



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 Customs Enforcement (ICE)	Office:	Student & Exchange Visitor Program (SEVP)

IF COVERED BY THE PAPERWORK REDUCTION ACT:

Collection Title:	Certificate of Eligibility for Nonimmigrant Student Status		
OMB Control Number:	1653-0038	OMB Expiration Date:	April 30, 2021
Collection status:	Revision	Date of last PTA (if applicable):	December 20, 2017

PROJECT OR PROGRAM MANAGER

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COMPONENT INFORMATION COLLECTION/FORMS CONTACT

Name:	Scott Elmore		
Office:	ICE OCIO	Title:	ICE Forms Manager



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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.

This U.S. Department of Homeland Security (DHS) Form I-20, *Certificate of Eligibility for Nonimmigrant Student Status*, OMB Control Number 1653-0038, is being submitted for a three-year renewal. ICE is updating this form with the “City of Birth” for nonimmigrants. This data element is being added to the I-20 Form as a required field for the purpose establishing a person-centric system.

The Student and Exchange Visitor Program (SEVP) was established as part of the Homeland Security Investigations (HSI) National Security Investigations Division (NSID) within U.S. Immigration and Customs Enforcement (ICE). SEVP supports the application and admission of foreign nationals (and their dependents) seeking entry into the United States as nonimmigrant students under F and M classes of admission (hereinafter, “F and M nonimmigrants”). To facilitate the program’s work, SEVP collects, uses, shares, and maintains personally identifiable information (PII) on nonimmigrant students and their dependents to ensure compliance with immigration laws and regulations.

In order to study in the United States, a nonimmigrant student must first apply to an SEVP-certified school in the United States. As evidence of the school’s acceptance, the designated school official (DSO) issues the student a Form I-20 using the Student and Exchange Visitor Information System (SEVIS). The Form I-20 is used to determine eligibility for F and M nonimmigrant student status and 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 a nonimmigrant visa. A completed Form I-20 is required to obtain a visa from the Department of State.
3. Enter the United States: Form I-20 must be presented to the U.S. Customs and Border Protection at the port of entry. The Form I-20 lists the program start date. Nonimmigrant students may enter the United States up to 30 days prior to this date. A separate Form I-20 is required for any eligible dependents (F2 and M2 nonimmigrants) that will accompany F1 and M1 nonimmigrants into the United



States. For a F2 or M2 nonimmigrant that enter the United States without the F1/M1, he or she must also provide a copy of the F1/M1 nonimmigrant’s Form I-20.

- 4. Apply for benefits: F and M nonimmigrants must present a Form I-20 with DSO recommendation to apply for any nonimmigrant benefits (such as change of status, transfer, or employment (e.g. Optional Practical Training [OPT]) through USCIS .

Upon completion of a program of study, F and M students that participate in OPT may choose to create an SEVP Portal account that enables the student to update a subset of the initial information collected on the form (e.g., address) in his or her SEVIS record via the portal or request their DSO update their SEVIS record directly (if applicable).

- 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.*

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. The Omnibus Consolidated Appropriations Act of 1997, Pub. L. No. 104-208, 110 Stat 3009;
3. U.S.A. PATRIOT Act of 2001, Public Law 107-56;
4. 8 U.S.C. § 1732; 8 U.S.C. § 1761, 8 U.S.C. § 1762;
5. Homeland Security Presidential Directive-2 (HSPD 2, Combating Terrorism Through Immigration Policies, as amended by HSPD-5, Management of Domestic Incidents, Compilation of HSPDs);
6. 8 C.F.R. § 214.2(f)(10)-(12); 8 C.F.R. § 214.13; and, 8 C.F.R. § 274a.12(b)(6)(iv).

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	<input checked="" type="checkbox"/> Members of the public <input type="checkbox"/> U.S. citizens or lawful permanent residents

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.



<p>collect information? (Check all that apply.)</p>	<p><input checked="" type="checkbox"/> Non-U.S. Persons.</p> <p><input type="checkbox"/> DHS Employees</p> <p><input type="checkbox"/> DHS Contractors</p> <p><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 type="checkbox"/> The record subject of the form (e.g., the individual applicant).</p> <p><input type="checkbox"/> Legal Representative (preparer, attorney, etc.).</p> <p><input type="checkbox"/> Business entity. If a business entity, is the only information collected business contact information?</p> <p style="padding-left: 40px;"><input type="checkbox"/> Yes</p> <p style="padding-left: 40px;"><input type="checkbox"/> No</p> <p><input type="checkbox"/> Law enforcement.</p> <p><input type="checkbox"/> DHS employee or contractor.</p> <p><input checked="" type="checkbox"/> Other individual/entity/organization that is NOT the record subject. <i>Please describe.</i> As noted above, the DSO completes the Form I-20 in SEVIS for nonimmigrants. F and M students in OPT may use the SEVP Portal to update a subset of the initial information collected on the form provided by the DSO during the acceptance process or request the DSO update the SEVIS record.</p>
<p>d. How do individuals complete the form? Check all that apply.</p>	<p><input type="checkbox"/> Paper.</p> <p><input type="checkbox"/> Electronic. (ex: fillable PDF)</p> <p><input checked="" type="checkbox"/> Online web form.² (available and submitted using the internet)</p> <p><i>Provide link: https://egov.ice.gov/sevis/</i></p>

² The Form I-20 is a document issued by SEVP-certified schools that provides information on an F or M student's nonimmigrant status. Currently, the Form I-20 is completed by a DSO in SEVIS and issued in hard-copy. As paperless processes of data collection and verification mature, Form I-20 information will be managed entirely electronically through the web.



	School officials complete the Form I-20 in SEVIS and send the Form I-20 to the student via mail.
<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><u>Non-immigrant PII collected:</u></p> <ul style="list-style-type: none"> • Name (surname/primary name, passport name, and preferred name) • Signature (Student, and Parent or Guardian) • Date of Birth • City 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.) • School funding • Student’s personal funds • Funds from other sources • On-campus employment funds <p><u>Non-immigrant’s Dependents PII Collected:</u></p> <ul style="list-style-type: none"> • Name (surname/primary name, given name, passport name, preferred name) • Relationship to nonimmigrant (Minor child/Spouse) • City of birth • Country of birth • Country of citizenship • Address • Email address • Birth date • Gender • Telephone number (foreign and U.S.) <p><u>Non-immigrant’s Employer (and Supervisor) PII collected:</u></p> <ul style="list-style-type: none"> • Student Employment Identification Number • Employment Status Duration of Employment 	



<ul style="list-style-type: none"> • Employer Name • Employer Location • 	
<p>f. Does this form collect Social Security number (SSN) or other element that is stand-alone Sensitive Personally Identifiable Information (SPII)? <i>Check all that apply.</i></p>	
<input type="checkbox"/> Social Security number <input type="checkbox"/> Alien Number (A-Number) <input type="checkbox"/> Tax Identification Number <input type="checkbox"/> Visa Number <input type="checkbox"/> Passport Number <input type="checkbox"/> Bank Account, Credit Card, or other financial account number <input 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
<p>g. List the specific authority to collect SSN or these other SPII elements.</p>	
<p>N/A</p>	
<p>h. How will this information be used? What is the purpose of the collection? Describe why this collection of SPII is the minimum amount of information necessary to accomplish the purpose of the program.</p>	
<p>N/A</p>	
<p>i. Are individuals provided notice at the time of collection by DHS (<i>Does the records subject have notice of the collection or is form filled out by third party</i>)?</p>	<input type="checkbox"/> Yes. Please describe how notice is provided. <input checked="" type="checkbox"/> No. F and M nonimmigrants are made aware of the initial information collection upon acceptance and receipt of the Form I-20 sent by the DSO.

3. How will DHS store the IC/form responses?	
<p>a. How will DHS store the original, completed IC/forms?</p>	<input type="checkbox"/> Paper. N/A <input checked="" type="checkbox"/> Electronic. Please describe the IT system that will store the data from the form. SEVIS maintains and tracks all nonimmigrant information.



	<p><input checked="" type="checkbox"/> Scanned forms (completed forms are scanned into an electronic repository). Please describe the electronic repository. I-20 Forms may be uploaded into SEVP’s Student and Exchange Visitor Program Automated Management System (SEVPAMS) where an update is required by a school official.</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). School officials complete the Form I-20 in SEVIS. As noted above, a student participating in OPT may choose to create a SEVP Portal account where he or she will have limited access to update information maintained in their SEVIS record.</p> <p><input checked="" type="checkbox"/> Automatically. Batch processing is available to schools when multiple Form I-20s need to be updated and/or completed. Schools create a batch file and it is imported into SEVIS.</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.³If information is retrieved by personal identifier, please submit a Privacy Act Statement with this PTA. SEVIS ID is the primary identifier used to retrieve a student’s SEVIS record/information collection. The student’s name can also be used to retrieve a SEVIS record.</p> <p><input checked="" type="checkbox"/> By a non-personal identifier. Additionally, SEVIS users can conduct high level data searches or filter information using multiple non-personal identifiers such as country of birth, country of citizenship, or employer identification number (EIN) to view a list of students associated with an employer.</p>
<p>d. What is the records retention schedule(s)? <i>Include the records schedule number.</i></p>	<p>Records in SEVIS are currently unscheduled and will be retained indefinitely until a records schedule is approved by the National Archives and Records Administration.</p>

³ 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>e. How do you ensure that records are disposed of or deleted in accordance with the retention schedule?</p>	<p>See above.</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. SEVP shares Form I-20 information with the following ICE program offices and other DHS components for audit, enrolmment, compliance, enforcement, investigatory, litigation and other purposes:</p> <ul style="list-style-type: none"> • HSI Operational Systems Development and Management (OSDM) Unit and its system, FALCON Search and Analysis • Counterterrorism and Criminal Exploitation Unit, LeadTrac • Enforcement and Removal Operations • U.S. Customs and Border Protection, and • U.S. Citizenship and Immigration Services. <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. SEVP shares Form I-20 information the following external federal agencies for audit, enrolmment, compliance, enforcement, investigatory, litigation and other purposes:</p> <ul style="list-style-type: none"> • The Department of State, Consular Affairs • The Department of Treasury, Financial Management Services • The Department of Justice, Federal Bureau of Investigation • The Department of Defense, United States Airforce • The National Counterterrorism Center • The Commerce Department, Census Bureau, and • 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. <p><input type="checkbox"/> No. Information on this form is not shared outside of the collecting office.</p>	



**Homeland
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Washington, DC 20528
202-343-1717, pia@hq.dhs.gov
www.dhs.gov/privacy



Please include a copy of the referenced form and Privacy Act Statement (if applicable) with this PTA upon submission.



PRIVACY THRESHOLD REVIEW

(TO BE COMPLETED BY COMPONENT PRIVACY OFFICE)

Component Privacy Office Reviewer:	Kevin Mullinx, Nicole LaCicero
Date submitted to component Privacy Office:	December 14, 2020
Date submitted to DHS Privacy Office:	January 6, 2021
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>	
ICE Privacy recommends that the DHS Form I-17, <i>Petition for Approval of School for Attendance by Nonimmigrant Student</i> , has PIA coverage under DHS/ICE/PIA-001 SEVP and SORN coverage under DHS/ICE-001 SEVIS, and the publication of the forthcoming DHS/ICE-001 SEVP SORN.	



PRIVACY THRESHOLD ADJUDICATION

(TO BE COMPLETED BY THE DHS PRIVACY OFFICE)

DHS Privacy Office Reviewer:	Sean McGuinness
Approved by:	Riley Dean
PRIVCATS Workflow Number:	0015862
Date approved by DHS Privacy Office:	January 8, 2021
PTA Expiration Date	January 8, 2024

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.
Privacy Act Statement:	Choose an item. e(3) statement in Appendix is approved.
PTA:	No system PTA required. Click here to enter text.
PIA:	System covered by existing PIA If covered by existing PIA, please list: DHS/ICE/PIA-001 Student and Exchange Visitor Program 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 and forthcoming SEVP SORN.

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.

The DHS Privacy Office (PRIV) finds that Form I-20 is privacy sensitive as it collects PII from members of the public requiring PIA/SORN coverage.

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 SORN coverage is required as Form I-20 retrieves information by a personal 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 Notice

SEVIS – Certification and Eligibility of Nonimmigrant Status

Form I-20: Certificate of Eligibility for Nonimmigrant Student Status

Privacy Notice

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); the Omnibus Consolidated Appropriations Act of 1997, Pub. L. No. 104-208, 110 Stat 3009; USA PATRIOT Act of 2001, Pub. L. No. 107-56, 115 Stat 284; 8 U.S.C. § 1732; 8 U.S.C. § 1761, 8 U.S.C. § 1762; 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 C.F.R. § 214.2(f)(10)-(12); 8 C.F.R. § 214.13; and, 8 C.F.R. § 274a.12(b)(6)(iv).

Purpose: The primary purpose for soliciting this information from F and M nonimmigrants is to determine eligibility in a vocational or academic program and ensure compliance with federal immigration laws, rules and regulations required for participation in the Student and Exchange Visitor Program (SEVP). ICE SEVP uses the ICE Student and Exchange Visitor Program Information System (SEVIS) to collect and maintain nonimmigrant information provided by designated school officials (DSO). Additionally, F and M nonimmigrants participating in Optional Practical Training (OPT) may choose to create a student account in the SEVP Portal. The SEVP Portal enables students to update certain information collected and/or employer information in SEVIS via the portal or request the DSO update their information directly through SEVIS.

Routine Uses: The information will be used by and disclosed to DHS personnel for agency purposes. Additionally, information may be used or disclosed to federal, state, local, tribal, territorial, and foreign government and law enforcement entities and other parties for audit, enforcement, investigatory, litigation, or pursuant to all laws and in accordance with departmental policies.

For United States Citizens or Lawful Permanent Residents, or individuals whose records are covered by the Judicial Redress Act of 2015 (5 U.S.C. § 552a note) at the time of disclosure, information will be used or disclosed by DHS 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 <https://www.dhs.gov/system-records-notices-sorns>.



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www.dhs.gov/privacy

Disclosure: The information collection is voluntary. However, failure to provide the information requested may delay or interfere with the certification and eligibility of the nonimmigrant's status and program of study.