



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:	Form I-918, Form I-918A, Form I-918B		
Form Title:	Petition for U Nonimmigrant Status (including Supplements A and B)		
Component:	U.S. Citizenship and Immigration Services (USCIS)	Office:	Office of Policy and Strategy (OP&S)

IF COVERED BY THE PAPERWORK REDUCTION ACT:

Collection Title:	Click here to enter text.		
OMB Control Number:	OMB No. 0615-0104	OMB Expiration Date: 01/31/2016	Click here to enter a date.
Collection status:	Revision	Date of last PTA (if applicable):	June 7, 2012

PROJECT OR PROGRAM MANAGER

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Office:	OP&S/SCOPS	Title:	Policy Analyst/ Adjudications Officer
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COMPONENT INFORMATION COLLECTION/FORMS CONTACT

Name:	Megan Barker
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Office:	Regulatory Coordination Division	Title:	PRA Compliance
Phone:	202.272.9135	Email:	megan.m.barker@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-918 provides an opportunity for individuals to apply for temporary immigration benefits available to victims of serious crimes such as domestic violence, sexual assault, and trafficking, as well as qualifying family members of these victims, subject to specific eligibility requirements. Based on the upcoming expiration date, USCIS is requesting an extension of the current form and instructions as they presently exist, without change. While there have been no changes to the form, USCIS is now documenting when USCIS forms require the collection of biometrics. The Form I-918 triggers the collection of biometrics, so the Immigration Biometric and Background Check SORN will be added as coverage.

Background

Congress created the U nonimmigrant status (U visa) with the passage of the Victims of Trafficking and Violence Protection Act (including the Battered Immigrant Women’s Protection Act) in October 2000. The purpose of the U visa is to allow victims to come forward and cooperate with law enforcement without fear of deportation or removal. The U visa allows law enforcement to establish relationships within the immigrant community and protect this population.

U Nonimmigrant Eligibility

To qualify for U nonimmigrant status, the individual must:

- Be a victim of one of 28 qualifying crimes (including domestic violence, sexual assault, felonious assault, and trafficking);
- Have suffered substantial physical or mental abuse as a result of the crime;
- Possess credible and reliable information about the crime;



- Have been, is being, or is likely to be helpful to law enforcement in the investigation or prosecution of the crime; and
- Crime must have occurred in U.S. or violated U.S. law with jurisdiction where crime occurred

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

Form I-918, Petition for U Nonimmigrant Status

Individuals seeking U nonimmigrant status are required to submit a completed Form I-918, a personal statement describing the victimization, and supplemental evidence of eligibility requirements. The petitioner must also submit a properly completed Form I-918, Supplement B (description provided below).

Form I-918, Supplement A, Petition for Qualifying Family Member of U-1 Recipient

Certain family members are eligible for a derivative U visa. To apply for a family member, the petitioner must file a Form I-918, Supplement A. The petitioner may file Form I-918A concurrently with Form I-918 or at a later time.

Form I-918, Supplement B, U Nonimmigrant Status Certification

Form I-918, Supplement B, U Nonimmigrant Status Certification, is a required piece of initial evidence and must be filed concurrently with the Form I-918. Form I-918B must be completed and signed by the law enforcement agency conducting the investigation or prosecution of the crime. Form I-918B provides an opportunity for law enforcement to describe the victimization of the petitioner and to provide information about how the petitioner has been, is being, or is likely to be helpful in the investigation and/or prosecution of the qualifying crime.

A U nonimmigrant (principal or derivative) may apply for permanent residence after three years of continuous physical presence in the United States.

The I-918 Supplement B is not a separate form. It is a required piece of evidence for the Form I-918.

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



The authority to collect information in this form is set forth in the Immigration and Nationality Act, 8 U.S.C. §§ 1103, 1158, 1225, 1228, and Title II of Public Law 105-100 and in the implementing regulations found at 8 CFR 214.14.

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 <input type="checkbox"/> U.S. citizens or lawful permanent residents <input type="checkbox"/> Non-U.S. Persons. <input checked="" 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 checked="" type="checkbox"/> Law enforcement. <input checked="" type="checkbox"/> DHS employee or contractor. <input type="checkbox"/> Other individual/entity/organization that is NOT the record subject. <i>Please describe.</i>

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.



	Click here to enter text.
d. How do individuals complete the form? <i>Check all that apply.</i>	<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>
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>Form I-918 and/or I-918A collect the following information regarding principal petitioners and family members:</p> <ul style="list-style-type: none"> - Full Name - Address - Alien Registration Number - Date and Place of Birth - Country of Citizenship - Gender and Marital Status - Email Address - Social Security Number - I-94 Number - Place and Date of Last Entry - Passport Number, Place and Date of Issue - Current Immigration Status - Entries to the United States - Criminal and Immigration History - Address of Country Where Notification to be Sent - Telephone Number - Email Address - Signature <p>For Family Members, Form I-918A also collects:</p> <ul style="list-style-type: none"> - Name of Former Spouse, Date Marriage Ended, Where and How Marriage Ended <p>Forms I-918 and I-918A collect the following preparer information:</p> <ul style="list-style-type: none"> - Name - Business or Organization Name 	



- Address
- Phone Number
- Email Address
- Signature

Forms I-918 and I-918A collect the following interpreter information:

- Name
- Business or Organization Name
- Address
- Phone Number
- Email Address
- Language Used
- Signature

Form I-918 Supplement B also collects the following additional information:

- Name of Certifying Official
- Title and Division/Office of Certifying Official
- Name of Head of Certifying Agency
- Agency Type
- Case Status
- Certifying Agency Category
- Case Number
- FBI or SID Number
- Assessment of Criminal Acts of which Petitioner was Victim
- Assessment of Petitioner's Helpfulness
- Full Name, Relationship and Involvement of Culpable Family Members in Criminal Activity
- Signature of Certifying Official
- Telephone Number of Certifying Official
- Fax Number of Certifying Official

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) | <input type="checkbox"/> 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"/> Bank Account, Credit Card, or other financial account number	<input type="checkbox"/> Trusted Traveler Number (Global Entry, Pre-Check, etc.)
<input type="checkbox"/> Other. <i>Please list:</i>	<input type="checkbox"/> Driver's License Number
	<input checked="" type="checkbox"/> Biometrics

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

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."

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

The SSN 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.

i. Are individuals provided notice at the time of collection by DHS (<i>Does the records subject have notice of the collection or is form filled out by third party</i>)?	<input checked="" type="checkbox"/> Yes. Please describe how notice is provided. USCIS provides applicants with notice via a Privacy Notice which is included on the form instructions. <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. Click here to enter text. <input checked="" type="checkbox"/> Electronic. Please describe the IT system that will store the data from the form. Click here to enter text.
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	<input type="checkbox"/> Scanned forms (completed forms are scanned into an electronic repository). Please describe the electronic repository. Click here to enter text.
<p>b. If electronic, how does DHS input the responses into the IT system?</p>	<input checked="" type="checkbox"/> Manually (data elements manually entered). Please describe. The information is retrieved using the applicant’s Alien Registration Number. <input type="checkbox"/> Automatically. Please describe. Click here to enter text.
<p>c. How would a user search the information submitted on the forms, <i>i.e.</i>, how is the information retrieved?</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. Click here to enter text. <input type="checkbox"/> By a non-personal identifier. <i>Please describe.</i> Click here to enter text.
<p>d. What is the records retention schedule(s)? <i>Include the records schedule number.</i></p>	<p>There is currently no approved schedule for the I-918. The records office is working on a draft schedule that will bucket several related forms, including the I-918. It is currently in review by several offices.</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 approved records retention schedule.</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>	

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.



Yes, information is shared with other DHS components or offices. Please describe.

[Click here to enter text.](#)

Information may be shared with DHS and Immigration and Customs Enforcement in compliance with confidentiality provisions in 8 USC 1367.

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

[Click here to enter text.](#)

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:	Catherine Shorten
Date submitted to component Privacy Office:	November 16, 2018
Date submitted to DHS Privacy Office:	November 21, 2018
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. <input checked="" type="checkbox"/> No. Please describe why not. Click here to enter text. USCIS Office of Privacy developed a Privacy Notice and is seeking program and OCC approval.
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-918 provides an opportunity for individuals to apply for temporary immigration benefits available to victims of serious crimes such as domestic violence, sexual assault, and trafficking, and family members, subject to specific eligibility requirements.</p> <p>The Office of Privacy recommendation is to designate the Form I-918 and its supplements as privacy sensitive with coverage under existing PIAs and SORNs.</p> <p>PIA</p> <ul style="list-style-type: none"> DHS/USCIS/PIA-016(a) Computer Linked Application Information Management System (CLAIMS 3) and Associated Systems <p>SORNS</p> <ul style="list-style-type: none"> DHS/USCIS-001Alien File, Index, and National File Tracking SORN DHS/USCIS-007 Benefits Information System The USCIS Office of Privacy also recommends adding the Immigration Biometric and Background Check SORN as coverage. Although the form itself does not cover the collection of biometrics, the form requires individuals to schedule a biometrics 	



Homeland Security

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

collection appointment at an Application Support Center. Moving forward, USCIS plans to add this SORN as coverage for all forms that require biometric collection.



PRIVACY THRESHOLD ADJUDICATION

(TO BE COMPLETED BY THE DHS PRIVACY OFFICE)

DHS Privacy Office Reviewer:	Hannah Burgess
PCTS Workflow Number:	Click here to enter text.
Date approved by DHS Privacy Office:	November 23, 2018
PTA Expiration Date	November 23, 2021

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:	Choose an item.
Date IC/Form Approved by PRIV:	Click here to enter a date.
IC/Form PCTS Number:	Click here to enter text.
Privacy Act Statement:	Choose an item. Click here to enter text.
PTA:	Choose an item. Click here to enter text.



PIA:	<p>System covered by existing PIA</p> <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>
SORN:	<p>System covered by existing SORN</p> <p>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;</p> <p>DHS/USCIS-007 - Benefits Information System October 19, 2016 81 FR 72069;</p> <p>DHS/USCIS-018 Immigration Biometric and Background Check (IBBC) System of Records, July 31, 2018, 83 FR 36950</p> <p>If a SORN update is required, please list: Click here to enter text.</p>
<p>DHS Privacy Office Comments:</p> <p><i>Please describe rationale for privacy compliance determination above.</i></p>	
<p>USCIS is submitting this PTA to discuss Form I-918, which is used by individuals to apply for temporary immigration benefits available to victims of serious crimes such as domestic violence, sexual assault, and trafficking, as well as qualifying family members of these victims, subject to specific eligibility requirements.</p> <p>Individuals seeking U nonimmigrant status are required to submit a completed Form I-918, a personal statement describing the victimization, and supplemental evidence of eligibility requirements. The petitioner must also submit a properly completed Form I-918, Supplement B, must be completed and signed by the law enforcement agency conducting the investigation or prosecution of the crime. Certain family members are eligible for a derivative U visa. To apply for a family member, the petitioner must file a Form I-918, Supplement A. The petitioner may file Form I-918A concurrently with Form I-918 or at a later time.</p> <p>The DHS Privacy Office finds this form is privacy sensitive, requiring PIA coverage. Coverage is provided by DHS/USCIS/PIA-016(a) CLAIMS 3. PRIV recommends that coverage also be provided by the planned Special Protected Classes PIA.</p> <p>SORN coverage is also required, and is provided by the A-File, BIS, and Immigration Biometric and Background Check SORNs.</p>	