



Privacy Impact Assessment
for the

USCIS Civil Surgeon Designation

DHS/USCIS/PIA-067

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Abstract

The Immigration and Nationality Act (INA) of 1952, as amended by the Homeland Security Act of 2002, authorizes the Secretary of Homeland Security to designate civil surgeons if medical officers of the U.S. Public Health Service (USPHS) are not available. U.S. Citizenship and Immigration Services (USCIS) designates eligible physicians as civil surgeons to perform medical examinations of applicants for immigration benefits to the United States.¹ Civil surgeons assess whether immigration benefits applicants have any health conditions that could result in exclusion from the United States. In order to be designated, interested physicians provide personally identifiable information (PII) to USCIS. USCIS is issuing this Privacy Impact Assessment (PIA) to discuss the risks and mitigations associated with collecting, using, disseminating, and storing this information.

Overview

U.S. Citizenship and Immigration Services (USCIS) was created to enhance the security and improve the efficiency of national immigration services by exclusively focusing on the administration of benefit applications to benefit requestors and nonimmigrants for various reasons, including administering permanent resident status. Section 212(a)(1)(A)(i) of the Immigration and Nationality Act (INA) renders a benefit requestor inadmissible to the United States if a benefit requestor has certain diseases or medical conditions (*e.g.*, communicable diseases of public health significance, noncompliance with vaccination requirements, mental or physical disorders with associated harmful behavior, or drug abuse or addiction).² In order to establish that the benefit requestor is admissible when seeking adjustment of status to lawful permanent residence, and in certain cases, when the benefit requestor is seeking another immigration benefit, the benefit requestor must have a medical examination and submit Form I-693, *Report of Medical Examination and Vaccination Record*. Pursuant to 8 CFR 232.2, a USCIS-designated physician, also known as a Civil Surgeon, is required to conduct the examination of the benefit requestor and complete the Form I-693.³ A foreign national submits the form to USCIS as part of his or her immigration benefits application, if required. USCIS reviews the form to determine whether the applicant is inadmissible based on health-related grounds.

Civil surgeons must perform the immigration medical examination according to the Technical Instructions for the Medical Examinations of Aliens in the United States (Technical

¹ 8 U.S.C. § 1252.

² Immigration medical examinations conducted outside the United States must be performed by a panel physician who has been designated by the Department of State.

³ The Form I-693, *Report of Medical Examination and Vaccination Record*, is available at www.uscis.gov/i-693.



Instructions or TIs), published by the Centers for Disease Control and Prevention (CDC).⁴ Failure to comply with the TIs may result in USCIS revoking a Civil Surgeon's designation.

USCIS requires the physician to meet the following requirements to be eligible for the civil surgeon designation:

- Be a medical doctor (M.D.) or Doctor of Osteopathy (D.O.);
- Be licensed to practice medicine without restrictions in the state in which he or she seeks to perform immigration medical examinations;
- Have four years of professional experience, not including experience related to training (*i.e.*, internships and residencies);⁵ and
- Be authorized to work in the United States.⁶

Registered nurses, nurse practitioners, medical technicians, physical therapists, physician assistants, chiropractors, podiatrists, and other healthcare workers who are not licensed as physicians (M.D. or D.O.) may not be designated or function as civil surgeons.

Historically, civil surgeon designation was an informal process handled by USCIS District Directors. By regulation, USCIS District Directors are authorized to designate civil surgeons in their respective jurisdictions. In some circumstances, District Directors had delegated the designation authority to Field Office Directors in their districts.⁷ Physicians submitted informal written requests for civil surgeon designation to the district or field office with jurisdiction, along with documentary evidence showing they meet the professional qualifications to be a civil surgeon.

As of March 11, 2014, USCIS replaced the informal, decentralized civil surgeon application process with a formal, centralized process by requiring physicians applying for civil surgeon designation to submit the following information:

- A completed Form I-910, *Application for Civil Surgeon Designation*, to a Lockbox facility;⁸
- Associated fee;
- Evidence that he or she holds the requisite requirements to become a civil surgeon;
- A copy of a medical degree verifying he or she is an M.D. or D.O.;

⁴ The TIs are available at www.cdc.gov.

⁵ See INA 232(b) and 8 CFR 232.2(b).

⁶ If an officer grants civil surgeon designation to a physician who is only authorized to work in the United States for a limited period of time, the designation should be limited to the duration of the physician's work authorization.

⁷ See USCIS Policy Manual; Volume 8, part C, Chapter 2 – Application for Civil Surgeon Designation, available at <https://www.uscis.gov/policymanual/HTML/PolicyManual-Volume8-PartC-Chapter2.html#footnote-1>.

⁸ The Form I-910, *Application for Civil Surgeon Designation*, is available at www.uscis.gov/i-910.



- A copy of a current medical license in the state in which he or she seeks to perform immigration medical examinations;
- Evidence reflecting four years of professional experience, not including training-related experience, such as letters of employment verification;
- Proof of authorization to work in the United States (*e.g.*, U.S. Citizenship or lawful status in the United States); and
- A signature.⁹

This information collection is necessary to determine whether a physician meets the statutory and regulatory requirements for civil surgeon designation, found in 8 CFR 232.2.

Upon completing the civil surgeon package, USCIS instructs the physician to send his or her package to the Lockbox for fee receipting and initial review for acceptance by USCIS.¹⁰ The Lockbox forwards all properly receipted applications to the USCIS National Benefits Center (NBC) for adjudication. The Director of the NBC has the authority to grant, deny, and revoke civil surgeon designation.

Upon receipt, NBC contracting staff assembles the package into a Form I-910 receipt file and enter the information on Form I-910 into National Processing Workflow Repository (NPWR). NBC contracting staff sends the package to a NBC Adjudicator to review the package to ensure the physician has submitted all relevant materials and determines whether the physician meets the requisite eligibility requirements to designate him or her as a civil surgeon. The civil surgeon module of NPWR is the repository for the Form I-910 application data including scanned copies of all evidence submitted.

As part of the physician's background check, USCIS verifies the information the physician provides and determines if there are any adverse factors that prevent a favorable decision.

The adjudicator searches the respective State Medical Board website. This search not only confirms the validity of the physician's status, but also provide adverse information such as health care-related convictions and judgments, licensure actions, exclusions from government programs, and other adjudicated actions taken against the physician.

⁹ See 8 CFR 103.2(a)(2).

¹⁰ Lockbox facilities are operated by a financial agent authorized by the Department of Treasury (Treasury). This financial agent manages the intake of USCIS benefit applications and the collection of associated fees submitted directly by mail. It provides the mechanisms to capture information electronically from USCIS benefit request forms, deposit associated fees, move the information to USCIS systems via a system interface, and generate acceptance and rejection notices to applicants. The financial agent is also responsible for preparing the application-related files in accordance with USCIS guidance and sending the files to the next processing site (*i.e.*, National Benefits Center). The financial agent does not approve or deny benefit request forms received by the USCIS Lockbox. See DHS/USCIS/PIA-061 Benefit Request Intake Process, available at www.dhs.gov/privacy.



During the course of the vetting process, if USCIS discovers adverse information on the prospective civil surgeon, USCIS may be required to share this information with other entities. For example, if USCIS determines an applicant is involved in immigration fraud, USCIS is required to report this information to U.S. Immigration and Customs Enforcement (ICE), a law enforcement entity within DHS.

If the adjudicator determines the application may be approved, the adjudicator notifies the physician in writing of the approval, creates a new file for the physician who was granted civil surgeon designation or if a file for the physician already exists, updates the file to reflect the grant of designation, and updates the approval in NPWR. If the adjudicator determines the physician needs to provide additional information, the adjudicator uses NPWR to generate a Request for Evidence (RFE) letter that the NBC sends to the physician. If the NBC determines the physician's civil surgeon application is not favorable, the adjudicator uses NPWR to generate a Denial Letter. NPWR records all adjudicative decisions. After the adjudication is complete, NBC ships the physical application and associated evidence to the Harrisonburg File Facility (HBG), a secured location, for storage in accordance with the approved National Archives and Records Administration (NARA) retention schedule.

In addition to NPWR, a separate tool within MyUSCIS called *Find a Doctor*, maintains the following information:¹¹

- Physician's full name;
- Office name;
- Office address;
- Office telephone number;
- Email address (if available);
- Date(s) of designation;
- Date(s) of termination or revocation (if applicable); and
- Reason for termination/revocation.

NPWR serves as the internal database for use by USCIS adjudicators, while the MyUSCIS *Find a Doctor* is the public component that populates the active list of civil surgeons on the USCIS website. Online users who wish to locate a civil surgeon may visit the *Find a Doctor* tool on myUSCIS to search through a list of USCIS-authorized doctors in their area. *Find a Doctor* is a filtering tool that allows the online uses to search by address, zip code, or city. Once the online user enters address information, myUSCIS generates a list of doctors within the specified radius

¹¹ See DHS/USCIS/PIA-064 myUSCIS, available at www.dhs.gov/privacy.



or parameters. *Find a Doctor* tool provides the benefit requestor with the following information: the civil surgeon's full name, office name, address of the office, telephone number, office hours, accepted medical insurance plans, handicap accessibility, and any other relevant professional information the civil surgeon may choose to include. The results are ranked by closest in distance and included an embedded third-party map. An online user may also narrow down his or her search criteria based on the following preferences: gender, language spoken, accepted medical plan, handicap accessibility, and payment method.

The *Find a Doctor* tool also provides a "Get directions" or "Visit website" hyperlink. If the online user clicks on the hyperlink, the online user is redirected to a third-party, public-facing commercial website, to provide walking or driving directions or public transportation options, or to the Civil Surgeon office, respectively. The third-party commercial website offers satellite imagery, street maps, 360 degree panoramic views of streets, real-time traffic, etc. The third party commercial website may request a 'starting address' if the online user desires map directions to the selected office.

Individuals may also locate civil surgeons by contacting the USCIS National Customer Service Center (NCSC).¹²

Blanket Civil Surgeon Designation

USCIS has the authority to designate either individual physicians or members of a specified class of physicians as civil surgeons, provided they meet the legal requirements.¹³ Through policy and in agreement with CDC, USCIS has designated all state and local health departments as civil surgeons. Health departments may only use this blanket civil surgeon designation to complete the vaccination assessments for refugees¹⁴ seeking adjustment of status. Through policy, USCIS also extended a blanket civil surgeon designation to military physicians for the completion of all parts of a required immigration medical examination for members and veterans of the U.S. Armed Forces and certain eligible dependents if the military physician meets certain conditions.

This blanket designation eases the difficulties encountered by refugee adjustment applicants in complying with the vaccination requirement. It also relieves USCIS of the need to maintain lists of health departments and the names of individual physicians at these health departments. This blanket designation also eases the difficulties encountered by U.S. Armed Forces members, veterans, and certain eligible dependents when obtaining immigration medical examinations. It eases the civil surgeon designation process for military physicians, since many military physicians are not licensed in the states in which they provide medical services for the

¹² The NCSC serves as the primary method for customers to telephonically request assistance with applications and petitions, regulatory information, and up-to-date status information on benefit applications and petitions. See DHS/USCIS/PIA-054 NCSC, available at www.dhs.gov/privacy.

¹³ See INA § 209

¹⁴ This blanket designation does not cover asylees seeking adjustment of status.



military. Furthermore, this policy relieves USCIS of the need to maintain lists of individual military physicians designated as civil surgeons.

Eligible Physicians for Civil Surgeon designation for Refugees

Participation in this blanket civil surgeon designation is entirely voluntary and at the discretion of each health department. Health departments may only participate under this blanket designation if they have physicians authorized to provide medical services who meet the professional qualifications of a civil surgeon. This includes volunteer physicians at state and local health departments. Accordingly, health departments operating under this blanket designation are authorized only to perform the vaccination component of the immigration medical examination for refugees seeking adjustment of status. If a health department physician would like to perform parts of the immigration medical examination other than the vaccination assessment, the physician must obtain designation as a civil surgeon through the standard application process. Likewise, refugees who require the entire medical exam are required to visit a physician designated as a civil surgeon through the standard application process. Neither health departments nor eligible physicians at health departments need to obtain approval from USCIS prior to performing the vaccination component of immigration medical examinations as specified in the next section. Blanket designated civil surgeons are exempt from both application and fee requirements for civil surgeon designation.

Health departments operating under the blanket civil surgeon designation must record the vaccination assessment on the Form I-693, *Report of Medical Examination and Vaccination Record* as follows:

- Ensure the applicant's information and certification are completed;
- Complete the vaccination record; and
- Complete the civil surgeon's information and certification.

In accordance with the agreements reached with CDC, health departments operating under the blanket civil surgeon designation are required to certify Form I-693 by providing the attending physician's signature¹⁵ and a seal or stamp¹⁶ of the health department.

¹⁵ The attending physician must sign Form I-693. A signature stamp may be used. Health department nurses or other health care professionals may, but are not required to, co-sign the form. However, a form that has been signed only by a registered nurse, physician's assistant, or other medical professional who is not a licensed physician is not sufficient. If a form for a refugee adjusting status has been signed only by a medical professional employed by the health department (without an accompanying signature by a medical doctor), an RFE should be sent to the applicant for corrective action.

¹⁶ The health department is also required to affix either the official stamp or raised seal (whichever is customarily used) of that health department on the space designated on the form.



Eligible Physicians for Civil Surgeon designation for U.S. Armed Forces

Participation in this blanket civil surgeon designation is entirely voluntary and at the discretion of each medical facility. This blanket designation only applies to military physicians who:

- Meet the professional qualifications of a civil surgeon—except that the physician may be licensed in any state in the United States, and is not required to be licensed in the state in which the physician is performing the immigration medical examination;
- Are employed by the Department of Defense (DOD) or provides medical services to U.S. Armed Forces members, veterans, and their dependents as military contract providers or civilian physicians; and
- Are authorized to provide medical services at a military treatment facility (MTF) within the United States.

Neither the medical facility nor the physician who qualifies and wishes to participate in the blanket designation needs to obtain approval from USCIS prior to performing immigration medical examinations. Blanket designated civil surgeons are exempt from both USCIS application and fee requirements for civil surgeon designation.

However, military physicians must review and be familiar with CDC's TIs for the Medical Examination of Aliens in the United States before they can begin performing immigration medical examinations.¹⁷

Pursuant to the understanding reached between USCIS and CDC, military physicians who qualify under this blanket civil surgeon designation may perform the entire immigration medical examination as long as the exam is conducted in the United States on the premises of an MTF, and for a U.S. Armed Forces member, veteran, or dependent who is eligible to receive medical care at that MTF.

Military physicians must apply for civil surgeon designation under the standard designation process if they wish to complete immigration medical examinations:

- In a U.S. location other than on the premises of an MTF; or
- For applicants other than those U.S. Armed Forces members, veterans, or dependents to whom they are authorized to provide medical services at an MTF.

U.S. Armed Forces members, veterans, or dependents will need to visit a physician designated as civil surgeon through the standard application process if they:

- Prefer to have the immigration medical examination performed by a physician who does

¹⁷ The Technical Instructions (TIs) are available online at:
<http://www.cdc.gov/immigrantrefugeehealth/exams/ti/civil/technical-instructions-civil-surgeons.html>.



not qualify under this blanket designation for military physicians;

- Prefer to have the immigration medical examination performed in a U.S. location other than at the MTF at which they are authorized to receive medical services; or
- Do not have access to a military physician who is performing immigration medical examinations under this blanket designation.

Military physicians operating under the blanket civil surgeon designation must record the results of the immigration medical examination on the Form I-693, *Report of Medical Examination and Vaccination Record*, according to the standard procedures all civil surgeons are required to follow.

In accordance with the agreements reached with CDC, a military physician operating under the blanket civil surgeon designation is required to certify Form I-693 by providing a signature¹⁸ and stamp or seal.¹⁹

Civil Surgeon Termination and Revocation

USCIS requires civil surgeons who no longer wish to be designated as a civil surgeon to request that USCIS terminate the designation in writing. A physician who voluntarily terminates his or her civil surgeon designation must re-apply with USCIS if he or she wishes to be designated as a civil surgeon again.

USCIS may revoke a physician's civil surgeon designation if he or she:

- Fails to comply with the TI, Form I-693 Instructions, or fails to fulfill other responsibilities of a civil surgeon consistently or intentionally;
- Falsifies or conceals any material fact in the application for civil surgeon designation, or provides any false documents or information to obtain the designation;
- Knowingly falsifies or conceals any material fact on Form I-693, or includes any false documents or information to support any findings in the record;
- Fails to maintain a currently valid and unrestricted license to practice as a physician in any state in which the physician conducts immigration medical examinations, unless otherwise excepted or exempted from this requirement;

¹⁸ A signature stamp may be used. Nurses or other health care professionals may, but are not required to, co-sign the form. However, a form that has been signed only by a registered nurse, physician's assistant, or other medical professional who is not a licensed physician is not sufficient. If a form for a U.S. Armed Forces member, veteran, or eligible dependent has been signed only by a medical professional employed by the military facility (without an accompanying signature by a medical doctor), an RFE should be sent to the applicant for corrective action.

¹⁹ The MTF is also required to affix either the official stamp or raised seal of that facility on the space designated on the form.



- Is subject to any court or disciplinary action that revokes, suspends, or otherwise restricts the physician's authority to practice as a physician in any state in which the physician conducts immigration medical examinations; or
- Has failed to meet any of the professional qualifications for a civil surgeon at any time during the period of a physician's designation as a civil surgeon, unless USCIS finds both that the physician has corrected any gap in eligibility and that the physician refrained from conducting immigration medical examinations during any period in which the physician was not eligible for designation as a civil surgeon.

Once USCIS decides to initiate the revocation, the officer must serve the physician with a notice of intent to revoke by Certified Mail/Return Receipt Requested or other method that provides proof of delivery. The notice must clearly state the exact grounds for the intended revocation and include copies of any relevant evidence. USCIS provides the physician 30 days from the date of the notice to respond with countervailing evidence. The physician may choose to be represented by private counsel at his or her own expense.

Once the period for the physician's response to the notice of intent to revoke has expired, USCIS will review the record and decide whether to revoke the physician's designation as a civil surgeon. USCIS will include any response from the physician in the record of proceeding. USCIS must notify the physician in writing of the decision.

There is no administrative appeal from a decision to revoke a physician's designation as a civil surgeon. The physician may, however, file a motion to reopen or reconsider. A decision revoking a physician's designation as a civil surgeon must notify the physician of the right to file a timely motion to reopen or reconsider.

Similarly, USCIS may reopen and reconsider a decision on its own motion. A physician whose civil surgeon designation is revoked is not precluded from reapplying for civil surgeon designation, but the ground(s) upon which revocation is based should be considered as part of the adjudication of a subsequent application for civil surgeon designation. A physician, however, whose prior civil surgeon designation was revoked based on confirmed involvement in an immigration benefits fraud scheme will be denied civil surgeon designation upon reapplication.

If USCIS revokes a physician's designation as a civil surgeon, USCIS will update the list within *Find a Doctor* immediately to remove the civil surgeon's information.

If an officer reviewing Form I-693 has a concern about the sufficiency of an immigration medical examination performed by a physician who was designated at the time of the medical exam but subsequently had his or her designation revoked, the officer may reorder the medical exam to be performed by another civil surgeon to address the concern.



Section 1.0 Authorities and Other Requirements

1.1 What specific legal authorities and/or agreements permit and define the collection of information by the project in question?

Section 232 of the Immigration and Nationality Act (INA) and 8 CFR 232.2 provides the legal authority for this system.²⁰

1.2 What Privacy Act System of Records Notice(s) (SORN(s)) apply to the information?

USCIS recently updated DHS/USCIS-007 Benefit Information System Privacy Act System of Records Notice to include the collection of physician information.²¹

1.3 Has a system security plan been completed for the information system(s) supporting the project?

Yes. NPWR is covered as a minor system under the Digital Innovation Development – Information Technology (DID-IT) accreditation Boundary. DID-IT completed the security assessment and authorization documentation in August 2013, and was accepted into the Ongoing Authorization program. Ongoing Authorization requires USCIS to review DID-IT on a monthly basis and maintain its security posture to maintain its authority to operate (ATO).

1.4 Does a records retention schedule approved by the National Archives and Records Administration (NARA) exist?

Yes. NARA has approved three retention schedule's relating to civil surgeon designations. USCIS retains application packages, received through the Form I-910, for 35 years after cutoff date [DAA-0566-2014-0001-0001].²² USCIS retains informal requests received prior to the implementation of the Form I-910 in March 2014, for 35 years from the cutoff date [DAA-0566-2014-0001-0002]. USCIS retains Civil Surgeon Locator information for 35 years [DAA-0566-2014-0001-0003]. USCIS established a 35 year retention period to cover the career life expectancy for a physician in light of the fact there is no renewal requirement. Eventually, USCIS may scan application packages and destroy the hard copies in accordance with General Records Schedule 20, Item 2a(4).

²⁰ 8 U.S.C. § 1252.

²¹ DHS/USCIS-007 Benefits Information System, 81 FR 72069 (Oct. 19, 2016).

²² For purposes of Form I-910, the cutoff date is the end of each fiscal year of the date of USCIS decision on the application.



1.5 If the information is covered by the Paperwork Reduction Act (PRA), provide the OMB Control number and the agency number for the collection. If there are multiple forms, include a list in an appendix.

This collection of information is subject to the Paperwork Reduction Act. The collection of information is covered by OMB Control Number 1516-0114.

Section 2.0 Characterization of the Information

The following questions are intended to define the scope of the information requested and/or collected, as well as reasons for its collection.

2.1 Identify the information the project collects, uses, disseminates, or maintains.

USCIS collects information from physicians in order to designate them as a civil surgeon. Through the Form I-910 and supplementary evidence, USCIS collects the following information:

- Information on any previous civil surgeon designation(s) held (*e.g.*, period of designation, USCIS Office that granted designation, civil surgeon identification number, revocation or termination information);
- Information about the physician (*e.g.*, full name, date of birth);
- Clinical office information(s) (*e.g.*, name of clinic/practice, address, telephone and fax numbers, e mail address, office hours, handicap accessibility, accepted medical insurance plans website, fees for medical examination, and acceptable means of payment);
- Proof of physician's lawful status in the U.S:
 - If a United States Citizen, USCIS collects a copy of the passport, birth certification, Certificate of Citizenship, or Certificate of Naturalization;
 - If a Lawful Permanent Resident, USCIS collects a copy of the Form I-551, *Permanent Resident Card* and Form I-765, *Employment Authorization Card*.
 - If a Nonimmigrant, USCIS requests a copy of the Form I-94 *Arrival/Departure Record*, a copy of the passport or travel document and any documents related to the nonimmigrant status, (*e.g.*, copy of petition, petition approval, or change/extension of status application), date of last arrival, I-94 number, passport number, travel document number, country of issuance for passport or travel document, expiration date of passport or travel document, and current nonimmigrant status.



- Medical license information (*e.g.*, state/territory of license, license number, date of issuance and expiration);
- Medical degree information (*e.g.*, school(s), dates of attendance, degree(s) earned);
- A certified copy of the physician's medical school transcripts;
- Professional experience (*e.g.*, employer(s), dates of employment, contact information, copy of business tax return);
- Signature; and
- Preparer's information (*e.g.*, full name, address, organization name and signature, if applicable).

2.2 What are the sources of the information and how is the information collected for the project?

USCIS collects information directly from physicians who are voluntarily seeking to be designated as a civil surgeon through the Form I-910 and supplementary evidence.

USCIS may also verify the information the physician provides and to find any adverse actions previously taken on the physician through accessing State Medical Board information or using publicly available information. USCIS does not rely solely on public information for its verification of professional credentials but rather uses it as an indicator of potential additional areas of inquiry.

2.3 Does the project use information from commercial sources or publicly available data? If so, explain why and how this information is used.

Yes. USCIS uses publicly available information to verify a physician's credentials. Some states make this information publicly available, and USCIS may check the credentials a physician provides to USCIS against this list. However, USCIS is not limited to only using publicly available information to verify a physician's credentials for purposes of determining eligibility for civil surgeon designation. For example, if the physician's credentialing information is not publicly available on the State Medical Board's website, USCIS may make an official request to that State Board for verification of the physician's credentials. USCIS may also access Google Earth or the Thomson Reuters Consolidated Lead Evaluation and Reporting (CLEAR), as needed, to assist in confirming the physician's office address.²³ This significantly limits the need for site visits by confirming the physical location of the physician's office.

²³ A limited number of NBC adjudicators have access to CLEAR in order to search and confirm a physician's office location.



2.4 Discuss how accuracy of the data is ensured.

USCIS collects information directly from physicians who voluntarily provide information to USCIS. Depending on the context of the collection, the project or program may verify information and conduct follow up with the physician by providing the opportunity to submit additional information if USCIS finds information it has collected to be inaccurate or inconsistent with information it obtains from the State Licensing Boards or publicly available information.

Furthermore, pursuant to the Chapter 5 of the “USCIS Policy Manual,” USCIS will perform a review of the civil surgeon list on a biennial basis, at a minimum, to ensure that all publicly available civil surgeon information is current and accurate.²⁴ If during this review, USCIS learns that a civil surgeon is no longer performing immigration medical examinations in the location specified as part of the designation, or is no longer practicing medicine at all; USCIS may terminate the civil surgeon designation and remove the physician from the list.

Finally, in order to keep the public list of civil surgeons accurate and up-to-date, civil surgeons must notify USCIS within 15 days of any change(s) relevant to civil surgeon designation, including if:

- The civil surgeon ceases to practice medicine;
- The civil surgeon ceases to perform immigration medical examinations in the state in which he or she is designated;
- There is a change in the civil surgeon’s contact information (*e.g.* name of office, address, telephone number, fax number, email address); or
- The civil surgeon would like to add new office locations.

2.5 Privacy Impact Analysis: Related to Characterization of the Information

Privacy Risk: There is a risk of over collection.

Mitigation: This risk is mitigated by USCIS only collecting the limited amount of information from the physician necessary to verify that he or she meets the federal requirements and qualifications to become a civil surgeon.

Privacy Risk: There is a risk to individual participation because USCIS relies on information collected from external sources beyond what the physician provided as part of the Civil Surgeon application package.

²⁴ The USCIS Policy Manual (PM) is available at www.uscis.gov/policymanual. The USCIS PM is the agency’s official source and centralized online repository for immigration policies.



Mitigation: This risk is partially mitigated. USCIS primarily collects information from the physician. However, USCIS accesses information from a variety of sources to verify the information provided by the physician. This information is necessary to ensure USCIS makes the correct determination about the physician.

Privacy Risk: Due to USCIS' reliance on external sources there is a risk that USCIS will obtain and rely upon inaccurate data.

Mitigation: The risk is partially mitigated in that USCIS considers information derived from sources other than the physician, but also exercises caution about the information's accuracy. Due to its inherent lack of data integrity, public source information is not used as the sole basis upon which to adjudicate a civil surgeon application.

Furthermore, to ensure USCIS maintains an accurate inventory of civil surgeon information, USCIS requests that civil surgeons update USCIS with any significant changes within 15 days.

Section 3.0 Uses of the Information

The following questions require a clear description of the project's use of information.

3.1 Describe how and why the project uses the information.

USCIS collects information from physicians to designate them as a civil surgeon. USCIS collects this information via the Form I-910, *Application for Civil Surgeon Designation* and through supplementary evidence via mail. Once USCIS receives the information, USCIS will analyze all documentation to determine the physician's eligibility to become a civil surgeon.

3.2 Does the project use technology to conduct electronic searches, queries, or analyses in an electronic database to discover or locate a predictive pattern or an anomaly? If so, state how DHS plans to use such results.

No. USCIS does not use technology to conduct electronic searches, queries, or analyses to discover or locate a predictive pattern or an anomaly.

3.3 Are there other components with assigned roles and responsibilities within the system?

No. USCIS does not work with other DHS components to designate physicians as civil surgeons. However, in the event USCIS suspects a physician of fraud, USCIS will forward the case to ICE for potential criminal investigation.



3.4 Privacy Impact Analysis: Related to the Uses of Information

Privacy Risk: There is a risk that USCIS will collect and use the physician information for an unauthorized purpose.

Mitigation: USCIS only uses the information to designate physicians as civil surgeons. USCIS collects this information to confirm physician meets the requirements to be a civil surgeon. All USCIS employees and contractors are required to complete annual privacy training to ensure their understanding of proper handling and securing of PII. The annual privacy training addresses appropriate privacy concerns, including misusing USCIS data.

Section 4.0 Notice

The following questions seek information about the project's notice to the individual about the information collected, the right to consent to uses of said information, and the right to decline to provide information.

4.1 How does the project provide individuals notice prior to the collection of information? If notice is not provided, explain why not.

The instructions on Form I-910 contains a Privacy Act Statement and instructions on how to file, where to send, and how to contact USCIS if there is a problem. The Privacy Act Statement provides notice to the physician about USCIS's authority to collect information, the purposes of data collection, routine uses of the information, and the consequences of declining to provide the requested information to USCIS. USCIS provides general notice to physicians through the publication of this PIA and the associated SORN identified in Section 1.2 of this PIA. Additional information, including Frequently Asked Questions (FAQ), about Civil Surgeons are available on the USCIS webpage or individuals may contact the NCSC.

4.2 What opportunities are available for individuals to consent to uses, decline to provide information, or opt out of the project?

Physicians voluntarily provide information to USCIS. However, to intake and receipt the Civil Surgeon requests, USCIS requires physicians to complete the Form I-910, provide supplemental evidence, and pay the associated fee. This information is critical for USCIS to accept and process the form in order to make an adjudication decision as to whether or not to designate a physician as a civil surgeon. Failure to provide the requested information prohibits USCIS from processing and properly adjudicating the request and thus precludes the physician from receiving the designation.



4.3 Privacy Impact Analysis: Related to Notice

There is no privacy risk associated with notice because USCIS provides notice to physicians through a Privacy Act Statement, this PIA, the associated SORN, the USCIS website, Civil Surgeon FAQs, and through the NCSC. Enrolling in the Civil Surgeon program is fully voluntary.

Section 5.0 Data Retention by the project

The following questions are intended to outline how long the project retains the information after the initial collection.

5.1 Explain how long and for what reason the information is retained.

NARA has approved three retention schedule's relating to civil surgeon designations. USCIS retains application packages, received through the Form I-910, for 35 years after cutoff date [DAA-0566-2014-0001-0001]. USCIS retains informal requests received prior to the implementation of the Form I-910 in March 2014, for 35 years from the cutoff date [DAA-0566-2014-0001-0002]. USCIS retains Civil Surgeon Locator information for 35 years [DAA-0566-2014-0001-0003]. USCIS established a 35 year retention period to cover the career life expectancy for a physician in light of the fact there is no renewal requirement. Eventually, USCIS may scan application packages and destroy the hard copies in accordance with General Records Schedule 20, Item 2a(4).

5.2 Privacy Impact Analysis: Related to Retention

Privacy Risk: There is a risk that USCIS may retain information longer than is necessary to perform relevant immigration functions.

Mitigation: Although there is always an inherent risk with retaining data for any length of time, data retention periods for the associated systems are consistent with the concept of retaining data to maintain a complete and accurate history of a physician's interaction with USCIS for future civil surgeon designation requests.



Section 6.0 Information Sharing

The following questions are intended to describe the scope of the project information sharing external to the Department. External sharing encompasses sharing with other federal, state and local government, and private sector entities.

6.1 Is information shared outside of DHS as part of the normal agency operations? If so, identify the organization(s) and how the information is accessed and how it is to be used.

USCIS may share this information with the Department of Health and Human Services (HHS) during the course of the civil surgeon application process as required by law and pursuant to the applicable SORN.

Furthermore, once USCIS designates a civil surgeon, the civil surgeon contact information is publicly available both through the National Customer Service Center phone line and *Find a Doctor* on <http://www.uscis.gov>.

6.2 Describe how the external sharing noted in 6.1 is compatible with the SORN noted in 1.2.

The applicable SORN, DHS/USCIS-007 Benefits Information System, allows external sharing for valid business purposes. Specifically, Routine Use Q, allows USCIS to share information to HHS, CDC, or to any state or local health authorities, to (1) provide proper medical oversight of DHS-designated civil surgeons who perform medical examinations of both arriving foreign nationals and of those requesting status as a lawful permanent resident; and (2) to ensure that all health issues potentially affecting public health and safety in the United States are being or have been, adequately addressed. Sharing information with HHS is compatible with the purpose for which the information is collected because HHS and CDC both ensure civil surgeons are operating under federal regulations and the TIs.

6.3 Does the project place limitations on re-dissemination?

USCIS has Memoranda of Understanding (MOU) in place with any external agencies with which USCIS shares information. These MOUs discuss limitations on re-dissemination.



6.4 Describe how the project maintains a record of any disclosures outside of the Department.

USCIS maintains records of disclosure of information in accordance with the routine uses set forth in the BIS SORN. USCIS keeps a record of the disclosure in the NPWR audit trail logs, which are maintained to identify all user transactions.

6.5 Privacy Impact Analysis: Related to Information Sharing

Privacy Risk: There is a risk of unauthorized disclosure.

Mitigation: USCIS receives the information from the physician, reviews it for accuracy, shares it with relevant government partners (if applicable), and stores it in a secure facility. USCIS will only share information with authorized entities for an authorized need. USCIS provides sufficient notice to physicians on how their information will be used and with whom it will be shared.

Section 7.0 Redress

The following questions seek information about processes in place for individuals to seek redress which may include access to records about themselves, ensuring the accuracy of the information collected about them, and/or filing complaints.

7.1 What are the procedures that allow individuals to access their information?

An individual may gain access to his or her USCIS records by filing a Privacy Act or Freedom of Information (FOIA) request. Only U.S. citizens and lawful permanent residents may file a Privacy Act request. Any person, regardless of immigration status, may file a FOIA request. If an individual would like to file a Privacy Act or FOIA request to view his or her USCIS record, he or she may mail the request to the following address.

U.S. Citizenship and Immigration Services
National Records Center
FOIA/PA Office
P O Box 648010
Lee's Summit, MO 64064-8010

Further information about Privacy Act/FOIA requests for USCIS records is available at <http://www.uscis.gov>.



7.2 What procedures are in place to allow the subject individual to correct inaccurate or erroneous information?

U.S. citizens and lawful permanent residents, under the Privacy Act, are afforded the ability to correct information by filing a Privacy Act Amendment. U.S. citizens and lawful permanent residents should submit requests to contest or amend information contained in CIS as discussed in Section 7.1. The requestor should clearly and concisely state the information being contested, the reason for contesting or amending it, the proposed amendment, and any evidence of the correct information. The requestor should also clearly mark the envelope, "Privacy Act Amendment Request." The record must be identified in the same manner as described for making a request for access. In addition to FOIA/PA requests, designated civil surgeons are encouraged to correct any inaccurate data included on the USCIS Civil Surgeon Locator by sending a request to NBCcivilsurgeons@uscis.dhs.gov.

7.3 How does the project notify individuals about the procedures for correcting their information?

USCIS notifies individuals of the procedures for correcting their information in this PIA, Privacy Act Statements, and through the USCIS website. Specifically, the SORNs set forth in Section 1.2 provide individuals with guidance regarding the procedures for correcting information.

7.4 Privacy Impact Analysis: Related to Redress

There is no risk associated with redress in relation to requests for a Civil Surgeon Designation. USCIS provides individuals with access, amendment, or correction to their records when requested through a FOIA/PA request by contacting USCIS directly by calling the USCIS National Customer Service Center toll-free number, or by emailing USCIS at NBCcivilsurgeons@uscis.dhs.gov.

Section 8.0 Auditing and Accountability

The following questions are intended to describe technical and policy based safeguards and security measures.

8.1 How does the project ensure that the information is used in accordance with stated practices in this PIA?

In accordance with DHS security guidelines, NPWR has auditing capabilities that log user activities. NPWR tracks all user actions via audit logs to identify audit information by user identification, network terminal identification, date, time, and data accessed. NPWR employs auditing measures and technical safeguards to prevent the misuse of data. Many users have



legitimate job duties that require them to design, develop, and optimize the system. These users perform this work under supervisory oversight. USCIS requires each employee to undergo an annual security awareness training that addresses his or her duties and responsibilities to protect the integrity of the civil surgeon related information. In addition, the NPWR system has internal audits separate from the domain security audits; therefore, a double layer of audit trails exists.

8.2 Describe what privacy training is provided to users either generally or specifically relevant to the project.

All USCIS employees and contractors are required to complete annual Privacy and Computer Security Awareness Training to ensure their understanding of proper handling and securing of PII. Privacy training addresses appropriate privacy concerns, including Privacy Act obligations (*e.g.*, SORNs, Privacy Act Statements). The Computer Security Awareness Training examines appropriate technical, physical, and administrative control measures. Leadership at each USCIS office is responsible for ensuring that all federal employees and contractors receive the required annual Computer Security Awareness Training and Privacy Training.

8.3 What procedures are in place to determine which users may access the information and how does the project determine who has access?

Only a limited number of employees and contract staff with a valid need-to-know have access to the information physicians provide to USCIS for consideration when applying for designation as a Civil Surgeon. USCIS adjudicators perform this work is performed under supervisory oversight. USCIS uses role-based access controls and enforces a separation of duties to limit access to only those individuals who have a need-to-know in order to perform their duties. Each operational role is mapped to the set of system authorizations required to support the intended duties of the role. The mapping of roles to associated authorizations enhances adherence to the principle of least privilege. Authorized users are broken into specific classes with specific access rights. This need-to-know is determined by the respective responsibilities of the employee. These roles are enforced through DHS and USCIS access request forms and procedures.

8.4 How does the project review and approve information sharing agreements, MOUs, new uses of the information, new access to the system by organizations within DHS and outside?

USCIS has a formal review and approval process in place for new sharing agreements. Any new sharing agreements, use of information, and new access requests for USCIS systems must go through the USCIS change control process and must be approved by the proper authorities,



including the USCIS Office of Chief Counsel and USCIS Office of Privacy, prior to sharing information within and outside of DHS.

Responsible Officials

Donald K. Hawkins
Privacy Officer
U.S. Citizenship and Immigration Services
Department of Homeland Security

Approval Signature

Original, signed copy on file with the DHS Privacy Office.

Jonathan R. Cantor
Acting Chief Privacy Officer
Department of Homeland Security