



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-765 and I-765WS

Form Title: Application for Employment Authorization and Worksheet

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

IF COVERED BY THE PAPERWORK REDUCTION ACT:

Collection Title: From I-765, *Application for Employment Authorization and Form I-765WS, Worksheet*

OMB Control Number:	1615-0040	OMB Expiration Date:	February 28, 2018
Collection status:	Revision	Date of last PTA (if applicable):	August 21, 2013

PROJECT OR PROGRAM MANAGER

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COMPONENT INFORMATION COLLECTION/FORMS CONTACT

Name: Kerstin A. Jager



Office:	Office of Policy and Strategy	Title:	Adjudication Officer
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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.

2017 Update

Form I-765 and I-765WS are set to expire on February 28, 2018 and USCIS is revising the currently approved information collection as part of the Paperwork Reduction Act (PRA). USCIS is submitting this updated Form I-765 PTA to document the following revisions:

- As part of the joint effort between DoS, USCIS, and SSA, USCIS will obtain consent for the transmission of his or her enumeration data to SSA on the Form I-765.
- The USCIS Online Account Number for a previously filed an application, petition, or request using the USCIS online filing system (previously called USCIS Electronic Immigration System (USCIS ELIS))
- The Student and Exchange Visitor Information System (SEVIS) Number was added in order to validate a student applicant's information in SEVIS.
- Captures additional biometric information including ethnicity, race, height, weight, eye color, and hair color to facilitate processing of initial and renewal requestors at an ASC.
- Other new information collections include: physical address (if different from the mailing address and other information about the applicant's not recently filed I-765, information about applicant's Last Arrival in the United States, and arrest for convictions of any crime.

USCIS is making no updates to the Form I-765WS, Worksheet.

Form I-765, Application for Employment Authorization

Individuals who are temporarily in the United States and eligible for employment authorization may file a Form I-765, *Application for Employment Authorization*, to request an Employment Authorization Document (EAD). Other individuals who are



authorized to work in the United States without restrictions should also use this form to apply for a document evidencing such authorization.

I-765 Worksheet (WS)

An EAD based on a grant of deferred action requires a showing of economic necessity. To facilitate this economic necessity review, a separate worksheet (Form I-765WS) was created. There is a general presumption that Deferred Action for Childhood Arrivals (DACA) requestors will need to work given their undocumented circumstances and the fact that they are not generally anticipated to have independent means. Absent evidence of sufficient independent financial resources, the Form I-765WS is sufficient to establish economic need without any further economic analysis. Additionally, the agency decided that all deferred action I-765 applicants must complete the I-765WS after it was determined to create the I-765WS for DACA. The agency has added a certification section to the Form I-765WS so that individuals can sign the form.

Relevant IT Systems

USCIS uses the following systems to process Form I-765.

- **Computer Linked Adjudication Information Management System (CLAIMS 3):** For the majority of the populations of individuals who can file Form I-765, it will be processed in CLAIMS 3.
- **USCIS Electronic Immigration System (USCIS ELIS):** Some populations of individuals who file Form I-765, it will be processed using USCIS ELIS.

The completed paper and electronic form will be stored in the applicant's receipt file or Alien File.

- 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.*

8 CFR 274.a.13; 8 U.S.C. section 1324a.

2. Describe the IC/Form



<p>a. Does this form collect any Personally Identifiable Information” (PII¹)?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>b. From which type(s) of individuals does this form collect information? (Check all that apply.)</p>	<p><input checked="" type="checkbox"/> Members of the public <input type="checkbox"/> U.S. citizens or lawful permanent residents <input type="checkbox"/> Non-U.S. Persons. <input type="checkbox"/> DHS Employees <input type="checkbox"/> DHS Contractors <input type="checkbox"/> Other federal employees or contractors.</p>
<p>c. Who will complete and submit this form? (Check all that apply.)</p>	<p><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. <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>
<p>d. How do individuals complete the form? Check all that apply.</p>	<p><input checked="" 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>

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.



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.*

Form I-765, Application for Employment Authorization collects information from the applicant and preparer.

Information about applicant includes:

- First Name
- Middle Name
- Last Name
- Addresses (Physical and Mailing)
- Telephone Number(s)
- E-mail address
- Alias(es)
- Country of Citizenship/Nationality
- Place and date of Birth
- Sex
- Marital Status
- Social Security Number, if any
- SSA EBE questions:
 - Do you want SSA to issue you a Social Security card? (Yes/No)
 - SSA Consent for Disclosure (Yes/No)
 - Father's Name (Family Name, Given Name)
 - Mother's Name (Family Name, Given Name)
- USCIS Online Account Number
- Alien Number
- I-94 Number
- Passport Number
- Travel Document Number
- Country of Issuance for Passport or Travel Document
- Expiration Date for Passport or Travel Document.



- Date of Last Arrival into the United States
- Place of Last Arrival into the United States
- Status of Last Arrival
- Current Immigration Status
- Signature
- Ethnicity
- Race
- Height
- Weight
- Eye Color
- Hair Color
- Student Exchange Visitor Information System (SEVIS) Number (if any)
- Receipt Number for most recent Application for Employment Authorization
- USCIS Office where last EAD Application was adjudicated
- Date EAD Application was adjudicated
- Eligibility Category
 - Degree
 - Employer's Name as listed in E-Verify
 - Employee's E-Verify Company ID or Client ID
 - Physical Address of Employers (street name, number, city/town, state, zipcode)

Preparer/Interpreter information includes:

- Full Name
- Organization
- Physical, Mailing, and Email Addresses
- Phone and Fax Numbers
- Relationship to the requestor
- Signature

Preparer (including Accredited Representative and Attorney) information includes:



- Full Name
- Organization
- USCIS Online Account Number
- Physical, Mailing, and Email Addresses
- Phone and Fax Numbers
- Relationship to the requestor (preparer only)
- Signature

Form I-765 Worksheet collects the following information:

- First name
- Middle Name
- Last Name
- Current Annual Income
- Current Annual Expenses
- Current Value of Assess
- Additional Information
- Signature
- Telephone Number

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.*

- | | |
|---|--|
| <input checked="" type="checkbox"/> Social Security number | <input type="checkbox"/> DHS Electronic Data Interchange |
| <input checked="" type="checkbox"/> Alien Number (A-Number) | Personal Identifier (EDIPI) |
| <input type="checkbox"/> Tax Identification Number | <input type="checkbox"/> Social Media Handle/ID |
| <input type="checkbox"/> Visa Number | <input type="checkbox"/> Known Traveler Number |
| <input checked="" type="checkbox"/> Passport Number | <input type="checkbox"/> Trusted Traveler Number (Global |
| <input type="checkbox"/> Bank Account, Credit Card, or other | Entry, Pre-Check, etc.) |
| financial account number | <input type="checkbox"/> Driver's License Number |
| <input checked="" type="checkbox"/> Other. <i>Please list: USCIS Online</i> | <input type="checkbox"/> Biometrics |
| <i>Account Number and SEVIS Number</i> | |

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



INA 264(f) (8 U.S.C. 1304(f)), states, "Alien's social security account number Notwithstanding any other provision of law, the Attorney General is authorized to require any alien to provide the alien's social security account number for purposes of inclusion in any record of the alien maintained by the Attorney General or the Service."

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.

USCIS collects the applicant's social security number on Form I-765, Application for an Employment Authorization Document, in accordance with the Paperwork Reduction Act and the Immigration and Nationality Act. The collection of the applicant's Social Security Number (SSN) is very important in the context of an Application for Employment Authorization Document (EAD) for a number of reasons. First, the EAD evidences that an individual is authorized for employment, and in the United States the SSN is the primary number associated with employment records, tax collection, and lawful employment. The USCIS E-Verify program uses the SSN to interface immigration records and Social Security Administration databases. Without SSNs, we lose the integrity of this interface. The SSN provided on the application for an EAD can be used to determine whether an applicant has worked previously in the U.S. and if that employment was lawful.

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.
Per Privacy Act Statement on 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.
Individuals may complete a PDF and submit a paper application to USCIS. The completed form will be stored in a receipt file or an A-file.
- Electronic. Please describe the IT system that will store the data from the form.



	<p>Computer Linked Adjudication Information Management System (CLAIMS 3): For the majority of the populations of individuals who can complete this application, the completed Form I-765 will be entered into CLAIMS 3.</p> <p>USCIS Electronic Immigration System (USCIS ELIS), and: Some form I-765 are processed using USCIS ELIS. The completed Form I-765 will be entered into USCIS ELIS.</p> <p>Refugees, Asylum, and Parole System (RAPS): Asylum applicants and refugees complete the I-765 for employment authorization as well. When an affirmative asylum application is approved by an asylum office, RAPS initiates the EAD production so that information is stored in RAPS. After a person has asylum status and needs an extension or replacement EAD, they file an I-765, which entered into CLAIMS 3. Refugees file an I-765 for the initial card and any extensions, which is also in CLAIMS 3.</p> <p><input checked="" type="checkbox"/> Scanned forms (completed forms are scanned into an electronic repository). Please describe the electronic repository. Form I-765 may also be scanned using the Enterprise Document Management System (EDMS).</p>
<p>b. If electronic, how does DHS input the responses into the IT system?</p>	<p><input checked="" type="checkbox"/> Manually (data elements manually entered). Please describe. For those I-765s direct filed at a Service Center, data entry clerks manually enter data from the form into CLAIMS3.</p> <p><input checked="" type="checkbox"/> Automatically. Please describe. For those I-765s filed through a Lockbox, the form, fee and support documents are scanned and the data is populated using Optical Character Reader</p>



	<p>technology. The data is then verified and corrected, if needed, by keying clerks via OnBase (JPMorgan data collection system). The data (scanned and keyed) is sent USCIS (scanned is stored in EDMS, keyed is stored in CLAIMS3 or ELIS depending on form type).</p>
<p>c. How would a user search the information submitted on the forms, <i>i.e.</i>, how is the information retrieved?</p>	<p><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. Receipt number, USCIS Online Account Number, SSN, A number, Name, Date of Birth, or a combination.</p> <p><input type="checkbox"/> By a non-personal identifier. <i>Please describe.</i> Click here to enter text.</p>
<p>d. What is the records retention schedule(s)? <i>Include the records schedule number.</i></p>	<p>CLAIMS 3: CLAIMS 3 deletes and destroys records 50 years from the date of the last completed action [DAA-0566-2016-0009 and DAA-0566-2016-0013]</p> <p>USCIS ELIS/EDMS: Records are retained permanently. [EDMS: N1-566-08-17]</p> <p>RAPS/APSS: RAPS [N1-563-04-06] and APSS [N1-563-04-07] Retention Schedule. Master File automated records are maintained for 25 years after the case is closed, then archived for 75 years</p>
<p>e. How do you ensure that records are disposed of or deleted in accordance with the retention schedule?</p>	<p>The system owner is responsible for ensuring the records are deleted in accordance with the records retention schedule.</p>

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.



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.
The information from the form may be shared to other ICE and CBP via system access.

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

USCIS will share Form I-765 information with SSA to produce a social security number for the applicant, if consent is provided.

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



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:	Jenny Hoots
Date submitted to component Privacy Office:	August 29, 2017
Date submitted to DHS Privacy Office:	September 20, 2017
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 checked="" type="checkbox"/> Yes. Please include it with this PTA submission. <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 USCIS Privacy Office recommendation is to designate Form I-765 a privacy sensitive form with coverage under DHS/USCIS/PIA-016(a) CLAIMS 3 and Associated Systems PIA, DHS/USCIS/PIA-027 Refugees, Asylum, and Parole System and the Asylum Pre-Screening System and respective updates, and DHS/USCIS/PIA-056 USCIS Electronic Immigration System (USCIS ELIS) the DHS/USCIS/PIA-003 Integrated Digitization Document Management Program (IDDMP) PIA.</p> <p>USCIS recommends SORN coverage under the following SORNs:</p> <ul style="list-style-type: none"> • DHS/USCIS-010 – Asylum Information and Pre-Screening, • DHS-USCIS-007 - Benefits Information System • DHS/USCIS-001 - Alien File, Index, and National File Tracking System of Records 	



PRIVACY THRESHOLD ADJUDICATION

(TO BE COMPLETED BY THE DHS PRIVACY OFFICE)

DHS Privacy Office Reviewer:	Kameron Cox
PCTS Workflow Number:	1150531
Date approved by DHS Privacy Office:	September 25, 2017
PTA Expiration Date	September 25, 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:	September 22, 2017
IC/Form PCTS Number:	Click here to enter text.
Privacy Act Statement:	e(3) statement update is required. Privacy Act Statement must be converted into a Privacy Notice
PTA:	CLAIMS 3 and ELIS PTAs are adequate
PIA:	System covered by existing PIA If covered by existing PIA, please list: DHS/USCIS/PIA-061 Benefit Request Intake Process



	<p>DHS/USCIS/PIA-003(b) Integrated Digitization Document Management Program</p> <p>DHS/USCIS/PIA-016(a) Computer Linked Application Information Management System (CLAIMS 3) and Associated Systems</p> <p>DHS/USCIS/PIA-027(c) USCIS Asylum Division</p> <p>DHS/USCIS/PIA-056 USCIS Electronic Immigration System</p>
<p>SORN:</p>	<p>System covered by existing SORN</p> <p>If covered by existing SORN, please list:</p> <p>DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records, September 18, 2017, 82 FR 43556</p> <p>DHS/USCIS-007 Benefits Information System, October 19, 2016 81 FR 72069</p> <p>DHS/USCIS-010 Asylum Information and Pre-Screening System of Records, November 30, 2015, 80 FR 74781</p>
<p>DHS Privacy Office Comments:</p> <p><i>Please describe rationale for privacy compliance determination above.</i></p>	
<p>USCIS is submitting this updated Form I-765 PTA to document the following revisions: the transmission of applicant enumeration data to SSA, addition of the USCIS Online Account Number and the Student and Exchange Visitor Information System Number, and the capture of additional biometric information and physical address. There are no updates to the Form I-765WS.</p> <p>The DHS Privacy Office (PRIV) agrees with USCIS that Form I-765 is a privacy sensitive information collection requiring PIA coverage because it collects PII from members of the public. PRIV finds that existing PIAs provide adequate coverage. DHS/USCIS/PIA-061 Benefit Intake PIA assesses the risks of the collection and processing of Forms I-765 and I-765WS. DHS/USCIS/PIA-003(b) IDDMP covers the scanning and storage of the forms in EDMS. DHS/USCIS-016(a) CLAIMS 3 and DHS/USCIS/PIA-056 ELIS cover the storage and processing of forms I-765 and I765WS data elements in their systems. DHS/USCIS/PIA-027(c) Asylum Division assesses the risks for storing the I-765 and I-765WS of asylum seekers and refugee applicants in RAPS and APSS.</p> <p>PRIV finds that SORN coverage is required because PII collected by Forms I-765 and I-765WS are stored in systems that retrieve information by unique identifier. PRIV concludes that SORN coverage can be found in existing SORNs. DHS/USCIS/ICE/CBP-001 Alien File covers the collection, use, and maintenance of PII to facilitate administration of benefits and enforcement of provisions under the INA and related immigration statutes. DHS/USCIS-007 BIS SORN covers the use of PII in intake, processing, and decisional data</p>	



that may not interact with the A-file. Finally, DHS/USCIS-010 Asylum SORN covers the storage of Forms I-765 and I-765WS in RAPS/APSS. PRIV recommends that as all these SORNs are updated they include attorney USCIS online account number as a data element in categories of record and retrievability.

This PTA contemplates sharing PII with the Social Security Administration. This sharing is permitted under Routine Use DD of the A-File SORN and Routine Use S of the BIS SORN. This sharing is compatible with the purpose of both SORNs because the information is shared to assist in issuing a social security number to the applicant as part of the immigration process.

PRIV finds that a Privacy Notice is required because Forms I-765 and I-765WS collect PII from Non-US persons that is then stored in systems of records. USCIS must update its Privacy Act Statement to a Privacy Notice.