Privacy Impact Assessment
for the

USCIS Electronic Immigration System (USCIS ELIS)

DHS/USCIS/PIA-056(a)

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Abstract

U.S. Citizenship and Immigration Services (USCIS) operates the USCIS Electronic Immigration System (USCIS ELIS). USCIS ELIS was originally developed to serve as a public-facing electronic filing system supporting the submission of benefit request forms. USCIS ELIS also served as the internal case management system for USCIS adjudicators to efficiently process benefit request forms. USCIS ELIS was recently redesigned to exclusively serve as an internal electronic case management system for electronically filed benefit request forms and certain paper forms. MyUSCIS Account Experience replaced all aspects of the public-facing USCIS ELIS.[1] USCIS is updating and reissuing the USCIS ELIS PIA to discuss the shift from supporting the public-facing electronic filing system to serving solely as an internal case management system with new functionalities and system interconnections. This PIA replaces the previously issued DHS/USCIS/PIA-056 published on May 17, 2016. As USCIS ELIS adds other forms and services, USCIS will update this PIA and its appendices accordingly.

Overview

USCIS is the component within the Department of Homeland Security (DHS) that oversees lawful immigration to the United States. In part, the USCIS mission is to provide accurate information while ensuring the integrity of the U.S. immigration system and adjudicating requests efficiently and fairly. USCIS receives applications, petitions, and other benefit requests (collectively referred to as *benefit request forms*) from individuals seeking immigration and non-immigration benefits. USCIS has historically received paper-based applications for adjudication and relied on a complex paper-based process to execute the immigration and naturalization mission.

USCIS is continuing the current paper-based operations and also steadily transforming to an electronic, online environment to improve operational efficiency, and improve customer engagement. Currently, most benefit request forms, including all supporting evidence, are still submitted in paper format by applicants, petitioners, or requestors (collectively referred to as *benefit requestors*), or their legal representatives. In turn, USCIS communicates case information and issues paper notices to benefit requestors and legal representatives.

USCIS offers an alternate filing method, online filing, to improve the way benefit requestors and legal representatives apply for and manage immigration benefit requests by shifting the process from a paper-based system to a secure online case management system. The MyUSCIS Account Experience offers a personalized, online account for benefit requestors and legal

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[1] *See* DHS/USCIS/PIA-071 MyUSCIS Account Experience, *available at* www.dhs.gov/privacy.

representatives to electronically file benefit request forms, and replaces all aspects of the public-facing electronic filing component previously available through USCIS ELIS.

Since the MyUSCIS Account Experience is now the public-facing online filing component, USCIS ELIS serves as the primary internal case management system for both electronically filed and paper-based benefit request forms. USCIS ELIS creates person-centric accounts for each benefit requestor. USCIS will continue to expand available immigration product lines within USCIS ELIS to support the agency's modernization initiative of receiving and processing forms in an electronic environment.

Application Initiation

As described in the Benefit Request and Intake PIA, to begin the benefit request process, the benefit requestor must complete a USCIS benefit request form.[2] Individuals have the option to complete the benefit request form either by paper or, if available, electronically, through an online account. Both methods collect the same information and fees. Upon completion, individuals submit the benefit request form, required supporting documents and filing fee payment, or fee waiver request, as appropriate. Individuals submit benefit request forms according to the form instructions. USCIS ELIS receives paper forms through the USCIS Lockbox facilities[3] or electronically from a system interconnection with MyUSCIS.[4]

Paper Filings

USCIS requires benefit requestors to submit paper benefit request forms to a specified Lockbox facility. U.S. Lockbox facilities are operated by the U.S. Department of Treasury (Treasury) and are staffed by financial agents working on behalf of USCIS to receive paper requests, process payments, and forward the immigration requests as directed by USCIS for further processing. This contractor manages the intake of paper USCIS benefit request forms and the collection of associated fees submitted by mail. The Lockbox operates the mechanisms to convert the submitted information into an electronic format, deposit associated filing fees, generate a receipt or rejection notices to applicants, and transmit the benefit request information to the USCIS ELIS system. The contractor does not approve or deny benefit request forms received by the USCIS Lockbox. The Lockbox scans an image of the benefit request form and supporting documentation into an electronic format and sends it to USCIS ELIS for ingestion. Depending on the form type, after the form is ingested into USCIS ELIS, the paper copy may be destroyed.

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[2] *See* DHS/USCIS/PIA-061 Benefit Request and Intake Process, *available at* www.dhs.gov/privacy.
[3] The USCIS Lockbox serves as a collection receptacle for the intake of forms and processing of fees for immigration benefit request forms. For more information, *see* www.uscis.gov/lockbox.
[4] *See* DHS/USCIS/PIA-071 MyUSCIS Account Experience, *available at* www.dhs.gov/privacy.

Once information from the paper filing is received, USCIS ELIS generates a "USCIS Account Acceptance Notice" and mails the notice through the U.S. Postal Service (USPS) to the benefit requestor and legal representative, when applicable. This notice contains instructions for creating an optional USCIS online account and contains a passcode which, if used, can link the submitted paper submission into the newly created online account.[5] By creating this online account, a benefit requestor who filed paper benefit request forms has the opportunity to log into his or her MyUSCIS online account to access his or her case information. Online account capabilities include the ability to check the personalized processing status of the submitted benefit request, obtain copies of USCIS-issued documents associated with the filing (i.e., appointment notices and request for evidence), and respond electronically to requests for additional information, such as Requests for Evidence (RFE).

As a security measure, the passcode sent in the "USCIS Account Acceptance Notice" expires in 30 days. The benefit requestor, however, may later contact the USCIS National Customer Service Center (NCSC) to request the generation of a new "USCIS Account Acceptance Notice" with a new activation passcode.[6] Benefit requestors who choose not to activate their online accounts can continue engaging with USCIS through the existing paper-based process.

Online Filing

Benefit requestors who electronically file their request use the MyUSCIS Account Experience, which offers a personalized, authenticated, and secured account for benefit requestors and legal representatives to file benefit forms. MyUSCIS Account Experience replaces all aspects of the public-facing USCIS ELIS. Through MyUSCIS Account Experience, benefit requestors and/or legal representatives are able to create a personal profile, securely and electronically file benefit request forms, access pending case information, and securely communicate with USCIS personnel.

The electronic filing component of MyUSCIS Account Experience offers an interactive tool that assists individuals with completing certain immigration benefit request forms or certain fee payments. The electronic benefit request forms collect the same information as the corresponding paper forms. To initiate the benefit request completion process, the individual selects his or her desired form type and enters valid data into all required fields. The account holder may save, edit, delete, or update information when the form is in draft state. MyUSCIS Account Experience does not keep copies of previous draft iterations and deletes cases if inactive for 30 days. Prior to the submission of the benefit request form, the account holder has the opportunity to review the provided information.

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[5] *See* DHS/USCIS/PIA-071 MyUSCIS Account Experience, *available at* www.dhs.gov/privacy.
[6] *See* DHS/USCIS/PIA-054 National Customer Service Center, *available at* www.dhs.gov/privacy.

After preparing a benefit request, the individual or his or her representative submits the benefit request form by electronically signing the form and providing payment directly to the Department of Treasury through an embedded pay.gov screen.[7] MyUSCIS sends the filing to USCIS ELIS for processing once the payment is accepted. USCIS ELIS has a direct interface with MyUSCIS Account Experience. While there is no public-facing component of USCIS ELIS, it continues to serve as an internal electronic case management system that allows USCIS adjudicators to process benefit requests.

Benefit Request Lifecycle

USCIS ELIS is a person-centric case management system used to track and adjudicate certain benefit request forms. Once a benefit request form is submitted to USCIS, a series of processing and adjudication actions occur, such as case receipt and intake, biometric collection appointment generation, case specific processing and management, automated background check, interview appointment scheduling, final decision rendering, and production of the proof of benefit.

USCIS benefit request forms generally undergo the following steps: (1) Case Intake; (2) General Pre-Adjudication Procedures (i.e., identity validation checks); (3) Security Screening Checks; (4) Case Processing; (5) Interview; (6) Decision Rendering; and (7) Post-Adjudication Processing. USCIS ELIS supports each of these tasks. For each step in the process, USCIS ELIS sends case status updates with the latest case status to MyUSCIS Account Experience and Case Status Online to provide the benefit requestor with the latest status of their benefit filing.[8]

Initial Intake

Case Creation

Benefit request submissions consist of the specific request forms and supporting documentation and may originate in an electronic format or be converted to an electronic format from paper. Upon receipt of a benefit request, USCIS ELIS ingests and stores the benefit request forms and supplemental evidence submitted through the USCIS Lockbox or MyUSCIS online account and creates a person-centric case for the benefit request filing. USCIS ELIS then searches, identifies, and consolidates all previous cases associated with the individual within the system to present to the adjudicator in a singular and comprehensive view. USCIS ELIS provides information on the individual's identity, immigration status, previous immigration benefits processed in USCIS ELIS, and details and results of previous background identity and security checks.

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[7] 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 5691

[8] *See* DHS/USCIS/PIA-019 Customer Relationship Interface System (CRIS), *available at* www.dhs.gov/privacy.

When a new case is created, USCIS ELIS interfaces with RAILS (not an acronym)[9] to annotate the applicable Alien File[10] content residing in USCIS ELIS. RAILS is an automated file-tracking system used to maintain an accurate file inventory and track the physical and electronic location of immigration files.[11] Alien File content in USCIS ELIS may originate in an electronic format or have been converted to an electronic format from paper. All benefit request forms, supporting evidence submitted with a benefit request, and system data generated for the case are electronically maintained in USCIS ELIS as part of the Alien File and serve as part of the official agency record.

General Pre-Adjudication Procedures

Alien Number Validation

USCIS ELIS then validates the benefit requestor's Alien Number (A-Number), if applicable, as the first step of the adjudication process. When benefit requestors list an A-Number on a benefit request, USCIS ELIS concurrently[12] runs an automated comparison of the provided A-Number against the USCIS Central Index System 2 (CIS 2)[13] and Alien Number Validation Microservice.[14] CIS employs a strict, Boolean matching process to the data to determine if there is a match or no match.[15] The A-Number Validation Microservice employs a fuzzy match search to find a list of candidate matches that account for common errors such as keyboard distance typing errors, transposition of letters or numbers, and transliteration of foreign names.[16] The candidate

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[9] RAILS is the modernized update to the National File Tracking System. *See* DHS/USCIS/PIA-032 National File Tracking System (NFTS) and associated updates, *available at* www.dhs.gov/privacy.

[10] The Alien File, or A-File, is created for aliens seeking immigration benefits (i.e., lawful permanent resident, naturalization), aliens who illegally entered the United States, or other individuals subject to the provisions of the Immigration and Nationality Act (INA).

[11] The purpose of the A-File is to record an individual's immigration applications, petitions, and requests, as well as enforcement transactions as he or she interacts with the U.S. immigration system. The content in the A-Files consist of paper and electronic records of the individual's immigration transactions, which may include records of immigration benefit requests, requests for agency action, and adjudication outcomes.

[12] Currently, USCIS is running two A-number validation services. USCIS continues to evaluate use of the A-Number Validation Microservice against the CIS results. This comparison serves to identify any output errors and refine the algorithms used by the microservice to increase the accuracy of this automated A-Number validation tool when it will serve as the primary A-Number Validation system.

[13] *See* DHS/USCIS/PIA-009(a) Central Index System, *available at* www.dhs.gov/privacy.

[14] *See* forthcoming DHS/USCIS/PIA-00# Person Centric Identity Management (PCIM), *available at* www.dhs.gov/privacy.

[15] Boolean Logic is a form of algebra that is centered around three simple words known as Boolean Operators: "Or," "And," and "Not." At the heart of Boolean Logic is the idea that all values are either true or false. The use of Boolean Logic allows for the creation of more complex audience definitions, allowing for audiences to be built to a very specific set of definitions.

[16] Fuzzy matching is a method that provides an improved ability to process word-based matching queries to find matching phrases or sentences from a database. When an exact match is not found for a sentence or phrase, fuzzy matching can be applied. Fuzzy matching attempts to find a match which, although not a 100 percent match, is above the threshold matching percentage set by the application. Fuzzy matching is mainly used in computer-assisted translation and other related applications.

matches are then scored using a statistical algorithm to determine the confidence score of how likely the candidate match is the correct match.

USCIS ELIS runs the two automated comparisons of the applicant declared A-Number against CIS and Alien Number Validation Microservice search results to verify that the A-Number: (1) exists and is valid, and (2) matches the name and other biographic identifying information (i.e., date of birth, country of birth, country of citizenship/nationality, and A-Number) provided by the individual. These A-Number Validation tools apply the respective matching logic to validate A-numbers provided by individuals filing benefit requests against the primary A-Number on record for the individual in various USCIS systems, as well as generate a computed confidence score for the match. The computed score is a percentage of confidence based on matching fields and characters. Based on thresholds established for these scores, cases either pass or fail the automated A-Number validation process. The declared A-Number must be an exact match with CIS for the A-Number Validation microservice to return a success message and for the case to continue to USCIS ELIS processing with no manual intervention. If the system cannot automatically verify this information, USCIS ELIS moves the benefit requestor's request into an electronic work queue in which the A-Number discrepancy is researched and resolved by a USCIS adjudicator before proceeding to adjudication.

Screening (Background, Identity, and Security Checks)

Biometric Collections

After the A-Number is validated, USCIS ELIS interfaces with the National Appointment Scheduling Service (NASS)[17] to schedule an Application Support Center (ASC) biometric collection appointment for the benefit requestor, a requirement for certain requests. USCIS requires benefit requestors and beneficiaries for certain immigration benefits to submit their biometrics along with biographic information provided in the benefit request to USCIS for background, identity, and security checks.

USCIS uses NASS to schedule biometric appointments for the collection of fingerprints, photographs, and signatures at an ASC. Each scheduling request sent to NASS includes the benefit requestor's name, address, and benefit type. NASS uses the information from USCIS ELIS to schedule a biometric appointment at the ASC location closest to the benefit requestor address of record. Once scheduled, NASS sends a biometric appointment confirmation notice for generation and printing to the Enterprise Print Manager Service (EPMS) and Notice Generation System (NGS).[18] Once the notice is generated, a copy of the notice is stored in USCIS ELIS. EPMS

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[17] *See* DHS/USCIS/PIA-057 National Appointment Scheduling System, *available at* www.dhs.gov/privacy.
[18] EPMS and NGS are legacy systems that were specifically developed for notice generation and printing purposes. NGS only generates notices and EPMS prints the notices and mails these notices directly to the individuals. EPMS supports the printing of notices, cards, and booklets for USCIS. For additional information *see* DHS/USCIS/PIA-063 Benefit Decision and Output Processes, *available at* www.dhs.gov/privacy.

generates a physical appointment notice that is mailed to the benefit requestor and the legal representative.

At the biometric appointment, USCIS electronically captures the benefit requestor's fingerprints and declared biographic information that is required to verify the individual's identity and ensure that the correct biographic information is associated with the captured biometrics. This data is associated together and stored in Customer Profile Management System (CPMS), which is the centralized source of biometric images used for USCIS benefit card and document production.[19]

For benefit fillings that require biometric collections, the case in USCIS ELIS cannot move to the next stage in the process until the ASC appointment is completed, and the ASC Notification message is sent to USCIS ELIS, confirming that the applicant appeared at the ASC and biometrics were collected. USCIS is then able to electronically provide various notices of agency action (e.g., interview appointment notices, requests for evidence or originals, notices of intent to deny, or final agency decisions) for a specific case directly to the benefit requestor or legal representative through his or her MyUSCIS online account. Individuals who do not have an online account can continue to receive notices from USCIS through the mail.

Background, Identity, and Security Checks

Most individuals submitting benefit request forms are subject to background, identity, and security checks to ensure eligibility for the requested benefit and to ensure that they do not pose a threat to public safety or to the national security of the United States. USCIS conducts background, identity, and security checks as part of case processing.

USCIS runs fraud, criminal, and national security background checks against the following systems:

- **U.S. Customs and Border Protection (CBP) TECS (not an acronym) Name Check:**[20] USCIS conducts a mandatory TECS check on all applicants, petitioners, and beneficiaries. TECS is an automated enforcement and inspection lookout system that combines information from multiple agencies, databases, and system interfaces to compile data relating to national security risks, public safety issues, current or past targets of investigations, and other law enforcement concerns. The system is maintained by CBP, and is the principal system used by officers at the border to assist with screening and determinations regarding admissibility of arriving persons. USCIS

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[19] *See* DHS/USCIS/PIA-060 Customer Profile Management Service, *available at* www.dhs.gov/privacy.
[20] *See* DHS/CBP/PIA-009 TECS System: CBP Primary and Secondary Processing, *available at* www.dhs.gov/privacy.

Fraud Detection and National Security (FDNS) Directorate uses the ATLAS System[21] to facilitate the required TECS checks when performing name checks for all cases processed in USCIS ELIS. The database searches against the Automated Biometric Identification System (IDENT),[22] Federal Bureau of Investigation (FBI) National Crime Information Center (NCIC), and Terrorist Screening Database.[23] ATLAS provides alerts to FDNS and USCIS Background Check Officers indicating information that may have an impact on the processing of the petition or application and may need to be resolved. Information from a case may also be sent to CBP's Advanced Targeting System[24] as part of a Continuous Immigration Vetting (CIV) process. These checks are facilitated using the ATLAS system. Results are stored in the FDNS Data System (FDNS-DS)[25] and made available to USCIS ELIS.

- **FBI Fingerprint Check:**[26] USCIS ELIS sends 10 fingerprints and related biographic data to the FBI Next Generation Identification System (NGI) for a criminal background check. USCIS ELIS receives the FBI criminal background check response (i.e., "Non-Match" or "Match").

- **FBI Name Check:**[27] USCIS ELIS sends name, date of birth, country of birth, and other biographic data to the FBI Name Check Program. The FBI Name Check is performed as a part of the National Name Check Program (NNCP). USCIS ELIS receives responses for the FBI Name Check request. The results will generally indicate whether the benefit seeker has any pertinent or derogatory information.

- **Biometric Identity Check:**[28] USCIS ELIS queries DHS Office of Biometric Identity Management (OBIM) Automated Biometric Identification System (IDENT) for biometric identity verification and to conduct background checks. The information sent

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

[22] The Automated Biometric Identification System (IDENT) is the central DHS-wide system for storage and processing of biometric and associated biographic information for national security; law enforcement; immigration and border management; intelligence; background investigations for national security positions and certain positions of public trust; and associated testing, training, management reporting, planning and analysis, or other administrative uses. *See* DHS/NPPD/PIA-002 Automated Biometric Identification System (IDENT), *available at* www.dhs.gov/privacy.

[23] *See* DHS/ALL/PIA-027 DHS Watchlist Service, *available at* www.dhs.gov/privacy.

[24] *See* DHS/CBP/PIA-006 Automated Targeting System, *available at* www.dhs.gov/privacy.

[25] *See* DHS-USCIS-PIA-013(a) Fraud Detection and National Security Data System (FDNS-DS), *available at* www.dhs.gov/privacy.

[26] *See* DOJ/FBI Next Generation Identification System PIA *available at* www.fbi.gov/services/records-management/foipa/privacy-impact-assessments.

[27] *See* DOJ/FBI Name Check PIA *available at* www.fbi.gov/services/records-management/foipa/privacy-impact-assessments.

[28] See DHS/NPPD/PIA-002 Automated Biometric Identification System (IDENT), available at www.dhs.gov/privacy.

to IDENT includes 10 fingerprints, photo, and biographic information. IDENT creates a new encounter with a unique Encounter Identification Number (EID), which is a unique number found in the Identity Verification Tool (IVT)[29] along with Fingerprint Identification Number (FIN).[30] IDENT provides information related to previous encounters stored in IDENT. The information from these encounters will be used in the adjudication process.

- **Port of Entry Check:**[31] USCIS ELIS queries DHS CBP Arrival and Departure Information System (ADIS) for date of entry and port of entry.
- **Criminal History Check:**[32] USCIS ELIS queries DHS ICE Enforcement Integrated Database (EID) for background information related to the requestor. USCIS ELIS queries EID for information related to the arrest, booking, detention, and removal of persons encountered during immigration and law enforcement investigations and operations conducted by ICE and CBP. EID is a DHS shared common database repository for several DHS law enforcement and homeland security applications.

If the fraud, criminal, and national security background check identifies potential criminal, public safety, or national security concerns, the matter is referred to another electronic workflow queue within USCIS ELIS for resolution. USCIS takes specific measures to address and resolve the presented concerns before adjudicating the benefit request, which may include a referral to the USCIS FDNS Directorate.

Case Processing

If biometrics are not required, the benefit requestor's case advances to the adjudication step immediately following A-Number validation and resolution of any background check results. If biometrics are required, the benefit requestor's case advances once USCIS CPMS sends notification that the benefit requestor has submitted his or her biometrics at the ASC. USCIS ELIS automatically places the benefit request in an adjudicator work queue after A-Number validation, completion of the biometric collections and background checks, and return of the background and security check results have occurred.

The USCIS adjudicator evaluates all data—the information submitted by the benefit requestor along with the results of the background and security checks—according to existing standard operating procedures (SOP) that apply to the benefit request form. USCIS adjudicators may need to review the A-File (if available) to verify the identity and benefit eligibility of the benefit requestor. Adjudicators are able to view some A-File content in USCIS ELIS. If an

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[29] IVT provides the capability to compare an individual's biometric and biographic information to previous biometric encounters captured by other agencies within OBIM IDENT.

[30] When a biometric is submitted to the OBIM IDENT for an individual and it is his or her first enrollment in IDENT, a unique identifier is assigned—the Fingerprint Identification Number (FIN).

[31] *See* DHS/CBP/PIA-024 Arrival and Departure Information System (ADIS) *available at* www.dhs.gov/privacy.

[32] *See* DHS/ICE/PIA-015 Enforcement Integrated Database (EID), *available at* www.dhs.gov/privacy.

adjudicator requires a physical A-File, the adjudicator can request the file in USCIS ELIS using a direct interface with RAILS. USCIS ELIS sends the following to RAILS: full name, the primary tracking number (the alien number (A-Number)), and date of birth. RAILS collects the following information from USCIS ELIS: adjudicator's full name, office location, responsible party code (RPC), which relates to either a system user or file shelf location and the immigration file's status (i.e., retired, record-in-use), and the last transaction (i.e., charged-out, received, in-transit).

To assist the adjudicator in verifying information submitted by the requestor, USCIS ELIS displays information pulled the Person-Centric Query Service (PCQS).[33] This information includes other names, biographic information, contact information, other A-Numbers, and additional immigration history data that may also be associated with the requestor. Following existing SOPs, the adjudicator is able to identify which data is correct or relevant and make updates to USCIS ELIS to record the correct data about the benefit requestor. USCIS ELIS documents all updates made to data about the requestor.

USCIS also requires supporting documentation (submitted by the requestor) as initial evidence of a benefit requestor's eligibility for a benefit. The burden of proof in establishing eligibility for an immigration benefit rests with the benefit requestor. Each benefit request form includes specific evidential requirements. When a benefit requestor can establish that certain primary evidence is unavailable, secondary evidence, also in specific forms, may be provided. Examples of supporting documentation include: copies of civil documents such as birth, marriage, or adoption certificates; divorce decrees; affidavits of financial support; criminal records; and school records.

USCIS may issue a Request for Evidence (RFE)[34] or Notice of Intent to Deny (NOID)[35] if a benefit requestor or beneficiary fails to submit evidence or provides insufficient evidence to establish eligibility. USCIS personnel use Enterprise Correspondence Handling Online (ECHO)[36] to generate editable notices using templates and standard text such as RFEs and NOIDs. USCIS ELIS sends the applicant's name and address to ECHO to create the notices. USCIS ELIS receives confirmation from ECHO of the notice generation and a PDF copy of the notice is stored in USCIS ELIS.

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[33] *See* DHS/USCIS/PIA-010 Person Centric Query Service (PCQS), *available at* www.dhs.gov/privacy.
[34] USCIS uses an RFE when an application lacks required documentation or the adjudicator needs additional evidence to determine an applicant's eligibility for the benefit sought. The request will indicate what evidence or information USCIS needs to fully evaluate the application or petition under review.
[35] A NOID is a formal statement from USCIS that it has determined that the applicant is ineligible for the immigrant benefit requested. There are a number of circumstances that may lead to a NOID being sent, and the issuance of a NOID is required when derogatory information is uncovered during the course of the adjudication that is not known to the individual, according to 8 CFR § 103.2(b)(16). Regardless of the reason behind the NOID, USCIS will grant the applicant an opportunity to overcome this determination and demonstrate that he or she is eligible.
[36] *See* DHS/USCIS/PIA-063 Benefit Decision and Output Processes, *available at* www.dhs.gov/privacy.

USCIS mails the notices through the U.S. Postal Service to the benefit requestor and/or her or his representative with instructions on how to respond or appropriate next steps. For benefit requestors with a USCIS online account, USCIS also uploads notices for storage and retrieval from their MyUSCIS online account. When a case has a representative of record, USCIS ELIS also sends the notice to the legal representative MyUSCIS online account.

Interview

A benefit requestor may be required to appear for an interview at a USCIS Field Office. To schedule an initial interview, USCIS ELIS interfaces with NASS and sends name, address, A-Number, form type, and date/time for the interview appointment. NASS sends the Interview Notice request to EPMS and NGS where the notices are generated and sent on to printing. A copy of the notice is sent back to USCIS ELIS and stored. For benefit requestors with a USCIS online account, USCIS also uploads notices into MyUSCIS online account. When a case has a representative of record, USCIS ELIS also sends the notice to the legal representative MyUSCIS online account.

All individuals who arrive at a USCIS Field Office for an interview are compared to a previously captured photograph and two-print fingerprints using a tool called Identity Verification Tool (IVT).[37] IVT allows USCIS Field Offices to compare an individual's biometric (fingerprint and photograph) and biographic information to information previously captured at an ASC, ensuring that the person who appeared at the ASC is the same person appearing at the USCIS Field Office.

Before the start of the interview, USCIS Field Officers may choose to record the interview, and will then notify benefit requestors that the interview may be recorded and USCIS adjudicators may use web cameras to digitally record immigration interviews.[38] The recordings are temporarily recorded on a workstation and then converted onto an encrypted digital optical disc storage (i.e., DVD). Once copied, the recordings are permanently erased from the workstation. The digital disc with recorded immigration interviews is then stored in the related A-File.

During in-person interviews for cases in USCIS ELIS only, USCIS adjudicators may use a tablet. At the time of such interaction, USCIS adjudicators may corroborate information declared by the requestor on a USCIS-issued form (e.g., spelling of a name), collect new information and data (e.g., signature), and collect and verify responses provided by the individual at the time of the in-person interaction. The tablet is physically connected to and communicates directly with USCIS

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[37] *See* DHS/USCIS/PIA-060 Customer Profile Management System, *available at* www.dhs.gov/privacy.
[38] 8 C.F.R. § 335.2 (c) states that USCIS officers conducting an examination of the applicant for naturalization may have a videotaped transcript of the interview made, and the applicant and the Agency shall have the right to present such documentary evidence as may be required for a full and true disclosure of the facts. The recordings provide a complete record of the proceedings, which, in certain instances, may lead to enhanced detection of fraud and national security issues.

ELIS through a USCIS computer. The tablet presents USCIS ELIS information allowing the benefit requestor to:

- Review biographical information;

- Review and verify any changes to information on the submitted USCIS form;

- Provide responses to any questions related to the in-person interview;

- Provide a digital or electronic signature when required; and

- Certify that reviewed revisions or changes to the information on the USCIS form are true and correct.

The USCIS adjudicator follows current processes to verify the identity of individuals at an in-person interview or examination. Any individual participating in an in-person interaction with USCIS may have his or her identity verified pursuant to the current process. The tablet may also be used to capture and record the officer's and applicant's required signatures that are stored in USCIS ELIS.

Decision Rendering

After all the steps discussed above are complete, USCIS personnel make a final determination on the benefit request. USCIS personnel may grant, deny, rescind, or revoke an immigration benefit.[39] Case decision actions are tracked and recorded in USCIS ELIS.

Post-Adjudication Processing

If a final decision of approval is reached by the adjudicating officer, USCIS ELIS uses automated interfaces with existing USCIS IT systems to generate the proof of benefit (such as a Lawful Permanent Resident card), as applicable. When a proof of benefit must be produced, and it requires a photograph, the adjudicator is able to obtain the requestor's facial photograph, fingerprint, and signature via an interface with CPMS solely for proof of benefit production purposes. The facial photograph and other biometric elements are temporarily displayed in USCIS ELIS and can be adjusted to improve image quality for printing. USCIS ELIS allows the user to zoom, pan, lighten, or darken the photo for card production and then certify for printing. After successful proof of benefit production is completed, the facial photograph obtained from CPMS is automatically deleted from USCIS ELIS, and the final adjusted image is stored as part of the printed card record in CPMS.

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[39] These processes are carried out outside USCIS ELIS. For more information *see* DHS/USCIS/PIA-062 Administrative Appeals Office Case Management System, *available at* www.dhs.gov/privacy.

Post-Decision Reporting

USCIS uses the information contained in USCIS ELIS to generate a number of statistical reports to measure and evaluate workload for proper resource allocation. USCIS ELIS interfaces with the Enterprise Citizenship and Immigrations Services Centralized Operational Repository (eCISCOR) for reporting, statistical analysis, and adjudicatory purposes.[40] eCISCOR interconnects with other systems like the Standard Management Analysis and Reporting Tool (SMART) sub-system to create customizable reports.[41] SMART uses USCIS ELIS data to generate reports to identify pending cases and to measure productivity trends and average processing times. USCIS also generates granular level reports to identify types, number, and status of cases located in a particular office or assigned to a particular USCIS staff member, which allows supervisors to identify the oldest cases in queue for processing.

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?

The primary legal authority supporting the collection of the information provided to USCIS is the Immigration Nationality Act (INA).[42] Specifically, 8 U.S.C. § 1360 requires a central file of information for the security and enforcement agencies of the Government of the United States that contains the names of all aliens admitted or denied admission to the United States and such other relevant information as required to aid in the proper enforcement of this chapter. The Homeland Security Act of 2002[43] and the INA charge the Secretary of Homeland Security with administration and enforcement of the immigration and naturalization laws. The Secretary of Homeland Security has delegated duties to USCIS pursuant to DHS Delegation 0150.1. DHS also has promulgated regulations that permit the collection and processing of applications, petitions, and requests online entitled, "Immigration Benefits Business Transformation, Increment I;[44]" and "Immigration Benefits Business Transformation, Increment I; Correction.[45]"

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[40] *See* DHS/USCIS/PIA-023(a) Enterprise Citizenship and Immigrations Services Centralized Operational Repository (eCISCOR), *available at* www.dhs.gov/privacy.
[41] *See* DHS/USCIS/PIA-050 Standard Management Analysis Reporting Tool (SMART), *available at* www.dhs.gov/privacy.
[42] 8 U.S.C. § 1101 (2004) *et seq*.
[43] Pub. L. No.107-296, 116 Stat. 2135 (2002), 6 U.S.C. § 112.
[44] 76 FR 53764 (Aug. 29, 2011).
[45] 76 FR 73475, (Nov. 29, 2011).

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 contained in USCIS ELIS:

- DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records[46] covers individuals who petition for benefits under the INA, and includes petitioners, preparers, and attorneys. Information covered includes A-number, name, address, phone number, email address, Social Security number (SSN), date of birth (DOB), place of birth (POB), countries of citizenship, family history, employment history, and marriage certificates.

- DHS/USCIS-007 Benefits Information System[47] covers individuals who have filed applications or petitions for immigration benefits under INA and provides coverage for information collected such as name, SSN, records regarding tax payment and financial matters, and records regarding employment.

- DHS/USCIS-018 Immigration Biometric and Background Check[48] covers the background checks that are performed.

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

Yes. The USCIS ELIS Security Plan was last updated on December 26, 2017. USCIS ELIS has been granted an authority to operate (ATO) under the USCIS Ongoing Authorization (OA) process. OA requires USCIS ELIS to be reviewed on a monthly basis and to maintain its security and privacy posture in order to retain its ATO.

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

USCIS ELIS serves as the electronic record used to facilitate and track the adjudication of certain benefit requests. USCIS has many retention schedules to cover different types of data in USCIS ELIS, including the A-File, draft and filed forms, and systems.

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[46] DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records, 82 FR 43556 (Sept. 18, 2017).
[47] DHS/USCIS-007 Benefits Information System, 81 FR 72069 (Oct. 19, 2016).
[48] DHS/USCIS-018 Immigration Biometric and Background Check, 83 FR 36950 (July 31, 2018).

Electronic Records

An individual's immigration history may be in the following formats: (1) A paper A-File; (2) an electronic record in the Enterprise Document Management System (EDMS) or USCIS Electronic Immigration System; or (3) a combination of paper and electronic records and supporting documentation. USCIS ELIS maintains certain filed benefit requests with USCIS. All documentation submitted or created in support of a USCIS benefit request case is maintained in accordance with USCIS policy and NARA retention schedules after being scanned into USCIS ELIS. Benefit request forms that were rejected because the form was incomplete and/or not accompanied by the required signature or fee are maintained for 6 years or less.[49] These records have temporary value because they have little or no research value. All other benefit request forms and other electronic records in USCIS ELIS are designated as A-File records. A-File records are permanent, whether hard copy or electronic. These records have permanent value because they document enduring legal rights and have high potential research value. DHS transfers A-Files to the custody of NARA for retention for 100 years after the individual's date of birth.

USCIS ELIS Case Management

ELIS also serves as the case processing, adjudication, and management platform for certain paper and electronically filed benefit request forms. The case management and adjudication data in USCIS ELIS is covered by the retention schedule for each form type. USCIS will update Appendix A to this PIA for each form retention schedules.

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.

Each form processed by USCIS ELIS has an existing OMB control number that covers the USCIS ELIS collection. An updated list is available in Appendix B of this PIA.

Section 2.0 Characterization of the Information

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

USCIS ELIS collects:

- Information that is required to adjudicate specific benefit requests will vary for each immigration benefit type. A full account of what data is requested for each immigration

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[49] Please see Appendix A to view the approved NARA schedules for form types processed in USCIS ELIS.

benefit type can be viewed by referencing the paper forms associated with each immigration benefit type in Appendix B. A comprehensive list of USCIS forms and the respective form instructions are available at www.uscis.gov/forms. USCIS ELIS also contains information from other USCIS, DHS, and external systems. USCIS ELIS information includes:

- o Full name;
- o Aliases;
- o Mailing and physical address;
- o A-Number;
- o SSN (if applicable);
- o USCIS Online Account Number;
- o Date of birth (DOB);
- o Country of birth (COB);
- o Immigration status;
- o Date permanent resident status became effective;
- o Telephone numbers;
- o Email address;
- o Gender;
- o Weight;
- o Height;
- o Eye color;
- o Travel history, as reported by the applicant;
- o Education history;
- o Employment information; and
- o Criminal history information.

- E-signature from the requestor, which includes check-box attestation, requestor's name, Internet Protocol (IP) address from which the filing is submitted, and time/date stamp;

- Background and security check results about the requestor;

- Images of the benefit request form and supplemental evidence;[50]

- Case processing information and generated data, such as notices, internal case processing notes, and decisions;

- Social media handles and aliases, associated identifiable information, and publicly available search results; and

- Temporarily stored biometric images, including fingerprints and signature (if not waived), to allow proper formatting for printing.

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

Information within USCIS ELIS is obtained from the following sources: (1) benefit requestors, beneficiaries, accredited representatives, attorneys, form preparers, and/or interpreters, (2) internal DHS systems, and (3) external systems or sources. Most of the information in USCIS ELIS is obtained from the data provided by the benefit requestor or beneficiary on the completed benefit request form and submitted supporting documentation accompanying his or her benefit request. USCIS ELIS also interconnects with internal or external systems, and USCIS adjudicators can manually enter information into USCIS ELIS (i.e., interview comments and background dates). Most background check results are maintained in USCIS ELIS.

USCIS also collects information from publicly available sources, such as general internet searches of publicly available information including publicly available social media information. Benefit adjudicators may conduct general internet searches to verify the identity and claim of the individual. FDNS conducts social media searches to verify information provided by the requestor to investigate indications of fraudulent behavior and identify any threat to public safety or nexus to known or suspected terrorists during the processing of the requestor's benefit request. The results of the general and social media searches are used to verify information relating to the benefit request, information indicating potential fraud (such as identity fraud or document fraud), or information regarding criminal activity or national security concerns that would impact eligibility and admissibility.[51] USCIS may only look at publicly available information, and will respect individuals' privacy settings. In compliance with DHS Directive 110-01, *Privacy Policy for Operational Use of Social Media and Instruction 110-01-001*,[52] authorized FDNS personnel are

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[50] Many USCIS forms require the submission of supplemental forms to establish eligibility for the benefit. Examples of supplemental evidence may include, but are not limited to, marriage certificates, birth certificates, tax records, court records, appeals and motions, personal narratives, and affidavits and sworn statements (of benefit requestors and qualifying witnesses) including details of victimization, criminal records, and terrorist engagement. The supplemental information is stored in the A-File.

[51] Information collected from social media, by itself, will not be a basis to deny an immigration benefit request.

[52] *See* DHS Directive 110-01, Privacy Policy for Operational Use of Social Media and Instruction 110-01-001,

permitted to access social media sites when conducting background checks or administrative investigations only after they have completed initial USCIS Privacy Requirements for the Operational Use of Social Media training and program-specific training on the authorized use of social media, and have signed the "Rules of Behavior" form.[53] Authorized USCIS personnel must complete refresher training and sign the Rules of Behavior annually. When social media is collected on a benefit requestor the records become part of the USCIS ELIS adjudication and are retained for the life of the benefit request form as A-File content.

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 ELIS maintains publicly available data from general internet searches used as part of the benefit adjudication process by adjudicators, and social media postings[54] that are used by authorized FDNS personnel trained to conduct social media reviews. FDNS uses social media postings to verify information provided by the requestor to investigate indications of fraudulent behavior and identify any threat to public safety or nexus to known or suspected terrorists in the processing of the requestor's benefit request. The social media postings collected on a benefit requestor become part of the USCIS ELIS adjudication and are retained for the life of the benefit request form as A-File content.

USCIS only collects social media information that is reasonably related to matters under USCIS consideration. Social media may be part of the background check process for certain immigration benefit requests, and background checks are run by USCIS only where USCIS has the legal authority to do so. This policy permits specifically trained USCIS officers to access publicly available social media as an aid in determining whether an individual is eligible for an immigration benefit.

2.4 Discuss how accuracy of the data is ensured.

USCIS ELIS ensures data accuracy primarily by using data entered directly by the requestor whenever possible. All requests filed using the USCIS online accounts are completed directly by the benefit requestor except for those accounts set up by a legal representative. Benefit

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available at https://www.dhs.gov/policy. This Directive sets privacy policy and requirements for DHS and its components for the access, collection, use, maintenance, retention, disclosure, deletion, and destruction of PII in relation to operational use of social media.

[53] Select USCIS personnel who seek to access, process, store, receive, or transmit PII obtained through the Operational Use of Social Media while conducting investigations or background checks are required to complete a Rules of Behavior (ROB) for the Operational Use of Social Media. These ROBs ensure that users are accountable for their actions on social media, are properly trained, and aware of the authorized use of social media sites.

[54] Privacy update regarding social media use can be found at https://www.uscis.gov/about-us/directorates-and-program-offices/privacy-updates.

requestors are able to correct any information in their benefit request forms up to the point that they sign and submit the filing. After the benefit request has been submitted, the only changes the benefit requestor may make are at the account level, such as updating an email address or other contact information. When inputting data from a paper filing, the Lockbox facilities employ quality control measures, including levels of review to prevent keying errors and verifying scan quality. In general, in the event of an error, the requestor is able to correct certain data using existing correction processes, such as contacting USCIS NCSC.

Select data submitted by requestors are run through the A-Number validation process to promote data integrity between USCIS ELIS and CIS. Information is validated from other systems as needed. USCIS ELIS also enables the adjudicator to check biographical data (e.g., name, date of birth, place of birth, gender) against data from CIS to assist the adjudicator in identifying inaccurate data supplied by the requestor or correcting inaccurate data on file in legacy systems. Finally, USCIS automatically submits data to other federal, DHS, and USCIS systems to verify identity and conduct background and security checks.

USCIS only collects and uses external sources and publicly available information that is reasonably related to matters under USCIS consideration. No decisions are based solely on the collection of external information, including social media information. USCIS gives individuals opportunities during and after the completion of the application process to correct information they have provided and to respond to information received from external sources. If the information could lead to a denial of the immigration benefit and if it is information of which the applicant is unaware, it would be provided to the applicant in a Notice of Intent to Deny, in an interview, or in similar processes, and the applicant would have an opportunity to review and respond.

2.5 <u>Privacy Impact Analysis</u>: Related to Characterization of the Information

Privacy Risk: There is a risk that requestors could submit more information than necessary because USCIS ELIS houses multiple benefit requests that each require different information.

Mitigation: USCIS ELIS collects information pertaining to one benefit request at a time so the requestor cannot be prompted to enter information unless it pertains to the specific benefit request for which the requestor is filing. The information collected for benefit requests is the same for paper and electronic filings.

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

Mitigation: The USCIS Office of Privacy reviews each immigration form during the form development process and/or promulgation process to ensure that only the minimum amount of information is collected to determine benefit eligibility. Furthermore, all data elements collected

are negotiated with and approved by Office of Management and Budget during PRA collection review. USCIS designed USCIS ELIS specifically to collect and store only the information that is necessary to adjudicate the benefit request forms processed by USCIS. USCIS requires the information collected and stored in USCIS ELIS to establish the identity of the benefit requestor or beneficiary and to process the benefit request to determine benefit eligibility.

Privacy Risk: There a risk that information received from external sources could be inaccurate, resulting in a denial of benefits.

Mitigation: This risk is mitigated. USCIS gives individuals opportunities during and after the completion of the application process to correct information they have provided or received, and to respond to information received from external sources. If the information could lead to a denial of the immigration benefit and if it is information of which the benefit requestor is unaware, it would be provided to the applicant in a NOID, in an interview, or in similar processes, and the applicant would have an opportunity to review and respond.

Privacy Risk: There is a risk USCIS may rely on inaccurate information coming from social media to make a decision.

Mitigation: This risk is partially mitigated. Information is collected directly from benefit requesters, and individuals generally have some degree of control over what is posted on their social media account. USCIS presumes some of this information is accurate. During the interview, the officer will review any social media assessments provided by FDNS, including those with possible inaccurate information, and address the underlying eligibility concern as annotated on the social media assessment with the applicant and elicit testimony as indicated. FDNS has also indicated that officers may provide the applicant with an opportunity to view the social media post (the post only, not the entire social media assessment) and provide additional testimony explaining any postings. Information collected from social media, by itself, will not be a basis to deny benefit requests. USCIS has also developed procedures and training focused on understanding data quality limitations associated with social media.

Section 3.0 Uses of the Information

3.1 Describe how and why the project uses the information.

USCIS ELIS is an electronic case management system that stores information to support the processing of benefit request forms. USCIS uses the information to fulfill the following adjudicative actions:

- Verify the identity of the requester;

- Identify missing information and make requests for additional information;

- Provide a repository of data to assist with future immigration benefit requests;

- Schedule interview and biometrics appointments;

- Facilitate and maintain security screening check results to determine suitability for immigration benefits using criminal, immigration, or terrorism-related history;

- Generate and issue notices;

- Provide data necessary to assist in the determination of immigration and employment status to support the Verification Program;

- Manage adjudicative workflow;

- Share information with internal and external partners for mission-related activities; and

- Generate reports.

Submissions to USCIS ELIS may originate in an electronic format or be converted to an electronic format from paper and may include forms and supporting documentation associated with each submission. This includes notices of agency action (e.g., appointment notices, requests for evidence or originals, notices of intent to deny, or other final agency decisions) on a specific application, petition, or request, whether filed directly online or received by USCIS in a paper format and subsequently scanned for integration into the USCIS ELIS.

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?

USCIS ELIS shares read-only information with the USCIS Enterprise Service Bus (ESB),[55] which may share information from USCIS ELIS with other components via PCQS.[56] Through PCQS, USCIS provides U.S. Immigration and Customs Enforcement (ICE) and CBP read-only access to ELIS data. Both agencies are within DHS and share immigration-related missions.

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[55] *See* DHS/USCIS/PIA-008 Enterprise Service Bus *available at* www.dhs.gov/privacy.
[56] *See* DHS/USCIS/PIA-010 Person Centric Query System (PCQS) *available at* www.dhs.gov/privacy.

3.4   Privacy Impact Analysis: Related to the Uses of Information

Privacy Risk: There is a risk that retaining records in electronic, rather than paper, format will allow increased access to the information.

Mitigation: This risk is partially mitigated. USCIS mitigates this risk three ways. First, all users of USCIS ELIS must receive role-based system training, which explains the purpose of the data and includes reminders about proper PII handling. Second, the system tracks all access and edits to requestor PII and stores that activity in back-end audit logs available to the USCIS Office of Security Investigations for monitoring and action. Finally, USCIS ELIS employs a provisioning process that verifies that every user requesting access to the system has a valid need to view data in the system.

Privacy Risk: By retaining data in an active, online platform, USCIS ELIS poses a risk of unauthorized exposure because the system could be attacked by an external entity.

Mitigation: USCIS recognizes that retaining data online makes that data potentially more available to compromise. As a result, USCIS is building into its retention schedules a timeframe after which data may be retained offline by the agency but not online with public access. This will allow the agency to preserve records that should be maintained for their historical value but adds some security from unauthorized access of outdated accounts because the information is behind the firewall. This risk is also mitigated by IT security measures such as encryption of data in transit and at rest and requiring secure two-factor authentication for login. The USCIS OA process supports a near real-time review and evaluation of system vulnerabilities and risks and provides a framework to support risk management decisions. Both the USCIS Office of Information Technology and USCIS ELIS systems teams report any incidents to the DHS Emergency Operations Center. USCIS also follows National Institute of Standards and Technology (NIST) guidance SP 800-63-3 (Digital Identity Guidelines) and SP 800-63A (Enrollment and Identity Proofing) to authenticate an individual's identity to ensure data is accessed only by authorized individuals.[57]

Privacy Risk: By creating an electronic immigration file in addition to the paper file, USCIS ELIS poses a risk of further decentralizing the official file of a requestor and making the record incomplete and inaccurate.

Mitigation: This is partially mitigated. USCIS recognizes that retaining data online and on paper creates a risk for USCIS officials when receiving immigration requests. In the RAILS there is a "flag" if a USCIS ELIS case with a paper file exists. This provides awareness that the A-file content may exist in both paper and electronic formats. RAILS is an enterprise wide application

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[57] National Institute of Standards and Technology, U.S. Department of Commerce, NIST Special Publication 800-63A Digital Identity Guidelines, Enrollment and Identity Proofing Requirements. June 2017. https://pages.nist.gov/800-63-3/sp800-63a.html.

that supports the USCIS mission to maintain control of alien/immigrant and receipt files. The purpose of RAILS is to increase the ability of USCIS to track the movement of Alien/immigrant and Receipt physical files.

Section 4.0 Notice

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

Each benefit request form, regardless of whether it is paper or electronic, contains a Privacy Notice that provides notice to individuals about the collection, 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. The forms also contain a provision by which an applicant authorizes USCIS to release any information received from the benefit requestor or beneficiary as needed to determine eligibility for benefits. Additionally, individuals receive general notice through this PIA, DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking SORN, DHS/USCIS-018 Immigration Biometric and Background Check SORN, and the DHS/USCIS-007 Benefits Information System SORN.

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

By submitting benefit request forms to USCIS, benefit requestors have consented to USCIS's use of the information submitted for adjudication purposes. Applicants who apply for USCIS benefits have an opportunity and ability to decline to provide information. USCIS benefit request forms require the benefit requestor to provide biographic and/or biometric information. This information is critical in making an informed adjudication decision to grant or deny a USCIS benefit. Failure to submit such information may prohibit USCIS from processing and properly adjudicating the benefit request and thus precludes the benefit requestor from receiving the benefit.

4.3 Privacy Impact Analysis: Related to Notice

Privacy Risk: There is a risk that the public may not be aware that ICE and CBP have access to USCIS ELIS data.

Mitigation: This risk is mitigated. USCIS provides general notice to individuals through the publication of this PIA that ICE and CBP may access USCIS ELIS data. USCIS also provides notice through its Privacy Notices that USCIS may share this information, as appropriate, for law enforcement purposes or in the interest of national security.

Privacy Risk: There is a risk that the public may not be aware that their information is stored in USCIS ELIS because the user only interacts with the MyUSCIS Account Experience.

Mitigation: This risk is partially mitigated. USCIS issued this PIA and the DHS/USCIS/PIA-071 MyUSCIS Account Experience[58] to serve as notice that MyUSCIS Account Experience replaces all aspects of the public-facing USCIS ELIS, and that USCIS ELIS continues to serve as an internal electronic case management system for certain benefit request forms.

Section 5.0 Data Retention by the project

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

USCIS ELIS serves as the electronic record of an individual's immigration history. The system is also used to facilitate and track the adjudication of certain benefit requests. USCIS has many retention schedules to cover different types of data in USCIS ELIS, including the A-File, draft and filed forms, and systems.

Electronic Records

An individual's immigration history may be contained in the following materials and formats: (1) A paper A-File; (2) an electronic record in EDMS or USCIS ELIS; or (3) a combination of paper and electronic records and supporting documentation. USCIS ELIS maintains certain benefit request forms filed with USCIS. All documentation submitted or created in support of a USCIS benefit request is maintained in accordance with USCIS policy and NARA retention schedules after being scanned into USCIS ELIS. Benefit request forms that were rejected because the form was incomplete and/or not accompanied by the required signature or fee are maintained for 6 years or less.[59] These records have temporary value because they have little or no research value. All other benefit request forms and other electronic records in USCIS ELIS are designated as A-File records. A-File records are permanent, whether hard copy or electronic. These records have permanent value because they document enduring legal rights and have high potential research value. DHS transfers A-Files to the custody of NARA for retention for 100 years after the individual's date of birth.

USCIS ELIS Case Management

ELIS also serves as the electronic case processing, adjudication, and management functions of certain filed benefit request forms with USCIS. The case management data in USCIS ELIS is covered by the retention schedule for each form type. USCIS will update Appendix A to this PIA for each form retention schedule.

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[58] *See* DHS/USCIS/PIA-071 MyUSCIS Account Experience, available at www.dhs.gov/privacy.
[59] Please see Appendix A to view the USCIS Approved NARA Schedule for Form Types.

5.2   Privacy Impact Analysis: Related to Retention

There is no risk associated with retention for USCIS ELIS. USCIS has a NARA-approved retention schedule for the electronic record and case management components of USCIS ELIS.

Section 6.0 Information Sharing

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 shares information from USCIS ELIS with external federal agencies for the purpose of processing applications or petitions for benefits under the INA. USCIS may also share information with federal, state, local, and foreign government agencies and authorized organizations in accordance with approved routine uses, as described in the associated published system of records notices.

Department of State (DOS)

USCIS and DOS are partners in the processing of immigration benefit cases.[60] DOS has read-only access to USCIS ELIS data through PCQS. Access to USCIS ELIS provides DOS consular officers with information on USCIS adjudications of benefits and other decisions relating to non-immigrant and immigrant visas and naturalization cases. This includes data on pending benefit request forms, as well as historical information. This data sharing arrangement allows USCIS and DHS to increase processing efficiency and maintain a comprehensive picture of a benefit requestors' status from visa application to naturalization. It will reduce the likelihood that an individual or group might obtain an immigration benefit under the INA through fraud or error.

USCIS ELIS queries the DOS Consolidated Consular Database (CCD) to retrieve Immigrant Visa data, which includes biographic data, case data, photo, and fingerprint identification number (FIN).[61] Immigrant Visa issuance data from the DOS is sent in a daily batch and ingested into USCIS ELIS. The data includes biographic data, visa case data, visa identification number, visa issuance date, class of admission, date of entry, and port of entry.

Social Security Administration (SSA)

USCIS, DOS, and the SSA currently have a Memorandum of Understanding (MOU) in place that covers the process by which SSA works with USCIS to issue SSNs and Social Security

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[60] Memorandum of Agreement between the Department of State and the Department of Homeland Security regarding the sharing of visa and passport records and immigration and naturalization and citizenship records, signed November 18, 2008.
[61] *See* DOS CCD PIA (July 17, 2015), *available at* https://www.state.gov/documents/organization/242316.pdf.

cards for immigrants through a process called Enumeration at Entry (EAE).[62] As part of the DOS immigrant visa application process, immigrants outside the United States have the option to apply for an SSN card at the same time they apply for an immigrant visa. Once DOS approves their visa application and DHS admits them into the United States for permanent residence, SSA automatically issues the SSN card. USCIS ELIS electronically transmits to SSA enumeration data for resident aliens with employment authorization who request a SSN or replacement Social Security card. This process will allow USCIS benefit seekers to request a SSN or replacement card as part of the USCIS benefit process. USCIS ELIS sends requests for SSN issuance for approved Employment Authorization Documents cases when the requestor checks the appropriate boxes when filing the I-765.[63]

Department of Justice (DOJ) Executive Office of Immigration Reform (EOIR)

USCIS ELIS queries Case Access System for EOIR[64] (CASE) for information related to the requestor to see if there has been any activity related to USCIS ELIS cases where a decision has been challenged by the applicant and/or the attorney/representative.[65] Where there is a case, USCIS looks at data such as case type, data case was filed with EOIR, case filing, case decision, case disposition, and document type.

U.S. Postal Service (USPS)

USCIS ELIS sends the address provided by the benefit seeker and receives USPS standardized addresses from the USPS Address Standardization Web Tool called Address Matching for Mail Processing. The USPS Address Standardization Web Tool corrects errors in street addresses, including abbreviations and missing information, and supplies ZIP Codes and ZIP Codes + 4. It supports up to five lookups per transaction.[66]

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

Department of State (DOS)

Sharing USCIS ELIS data via PCQS to DOS is compatible with the purpose of the system because the DOS mission, like that of USCIS, includes ensuring lawful visits and immigration to

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[62] Memorandum of Understanding between Social Security Administration and Immigration and Naturalization Service (MOU), dated December 18, 2000. The party noted as the Immigration and Naturalization Service is now known as U.S. Citizenship and Immigration Services (USCIS). Provisions included in and addressed by the MOU are still applicable today.

[63] Form I-765 includes checkboxes that allow USCIS to share information with SSA for employment benefits.

[64] https://www.justice.gov/eoir/major-information-systems.

[65] See DOJ EOIR-001 Records and Management Information System, 82 FR 24147, May 25, 2017.

[66] See USPS Address Matching for Mail Processing at
https://about.usps.com/handbooks/as353/as353apdx_042.htm#ep1181417.

the United States as dictated by the INA. This sharing is covered by the Routine Use "I" of the DHS/USCIS-007 SORN,[67] which states that data may be shared with "Department of State for the purpose of assisting in the processing of benefit requests under the Immigration and Nationality Act, and all other immigration and nationality laws including treaties and reciprocal agreements."

SSA

Sharing USCIS data with SSA is compatible with the purpose of the system because Section 205(b)(2) of the Social Security Act, as amended, authorizes SSA to issue a Social Security card to aliens at the time of their lawful admission to the United States. Routine Use "S" of the DHS/USCIS-007 SORN permits USCIS to share information with the SSA for the purpose of issuing a Social Security number and card to an alien who has made a request for a Social Security number as part of the immigration process in accordance with any related agreements in effect between the SSA, the DHS, and the Department of Labor entered into pursuant to 20 CFR 422.103(b)(3), 422.103(c), and 422.106(a), or other relevant laws and regulations.

Department of Justice (DOJ)

Sharing USCIS ELIS data with DOJ EOIR is compatible with the purpose of the system because the EOIR mission is to administer the immigration court system. The sharing of information is covered by the Routine Use "A" of the DHS/USCIS-007 SORN, which states that data may be shared with "DOJ, including Offices of the United States Attorneys, or other federal agency conducting litigation or in proceedings before any court, adjudicative, or administrative body, when it is relevant or necessary to the litigation and one of the following is a part of the litigation or has an interest in such litigation."

USPS

USCIS shares a limited amount of information with USPS for the purpose of enabling USPS and USCIS mission requirements. USCIS is required to collect fees, adjudicate benefit request forms, and provide timely evidence of the approved benefit. As part of normal operating procedures, USCIS contracts with USPS to serve as a courier service to transport and deliver documents to the recipient.

6.3 Does the project place limitations on re-dissemination?

Yes. DHS or USCIS enters into Memoranda of Understanding/Agreement (MOU/A) with external organizations prior to the systematic sharing of information. When sharing information with parties outside of DHS, the same specifications related to security and safeguarding of privacy-sensitive information that are in place for USCIS and DHS are applied to the outside entity. The agreements between DHS and external entities (e.g., DOS and SSA) fully outline

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[67] 81 FR 72069 (Oct. 19, 2016).

responsibilities of the parties, security standards, and limits of use of the information, including re-dissemination, prior to information sharing. Access to records is governed by need-to-know criteria that demand the receiving entity demonstrate the mission-related need for the data before access is granted. In the terms of a negotiated agreement or the language of an authorization providing information to an external agency, USCIS includes justification for collecting the data, and an acknowledgement that the receiving agency will not share the information without USCIS or DHS's permission, as applicable.

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

USCIS keeps an electronic record of all USCIS ELIS records sent to non-DHS partners. Furthermore, USCIS updates individual USCIS ELIS case records to reflect that a specific check (i.e., background or security check) has been completed.

6.5 Privacy Impact Analysis: Related to Information Sharing

Privacy Risk: There is a risk that data shared by USCIS with external partners will be used beyond the original purpose of collection (immigration benefits).

Mitigation: USCIS is careful to share data with external agencies that have a need to know and put the information to a use that is compatible with USCIS SORNs. USCIS documents these safeguards in MOU/MOA with the external partners to ensure information shared is not used beyond the original purpose of collection (immigration benefits). All prospective information handlers must be authorized and complete privacy and security training before gaining access to the information. This mitigates the risk of unauthorized disclosure by requiring a trained employee with access to the information to review the information before sharing with an external agency.

Section 7.0 Redress

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

USCIS provide individuals with multiple avenues to access their information. Individuals who hold online accounts may access their case information maintained in USCIS ELIS through the MyUSCIS Account Experience. MyUSCIS Account Experience allows account holders to directly and securely engage with USCIS to obtain case-related information. Account holders who create online accounts must authenticate their access using their credentials and authentication code. Once authenticated, individuals may access their accounts including the information they used to create their profiles, such as name and address information. The information individuals

may access includes a copy of the application they submitted, any notices or notifications generated by USCIS, and information about the status of their application.

An individual seeking access to more of his or her information held by USCIS may gain access to his or her records by filing a Freedom of Information Act (FOIA) or Privacy Act request. Individuals not covered by the Privacy Act or Judicial Redress Act (JRA) still may obtain access to records consistent with FOIA unless disclosure is prohibited by law or if the agency reasonably foresees that disclosure would harm an interest protected by an exemption. Any individual seeking access to his or her information should direct his or her request to the following address:

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

Certain information requested may be exempt from disclosure under the Privacy Act because records related to fraud, with respect to an individual, may sometimes contain law enforcement sensitive information. The release of law enforcement sensitive information could possibly compromise ongoing criminal investigations. Further information for Privacy Act and FOIA requests for USCIS records can also be found at http://www.uscis.gov.

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

USCIS allows individuals with an online account to correct any information in their benefit request form up until they electronically sign and submit the benefit request form through MyUSCIS Account Experience. After the benefit request has been submitted, the only changes the benefit requestor or legal representative may make are at the account level, such as updating an email address or other contact information. If the benefit requestor or legal representative need to correct inaccurate information on the benefit request form while the benefit is being adjudicated, he or she may submit the request in writing and upload the request into MyUSCIS Account Experience as unsolicited evidence or by mail. It is the adjudicator's decision to incorporate the corrected information, depending on the timing and validity of the information. For corrections after the application has been adjudicated, the requestor would use the existing FOIA and Privacy Act processes employed by USCIS, which depend on the type and context of the correction requested.

Additionally, U.S. citizens and lawful permanent residents, as well as other persons with records covered by the JRA, are afforded the ability to correct information by filing a Privacy Act Amendment request under the Privacy Act. Covered individuals should submit requests to contest or amend information contained in USCIS ELIS as discussed in Section 7.1. Individuals may direct all requests to contest or amend information to the USCIS FOIA/PA Office. Requests must state

clearly and concisely the information being contested, the reason for contesting it, the proposed amendment, and clearly mark the envelope "Privacy Act Amendment." This would only apply to amendment of USCIS-held information. Persons not covered by the Privacy Act or JRA are not able to amend their records through FOIA. Should a non-U.S. person find inaccurate information in his or her record received through FOIA, he or she may visit a local USCIS Field Office to identify and amend inaccurate records with evidence.

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

Individuals are notified about procedures for correcting their information through MyUSCIS online account, Privacy Notices, the USCIS website, the NCSC, this PIA, and relevant SORNs.

7.4 <u>Privacy Impact Analysis</u>: Related to Redress

There is no privacy risk with respect to redress. Throughout the benefit request process, USCIS provides requestors multiple avenues to correct information. There is a process to update records during the adjudication process and to respond to information received from other sources. The information requested may be exempt from disclosure under the Privacy Act because information contained within USCIS ELIS may contain law enforcement sensitive information, the release of which could possibly compromise ongoing criminal investigations.

Section 8.0 Auditing and Accountability

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 federal, DHS, and USCIS policies. This includes the USCIS privacy policies, SOPs, information sharing agreements, orientation and training, rules of behavior, and auditing and accountability. USCIS ELIS is built off of the Amazon Web Services (AWS) US East/West cloud platform. AWS is a multi-tenant public cloud designed to meet a wide range of security and privacy requirements (e.g., administrative, operational, and technical controls) that is used by USCIS to protect data in accordance with federal security guidelines.[68] AWS is FedRAMP-approved and is authorized to host PII.[69] FedRAMP is a U.S. government-wide program that delivers a standard approach to the security assessment, authorization and continuous monitoring for cloud services.

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[68] Public clouds are owned and operated by third-party service providers whereas private clouds are those that are built exclusively for an individual enterprise.
[69] https://marketplace.fedramp.gov/#/product/aws-us-eastwest?status=Compliant&sort=productName.

USCIS employs technical and security controls to preserve the confidentiality, integrity, and availability of the data, which are validated during the security authorization process and on an ongoing basis. These controls mitigate privacy risks associated with authorized and unauthorized uses, namely misuse and inappropriate dissemination of data. USCIS ELIS has sophisticated role-based user access for operational users, as well as read-only users. These include roles that separate duties for operators to ensure appropriate oversight of the adjudication, as well as two levels of read-only roles to protect more sensitive data about a requestor from being accessible to internal users who only have a need for some of the data. Additionally, USCIS ELIS captures all user activity, including information changed and viewed, in audit logs, which are logged, tracked, and reviewed on a weekly basis as required by the USCIS Ongoing Authorization program.

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. The Privacy Awareness training addresses appropriate privacy concerns, including Privacy Act obligations (e.g., SORNs, Privacy Act Statements). The Computer Security Awareness training examines appropriate technical, physical, personnel, and administrative controls to safeguard information. USCIS provides USCIS ELIS users system-specific training on proper handling of PII, as well as appropriate use of data according to each role.

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 deploys user 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 appropriate 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. Access permissions are periodically reviewed to ensure users are only given access to the system based on a need-to-know.

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. USCIS ELIS data is subject to the USCIS formal review process for any data sharing agreements. That process includes, at a minimum, review by the Privacy Office, Counsel, and program officials entrusted with security of the data.

8.5   <u>Privacy Impact Analysis</u>: Related to the Accountability and Integrity of the Information.

<u>Privacy Risk</u>: The data maintained by Amazon Web Services (AWS) for the purposes of cloud hosting may be vulnerable to breach because security controls may not meet system security levels required by DHS.

<u>Mitigation</u>: This risk is mitigated. USCIS is responsible for all PII associated with the ELIS system, whether on a USCIS infrastructure or on a vendor's infrastructure, and it therefore imposes strict requirements on vendors for safeguarding PII data. This includes adherence to the DHS 4300A Sensitive Systems Handbook, which provides implementation criteria for the rigorous requirements mandated by DHS's Information Security Program.[70]

Responsible Officials

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

Approval Signature

[Signed copy complete and on file with the DHS Privacy Office]

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Philip S. Kaplan
Chief Privacy Officer
Department of Homeland Security

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[70] *See* https://www.dhs.gov/publication/dhs-4300a-sensitive-systems-handbook.

Appendix A
USCIS Approved NARA Schedule for Form Types

Form Number	Form Name	NARA Approved Schedule
I-90	Application to Replace Permanent Resident Card	DAA-0566-2015-0004
I-131	Application For Travel Document	DAA-0566-2016-0004
I-765	Application for Employment Authorization	DAA-0566-2016-0005
I-821	Application for Temporary Protected Status	DAA-0566-2016-0007
Form I-821-D	Consideration of Deferred Action for Childhood Arrivals	DAA-0566-2016-0006
N-400	Application for Naturalization	DAA-0566-2016-0002

Appendix B

USCIS Benefit and Service Types Processed in USCIS ELIS

Form Number	Form Name	Paper Filings	Online Filings
DOS Immigrant Visa Packet (includes data from DS-260 and I-864)	DOS Immigrant Visa Packet		X
G-28	Notice of Entry of Appearance as Attorney or Accredited Representative [OMB No. 1615-0105]	X	X
I-90	Replacement of Permanent Resident Card [OMB No. 1615-0082]	X	X
I-130	Petition for Alien Relative [OMB No. 1615-0012]	X	X
I-131	Application for Travel Document [OMB No. 1615-0013]	X	
I-131A	Application for Travel Document (Carrier Documentation) [OMB No. 1615-0135]	X	
I-212	Application for Permission to Reapply for Admission into the United States After Deportation or Removal [OMB No. 1615-0018]	X	
I-765	Application for Employment Authorization [OMB No. 1615-0040]	X	
I-765WS	Application for Employment Authorization Worksheet [OMB No. 1615-0040]	X	
I-821	Application for Temporary Protected Status [OMB No. 1615-0043]	X	
I-821D	Consideration of Deferred Action for Childhood Arrivals [OMB No. 1615-0124]	X	

I-912	Request for Fee Waiver [OMB No. 1615-0116]	X	
N-400	Application for Naturalization [OMB No. 1615-0052]	X	X
N-336	Request for a Hearing on a Decision in Naturalization Proceedings Under Section 336 [OMB No. 1615-0050]	X	X
N-565	Application for Replacement Naturalization/Citizenship Document [OMB No. 1615-0091]	X	X
N-600	Application for Certificate of Citizenship [OMB No. 1615-0057]	X	X
N-600K	Application for Citizenship and Issuance of Certificate Under Section 322 [OMB No. 1615-0087]	X	X