



US-VISIT Program Privacy Policy

September 14, 2004

US-VISIT

United States
Visitor and Immigrant Status Indicator Technology
Program Office

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1. What is the purpose of the US-VISIT program?

The United States Visitor Immigrant Status Indicator Technology (US-VISIT) is a United States Department of Homeland Security (DHS) program that enhances the country's entry and exit system. It enables the United States to record the entry into and exit out of the United States of foreign nationals requiring a visa to travel to the U.S., creates a secure travel record, and confirms their compliance with the terms of their admission.

The US-VISIT program's goals are to:

- a. Enhance the security of our citizens and visitors;
- b. Facilitate legitimate travel and trade;
- c. Ensure the integrity of the immigration system; and
- d. Protect the privacy of our visitors.

The US-VISIT initiative involves collecting biographic and travel information and biometric identifiers (fingerscans and a digital photograph) from covered individuals to assist border officers in making admissibility decisions. The identity of covered individuals will be verified upon their arrival and departure.

2. Who is affected by the program?

Individuals subject to the requirements and processes of the US-VISIT program ("covered individuals") are foreign nationals entering and exiting the U.S. through identified ports of entry. U.S. citizens and Legal Permanent Residents (LPRs) are currently exempt from the requirements of US-VISIT. Foreign nationals who later become LPRs or U.S. citizens will no longer be covered by US-VISIT, but the information about them collected by US-VISIT will be retained, as will information collected about LPRs and U.S. citizens who used foreign travel documents to enter or exit the U.S.

3. What information is collected?

The US-VISIT program collects biographic, travel, travel document, and biometric information (photographs and fingerscans) pertaining to covered individuals. No personally identifiable information is collected other than that which is necessary and relevant for the purposes of the US-VISIT program.

4. How is the information used?

The information that US-VISIT collects is used to verify the identity of covered individuals when entering or leaving the U.S. This enables U.S. authorities to more effectively identify covered individuals that:

- Are known to pose a threat or are suspected of posing a threat to the security of the United States;
- Have violated the terms of their admission to the United States; or
- Are wanted for commission of a criminal act in the United States or elsewhere.

Personal information collected by US-VISIT will be used only for the purposes for which it was collected, unless other uses are specifically authorized or mandated by law.

5. Who will have access to the information?

The personal information collected and maintained by US-VISIT is accessed by employees of DHS—Customs and Border Protection (CBP), Immigration and Customs Enforcement (ICE), and United States Citizenship and Immigration Services (USCIS) – and Department of State who need the information to carry out mission-related responsibilities. In accordance with DHS’s policy published on January 4, 2004 on the DHS website and in the Federal Register on January 16, 2004, DHS also shares this information with federal, state, local, tribal, and foreign government law enforcement agencies.

6. How will the information be protected?

Personal information will be kept secure and confidential and will not be discussed with, nor disclosed to, any person within or outside the US-VISIT program other than as authorized by law and in the performance of official duties, and as described above. Careful safeguards, including appropriate security controls, compliance audits, and memoranda of understanding with non-DHS agencies will ensure that the data is not used or accessed improperly. In addition, the DHS Chief Privacy Officer will review pertinent aspects of the program to ensure that proper safeguards are in place. Roles and responsibilities of DHS employees, system owners and managers, and third parties who manage or access information in the US-VISIT program include:

6.1 DHS Employees

As users of US-VISIT systems and records, DHS employees shall:

- Access records containing personal information only when the information is needed to carry out their official duties.

- Disclose personal information only for legitimate business purposes and in accordance with applicable laws, regulations, and US-VISIT policies and procedures.

6.2 US-VISIT System Owners/Managers

System Owners/Managers shall:

- Follow applicable laws, regulations, and US-VISIT program and DHS policies and procedures in the development, implementation, and operation of information systems under their control.
- Conduct a risk assessment to identify privacy risks and determine the appropriate security controls to protect against the risk.
- Ensure that only personal information that is necessary and relevant for legally mandated or authorized purposes is collected.
- Ensure that all business processes that contain personal information have an approved Privacy Impact Assessment. Privacy Impact Assessments will meet appropriate OMB and DHS guidance and will be updated as the system progresses through its development stages.
- Ensure that all personal information is protected and disposed of in accordance with applicable laws, regulations, and US-VISIT program and DHS policies and procedures.
- Use personal information collected only for the purposes for which it was collected, unless other purposes are explicitly mandated or authorized by law.
- Establish and maintain appropriate administrative, technical, and physical security safeguards to protect personal information.

6.3 Third Parties

Third parties, including other law enforcement entities, who may have access to information collected by US-VISIT shall comply with requirements of memoranda of understanding drafted to address, among other matters, privacy issues, or shall follow the same privacy protection guidance as DHS employees.

7. How long is information retained?

Personal information collected by US-VISIT will be retained and destroyed in accordance with applicable legal and regulatory requirements.

8. Who to contact for more information about the US-VISIT program

Individuals whose personal information is collected and used by the US-VISIT program may, to the extent permitted by law, examine their information and request correction of inaccuracies. Individuals who believe US-VISIT holds inaccurate information about them, or who have questions or concerns relating to personal information and US-VISIT, should contact the US-VISIT Privacy Officer, US-VISIT Program, Department of Homeland Security, Washington, DC 20528 or at usvisitprivacy@dhs.gov. Further information on the US-VISIT program is also available at www.dhs.gov/us-visit.