIA-001 and DHS/ICE/PIA-001(c) Student and		
Exchange and Visitor Information System (SEVIS) PIA and the DHS/ICE-001 SEVIS SORN.		



### PRIVACY THRESHOLD ADJUDICATION

# (TO BE COMPLETED BY THE DHS PRIVACY OFFICE)

DHS Privacy Office Reviewer:	Max Binstock
PCTS Workflow Number:	1154894
Date approved by DHS Privacy Office:	December 20, 2017
PTA Expiration Date	December 20, 2020

### **DESIGNATION**

Privacy Sensitive	IC or	Yes If "no" PTA adjudication is complete.				
Form:						
Determination:		$\square$ PTA sufficient at this time.				
		☐ Privacy compliance documentation determination in				
		progress.				
		$\square$ 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.				
		$\square$ Other. Click here to enter text.				
DHS IC/Forms Review:		DHS PRIV has commented on this ICR/Form.				
Date IC/Form Approved		Click here to enter a date.				
by PRIV:						
IC/Form PCTS Number:		Click here to enter text.				
Privacy Act	New e	New e(3) statement is required.				
Statement:	e(3) st	e(3) statement in Appendix is approved.				
PTA:	No sys	tem PTA required.				
	Click h	ere to enter text.				
PIA:	Systen	n covered by existing PIA				



	If covered by existing PIA, please list: DHS/ICE/PIA-001 Student And Exchange Visitor Information System (SEVIS) and subsequent updates If a PIA update is required, please list: Click here to enter text.
SORN:	System covered by existing SORN
	If covered by existing SORN, please list: DHS/ICE 001 Student and
	Exchange Visitor Information System, January 5, 2010, 75 FR 412
	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.

ICE Privacy is submitting this PTA because DHS Form I-20 is used to determine eligibility for F and M nonimmigrant student status and benefits. Nonimmigrant students must provide a Form I-20 for any eligible dependents that they plan on bringing to the United States. SEVP shares Form I-20 information with U.S. Customs and Border Protection and U.S. Citizenship and Immigration Services.

PRIV finds that is a privacy sensitive system and a PIA is required because the Form I-20 collects PII from members of the public. PRIV agrees with ICE Privacy that the SEVIS PIA and subsequent updates provides coverage. DHS/ICE/PIA-001(c) discusses the privacy risks associated with submitting the Form I-20 for F-1 and M-1 nonimmigrants.

PRIV finds that a SORN is required because Form I-20 retrieves information by a unique identifier. PRIV agrees with ICE Privacy that DHS/ICE-001 SEVIS SORN covers the collection of SEVIS data.

PRIV finds that an e(3) statement is required because it is DHS policy is to provide a Privacy Act Statement to all persons asked to provide personal information about themselves. PRIV approves the e(3) statement in the Appendix.



### **Appendix A - Privacy Statement**

### **SEVP Portal**

Form I-20: Certificate of Eligibility for Nonimmigrant Student Status Form I-983: Training Plan for STEM OPT Students

### **Privacy Statement**

**Authority:** U.S. Immigration and Customs Enforcement (ICE) is authorized to collect information by Section 641 of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996 (codified at 8 U.S.C. 1372), Public Law 104-208; Public Law 107-56, U.S.A. PATRIOT Act; 8 U.S.C. 1372; Homeland Security Presidential Directive-2 (HSPD 2, Combating Terrorism Through Immigration Policies), as amended by HSPD-5, Management of Domestic Incidents, Compilation of HSPDs); 8 CFR 214.2(f)(10)-(12) and 8 CFR 274a.12(b)(6)(iv).

**Purpose:** Your information collected through the ICE Student and Exchange Visitor Program (SEVP) Portal is used to assist with the administration of practical training. The designated school officials (DSO) may use your information to review and manage practical training opportunities for you.

**Agency Disclosure of Information:** Your information may be shared internally within the U.S. Department of Homeland Security (DHS), as well as with federal, state, local, tribal, territorial, and foreign law enforcement; other government agencies; and other parties for audit, enrollment, enforcement, investigatory, litigation, or other purposes.

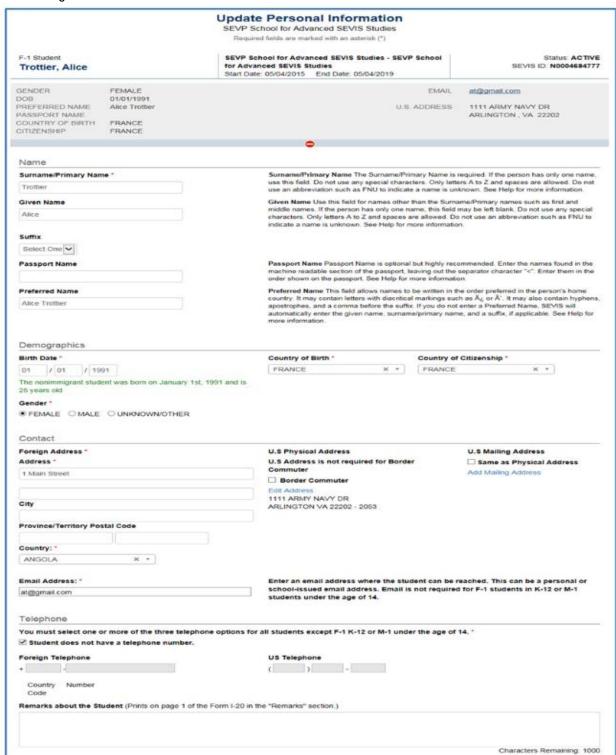
If you become a United States Citizen or Lawful Permanent Resident, your information may be shared internally within the DHS, as well as with federal, state, local, tribal, territorial, and foreign law enforcement; other government agencies; and other parties for audit, enforcement, investigatory, litigation, or other purposes. This disclosure is in accordance with the Privacy Act of 1974, 5 U.S.C. § 552a(b), including pursuant to the routine uses published in the DHS/ICE-001 Student and Exchange Visitor Information System (SEVIS) System of Records, which can be viewed at <a href="https://www.dhs.gov/privacy">www.dhs.gov/privacy</a>.

**Providing Information to DHS:** The information you provide is voluntary. However, failure to provide the information requested may delay or interfere with the approval or maintenance of your practical training. Failure to provide your information could also limit or terminate your practical training opportunity.



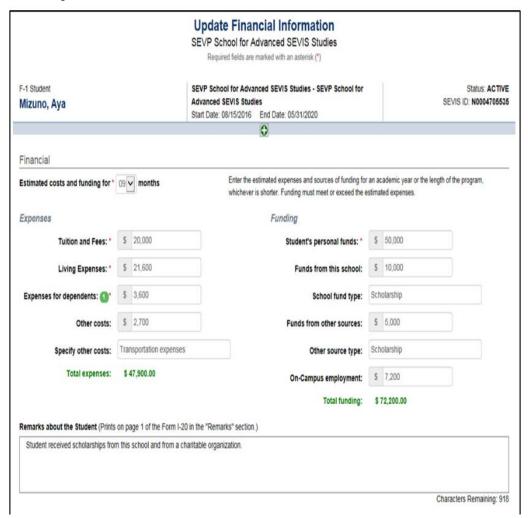
### Appendix B - PII Collected

#### Non-Immigrant PII Collected:



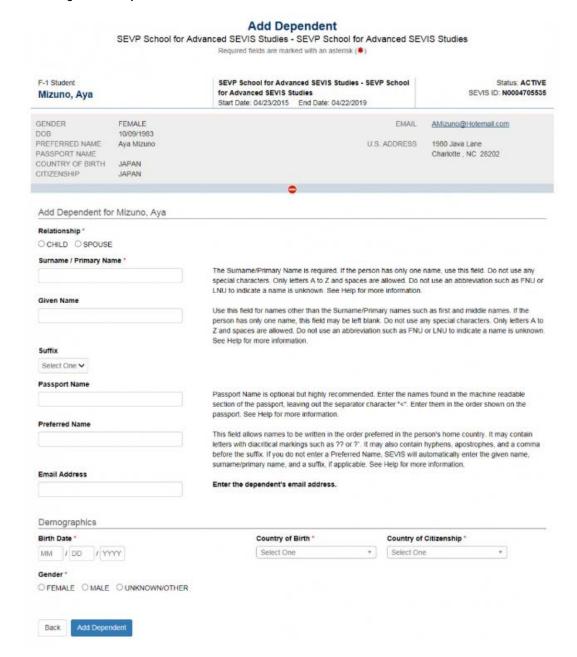


### Non-Immigrant Financial PII Collected:





#### Non-Immigrant's Dependent PII Collected:





### Employer PII Collected:

# Add OPT Employer

Required fields are marked with an asterisk (*).					
Explain how employment is related to student's cou	rse of study *				
	100000000000000000000000000000000000000				
	Max 1000	characters (1000 rema	ining)		
Employer Information					
Self Employed:					
Employer Name *	Employer EIN High	ly Recommended			
Job Title	Start Date *		End Date		
	I	t		ř.	I
Full Time / Part Time *					
○ Full Time: more than 20 hours/week ○ Part Time: 20 or less hours/week					
Employer Address *					
Add Employer Address					
Supervisor Information					
Supervisor Information					
Supervisor Information	First Name				
1 205 N	First Name				
1 205 N	First Name	Email Address			