



U.S. Citizenship
and Immigration
Services

USCIS

Verification Division

Privacy Policy

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1. What is the purpose of the USCIS Verification Division?

The Verification Division of United States Citizenship and Immigration Services (USCIS) currently oversees the Systematic Alien Verification for Entitlements (SAVE) and E-Verify Programs. Both programs were implemented in accordance with the Immigration Reform and Control Act (ICRA) of 1986.

E-Verify: The mission of the E-Verify Program is to provide employers with the tools and technologies to verify that their employees are authorized to work in the United States. E-Verify is a free program for private employers and government agencies to electronically verify an individual's eligibility to work in the United States. The program is a partnership between the Social Security Administration (SSA) and USCIS.

Employers participating in E-Verify initiate the verification queries for all newly hired employees within three employer-business days of an employee's start date. The E-Verify Program involves verification checks through SSA and Department of Homeland Security (DHS) databases, using an automated system. If E-Verify cannot electronically verify employment eligibility in the primary query, Management & Program Assistants (MPAs) complete the process by performing DHS systems searches to verify immigration status.

SAVE: The mission of the SAVE Program is to provide government agencies with the tools and technologies to verify the immigration status of benefit-seeking individuals. The SAVE Program provides citizenship and immigration status to federal, state, and local agencies to determine the eligibility for benefits of immigrants and non-immigrants. Agencies and benefit-granting institutions participating in the SAVE Program submit requests, either electronically or manually, to verify immigration status. If additional research is required, MPAs conduct a search of DHS systems in order to verify immigration status.

In the future, the Verification Division may support and/or administer additional systems and/or programs. Should such changes occur, the Verification Division Privacy Policy will be amended as needed.

2. Who is affected by the program?

Both U.S. citizens and non-U.S. citizens may be impacted by programs or systems supported and/or administered by the Verification Division. As such, the Verification Division must protect the privacy of all individuals regardless of citizenship as it processes their personal information. In accordance with the DHS Privacy Policy Guidance Memorandum 2007-01, all individuals covered by USCIS, to include citizens and non-citizens, are extended the privacy protections afforded by the Privacy Act of 1974.¹

3. How can one learn more about why their personal information is needed?

An individual can learn about why their personal information is needed through the Privacy Impact Assessments (PIAs) published for the E-Verify and SAVE Programs, as well as the PIAs and System of Records Notices (SORNs) published for the Verification Information System (VIS), which conducts the status verification for both programs. Although not specific to the E-Verify Program, individuals that accept an offer of employment, receive a Privacy Act Notification when they complete the Form I-9. Furthermore, individuals participating in E-Verify can learn more about how their information is used through E-Verify Program information available online, through the employer and USCIS.

For individuals subject to status verification under the SAVE Program, Privacy Act Notification is provided through the VIS SORN. The VIS SORN thus provides notice to individuals whose status is being verified for the purposes of receiving a benefit or undergoing a background check, and to third-party individuals who may be listed as contacts, references, or relatives as part of another individual's background check. Furthermore, the Verification Division establishes memorandum of understanding (MOU) for agencies participating in the SAVE Program, which ensure the agency abides by obligations created under the Privacy Act.

To the extent that the Verification Division provides status verification for other entities (e.g. employers with E-Verify, and federal, state, private agencies with SAVE), a Privacy Act notification statement should also be provided by the entity that initially requests and collects an individual's personal information for a system or record. Those privacy statements should reflect the Verification Division statements and include: the authority for collecting the information, and an explanation of why the information is being collected, how the information will be used, where and why the information will be disclosed, whether the disclosure of information is mandatory or voluntary and what the consequences of nondisclosure might be.

¹ Department of Homeland Security, Privacy Policy Guidance Memorandum 2007-01 Regarding Collection, Use, Retention, and Dissemination of Information on Non-U.S. Persons, January 19, 2007
http://www.dhs.gov/xlibrary/assets/privacy/privacy_policyguide_2007-1.pdf.

4. What information is collected?

Personal information currently collected for purposes of Verification programs includes, but is not limited to, name, A-number, visa number, passport number, social security number, date of birth, date of hire and claimed citizenship status. The Verification Division restricts the collection of personal information to only that which is needed to fulfill our mission responsibilities and to conduct activities authorized or mandated by law or Executive Order. Furthermore, as outlined in DHS and OMB guidance, the Verification Division shall collect, use, maintain, and disseminate social security numbers (SSNs) only when required by statute or regulation or when pursuant to a specific authorized purpose. Absent these requirements, the Verification Division shall not collect or use an SSN as a unique identifier. All personal information collected by the Verification Division is relevant and necessary for purposes of the specified Verification program and will be specifically articulated within the System of Record Notice (SORN) for the given system. The current System of Records Notice for the Verification Information System (VIS) may be found on the website of the DHS Privacy Office (http://www.dhs.gov/xabout/structure/editorial_0338.shtm)

5. How is the information used?

The Verification Division uses the personal information that it collects and maintains to assist in determining undergoing immigration status determination by the Verification Division. Personal information will only be used in accordance with the purposes for which it was collected, unless other uses are specifically authorized or mandated by law. The specific uses for the personal information collected and/or utilized by the Verification Information System (VIS) are discussed in the VIS SORN.

6. Who will have access to the information?

The personal information collected and maintained by the Verification Division may be accessed in accordance with law, DHS policy, and written sharing agreements with third party entities, to include both governmental and non-governmental entities.

7. How will the information be protected?

All personal information is “For Official Use Only” and is marked and handled in accordance with DHS policy, in particular the DHS 4300A *IT Security Program Handbook for Sensitive Systems*, and DHS *Handbook for Safeguarding Sensitive Personally Identifiable Information*.² Personal information will be kept secure and confidential and will not be discussed with, nor

² http://www.dhs.gov/xlibrary/assets/privacy/privacy_guide_spil_handbook.pdf

disclosed to, any person within or outside the Verification program other than as authorized by law and in the performance of official duties. Safeguards, including appropriate security controls, will ensure that the data is not used or accessed improperly. In addition, the DHS Chief Privacy Officer, USCIS Privacy Officer and the Privacy Branch Chief, USCIS Verification Division, will review pertinent aspects of the program to ensure that proper safeguards are in place. Roles and responsibilities of Verification employees, system owners and managers, and third parties who manage or access information in the USCIS program include:

7.1 Verification Employees

As users of USCIS systems and records, Verification 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 DHS and USCIS policies and procedures.

7.2 Verification System Owners/Managers

System Owners/Managers shall:

- Follow applicable laws, regulations, and DHS and USCIS policies and procedures in the development, implementation, and operation of information systems under their control.
- Conduct risk assessments 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 developmental stages.
- Ensure that all personal information is protected and disposed of in accordance with applicable laws, regulations, and DHS and USCIS policies and procedures.
- Use personal information 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 safeguards to protect personal information.



7.3 Third Parties

Third parties shall also protect personal information consistent with both DHS and USCIS privacy policy and guidance.

8. How long is information retained?

Personal information collected by USCIS Verification Division will be retained and destroyed in accordance with applicable legal and regulatory requirements. As proposed to the National Archives and Records Administration, VIS records will be stored and retained in the VIS repository for ten (10) years from the date of completion of the verification. If, however, VIS records are part of an on-going investigation, they may be retained until completion of the investigation.

9. Who to contact for more information about the Verification Division

Individuals whose personal information is collected and used by the Verification Division may, to the extent permitted by law, examine their information and request correction of inaccuracies. If individuals believe that their personal information has been collected, used, or disclosed inappropriately by the Verification Division during the employment verification process please contact USCIS Customer Support at 1-888-464-4218. Further information on Verification Division privacy practices and redress will be made available.