Privacy Impact Assessment
for the

Verification Information System

Supporting Verification Programs

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Abstract

The Verification Division of the U.S. Citizenship and Immigration Services (USCIS) operates the Verification Information System (VIS). VIS is a composite information system incorporating data from various Department of Homeland Security (DHS) databases. It is the underlying information technology that provides immigration status verification for 1) benefits determinations through the Systematic Alien Verification for Entitlements (SAVE) program for government benefits and 2) verification of employment authorization for newly hired employees through the E-Verify program. USCIS is conducting this Privacy Impact Assessment (PIA) to clarify previous VIS PIAs and to describe updates to VIS that will improve the ability of USCIS to verify citizenship and immigration status information to users of SAVE and E-Verify.

Introduction

The Verification Information System (VIS) is the technical infrastructure that enables USCIS to operate SAVE and E-Verify. VIS is a nationally accessible database of selected immigration status information containing more than 100 million records. Government agencies use SAVE information to help determine whether a non-citizen is eligible for any public benefit, license, or credential based on citizenship and immigration status. Private employers and government users use E-Verify information to determine whether a newly hired employee is authorized to work in the United States.

VIS is being iteratively developed and deployed and as changes are made to the system a new PIA will be published to reflect these changes. The most recent PIA updates were published April 1, 2007 and September 5, 2007. These may be found on the DHS Privacy website, www.dhs.gov/privacy.

This PIA is being published to clarify previous PIAs and to describe updates to VIS that will improve the ability of USCIS to provide immigration status verification for government benefit determinations through the Systematic Alien Verification for Entitlements (SAVE) program and verification of employment authorization for all newly hired employees for private employer through the E-Verify program. Specifically, this PIA is published to: 1.) clarify that the data in the system covers both United States (U.S.) citizens and non-U.S. citizens, 2.) correct the PIA dated September 5, 2007 which incorrectly stated that data would be collected from the Arrival Departure Information System (ADIS), to state that data will be collected from the Real Time Arrival (RTA) portion of the Treasury Enforcement Communication Systems (TECS) (66 FR 52984), 3.) clarify the statements in the PIA dated September 5, 2007 that the VIS use of the Person Centric Query (PCQ) will correspond with the PCQ PIA for VIS, and 4.) note that the routine use for certain sharings for intelligence purposes that was included in previous VIS SORNs is removed.

Clarification on VIS Containing Data on United States Citizens

Previous PIAs stated that data in VIS included information on employees of companies that opted to participate in the Basic Pilot (now renamed E-Verify) Program. Section (b) of 8 U.S.C 1324a specifically describes the requirements for collecting and using the employment and identity verification information. While implicit in this statement is the fact that employees might be U.S. citizens, in addition to non-U.S. citizens, this was not explicitly stated so this PIA is meant to clarify that information in VIS includes U.S. citizens. This information will be vetted against the Social Security Administration (SSA)'s data to determine employment eligibility.

Correction to Remove Statement about the Inclusion of ADIS Data and Replace with RTA Data Access

The PIA published September 5, 2007 stated that VIS would be collecting arrival and departure information from the United States Visitor and Immigrant Status Indicator Technology (US-VISIT) ADIS system. This is incorrect. While this may change in the future, at this time, VIS is not collecting information from ADIS, rather it is collecting arrival and departure data from TECS RTA. In fact, that update should have indicated that VIS will have automated access to TECS RTA data. This will provide VIS with the most current information on individuals who have entered the country. Currently, VIS has access to this information but only about two weeks after a potential employee actually arrived in the United States. This change will provide VIS with automatic access to the most current data to ensure rapid and accurate processing of verification.

Person Centric Query Clarification

The PIA published September 5, 2007 stated that VIS will begin to use the Person Centric Query (PCQ) by Immigration Status Verifiers (ISVs) as described in a separate PIA, the PCQ PIA for VIS. Concurrent with the publication of this PIA are two PIAs that generally address the Verification Divisions use of the PCQ. The PCQ PIA for the automated system (VIS) and the PCQ PIA for the Verification Division's ISVs. The former discusses the specifics of the automated access by VIS to various data sources, the latter discusses the specifics of the ISVs conducting manual searches of the using the PCQ. The details of how the PSQ will provide more efficient search and retrieval capabilities and an articulation of the privacy issues and mitigations can be found in these two PIAs published on the DHS Privacy website.

Privacy Impact Analysis

The System and the Information Collected and Stored within the System

This PIA is intended to clarify that VIS maintains data on U.S. citizens as well as non-U.S.

citizens. While this has always been the case, and is required in order to fulfill the statutory mandate for VIS, this point has not been made explicitly in the PIA and SORN. The PIA, SORN, and E-Verify and SAVE public outreach materials include notification that VIS collects and stores information on both U.S. citizens and non-U.S. citizens. In addition, all employers that participate in the E-Verify program provide written notice about the employers' participation to all employees. No additional information will be collected or stored in VIS.

Use of the System and the Information

There is no change to the use of the system or the information in the system. Accessing RTA data will provide up-to-date arrival and departure information. Access to the same data elements is currently delayed by up to two weeks. This will ensure that verification decisions are based on the most current information.

Retention

This PIA clarifies that among the information retained in VIS is information on U.S. citizens. VIS currently retains data for five (5) years. USCIS will be submitting an amendment to the NARA schedule which will increase the time records are stored and retained in the VIS Repository to ten (10) years, from the date of the completion of the verification. This period is based on the statute of limitations for most types of misuse or fraud possible using VIS (under 18 U.S.C. § 3291, the statute of limitations for false statements or misuse regarding passports, citizenship or naturalization documents).

Internal Sharing and Disclosure

The internal sharing of VIS information with other components of DHS has not changed. VIS information is shared with Transportation Security Administration (TSA) and Federal Protective Services (FPS). Both TSA and FPS have signed MOUs to participate in the SAVE Program and access VIS. If in the future any other component participates in SAVE, it would be documented in an updated PIA and would be controlled by a MOU. The access to RTA data does not provide new access to data, only more timely access, consequently ensuring greater accuracy of the information and allowing for verifications to be made using the most up-to-date information.

External Sharing and Disclosure

The accompanying SORN removes routine use L for the sharing for VIS information "To Federal and foreign government intelligence or counterterrorism agencies when DHS reasonably believes there to be a threat or potential threat to national or international security for which the

information may be useful in countering the threat or potential threat, when DHS reasonably believes such use is to assist in anti-terrorism efforts, and disclosure is appropriate to the proper performance of the official duties of the person making the disclosure" It was determined that this routine use exceeded the legal authority of VIS and that the other routine uses adequately covered any external sharing. In all other ways, external sharing and disclosure remains consistent with Section 5.0 of the April 1, 2007 VIS PIA and the SORN. Notice has been provided for all external sharing and disclosures through previous SORNs and PIAs. E-Verify will continue to provide only minimal information to the employer beyond whether the employee is employment eligible or not. The data sets from the other systems of records will not be disclosed, but rather assist the system or the ISV to make a determination about the individual.

Notice

DHS is publishing a System of Records Notice (SORN) with this PIA to describe the changes and clarifications that are discussed in this PIA. The PCQ PIA for VIS and the PCQ PIA for Verification Division ISVs which describe the PCQ both by VIS directly and by the ISVs is currently under review and should be published on or about the same time as this PIA.

Individual Access, Redress, and Correction

Access, redress and correction have not changed with this update. Therefore, the procedures set forth within Section 7.0 of the April 1, 2007 VIS PIA remain in effect. Individuals may request access to their information by submitting a Privacy Act request to USCIS in writing clearly marked "Privacy Act Request" to the following address:

National Records Center
FOIA/PA Office
P.O. Box 648010
Lee's Summit, MO 64064-8010

Requestors are required to provide their Alien Registration Number and/or full name, date and place of birth and return address.

Technical Access and Security

Technical Access and Security remains consistent with Section 8.0 of the April 1, 2007 VIS PIA, and with the introduction of PCQ based on an Enterprise Service Bus (ESB) will enable USCIS to implement greater security and privacy measures into the data usage and transfer process. PCQ will provide a centralized mechanism for authenticating and authorizing service access and interface access. The ESB security service accomplishes common authentication and

authorization to services deployed on its infrastructure. Unlike a Single Sign-On (SSO) infrastructure, this security infrastructure provides a common role-based security framework for the ESB-hosted services. SSO is a specialized form of software authentication that enables a user to authenticate one time and gain access to the resources of multiple software systems. The specifics of the use of the PCQ can be found in the PCQ PIA for the Verification Division's ISVs and the PCQ PIA for VIS, both of which are publishing contemporaneously with this PIA.

Technology

For purposes of the PCQ, all connections for data passing between systems via the ESB have been designed and implemented using secure communications mechanisms as provided for in the DHS Sensitive Systems Policy Directive 4300A and the DHS 4300A Sensitive Systems Handbook. There is no change to the interface to TECS which allows access to the RTA data. Therefore, Technology remains consistent with Section 9.0 of the April 1, 2007 VIS PIA.

Responsible Officials

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Approval Signature Page

Original signed and on file with the DHS Privacy Office

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