Privacy Impact Assessment
for the

Naturalization Redesign Test Pilot

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Abstract

The US Citizenship and Immigration Service Office of Citizenship developed the Naturalization Redesign Test Pilot and redesigned the civics and language proficiency test that a lawful permanent resident must take in order to gain citizenship. This Privacy Impact Assessment (PIA) is for this new test, which USCIS will soon run.

Introduction

The US Citizenship and Immigration Service (USCIS) Office of Citizenship ("OoC") redesigned the civics and language proficiency test that a lawful permanent resident (LPR) must take in order to become a citizen. The pilot contractor, American Institute for Research, has randomly selected ten (10) district offices and/or sub offices to provide a representative sample of test takers to help them evaluate the effectiveness of the new test. The ten (10) district offices and/or sub offices are: Albany, Boston, Kansas City, Charleston, El Paso, San Antonio, Miami, Denver, Tucson and Yakima. Letters will be sent to all LPRs slated to take the redesigned test, within the selected office, notifying them of their eligibility to participate in the pilot and to take the new test. The option of declining to participate in the test pilot and taking the old test will be provided. Pilot participants will receive by mail, newly developed study guides directly from USCIS and will not have to purchase them. Currently, all LPRs receive notification of their test date by mail and must purchase a study guide if desired. All test dates are coupled with an in person interview conducted by an Adjudicator.

The pilot contractor and Office of Citizenship staff will evaluate the results of the pilot testing. To conduct the analysis, all Personally Identifiable Information (PII) supplied during the course of the test and/or interview will be removed from the data file prior to the placement of the test data in a separate Excel type spread sheet. Limited demographic information collected from CLAIMS-4 (such as age, country of birth, disability accommodations made, etc.) will be input into the data file and will be used to analyze success across different groups of individuals.

Based on the results of the pilot, the USCIS Office of Citizenship may eliminate problematic items (if any) from the final redesigned naturalization test. The USCIS Office of Citizenship may adjust instructions to adjudications offices to allow for valid answers to questions that had not been included in the list of acceptable answers for the pilot. Also, the USCIS Office of Citizenship may make adjustments to adjudications officer training, the test grading protocol and rubrics in response to the pilot.

Section 1.0 Information Collected and Maintained

The following questions are intended to define the scope of the information requested as well as the reasons for its collection as part of the system, rule, and/or technology being developed.

1.1   What information is to be collected?

The Office of Citizenship is requesting two sets of data from the CLAIMS 4 team:

1. The names, addresses, Alien Numbers (A-Numbers), and appointment dates for all people interviewed for naturalization at ten (10) selected sites during the pilot period,

2. limited demographic information includes age, country of birth, and disability accommodating made.

The contractor will only receive the second data set with demographic information on potential applicants and the A-Number. Once the contractor has reviewed the answers and correlates the necessary information with the A-Number, the A-Number is removed from the spreadsheet.

On a weekly basis during the course of the pilot, CLAIMS-4 will send the Office of Citizenship the first data set, which containing the names and addresses of applicants for naturalization, to identify LPRs who are scheduled to take the naturalization exam at the ten district offices. Subsequently, the list will be sent to the USCIS Eastern Forms Center to check for redundant entries or other errors before the mailings are sent.

The second data set contains the following basic demographic information as follows[1]:

- USCIS A-Number;

- Date of interview;

- The code for the district office or sub office where the applicant will be interviewed;

- Whether an applicant is applying for naturalization on the basis of:

    o 5 or greater years as a LPR,

    o 3-5 years as an LPR married to (and living with) a US citizen,

    o military service,

    o or on another basis;

- Age;

- Date became legal permanent resident;

- Country of birth;

- Country of nationality;

- N-648 Waiver for disability presented;

- Special Accommodations (if yes, the nature of the disability for the requested accommodations);

- Whether either parent is a US citizen;

- Gender;

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[1] This information is taken from the N-400 Form.

- Hispanic or Latino;

- Race; and

- Whether spouse is a U.S. citizen.

1.2   From whom is information collected?

Information will be collected from all people interviewed for naturalization at ten (10) USCIS district/sub offices (in Albany, Boston, Kansas City, Charleston, El Paso, San Antonio, Miami, Denver, Tucson and Yakima) with appointments from approximately 15 February 2007 through 15 May, 2007.   The end date of the pilot may extend if the start date of the project is delayed, or if the selected offices during the initial pilot period process fewer-than-expected numbers of applicants.

1.3   Why is the information being collected?

To assist in the redesigning of the civics and language proficiency test that a lawful permanent citizen must take in order to become a citizen, the Office of Citizenship is collecting information.. The Office of Citizenship has identified a number of district offices and or sub offices that will provide a geographically well rounded sampling of test takers to help them evaluate the effectiveness of the new test.

Educators and other related experts will evaluate the results of the pilot testing. All Personally Identifiable Information (PII) supplied during the course of the test and or interview will be removed from the testing results prior to their placement in a separate spread sheet which will be used to conduct the analysis. Limited anonymized demographic information will be inputted into the Excel file and will be used to analyze success across different groups of individuals.

1.4   How is the information collected?

The Office of Citizenship will be submitting two tickets requesting data files from CLAIMS 4. The first ticket will request reports that will contain the names, addresses, A-Numbers, and appointment dates for all people to interviewed for naturalization at ten USCIS district/sub offices (in Albany, Boston, Kansas City, Charleston, El Paso, San Antonio, Miami, Denver, Tucson and Yakima) with appointments 15 February 2007 through about 15 May 2007.

The second ticket will request a report that contains the basic biographic information and A-Number. This information will be directly sent to the contractor. The Alien number (A-number) in this file will be used to match the demographic data with the answers provided by the applicant-owner of that A-number. The Office of Citizenship will instruct the contractor to remove the Alien number after it has matched all hard copy data collecting during the pilot with the demographic data from CLAIMS 4.

There also will be in-person data collection during the pilot. Adjudications Officers in the course of the naturalization interview will ask potential pilot participants whether they would like to participate. Carbon copies of answers to the reading, writing, and civics tests along with the alien file number of the participant will be forwarded to the pilot contractor. Original pilot test results will be kept in the hard copy Alien file.

1.5 What specific legal authorities/arrangements/agreements define the collection of information?

The authority of the Secretary of Homeland Security to collect data in connection with immigration matters is codified in 8 USC Sec. 1103. Demographic information in the pilot is collected through the application for naturalization, form N-400, which is the form authorized for use under 8 CFR § 316.4.

1.6 <u>Privacy Impact Analysis:</u> Given the amount and type of data being collected, discuss what privacy risks were identified and how they were mitigated.

During this pilot, all the personal information will already be collected from the N-400 (and then entered into CLAIMS 4) or during the course of the naturalization interview. Basic demographic information and information on whether the individual passed or failed a particular item on the piloted test would be retained in a final data set. No PII will be kept in the final data file. The Alien number will be removed after the data from CLAIMS 4 and the test results are merged.

Section 2.0 Uses of the System and the Information

The following questions are intended to delineate clearly the use of information and the accuracy of the data being used.

2.1 Describe all the uses of information.

Once data collection has concluded, the forms used in the pilot test will be returned to the contractor for data entry and analysis. The forms will contain test responses, pass/fail grades given by the adjudications officer, and the A-Number. In addition to test information contained in the test forms, data about applicant characteristics (e.g. country of birth, age, disability accommodations) will be obtained from CLAIMS 4 and merged with data collected on the forms (using the Alien number to match the data). The Alien number will be removed from the data set after data matching is complete. Following this match, the contractor will examine the items included in the revised test, using standard psychometric analyses. Item analyses will be conducted using three approaches: classical item analyses, differential item functioning, and analyses based on Item Response Theory. These analyses will evaluate the properties of the new test items and also indicate whether the new items function in the same across applicants with

different background characteristics.

The contractor will summarize the results from the psychometric analyses and make recommendations to USCIS about any items to exclude from the new test. Once USCIS has finalized the pool of items for the test, the contractor will organize the items in test booklets of equal difficulty. The test booklets will be used by adjudications officers when administering the new naturalization exam. The organization of the items will be informed by the results of the data analysis to ensure that all applicants receive a test containing questions of equally weighted difficulty.

The final analysis task conducted by the contractor will be an examination of the data collected from the observations of pilot test administrations and focus groups with adjudications officers. The contractor will identify any issues with training, the scoring rubrics, or general test administration procedures that should be refined prior to the implementation of the revised test. The contractor will prepare a summary for USCIS of any issues that arose during the pilot as well as possible solutions that will ensure the smooth implementation of the new naturalization test.

2.2 Does the system analyze data to assist users in identifying previously unknown areas of note, concern, or pattern (Sometimes referred to as "datamining")?

The system is built to summarize results of the questions asked on the exam to determine which questions should be used in further exams for Citizenship, and which questions should not be used.

2.3 How will the information collected from individuals or derived from the system be checked for accuracy?

Information will be de-identified prior to analysis being conducted, as such information from the analysis will not be placed in the individuals A-File. The information collected from individuals will not be kept or stored, except to the extent it is already done so in CLAIMS 4 and the Alien file. As part of the Naturalization process, a copy of an applicant's reading, writing and civics exam will be placed in his or her Alien file in accordance with standard operating procedures for all Naturalization applicants, and a notation of "pass" or "fail" is made in CLAIMS 4. This system was made to look at the validity of the questions being asked.

2.4 <u>Privacy Impact Analysis</u>: Given the amount and type of information collected, describe any types of controls that may be in place to ensure that information is used in accordance with the above described uses.

In order to minimize privacy risks, the Office of Citizenship removes all PII prior to the analysis being conducted.

Section 3.0 Retention

The following questions are intended to outline how long information will be retained after the initial collection.

3.1 What is the retention period for the data in the system?

The final data file will contain anonymized demographic information. The Office of Citizenship will retain a copy of the responses to the reading, writing, and civics portions of the test in the A-File. The contractor conducting the analysis of the data will return the responses at the end of the pilot.

3.2 Has the retention schedule been approved by the National Archives and Records Administration (NARA)?

There is no PII retained under this pilot plan, therefore no retention period would apply.

3.3 Privacy Impact Analysis: Given the purpose of retaining the information, explain why the information is needed for the indicated period.

The PII is removed from the data file; however, as part of the Naturalization process, a copy of an applicant's reading, writing and civics exam will be placed in his or her Alien file in accordance with standard operating procedures for all Naturalization applicants.

Section 4.0 Internal Sharing and Disclosure

This program conducts no internal sharing or disclosure.

4.1 With which internal organizations is the information shared?

There is no internal sharing.

4.2 For each organization, what information is shared and for what purpose?

There is no internal sharing.

4.3 How is the information transmitted or disclosed?

There is no internal sharing.

4.4 <u>**Privacy Impact Analysis**</u>**: Given the internal sharing, discuss what privacy risks were identified and how they were mitigated.**

There is no internal sharing.

Section 5.0 External Sharing and Disclosure

This program conducts no external sharing or disclosure.

5.1 With which external organizations is the information shared?

There is no internal sharing.

5.2 What information is shared and for what purpose?

There is no internal sharing.

5.3 How is the information transmitted or disclosed?

There is no internal sharing.

5.4 Is a Memorandum of Understanding (MOU), contract, or any agreement in place with any external organizations with whom information is shared, and does the agreement reflect the scope of the information currently shared?

There is no internal sharing.

5.5 How is the shared information secured by the recipient?

There is no internal sharing.

5.6 What type of training is required for users from agencies outside DHS prior to receiving access to the information?

There is no internal sharing.

5.7   Privacy Impact Analysis: Given the external sharing, what privacy risks were identified and describe how they were mitigated.

There is no internal sharing.

Section 6.0 Notice

The following questions are directed at notice to the individual of the scope of information collected, the right to consent to uses of said information, and the right to decline to provide information.

6.1   Was notice provided to the individual prior to collection of information? If yes, please provide a copy of the notice as an appendix. (A notice may include a posted privacy policy, a Privacy Act notice on forms, or a system of records notice published in the Federal Register Notice.) If notice was not provided, why not?

The Office of Citizenship provides the lawful permanent resident by mail a notice that they did not have to participate in this pilot, and could instead take the current version of the Naturalization test. Currently, the Naturalization process which includes the examination aspect is covered by the SORNS for CLAIMS4 (Justice/INS-013), 64 FR 18052 and the A file SORN, (DHS-USCIS 001), 72 FR 1755.

6.2   Do individuals have an opportunity and/or right to decline to provide information?

As a general matter, the lawful permanent resident does not have the ability to decline to provide information. If the LPR declines to provide the information, the LPR can not take the exam, and can not get citizenship. If the lawful permanent resident does not wish to participate in the test pilot, they can take the older version of the exam.

6.3   Do individuals have the right to consent to particular uses of the information, and if so, how does the individual exercise the right?

See Section 6.2.

6.4 Privacy Impact Analysis: Given the notice provided to individuals above, describe what privacy risks were identified and how you mitigated them.

At the time of the pilot, the Office of Citizenship provides notice to the lawful permanent residents. If the lawful permanent resident declines to participate in the pilot, he has the option of taking the current exam.

Section 8.0 Technical Access and Security

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

8.1 Which user group(s) will have access to the system?

Access to this system will be limited to USCIS employees and their cleared contractors. The number of individuals involved in this pilot is limited. There are less than a dozen contractors and federal employees assigned.

8.2 Will contractors to DHS have access to the system?

Yes.

8.3 Does the system use "roles" to assign privileges to users of the system?

No. The analysis is conducted from a spreadsheet. The location of the saved spread sheet will be accessible only by those conducting the pilot.

8.4 What procedures are in place to determine which users may access the system and are they documented?

See Section 8.3.

8.5 How are the actual assignments of roles and rules verified according to established security and auditing procedures?

See Section 8.3

8.6 What auditing measures and technical safeguards are in place to prevent misuse of data?

In order to prevent re-identification of the test data, USCIS will instruct the contractor to remove the Alien number in the final data set for the study. Even with access to the restricted CLAIMS 4 system, after removing the Alien number re-identifying the information cannot be accomplished without a great deal of difficulty and such actions are prohibited.

8.7 Describe what privacy training is provided to users either generally or specifically relevant to the functionality of the program or system?

The final file includes no PII, and consequently there is no additional privacy training planned. All users at USCIS of the data associated with the pilot have taken part in an annual refresher training required for users of all USCIS standard workstations. All users are required to complete computer security awareness training before they are permitted access to unclassified USCIS networks and e-mail.

8.8 Is the data secured in accordance with FISMA requirements? If yes, when was Certification & Accreditation last completed?

This system does not require a Certification and Accreditation.

8.9 Privacy Impact Analysis: Given access and security controls, what privacy risks were identified and describe how they were mitigated.

Information generated by this pilot is limited to less than a dozen people. All individuals have received annual security awareness training in addition to privacy training provided by many of the contract employee's organizations. The Office of Citizenship saw some risk in requesting addresses from CLAIMS 4 on applicants. The Office of Citizenship requests two separate files in order to mitigate these risks, one without any PII, containing demographic information and an A-Number, and another one containing names as addresses that will be used internally by DHS (through the Forms Center East) to contact potential pilot participants in advance by mail. The file containing PII will be kept internal to DHS and will not be sent to the contractor working on the project.

Section 9.0 Technology

The following questions are directed at critically analyzing the selection process for any technologies utilized by the system, including system hardware, RFID, biometrics and other technology.

9.1   Was the system built from the ground up or purchased and installed?

The Naturalization Test Redesign Project does not create a new system. The pilot does not contemplate the creation of a new data system, but rather the generation of a series of reports out of the existing C-4 data system. In addition, answers to civics (history and government), reading and writing tests will be added to the generated reports. the CLAIMS 4 database and an individual's Alien file will store the limited PII will be obtained in this pilot.

9.2   Describe how data integrity, privacy, and security were analyzed as part of the decisions made for your system.

All data will be stored on a secure, dedicated server that is password protected and only accessible by the contractor team working on the project.   In addition, all contractor computers are password protected so that no one can access them.

9.3   What design choices were made to enhance privacy?

To enhance privacy, the system that is used is fairly simple, and has had all privacy data stripped out.

Conclusion

In 1997, the U.S. Commission on Immigration Reform (the Commission) recommended that the former Immigration and Naturalization Service (INS) standardize the naturalization testing process. The Commission recommended that the naturalization tests be revised to better determine if applicants have a meaningful knowledge of U.S. history and government and can communicate in English. Also in 1997, the Department of Justice (DOJ) began to reengineer the naturalization process. With respect to naturalization testing, DOJ determined that it should develop a more uniform approach to testing, including standard and meaningful test content, standardized testing instruments and protocols, standard scoring, and standard levels of passing. The former INS began to redesign the testing process, with a goal of developing a new process that would be uniform, fair, and meaningful.   The redesigned naturalization test USCIS plans to pilot is the culmination of test redesign efforts resulting from the Commission recommendations and work in this area since that time.

The pilot test is a key component in the redesign of the U.S. Naturalization Test. As one of the last stages prior to the implementation of the new exam, the pilot is a critical step for gathering information about the test questions and administration of the exam. The pilot test will collect data on item performance. Using the results from the pilot test, USCIS may revise the item pool and alter certain testing procedures to ensure that the test most appropriately measures the content of interest (history/government and English reading, writing, and comprehension).

Responsible Officials

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Approval Signature Page

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