



## 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](mailto: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.

<b>Form Number:</b>	<b>Form I-914, Form I-914A, Form I-914B</b>		
<b>Form Title:</b>	Application for T Nonimmigrant Status (including Supplements A and B)		
<b>Component:</b>	U.S. Citizenship and Immigration Services (USCIS)	<b>Office:</b>	<b>Office of Policy and Strategy (OP&amp;S)</b>

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

<b>Collection Title:</b>	Click here to enter text.		
<b>OMB Control Number:</b>	OMB No 1615-0099	<b>OMB Expiration Date:</b>	<b>July 31, 2016</b>
<b>Collection status:</b>	Choose an item.	<b>Date of last PTA (if applicable):</b>	Click here to enter a date.

#### PROJECT OR PROGRAM MANAGER

<b>Name:</b>	Elizabeth Dallam		
<b>Office:</b>	OP&S	<b>Title:</b>	Policy Analyst
<b>Phone:</b>	202-272-2995	<b>Email:</b>	<a href="mailto:Helen.e.dallam@uscis.dhs.gov">Helen.e.dallam@uscis.dhs.gov</a>

#### COMPONENT INFORMATION COLLECTION/FORMS CONTACT



Name:	Click here to enter text.		
Office:	Click here to enter text.	Title:	Click here to enter text.
Phone:	Click here to enter text.	Email:	Click here to enter text.

## 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 provides an opportunity for individuals to apply for temporary immigration benefits available to victims of severe forms of trafficking in persons and family members, subject to specific eligibility requirements.**

#### Background

**In October 2000, Congress created the “T” nonimmigrant status by passing the Victims of Trafficking and Violence Protection Act (VTVPA). The legislation strengthens the ability of law enforcement agencies to investigate and prosecute human trafficking, and also offer protection to victims.**

**Human trafficking, also known as trafficking in persons, is a form of modern-day slavery in which traffickers lure individuals with false promises of employment and a better life. Traffickers often take advantage of poor, unemployed individuals who lack access to social services. The T Nonimmigrant Status (T visa) is a set aside for those who are or have been victims of human trafficking, protects victims of human trafficking and allows victims to remain in the United States to assist in an investigation or prosecution of human trafficking.**

#### T Nonimmigrant Eligibility

**To qualify for T nonimmigrant status the individual must:**

- **Be or have been a victim of severe trafficking in persons.**
- **Be physically present in the United States, American Samoa, or the Commonwealth of the Northern Mariana Islands, or at a port of entry on account of trafficking.**
- **Comply with any reasonable request from a law enforcement agency for assistance in the investigation or prosecution of human trafficking.**
- **Demonstrate that you would suffer extreme hardship involving severe and unusual harm if removed from the United States.**



- If under the age of 18 at the time of the victimization, or if unable to cooperate with a law enforcement request due to physical or psychological trauma, an individual may qualify for the T nonimmigrant visa without having to assist in investigation or prosecution.

The individual must also be admissible to the United States or obtain a waiver of admissibility.

### **Form I-914, Application for T Nonimmigrant Status**

Individuals seeking T nonimmigrant status are required to submit a completed Form I-914 and a personal statement explaining how they were a victim of trafficking, and supplemental evidence demonstrating eligibility requirements.

### **Form I-914, Supplement A, Application for Immediate Family Member of T-1**

#### **Recipient:**

Certain family members are eligible for a derivative T visa. To apply for a family member, the applicant must file a Form I-914, Supplement A, Application for Family Member of T-1 Recipient, at any time.

### **Form I-914, Supplement B, Declaration of Law Enforcement Officer for Victim of Trafficking in Persons**

Supplement B serves as primary evidence that the individual is a victim of trafficking and has complied with reasonable requests from law enforcement.

Once a T nonimmigrant visa is granted, the individual can apply for permanent residence after three years or upon completion of the investigation of trafficking, whichever is earlier.

Form I-914 is currently undergoing an extension with OMB. No changes have occurred since the previous I-914 PTA.

### **Relevant IT System and protections**

The Form I-914 is processed in CLAIMS 3. All USCIS employees who come in contact with 8 USC 1367 protected information is required to complete the *VAWA: Confidentiality and Immigration Relief* training on an annual basis.

The statutory confidentiality protections at 8 U.S.C. § 1367 generally prohibit the disclosure or use of any information about applicants for, and beneficiaries of, certain victim-based immigration benefits, including T nonimmigrant status, U nonimmigrant status, or relief under the Violence Against Women Act (VAWA).



**Prior to making information disclosures, CIS employees are required to consult the individuals A-file or run a query in the Central Index System (CIS), or through the CIS function in the Person Centric Query System. CIS and PCQS includes an alert message to indicate that an individual is protected by 8 U.S.C. § 1367. The message reads: 8 USC 1367 Protected Information–Disclosure and Use Restrictions Apply. Any record in CIS and PCQS that displays this banner must be handled as Section 1367 Information in accordance with the law and DHS policy.**

- 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 information requested on this benefit application, and the associated evidence, is collected pursuant to Public Law 106-386, sections 107(e) and 1513(c) and 8 USC 1101(a)(15)(T), 1184(o); 1182 (d)(13) and the implementing regulations found at 8 CFR 214.11.**

2. Describe the IC/Form	
a. Does this form collect any Personally Identifiable Information” (PII <sup>1</sup> )?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. From which type(s) of individuals does this form collect information? <i>(Check all that apply.)</i>	<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.
c. Who will complete and submit this form? <i>(Check all that apply.)</i>	<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.

<sup>1</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.



	<p>If a business entity, is the only information collected business contact information?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Law enforcement. <input type="checkbox"/> DHS employee or contractor. <input type="checkbox"/> Other individual/entity/organization <b>that is NOT the record subject.</b> <i>Please describe.</i> Click here to enter text.</p>
<p>d. How do individuals complete the form? <i>Check all that apply.</i></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>
<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><b>Form I-914 or I-914A collects the following information regarding principal applicants and family members:</b></p> <ul style="list-style-type: none"> <li>• Full Name</li> <li>• Home and SafeAddress</li> <li>• Telephone Number</li> <li>• Alien Registration Number</li> <li>• Date And Place of Birth</li> <li>• Country of Citizenship</li> <li>• Gender and Marital Status</li> <li>• Email Address</li> <li>• Social Security Number</li> <li>• I-94 Number</li> <li>• Place and Date of Last Entry</li> <li>• Passport Number, Place and Date of Issue</li> <li>• Current Immigrant Status</li> <li>• Entries and exits from the United States</li> </ul>	



- **Criminal and Immigration History**
- **Medical information/medical records**
- **Victimization status and circumstances**
- **Signature**

**For Principal Applicants, Form I-914 also collects:**

- **Law Enforcement Agency and Office, Address, Phone Number, Case Number**

**For Family Members, Form I-914A also collects:**

- **Name of Former Spouse, Date Marriage Ended, Where and How Marriage Ended**
- **Address and Country where Want Notification of Approval Sent**

**Form I-914 and Form I-914A collect the following preparer information:**

- **Name**
- **Firm Name**
- **Address**
- **Phone number**
- **Fax Number**
- **Email Address**
- **Signature**
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**Form I-914 collects the following interpreter information:**

- **Language Used**
- **Name**
- **Phone Number**
- **Signature**

**Form I-914B also collects the following additional information:**

- **Name of Certifying Official**
- **Title and Division/Office of Certifying Official**
- **Agency Type**
- **Fax Number**
- **Case Status**
- **Certifying Agency Category**
- **FBI or SID Number**



<ul style="list-style-type: none"> <li>• <b>Statement of Trafficking Claim</b></li> <li>• <b>Assessment of Applicant’s Cooperation</b></li> <li>• <b>Full Name, Relationship and Involvement in Trafficking of Any Family Members</b></li> <li>• <b>Signature of Law Enforcement Officer</b></li> <li>• <b>Signature of Certifying Officer</b></li> <li>• <b>Signature of Supervisor</b></li> </ul>	
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>	
<input checked="" 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 checked="" type="checkbox"/> Passport Number <input type="checkbox"/> Bank Account, Credit Card, or other financial account number <input type="checkbox"/> Other. <i>Please list:</i>	<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 type="checkbox"/> Biometrics
g. List the <i>specific authority</i> to collect SSN or these other SPII elements.	
<b>INA 264(f) (8 U.S.C. 1304(f)), states, “ 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.”</b>	
h. How will this information be used? What is the purpose of the collection? Describe <i>why</i> this collection of SPII is the minimum amount of information necessary to accomplish the purpose of the program.	
<b>The SSN and other information collected is used to identify the applicant and adjudicate the application. The SSN is recorded by USCIS CLAIMS 3 Database. USCIS collects SSNs (applicant, fiancé and spouse) in certain forms and enters them into CLAIMS 3 and associated systems in conjunction with other information to verify the identity of the applicant, fiancé, spouse, to determine the applicant’s eligibility for certain benefits.</b>	
i. Are individuals provided notice at the time of collection by	<input checked="" type="checkbox"/> Yes. Please describe how notice is provided. <b>USCIS provides applicants with notice via a Privacy Act Statement which is included on the form instructions.</b>





DHS ( <i>Does the records subject have notice of the collection or is form filled out by third party</i> )?	<input type="checkbox"/> No.
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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. <b>The Forms I-914 and I-914B will be kept in the applicant's A-file.</b> <input checked="" type="checkbox"/> Electronic. Please describe the IT system that will store the data from the form. <b>Data from the form will be stored in CLAIMS 3 and NFTS (for A-file tracking purposes).</b> <input type="checkbox"/> Scanned forms (completed forms are scanned into an electronic repository). Please describe the electronic repository. <a href="#">Click here to enter text.</a>
b. If electronic, how does DHS input the responses into the IT system?	<input checked="" type="checkbox"/> Manually (data elements manually entered). Please describe. <b>USICS personnel input the data manually into the appropriate systems.</b> <input type="checkbox"/> Automatically. Please describe. <a href="#">Click here to enter text.</a>
c. How would a user search the information submitted on the forms, <i>i.e.</i> , how is the information retrieved?	<input checked="" type="checkbox"/> By a unique identifier. <sup>2</sup> <i>Please describe.</i> If information is retrieved by personal identifier, please submit a Privacy Act Statement with this PTA. <b>The information is retrieved using the applicant's Alien Registration Number.</b> <input type="checkbox"/> By a non-personal identifier. <i>Please describe.</i> <a href="#">Click here to enter text.</a>

<sup>2</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.



<p>d. What is the records retention schedule(s)? <i>Include the records schedule number.</i></p>	<p><b>USCIS is working with NARA to update and consolidate the current retention schedules N1-563-04-03 and N1-566-08-12. Under the proposed update to retention schedules for CLAIMS 3, the system will delete and destroy records from 15 to 50 years from the date of the last completed action.</b></p> <p><b>The I-914 is also stored in the A-file and treated as permanent material(N1-566-08-11).</b></p>
<p>e. How do you ensure that records are disposed of or deleted in accordance with the retention schedule?</p>	<p><b>The system owner is responsible for ensuring the records are deleted in accordance with a retention schedule.</b></p> <p><b>A-Files are transferred to the National Archives and Records Administration 100 years from the applicant’s date of birth.</b></p>
<p>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></p>	
<p><input checked="" type="checkbox"/> Yes, information is shared with other DHS components or offices. Please describe. <b>Information may be shared within DHS (e.g., Immigration and Customs Enforcement) in compliance with confidentiality provisions in 8 USC 1367.</b></p> <p><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. <b>Section 1367 Information may be shared amongst sworn officers and employees of DHS, DOJ, and DOS for legitimate Department, bureau, or agency purposes. Furthermore, USCIS shares information with the Human Smuggling and Trafficking Center (HSTC) to analyze human trafficking information to advance and support U.S. counter-human trafficking efforts by federal law enforcement entities and relevant policy makers. The data is used to produce analytical products and law enforcement targeting profiles, where permitted. Analytical products based on USCIS-provided human trafficking information may be disseminated outside DHS if the products comply with the statistical exception noted in the HSTC MOA and where USCIS has reasonable opportunity to review, correct, and approve the analysis based on its data.</b></p> <p><input type="checkbox"/> No. Information on this form is not shared outside of the collecting office.</p>	



**Homeland  
Security**

Privacy Office  
U.S. Department of Homeland Security  
Washington, DC 20528  
202-343-1717, pia@hq.dhs.gov  
[www.dhs.gov/privacy](http://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:	<b>Catherine Catanzaro Shorten</b>
Date submitted to component Privacy Office:	<b>August 26, 2016</b>
Date submitted to DHS Privacy Office:	October 5, 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. <a href="#">Click here to enter text.</a>
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><b>The USCIS Privacy Office recommendation is to designate Form I-914 and its supplements as privacy sensitive with coverage under the following privacy compliance documents:</b></p> <ul style="list-style-type: none"> <li>• <b>DHS/USCIS-001 - Alien File, Index, and National File Tracking System of Records</b></li> <li>• <b>DHS/USCIS-007 - Benefits Information System</b></li> <li>• <b>DHS/USCIS/PIA-016a - CLAIMS 3 and Associated Systems</b></li> </ul> <p><b>The forthcoming Special Protected Class PIA will provide added coverage and will assess the privacy risks involved in collecting PII from applicants who are protected under 8 U.S.C. 1367.</b></p>	



## PRIVACY THRESHOLD ADJUDICATION

**(TO BE COMPLETED BY THE DHS PRIVACY OFFICE)**

DHS Privacy Office Reviewer:	<b>Kameron Cox</b>
PCTS Workflow Number:	<b>1151364</b>
Date approved by DHS Privacy Office:	October 18, 2017
PTA Expiration Date	October 18, 2020

### DESIGNATION

Privacy Sensitive IC or Form:	<b>Yes If "no" PTA adjudication is complete.</b>
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:	October 16, 2017
IC/Form PCTS Number:	
Privacy Act Statement:	<b>New e(3) statement is required.</b> The submitted PN is adequate
PTA:	<b>CLAIMS 3 PTA is adequate</b>
PIA:	<b>System covered by existing PIA</b> If covered by existing PIA, please list:



	Forthcoming Special Protected Immigrant PIA; DHS/USCIS/PIA-016 Computer Linked Application Information Management System (CLAIMS 3) and Associated Systems
SORN:	<p><b>System covered by existing SORN</b>          If covered by existing SORN, please list:          DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records, September 18, 2017, 82 FR 43556          DHS/USCIS-007 Benefits Information System, October 19, 2016, 81 FR 72069</p>
<p>DHS Privacy Office Comments:  <i>Please describe rationale for privacy compliance determination above.</i></p>	
<p>USCIS is submitting this PTA to renew compliance documentation for Form I-914 and associated supplemental forms. Individuals seeking T nonimmigrant status are required to submit a completed Form I-914 and a personal statement explaining how they were a victim of trafficking, and supplemental evidence demonstrating eligibility requirements.</p> <p>The DHS Privacy Office (PRIV) finds that Form I-914 is a privacy sensitive information collection and a PIA is required because it collects PII from members of the public. PRIV finds that the forthcoming Special Protected Immigrant PIA will assess the privacy risks involved in collecting PII from applicants who are protected by 8 U.S.C. 1367 confidentiality requirements. PRIV agrees with USCIS Privacy that interim coverage is provided by the CLAIMS 3 PIA as USCIS works to finalize the SPC PIA.</p> <p>PRIV finds that a SORN is required because Form I-914 collects information that is then retrieved by a unique identifier. Form I-914 is covered by DHS/USCIS/ICE/CBP-001 A-File SORN because the information collected is maintained in an applicant’s A-File as they pass through the immigration process. DHS/USCIS-007 Benefits Information System (BIS) SORN covers the electronic processing and decisional information of Form I-914 in CLAIMS 3.</p> <p>This PTA contemplates information sharing between USCIS, the DOJ, and DOS. This sharing is permitted under Routine Use J of the BIS SORN. This sharing is compatible with the purpose of the BIS SORN to support national security by providing information that combats human trafficking.</p> <p>PRIV finds that a privacy notice is required because Form I-914 collects PII from Non-US persons that is then entered into a system of records. PRIV finds the privacy notice submitted by USCIS is adequate but recommends that it should specify that the individuals who fill out this form are not subject to all of the routine uses described in the relevant SORNs.</p>	