



Privacy Impact Assessment
for the

Benefit Request Intake Process

DHS/USCIS/PIA-061

March 15, 2016

Contact Point

Donald K. Hawkins

Privacy Officer

U.S. Citizenship and Immigration Services

(202) 272-8030

Reviewing Official

Karen L. Neuman

Chief Privacy Officer

Department of Homeland Security

(202) 343-1717



Abstract

The U.S. Citizenship and Immigration Services (USCIS) is publishing the Benefit Request Intake Processing Privacy Impact Assessment (PIA) to discuss the process for initial intake and receipt of benefit requests submitted by individuals seeking immigration-related benefits provided in the Immigration and Nationality Act. This PIA considers the privacy risks and applicable mitigation strategies associated with the collection, use, and maintenance of personally identifiable information (PII) provided by benefit requestors on all types of benefit request forms and the associated USCIS data systems used to support the initiation, receipt, and review of all USCIS paper and electronic filings.

Overview

On March 1, 2003, the U.S. Citizenship and Immigration Services (USCIS) officially assumed responsibility for the immigration service functions of the U.S. Federal Government. The Homeland Security Act of 2002¹ dismantled the former Immigration and Naturalization Service (INS) and separated the agency into three Components within the Department of Homeland Security (DHS).² USCIS was formed to enhance the security and improve the efficiency of national immigration services by focusing on the administration of benefit applications and petitions (hereinafter collectively referred to as “benefit request forms”) for immigrants³ and nonimmigrants.⁴

USCIS oversees lawful immigration and non-immigration to the United States and is responsible for the administration of immigration, non-immigration, and naturalization adjudication functions and for establishing immigration, policies, and priorities. In executing its mission, USCIS performs functions that include the intake, review, and adjudication of the following types of benefits:

- 1) Family-Based;⁵
- 2) Employment-Based;⁶

¹ Pub. L. No. 107-296, 116 Stat. 2135.

² U.S. Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection (CBP), components within DHS, now handle immigration enforcement and border security functions.

³ An immigrant is a person who wishes to live in the United States permanently.

⁴ A nonimmigrant is a person with a permanent residence outside the United States but who wishes to be in the United States on a temporary basis (i.e., tourism, medical treatment, business, temporary work, or study).

⁵ An individual may petition for relatives (or future relatives such as a fiancé(e) or a prospective adopted child) to immigrate to the United States.

⁶ All foreign workers must obtain permission to work legally in the United States. Each employment category for admission has different requirements, conditions, and authorized periods of stay. USCIS offers the following employment-based categories: temporary (nonimmigrant) worker, permanent workers, students and exchange visitors, and temporary visitors for business.



- 3) Humanitarian-Based;⁷
- 4) Adoption-Based;⁸ and
- 5) Citizenship and Naturalization-Based.⁹

USCIS processes hundreds of different types of forms for the five types of benefit requests above. However, the intake process is the same for all forms, regardless of benefit request. USCIS is conducting this programmatic PIA to describe the overall intake process that applies to all benefit forms.

Because the processing and adjudication of benefit request forms occurs in various stages, this PIA only addresses the initial intake of information provided by benefit requestors on benefit request forms and supporting documentation. This includes the receipt and preliminary review of the benefit request form.

Application Initiation by Benefit Requestor:

In order to begin the benefit request process, an applicant or petitioner (collectively referred to as “benefit requestor” for the purposes of this document) must complete a benefit request form.¹⁰ Individuals have the option to complete the benefit request form by paper or file the form electronically (if available); both methods collect the same information and payment fee. Upon completion, individuals submit the completed benefit request form, required supporting documents, and applicable fee payment or fee waiver. Individuals may submit benefit request forms electronically or by mail at one of USCIS Service Centers, USCIS domestic and international Field Offices, or at a USCIS Lockbox (described below).¹¹

Paper Filings:

A benefit requestor (or his or her representative) mail paper-based forms, required supporting documents, and applicable fee payment or fee waiver to either a USCIS Lockbox or USCIS Service Center, depending on the form. Each USCIS form has specific instructions regarding how and where to file the completed form. Benefit requestors or representatives must

⁷ USCIS provides a number of humanitarian programs and protection to assist individuals in need of shelter or aid from disasters, from oppression, for emergency medical issues, and for other urgent circumstances, including: asylum; refugee; parole; deferred action; temporary protective status; battered spouse, children, and parents; and victims of human trafficking and other crimes.

⁸ USCIS is responsible for determining the eligibility and suitability of the Prospective Adoptive Parents (individuals) looking to adopt and determining the eligibility of the child to immigrate to the United States.

⁹ Naturalization is the manner in which a person not born in the United States voluntarily becomes a U.S. citizen.

¹⁰ Available at www.uscis.gov/forms.

¹¹ International field offices may accept benefit request forms filed in-person by the benefit requestor (such as I-130s, I-360, I-600s). These forms are adjudicated overseas and do not get routed through the Lockbox or Service Centers. They are not issued receipt numbers similar to those filed with the Lockbox/Service Center. Fees are paid through the US Embassy/Consulate’s State cashier at post.



file benefit request forms according to the specific instructions provided for each particular form. Different USCIS facilities accept different types of benefit request forms, so it is important that forms are submitted to the proper location.

USCIS Service Centers and the National Benefit Center are the USCIS entities that receive and are responsible for processing the largest variety of benefit request forms. These centers handle the filing, data entry, and adjudication of certain forms for immigration services and benefits. In addition, fee receipting is performed by keeping track of fees charged and collected.

Lockbox facilities are operated by a specialized contractor authorized by the Department of Treasury (Treasury).¹² This contractor 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 contractor 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., Service Center). The contractor does not approve or deny benefit request forms received by the USCIS Lockbox.¹³

Electronic Filing:

The benefit requestor and/or his or her representative may choose to submit the benefit request form online. USCIS allows certain benefit requests forms to be completed and filed by benefit requestors and/or representatives. To complete the benefit requests process, the individual must enter valid data into all required fields, pay for the fees associated with the benefit request(s), and certify that the information that has been submitted is accurate. Prior to completing the online form, users must establish a unique user account.¹⁴

USCIS Receipt of Application:

USCIS receives paper or electronic benefit request filings depending on the method used to submit the benefit request form. Every form must also include the correct fee.

¹² Not all USCIS forms are submitted directly to a Lockbox facility. Lockbox intake is prioritized for fee-bearing forms and therefore, not all forms are submitted directly to the Lockbox. Lockbox intake includes a) a secure environment for fee collections, resulting in improved internal controls; b) centralized and expedited application- and fee-collection intake; c) reduced operational costs, as Treasury funds a significant portion of the Lockbox activities; and d) flexibility in addressing issues related to unanticipated surges in volume. The handful of fee-bearing forms that do not come through Lockbox are based on low-volume or business need (e.g., I-129 cap, I-907 time-sensitivity).

¹³ See Department of Treasury Financial Management Service Privacy Impact Assessment, available at https://www.fms.treas.gov/pia/ECP_PIA.pdf.

¹⁴ See DHS/USCIS/PIA-056 USCIS Electronic Immigration System (USCIS ELIS) for more information on electronic filing, available at www.dhs.gov/privacy.



Paper Filings:

Incoming paper-based forms are received and reviewed by USCIS personnel at a Service Center, National Benefits Center, or Lockbox facility. These forms are maintained in a secure area with access limited to specified personnel who sort, open, and log the forms, and deposit associated fees.

As part of the receipting process, USCIS Service Center, National Benefits Center, and Lockbox personnel review incoming benefit request forms for basic information only, including the completion of the following items:

- Basic biographical information
- Signature on the form
- Appropriate USCIS office of the submitted form
- Correct fee
- Basic Eligibility (including visa availability) of individual

USCIS rejects improperly filed benefit request forms with a written explanation as to why the form was rejected and any corrective action needed.

The Lockbox scans an image of the benefit request form and supporting documentation into an electronic format, as well as performs manual data entry. Lockbox personnel perform data entry on an as needed basis for forms that do not convert properly in electronic format. Lockbox personnel compare the physical benefit request form and payment against the data in electronic format and make corrections as needed. Once the physical form is converted into electronic format, it is sent to the appropriate case management system. Some files are transmitted via the Electronic Service Bus¹⁵ and are also ingested into the EDMS Receipt File Repository.¹⁶ The physical benefit request form is also sent to the appropriate USCIS office to be stored in the paper A-File or Receipt File.¹⁷ After adjudication, the EDMS A-File Repository retains the electronic copy of the A-File.¹⁸

Electronic Filings:

After preparing a benefit request, the individual or his or her representative formally submits the benefit request by electronically signing the form and providing payment through an embedded pay.gov screen.¹⁹ Individuals use pay.gov to make a fee payment directly to Treasury.

¹⁵ See DHS/USCIS/PIA-008 Enterprise Service Bus (ESB), available at www.dhs.gov/privacy.

¹⁶ See DHS/USCIS/PIA-003(a), Integrated Digitization Document Management Program and subsequent updates for more information, available at www.dhs.gov/privacy.

¹⁷ Receipt Files are files of immigrant and nonimmigrant benefit request forms that USCIS receives.

¹⁸ See *supra* note 11.

¹⁹ The collection of payment information is collected by the Department of Treasury's Pay.gov system (see Financial Management Service (FMS) PIA and Revenue Collection Records – Treasury/FMS.017 SORN, 68 FR



USCIS receives payment confirmation information from pay.gov. If pay.gov indicates the payment information is valid, USCIS accepts the benefit request.

Accepted Filings – Paper and Electronic:

If the benefit requestor properly filed the benefit request form, and the applicable fee payment is correct, USCIS generally assigns the benefit requestor, an Alien Number (A-Number)²⁰ or matches it with existing A-Number;²¹ assigns the application a Receipt Number; and forwards the benefit request form, to be consolidated in the A-File or Receipt File, to the appropriate USCIS office.²² Once successfully filed, the paper and electronic benefit request form is transferred to the appropriate USCIS case management system for processing. USCIS permanently retains A-Files – whether paper or electronic.

Regardless of the method used to submit the benefit request form, USCIS sends Form I-797C, *Notice of Action*, to the benefit requestor or his or her representative to confirm receipt of the form. The Form I-797C is used throughout the benefit request process to communicate receipt, rejection, transfer, re-open, and appointment notices (fingerprint, biometric capture, interview, or rescheduled notices). The online filing system also displays a Confirmation Receipt Number, a link to a PDF version of the form the individual filed, and a Confirmation Receipt Notice.

Benefit requestors may also request text messages or emails to be notified when USCIS accepts his or her benefit request form. Benefit requestors may request this communication by submitting the G-1145, *E-Notification of Application/Petition Acceptance*.²³ The email and text message alerts the customer that a change has been made to the case and provides the receipt number of the case that was updated. The email or text message advises the customer to login to his or her Case Status Service Online (CSSO) portfolio account for more detailed information.²⁴

5691 published on February 4, 2003), which acts as the clearing-house to collect and process automated clearing-house and credit-card information.

²⁰ The A-Number is a unique seven-, eight-, or nine-digit number assigned to a non-citizen at the time his or her A-file is created.

²¹ As a general matter, USCIS does not create an A-Number on a native born U.S. Citizen. However, in the event that a person (native born or naturalized) decides that he or she does not want to be a U.S. citizen, he or she may formally renounce his or her citizenship through Department of State (DOS). DOS sends a Certificate of Loss of Nationality to USCIS to be filed in an A-File for this purpose. In such circumstance an A-File will be created.

²² The receipt number is a unique 13-character identifier that USCIS provides for each application or petition it receives. The agency uses it to identify and track its cases. The receipt number consists of three letters-for example, EAC, WAC, LIN, SRC, NBC, MSC, YSC, AAO, or IOE-and 10 numbers.

²³ The G-1145 is available at www.uscis.gov/forms.

²⁴ See DHS/USCIS/PIA-019(a) Customer Relationship Interface System (CRIS) Update available at www.dhs.gov/privacy.



Preliminary Review of Benefit Request Form:

To initiate the adjudication process, USCIS adjudicators review the benefit request form and supporting evidence to determine benefit eligibility. USCIS may issue written notices to request missing or additional evidence from individuals who filed for immigration benefits.

To begin the substantive analysis of a benefit request form, the adjudicators verify the accuracy of the information provided in the benefit request form and ascertain the applicant's eligibility for the benefit sought by querying other USCIS, DHS, and external systems. USCIS may also require an in-person interview with the applicant for certain benefits.

Other published USCIS PIAs available on the DHS Privacy Office webpage cover the benefit request form analysis and case management, biometric collection, background check process, and the fraud detection and national security investigation process. These published PIAs provide an in-depth discussion of these separate processes and evaluate the privacy risks and mitigation strategies built into each process.

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 103, *et. seq.* of the Immigration and Nationality Act (INA) provide the legal authority for USCIS's management of the entire benefit request intake process for every type of benefit request.²⁵ Each benefit request will have its own specific authority, described in the SORNs below.

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

The following SORNs cover the collection, maintenance, and use of the information of the benefit request intake and receipt process:

- Alien File, Index, and National File Tracking System,²⁶ which covers the collection, use, and maintenance of benefit requests forms and supplemental evidence;

²⁵ 8 U.S.C. § 1103, *et. seq.*

²⁶ DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records, 78 FR 69864 (Nov. 21, 2013). The A-File is a paper or electronic-based file which contains official immigration records of aliens or persons who are not citizens or nationals of the United States (U.S.), as well as U.S. born citizens involved in certain immigration crimes. A-Files contain all records pertaining to naturalized citizens and any active case of an alien not yet naturalized, including records created as he or she passes through the U.S. immigration and inspection process and, when applicable, records related to any law enforcement action against or involving the alien.



- Inter-Country Adoptions Security,²⁷ which covers the collection and use of adoption forms, decisional data, and associated fees for adjudication;
- Benefits Information System,²⁸ which covers the collection and use of immigrant and nonimmigrant benefit request forms, decisional data, and associated fees for adjudication;
- Asylum Information and Pre-Screening,²⁹ which covers the collection and use of affirmative asylum applications, applications filed with USCIS for suspension of deportation, special rule cancellation of removal pursuant to the Nicaraguan Adjustment and Central American Relief Act,³⁰ credible fear screening cases,³¹ and reasonable fear³² screening cases; and
- Collections Records--Treasury/Financial Management Service³³ covers the collection and use of the benefit request form fees by Lockbox.

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

Yes. The benefit request form intake and receipt process is supported by multiple systems that are primarily owned by USCIS. Treasury oversees the security authorization process of the Lockbox Database. The USCIS-owned systems have completed security assessment and authorization documentation to operate under the Ongoing Authorization program.

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

Yes. USCIS uses multiple systems to manage the paper and electronic benefit request form intake and receipt process.

Paper Filings

The Lockbox Database and associated USCIS case management systems support the physical benefit request forms. The Lockbox Database retains forms and supporting documentation for 180 days. Check and money order images are retained up to two years, with an

²⁷ DHS/USCIS-005 Inter-Country Adoptions Security, 72 FR 31086 (June 5, 2007).

²⁸ DHS/USCIS-007 Benefits Information System, 73 FR 56596 (Sept. 29, 2008).

²⁹ DHS/USCIS-010 Asylum Information and Pre-Screening, 75 FR 409 (Jan. 5, 2010).

³⁰ See Nicaraguan Adjustment and Central American Relief Act, Pub. L. No. 105-100, § 203, 111 Stat. 2193, 2196-200 (1997).

³¹ See 8 U.S.C. § 1225(b)(1)(B).

³² See 8 CFR § 208.31.

³³ Treasury/FMS.017 - Revenue Collections Records, 74 FR 23006 (May 15, 2009).



additional five years in archive. Lockbox may also retain data for periods required by a court order, litigation, or statute.

Information from forms and supporting documentation is also retained in accordance with the respective case management system retention schedules. Please see the system-specific, USCIS case management PIAs for relevant retention schedules at www.dhs.gov/privacy.

The paper benefit request form and any supplemental evidence submitted along with the benefit request is also stored in both the physical [N1-566-08-11] and electronic A-File in Enterprise Document Management System (EDMS) [N1-566-08-17] because they hold historical value. A-File records are permanent, whether hard copy or electronic. DHS transfers A-Files to the custody of NARA 100 years after an individual's date of birth.

Electronic Filings

NARA approved N1-566-11-02, (October 17, 2011) and N1-566-12-05, (April 17, 2013) retention schedules to cover USCIS online accounts. Each immigration benefit type processed by USCIS online has an additional existing retention schedule, which Electronic Immigration System (USCIS ELIS) applies to each particular case.³⁴

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.

Information collected through this process is covered by the PRA. A full list of the immigration forms along with the OMB Control Numbers is available in Appendix A.

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 benefit requestors for immigrant and non-immigrant benefits. The information collected varies for each form. Generally, USCIS collects the following:

³⁴ See DHS/USCIS/PIA-056 USCIS Electronic Immigration System (USCIS ELIS) for updated information on approved schedules available at www.dhs.gov/privacy.



Information about benefit requestors, beneficiaries, and family members may include, if applicable:

- Full Name;
- Alias(es);
- Physical and Mailing Addresses;
- Alien Number;
- USCIS Online Account Number;
- Social Security number;
- Date of Birth;
- Nationality;
- Country of Citizenship;
- Place of Birth;
- Gender;
- Marital Status;
- Military Status;
- Phone Numbers;
- Email Address;
- Immigration Status;
- Government-issued Identification (e.g., passport, driver's license):
 - Document Type;
 - Issuing Organization;
 - Document Number; and
 - Expiration Date.
- Signature; and
- Pay.gov Payment Tracking Number.

Benefit-specific eligibility information about benefit requestor, beneficiaries, and family members may include:

- Other Unique Identifying Numbers (e.g., Department of State (DOS)-issued



Personal Identification Number, ICE Student and Exchange Visitor Number, USCIS E-Verify Company Identification Number);

- Arrival/Departure Information;
- Immigration History (e.g., citizenship/naturalization certificate number, removals, explanations);
- Family Relationships (e.g., parent, spouse, sibling, child, other dependents) and Relationship Practices (e.g., polygamy, custody, guardianship);
- USCIS Receipt/Case Number;
- Personal Background Information (e.g., involvement with national security threats, criminal offenses, Communist party, torture, genocide, killing, injuring, forced sexual contact, limiting or denying others religious beliefs, service in military or other armed groups, work in penal or detention systems, weapons distribution, combat training);
- Health Information (e.g., vaccinations, referrals, communicable diseases, physical or mental disorders, prostitution, drug or alcohol abuse);
- Travel History;
- Education History;
- Work History;
- Professional Accreditation Information;
- Financial Information (e.g., income, expenses, scholarships, savings, assets, property, financial support, supporter information, life insurance, debts, encumbrances, tax records);
- Supporting documentation as necessary (e.g., birth, marriage, or divorce certificates, licenses, academic diplomas, academic transcripts, appeals or motions to reopen or reconsider decisions, explanatory statements, criminal history documents, and unsolicited information submitted voluntarily by the applicants or family members in support of a benefit request);
- Physical Description (e.g., height, weight, eye color, hair color, race, ethnicity, identifying marks like tattoos or birthmarks);
- Photographs from Government-issued Identification (i.e., passport, Driver's license, and other identification card);
- Relationships to petitioners, representative, preparers, family members, and



applicants; and

- Case processing information such as date applications were filed or received by USCIS, application/petition status, location of record, other control number when applicable, and fee receipt data.

Information about Benefit Sponsors may include:

- Full Name;
- Gender;
- Physical and Mailing Addresses;
- Phone Numbers;
- Country of Domicile;
- Date of Birth;
- Place of Birth;
- Citizenship Information;
- Social Security number;
- Alien Number;
- USCIS Online Account Number;
- Employment Information;
- Financial Information (e.g., income, expenses, scholarships, savings, assets, property, financial support, supporter information, life insurance, debts, encumbrances, tax records);
- Position and Relationship to an Organization (e.g., manager of a company seeking formal recognition by USCIS);
- Family Relationships (e.g., parent, spouse, sibling, child, other dependents); and
- Relationship Practices (e.g., polygamy, custody, guardianship).

Information about Representatives includes:

- Name;
- Law Firm/Recognized Organization;
- Physical and Mailing Addresses;
- Phone and Fax Numbers;



- Email Address;
- Attorney Bar Card Number or Equivalent;
- Bar Membership;
- Accreditation Date;
- Board of Immigration Appeals Representative Accreditation;
- Expiration Date;
- Law Practice Restriction Explanation; and
- Signature.

Information about Preparers and Interpreters may include:

- Full Name;
- Organization;
- Business State ID Number;
- Physical and Mailing Addresses;
- Email Address;
- Phone Numbers;
- Relationship to Applicant; and
- Signature.

Information about Physicians may include:

- Full name;
- Physical and Mailing Addresses;
- Professional Experience;
- License Number;
- Other Physician Identifying Number(s);
- Licensing State and Date of Issuance;
- Type of Degree/License (i.e., medical doctor, doctor of osteopathy, or clinical psychologist);
- Type of Medical Practice;
- Examination Dates of the Applicant;



- Clinical methods Used to Diagnose Applicant;
- Email Address; and
- Signature.

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

The information collected as part of the benefit request intake and receipt process is provided by the benefit requestor, accredited representative, form preparer, or interpreter on the completed benefit request form and from supplemental documentation. The information is either automatically or manually entered into the appropriate case management system. Please see Appendix A for a full list of immigration forms and associated systems.

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

No.

2.4 Discuss how accuracy of the data is ensured.

USCIS relies on the benefit requestor, accredited representative, form preparer, sponsor, or interpreter to provide accurate information. The aforementioned individuals are required to sign a statement certifying, under penalty of perjury, that the information included in the benefit request form and any submitted document are complete, true, and correct.

The Lockbox converts the data on the benefit request form into an electronic format. Lockbox staff compares the physical benefit request form and payment against the data in electronic format and makes corrections as needed. Once assigned to a USCIS office, USCIS staff re-reviews the benefit request form for accuracy.

2.5 Privacy Impact Analysis: Related to Characterization of the Information

Privacy Risk: There is a risk that USCIS will manually input data incorrectly.

Mitigation: USCIS has mitigated this risk by developing separate, detailed Standard Operating Procedures (SOP) for handling information provided by benefit requestors on each USCIS form. These SOPs include detailed quality control reviews that help to ensure that the information has been accurately transferred from the paper forms submitted by individuals into the associated case management systems. These procedures ensure that all data fields are completed and describe how data entry personnel handle inconsistencies during data entry. The SOPs cover



every stage of data entry from the time the envelope is opened until the time the data entered into the associated case management systems is saved.

USCIS allows applicants to make changes to their information in the associated case management systems during the application analysis and case management process. If an applicant later determines that a transcription error occurred during the data input process, the individual may contact the USCIS office where the application was filed and request correction. In addition, USCIS mitigates this risk by accepting some applications electronically in order to remove the possibility of data transcription errors. This mitigation is further discussed in the applicable case management system PIAs.

Privacy Risk: There is a risk of over collection of information for making a benefit determination.

Mitigation: The USCIS Privacy Office reviews each immigration form during the development and revision process to ensure that only the minimum amount of information is collected to determine benefit eligibility through the paper-based and electronic forms. USCIS requires the information collected to establish identity and determine benefit eligibility of the applicant, petitioner, or beneficiary. All data elements collected are negotiated with and approved by the Office of Management and Budget (OMB) during PRA collection review. Furthermore, USCIS designed its case management systems to collect and store only the information that is necessary to adjudicate the applications processed by USCIS.

Privacy Risk: There is a risk of inaccurate information provided by the benefit requestor, representative, form preparer, and interpreter.

Mitigation: USCIS collects information primarily from the benefit requestor or his or her representative so that the most current and accurate information about the benefit requestor and beneficiary is available to USCIS. The aforementioned individuals are required to sign a statement certifying, under penalty of perjury, that the information included in the benefit request form and any submitted document are complete, true, and correct. In order to verify the information provided by the benefit requestor or representative, USCIS performs necessary background and national security checks. USCIS personnel may also check other sources to verify information provided by the benefit requestor or representative. The information verification process is further discussed in the respective case management system PIAs.



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.

The information collected on the benefit request form is used to determine an individual's eligibility for the requested benefit and to account for the associated fees.

The information from the accepted benefit request form is then either manually entered or electronically transmitted into the respective case management system.³⁵ To initiate the adjudication process, USCIS adjudicators review the benefit request form and supporting evidence to determine benefit eligibility. USCIS may issue written notices to request missing or additional evidence from individuals who filed for immigration benefits.

Certain eligibility requirements must be met before USCIS may consider a benefit request form for possible approval. To begin the substantive analysis of a benefit request form, the adjudicators verify the accuracy of the information provided in the benefit request form and ascertain the applicant's eligibility for the benefit sought by querying other USCIS, DHS, and external systems. USCIS may also require an in-person interview with the applicant for certain benefits.

USCIS will also use the information on the benefit request form to generate correspondence including accept and reject notices.

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.

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

No.

3.4 Privacy Impact Analysis: Related to the Uses of Information

Privacy Risk: There is a risk that due to the number of supporting systems, information is copied across multiple USCIS systems.

Mitigation: This risk is not mitigated. USCIS has made the business decision to develop

³⁵ USCIS owns and uses several case management systems to successfully complete the benefit adjudication process. Please see www.dhs.gov/privacy for the complete list of USCIS case management PIAs.



different information technology systems for different benefit request forms and different stages of the benefit intake process. This business decision has resulted in multiple copies of the A-File stored across multiple systems and in multiple forms – both electronic and paper. This process heightens the risk of unauthorized disclosure or loss of sensitive personally identifiable information.

Privacy Risk: There is a risk that information may be used outside of the original purpose collection, which is to determine benefit eligibility.

Mitigation: This risk is partially mitigated. In order to process the magnitude of benefit eligibility requests that USCIS receives, information collected on the benefit request forms is used not only to verify the completeness of the form, make a payment, and determine the benefit eligibility of the benefit requestor, beneficiaries, and family members. USCIS also uses the information to identify and track possible benefit fraud, public safety concerns, and national security concerns as described in other published PIAs.³⁶ These uses are consistent with the purpose of collection for benefit eligibility determination, and consistent with overall USCIS mission to preserve the integrity of the U.S. immigration process.

All records are protected from unauthorized access and use through appropriate administrative, physical, and technical safeguards that include restricting access to authorized personnel who have a need-to-know. USCIS limits access to PII by employing role-based access. All USCIS employees and contractors are thoroughly trained regarding the use of the database and the sensitivity of the information. Additionally, all USCIS employees and contractors are required take the annual security and privacy awareness training.

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 each benefit request form contain a Privacy Act Statement and instructions on how to file, where to send, and how to contact USCIS if there is a problem. Each Privacy Act Statement provides notice to individuals 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. Individuals are provided general

³⁶ See DHS/USCIS/PIA-013-01 Fraud Detection and National Security Directorate, *available at* www.dhs.gov/privacy.



notice through the publication of this PIA and the associated SORNs identified in Section 1.2 of this PIA. Additional information, including Frequently Asked Questions (FAQ), about certain benefit types are available on the USCIS webpage or individuals may contact the National Customer Service Center (NCSC).³⁷

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

All USCIS benefit requests are voluntary. However, to intake and receipt the large volume of requested benefits that USCIS receives, USCIS requires individuals to complete the benefit request form, provide supplemental evidence, and pay the associated fees, if not waived. This information is critical for USCIS to accept and process forms in order to make an adjudication decision to grant or deny an immigration benefit. Failure to provide the requested information prohibits USCIS from processing and properly adjudicating the benefit request form and thus precludes the applicant from receiving the benefit.

4.3 Privacy Impact Analysis: Related to Notice

There is no privacy risk associated with notice because USCIS provides notice to individuals through a Privacy Act Statement, this PIA, associated SORNs, the USCIS website, benefit specific FAQs, and through the NCSC.

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.

USCIS uses multiple systems to manage the paper and electronic benefit request form intake process.

Paper Filings

The Lockbox Database retains forms and supporting documentation up to 180 days for review and research purposes. USCIS also retains the information for Lockbox to have the capability to regenerate I-797C notices. Check and money order images are retained up to two years, with an additional five years of data (i.e., check and money order images and payment information) in archive. The Lockbox also has the ability to retain data for USCIS that may require a longer retention due to court order, litigation, or statute.

³⁷ 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.



Information from forms and supporting documentation is also retained in accordance with the respective case management system retention schedules. Please see the USCIS case management PIAs for more information about the retention of data.

The paper benefit request form and any supplemental evidence submitted along with the benefit request is also stored in both the physical [N1-566-08-11] and electronic A-File in EDMS [N1-566-08-17] because they hold historical value. A-File records are permanent, whether hard copy or electronic. DHS transfers A-Files to the custody of NARA 100 years after the individual's date of birth.

Electronic Filings

USCIS has drafted a series of retention schedules to cover different types of data in USCIS ELIS. Currently, two of those schedules have been finalized and signed by the Archivist. The remaining schedules are being actively worked with NARA.³⁸

The majority of customer data in USCIS ELIS is not yet covered by a finalized retention schedule. USCIS expects NARA to approve permanent retention for USCIS ELIS customer data because it replaces data that would have been in the A-File if filed via paper. Data includes individual customer account data of immigrants, as well as the case data pertaining to their requests. The A-File is permanently retained for historical purposes.

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 an individual's immigration interaction with USCIS for future benefit requests. The NARA approved retention schedules ensure that the agency is not maintaining information longer than necessary.

³⁸ See DHS/USCIS/PIA-056 USCIS Electronic Immigration System (USCIS ELIS) for updated information on approved schedules *available at* www.dhs.gov/privacy.



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.

Yes. For certain benefits requests, individuals are required to submit their applications to a USCIS Lockbox facility, which is operated by a Department of Treasury contractor, for initial processing. USCIS uses Lockbox operations to handle fee collection, data entry, and forms processing of selected immigration benefit request forms.³⁹ The physical forms and other associated evidence received in the transaction are packaged and sent to the respective Service Centers or National Benefits Center.

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

The USCIS Lockbox operations provide a facility with the means to receive and perform initial processing of USCIS benefit request forms submitted by benefit requestors. The sharing of data with the Lockbox is covered by Routine Use F of the Benefits Information System⁴⁰ SORN, which permits the sharing of data to contractors and their agents to accomplish the benefit receipt and intake process.

However, USCIS will include a specific Routine Use for sharing with Treasury in the forthcoming Benefits Information System SORN update.

6.3 Does the project place limitations on re-dissemination?

Yes. USCIS has a Memoranda of Understanding (MOU) in place with the Department of Treasury, as well as the designated contractor, which places limitations on re-dissemination. The Lockbox processes confidential information the disclosure of which to unauthorized individuals could cause substantial harm to the benefit requestor. When sharing information with parties outside of USCIS, the same specifications related to security and privacy that are in place apply to Lockbox. Access to records is governed by need-to-know criteria that demand the Lockbox

³⁹ Pursuant to 12 U.S.C. §§ 265, 266, 1464(k), 1725(d), 1789a, the Secretary of the Treasury has the authority to designate financial institutions to be depositaries and financial agents of the U.S. Government. Pursuant to 31 U.S.C. § 3720(a), executive agencies of the government are required to provide for the collection and timely deposit of money by the use of procedures which may include lockbox collection services. Financial Management Service (FMS) is exercising its authority by using designated depositaries to support government-wide lockbox collection services.

⁴⁰ DHS/USCIS-007 Benefits Information System, 73 FR 56596 (Sept. 29, 2008).



demonstrate the mission related need for the data before access is granted. The reason for the access, an intended use consistent with the receiving agency's purpose, USCIS's justification for collecting the data, and an acknowledgement that the receiving agency will not share the information without USCIS's permission are included in the terms of the MOU.

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

USCIS requires Lockbox personnel to sign a non-disclosure statement before the information is accessed and released. Additionally, USCIS maintains audit trail logs and uses them to identify transactions performed. A file is created for each form type. A header file is created containing the count of records for each form type. A manifest file is generated containing an accounting records for each transaction processed in the batch. A remittance file is generated containing a record for each remittance received. A history file is created containing a record for each history action performed by the Lockbox.

6.5 Privacy Impact Analysis: Related to Information Sharing

Privacy Risk: Sharing can increase the risk of misuse, unauthorized access to, or disclosure of information.

Mitigation: USCIS and Treasury conduct electronic sharing of benefit request data over secure Government networks to facilitate Lockbox services, including the collection of fees and receipting of benefit request forms. All Lockbox personnel are trained on the appropriate use and the safeguarding of data. In addition, USCIS policies and procedures are in place to prevent the unauthorized dissemination of the information, thereby reducing these risks. Further, any disclosure must be compatible with the purpose for which the information was originally collected and only authorized users with a need-to-know may have access to the information associated with the benefit request intake and receipt process. As discussed above, the associated systems (i.e., Lockbox Database and ESB2 LIS) maintain a record of disclosure of information in accordance with the routine use or an information sharing agreement. USCIS keeps a record in system audit trail logs, which are maintained to identify all user transactions.



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?

USCIS gives benefit requestors numerous opportunities during and after the completion of the benefit request process to update and correct information they have provided and to respond to information received from other sources. In addition, USCIS provides all benefit requestors an opportunity to refute benefit determinations during the in-person interview process.

A benefit requestor may also gain access to his or her USCIS records by filing a Privacy Act request. If an individual would like to file a Privacy Act request to view his or her USCIS record, he or she may mail the request to the following address:

National Records Center
Freedom of Information Act (FOIA)/Privacy Act Program
P. O. Box 648010
Lee's Summit, MO 64064-8010

Further information about Privacy Act and 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?

Individuals should submit requests to contest or amend information as discussed in Section 7.1. The requestor should clearly and concisely state the information being contested, the reason for contesting or amending it, and the proposed amendment. 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.

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. The Privacy Act Statements, including notice of an individual's right to correct information, are also contained on the instructions to immigration forms published by USCIS.



7.4 Privacy Impact Analysis: Related to Redress

There is no risk associated with redress in relation to the Benefit Intake and Receipt. USCIS provides individuals with access, amendment, or correction to their records when requested through a FOIA or Privacy Act request.

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?

USCIS ensures that practices stated in this PIA comply with internal USCIS policies, including the USCIS privacy policies, SOPs, information sharing agreements, orientation and training, rules of behavior, and auditing and accountability.

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

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?

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 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 use of information or new access requests for the system must go through the USCIS Change Control Process and must be approved by the proper authorities of this process, such as the USCIS Privacy Officer, Chief of Information Security Officer, Office of Chief Counsel, and the respective Program Office.

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.

Karen L. Neuman
Chief Privacy Officer
Department of Homeland Security



Appendix A USCIS Immigration Forms and Associated OMB Control Numbers

Form Number	Form Name	OMB Control Number	Case Management System
I-102	Application for Replacement/Initial Nonimmigrant Arrival-Departure Document	1615-0079	CLAIMS 3
I-129	Petition for Nonimmigrant Worker	1615-0009	CLAIMS 3
I-129CW	Petition for CNMI-Only Nonimmigrant Transition Worker	1615-0111	CLAIMS 3
I-129F	Petition for Alien Fiancé(e)	1615-0001	CLAIMS 3
I-129S	Nonimmigrant Petition Based on Blanket L Petition	1615-0010	CLAIMS 3
I-130	Petition for Alien Relative	1615-0012	CLAIMS 3
I-131	Application for Travel Document	1615-0013	CLAIMS 3 & CAMINO
I-134	Affidavit of Support	1615-0014	CAMINO
I-140	Immigrant Petition for Alien Workers	1615-0015	CLAIMS 3
I-191	Application for Advance Permission to Return to Unrelinquished Domicile	1615-0016	CLAIMS 3
I-192	Application for Advance Permission to Enter as Nonimmigrant	1615-0017	CLAIMS 3
I-193	Application for waiver of Passport and/or Visa	1651-0107	CLAIMS 3
I-212	Application for Permission to Reapply for Admission into the U.S. after Deportation or Removal	1615-0018	CLAIMS 3
I-290B	Notice of Appeal to the Administration	1615-0095	CLAIMS 3
I-360	Petition for Amerasian, Widower or Special Immigrant	1615-0020	CLAIMS 3
I-361	Affidavit of Financial Support and Intent to Petition for PL 97-359 Amerasian	1615-0021	A-File
I-363	Request to Enforce Affidavit of Financial Support and Intent to Petition under PL 97-359	1615-0022	A-File
I-407	Record of Abandonment of Lawful Permanent Resident Status	1615-0130	CLAIMS 3 & CAMINO



I-485	Application to Register Permanent Residence or Adjust Status and Supplement A to Form I-485	1615-0023	CLAIMS 3
I-485 Supplement A	Adjustment of Status Under Section 245(i)	1615-0023	CLAIMS 3
I-485 Supplement B	NACARA Supplement to Form I-485 Instructions	1115-0221	CLAIMS 3
I-485C	HRIFA Supplement to Form I-485	1615-0024	CLAIMS 3
I-485 Supplement E	Instructions for I-485, Supplement E	1615-0023	CLAIMS 3
I-508	Waiver of Rights, Privileges, Exemptions and Immunities	1615-0025	A-File
I-526	Immigrant Petition by Alien Entrepreneur	1615-0026	CLAIMS 3
I-539	Application to Extend/Change Nonimmigrant Status	1615-0003	CLAIMS 3
I-566	Inter-Agency Record of Individual requesting Change/Adj. To or from A or G Status	1615-0027	CLAIMS 3
I-600, I-600A and Supplement 1	Petition to Classify Orphan as an Immediate Relative and Application for Advance Processing of Orphan Petition	1615-0028	ACMS & CAMINO
I-601	Application for Waiver of Grounds of Inadmissibility	1615-0029	CLAIMS 3
I-601A	Application for Provisional Unlawful Presence Waiver	1615-0123	CLAIMS 3
I-602	Application by Refugee for Waiver of Grounds of Excludability	1615-0069	CAMINO
I-612	Application for Waiver of Foreign Residence Requirement of Sec. 212(e) of the INA	1615-0030	CLAIMS 3
I-643	HHS Statistical Data for Refugee/Asylee Adjusting Status	16150070	CLAIMS 3
I-687	Application for Status as a Temporary Resident under Sec. 245A of the INA	1615-0090	CLAIMS 3
I-690	Application for Waiver of Grounds of Inadmissibility	1615-0032	CLAIMS 3
I-693	Report of Medical Examination and Vaccination Record	1615-0033	A-File
I-694	Notice of Appeal of Decision	1615-0034	CLAIMS 3
I-698	Application to Adjust Status from Temporary to Permanent Resident	1615-0035	CLAIMS 3



I-730	Refugee/Asylee Relative Petition	1615-0037	CLAIMS 3
I-751	Petition to Remove Conditions on Residence	1615-0038	CLAIMS 3
I-765, I-765WS	Application for Employment Authorization	1615-0040	CLAIMS 3 USCIS ELIS
I-777	Application for Issuance or Replacement of Northern Mariana Card	1615-0042	A-File
I-800	Petition to Classify Convention Adoptee as an Immediate Relative		ACMS
I-800A	Application for Determination of Suitability to Adopt a Child from a Convention Country		ACMS
I-817	Application for Family Unity	1615-0005	CLAIMS 3
I-821	Application for Temporary Protected Status	1615-0043	CLAIMS 3
I-821D	Consideration of Deferred Action for Childhood Arrivals	1615-0124	CLAIMS 3 USCIS ELIS
I-824	Application for Action on an Approved Application or Petition	1615-0044	CLAIMS 3
I-829	Petition by Entrepreneur to Remove Conditions	1615-0045	CLAIMS 3
I-854	Interagency Alien Witness and Informant Record	1615-0046	A-File
I-864	Affidavit of Support under Section 213A of the Act and Notification of Reimbursement of Means-Tested Benefits	1615-0075	CLAIMS 3
I-864A	Contract between Sponsor and Household Member	1615-0075	CLAIMS 3
I-864EZ	Affidavit of Support Under Section 213A of the Act	1615-0075	CLAIMS 3
I-864W	Intending Immigrant's Affidavit of Support Exemption	1615-0075	CLAIMS 3
I-865	Sponsor's Notice of Change of Address	1615-0076	CLAIMS 3
I-881	Application for Suspension of Deportation or Special Rule Cancellation of Removal	1615-0072	RAPS
I-90	Application to Replace Permanent Resident Card	1615-0072	USCIS ELIS
I-905	Application for Authorization to Issue Certification for Health Care Workers		CLAIMS 3
I-907	Request for Premium Processing Service	1615-0048	CLAIMS 3
I-910	Application for Civil Surgeon Designation	1615-0114	NPWR



I-912	Request for Fee Waiver	1615-0116	CLAIMS 3
I-914	Application for T Nonimmigrant Status; Application for Immediate Family Member of T-1 Recipient; and Declaration of Law Enforcement Officer for Victim of Trafficking in Persons	1615-0099	CLAIMS 3
Form I-914, Supplement A	Application for Immediate Family Member of T-1 Recipient	1615-0099	CLAIMS 3
Form I-914, Supplement B,	Declaration of Law Enforcement Officer for Victim of Trafficking in Persons	1615-0099	CLAIMS 3
I-918	Application for U Nonimmigrant Status Application for U Nonimmigrant Status; Application for Immediate Family Member of U-1 Recipient; and U Nonimmigrant Status Certification	1615-0104	CLAIMS 3
Form I-918, Supplement A	Petition for Qualifying Family Member of U-1 Recipient	1615-0104	CLAIMS 3
Form I-918, Supplement B	U Nonimmigrant Status Certification	1615-0104	CLAIMS 3
I-924	Notice of Immigration Pilot Program	1615-0061	iCLAIMS
I-924A	Supplement to Form I-924	1615-0061	iCLAIMS
I-929	Petition for Qualifying Family Member of a U-1 Nonimmigrant	1615-0106	CLAIMS 3
N-300	Application to File Declaration of Intention	1615-0078	CLAIMS 4
N-336	Request for Hearing on a Decision in Naturalization Proceedings under Section 336	1615-0050	CLAIMS 4
N-4	Monthly Report Naturalization Papers	1615-0051	CLAIMS 4
N-400	Application for Naturalization	1615-0052	CLAIMS 4 ELIS
N-426	Request for Certification of Military or Naval Service	1615-0053	CLAIMS 4
N-470	Application to Preserve Residence for Naturalization	1615-0056	CLAIMS 4
N-565	Application for Replacement Naturalization/Citizenship Document	1615-0091	CLAIMS 3
N-600	Application for Certificate of Citizenship	1615-0057	CLAIMS 4
N-600K	Application for Citizenship	1615-0087	CLAIMS 4
N-644	Application for Posthumous Citizenship	1615-0059	CLAIMS 3



N-648

Medical Certification for Disability Exceptions

G-28

Notice of Entry of Appearance as Attorney or Accredited Representative

1615-0060

CLAIMS 4

1615-0105

All case management systems