



PRIVACY THRESHOLD ANALYSIS (PTA)

This form serves as the official determination by the DHS Privacy Office to identify the privacy compliance requirements for all Departmental uses of personally identifiable information (PII).

A Privacy Threshold Analysis (PTA) serves as the document used to identify information technology (IT) systems, information collections/forms, technologies, rulemakings, programs, information sharing arrangements, or pilot projects that involve PII and other activities that otherwise impact the privacy of individuals as determined by the Chief Privacy Officer, pursuant to Section 222 of the Homeland Security Act, and to assess whether there is a need for additional Privacy Compliance Documentation. A PTA includes a general description of the IT system, information collection, form, technology, rulemaking, program, pilot project, information sharing arrangement, or other Department activity and describes what PII is collected (and from whom) and how that information is used and managed.

Please complete the attached Privacy Threshold Analysis and submit it to your component Privacy Office. After review by your component Privacy Officer the PTA is sent to the Department's Senior Director for Privacy Compliance for action. If you do not have a component Privacy Office, please send the PTA to the DHS Privacy Office:

Senior Director, Privacy Compliance
The Privacy Office
U.S. Department of Homeland Security
Washington, DC 20528
Tel: 202-343-1717

PIA@hq.dhs.gov

Upon receipt from your component Privacy Office, the DHS Privacy Office will review this form and assess whether any privacy compliance documentation is required. If compliance documentation is required – such as Privacy Impact Assessment (PIA), System of Records Notice (SORN), Privacy Act Statement, or Computer Matching Agreement (CMA) – the DHS Privacy Office or component Privacy Office will send you a copy of the relevant compliance template to complete and return.



Privacy Threshold Analysis (PTA)

Specialized Template for Information Collections (IC) and Forms

The Forms-PTA is a specialized template for Information Collections and Forms. This specialized PTA must accompany all Information Collections submitted as part of the Paperwork Reduction Act process (any instrument for collection (form, survey, questionnaire, etc.) from ten or more members of the public). Components may use this PTA to assess internal, component-specific forms as well.

Form Number: N/A

Form Title: Electronic Visa Update System (EVUS)

Component: Customs and Border Protection (CBP) **Office:** **OFO/APP/EVUS**

IF COVERED BY THE PAPERWORK REDUCTION ACT:

Collection Title: Electronic Visa Update System (EVUS)

OMB Control Number:	1651-0139	OMB Expiration Date:	April 30, 2017
Collection status:	Extension	Date of last PTA (if applicable):	Click here to enter a date.

PROJECT OR PROGRAM MANAGER

Name:	(b) (6), (b) (7)(C)	Title:	Director
Office:	OFO/APP/EVUS	Email:	(b) (6), (b) (7)(C) @cbp.dhs.gov
Phone:	(b) (6), (b) (7)(C)		

COMPONENT INFORMATION COLLECTION/FORMS CONTACT

Name: (b) (6), (b) (7)(C)



Office:	Office of Trade/RR	Title:	Paperwork Reduction Act Clearance Officer
Phone:	(b) (6), (b) (7)(C)	Email:	(b) (6), (b) (7)(C)@cbp.dhs.gov

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SPECIFIC IC/Forms PTA QUESTIONS

1. Purpose of the Information Collection or Form

- a. Describe the purpose of the information collection or form. *Please provide a general description of the project and its purpose, including how it supports the DHS mission, in a way a non-technical person could understand (you may use information from the Supporting Statement).*
If this is an updated PTA, please specifically describe what changes or upgrades are triggering the update to this PTA.

U.S. Customs and Border Protection (CBP) has a responsibility to balance trade and travel while managing threats to the United States posed by people or cargo entering or exiting the United States. When a nonimmigrant alien applies for a visa to travel to the United States, the validity period of their visa can vary considerably depending on their home country. Some visas remain valid for extended periods of up to ten years. Visas from countries with a longer validity period do not enable the U.S. Government to receive regular updated biographic information or other pertinent information from repeat visitors who travel to the United States multiple times over the life-span of a visa. While longer length visas allow travel to the United States with greater ease, they do not inherently allow the United States to receive updated information over the life-span of the visa.

Given these concerns and considerations, the Department of Homeland Security (DHS) has developed the Electronic Visa Update System (“EVUS”), which provides a mechanism through which information updates can be obtained from nonimmigrant aliens who hold a passport issued by an identified country containing a U.S. nonimmigrant visa of a designated category. By requiring enrollment in EVUS as well as the requirement to update biographic and travel information, CBP is increasing the chances of identifying people who may pose a threat to the United States.

The implementation of EVUS will maintain greater security as it will allow the United States to receive updated traveler information over the life-span of the visa instead of only at the application process.

PTA Update: Collection of Social Media Identifiers

DHS/CBP is expanding the EVUS application to match the previously approved Electronic System for Travel Authorization (ESTA) application and request social media identifiers from all EVUS applicants. DHS/CBP will use social media identifiers to conduct



screening, vetting, and law enforcement checks of EVUS applicants using publicly available information on social media. Terrorist groups, including the Islamic State of Iraq and the Levant (ISIL), al-Qa'ida, and al-Qa'ida's affiliates actively use open media (social media, specifically) to disseminate official messaging, recruit potential members, and convince potential supporters to mobilize to violence. Adding such a question to the EVUS application will provide DHS with greater opportunities to inform a determination of eligibility for travel to the United States.

While this field is optional, all information submitted may be used for national security and law enforcement vetting purposes, and for EVUS eligibility determinations. Should an individual choose to provide his or her social media identifier(s), (b) (7)(E)

DHS/CBP Officers already use publicly available information, including social media information, as part of the existing EVUS screening and vetting processes. Under no circumstance will DHS/CBP violate any social media privacy settings in the processing of EVUS applications.

As with the collection of social media identifiers on the ESTA application, due to the novel privacy risks surrounding this information collection, the DHS/CBP will employ additional privacy risk mitigation strategies to evaluate this information collection:

(b) (7)(E), (b) (5)

DHS/CBP will memorialize these requirements in an updated EVUS PIA and SORN.

- b. List the DHS (or component) authorities to collect, store, and use this information. *If this information will be stored and used by a specific DHS component, list the component-specific authorities.*

EVUS data collection falls under authorities provided to DHS by the Immigration and Nationality Act (INA). Specifically, entry and admission authorities.



INA § 214(a)(1) specifically authorizes DHS to prescribe by regulation the conditions for an alien's admission and additionally, aliens' entry into the United States may be limited and conditioned by DHS under INA § 215(a)(1).

Section 214(a)(1) of the INA provides that "[t]he admission to the United States of any alien as a nonimmigrant shall be for such time and under such conditions as the Attorney General may by regulations prescribe...."

An applicant for admission has the burden to prove he or she is clearly and beyond doubt entitled to be admitted and is not inadmissible under section 212 of the INA. INA §§ 240(c)(2), 291; 8 C.F.R. § 235.1(f)(1). Immigration officers determine whether any grounds of inadmissibility apply at the time an alien is inspected. 8 C.F.R. § 235.1(a), (f)(1). Moreover, an officer has the authority to require an alien to state under oath any information sought by an immigration officer regarding the purposes and intentions of the alien in seeking admission, including the alien's intended length of stay, intent to remain permanently, and potential grounds of inadmissibility. INA § 235(a)(5).

INA § 215(a)(1) states "[u]nless otherwise ordered by the President, it shall be unlawful for any alien to depart from or enter or attempt to depart from or enter the United States except under such reasonable rules, regulations, and orders, and subject to such limitations and exceptions as the President may prescribe." INA § 215(a)(1) (emphasis added). Subsequently, the President assigned his functions under INA § 215 with respect to aliens to the Secretary of Homeland Security. Exec. Order No. 13323, 69 Fed. Reg. 241 (Dec. 30, 2003). INA § 215(a)(2) prohibits the transport from or into the United States of individuals for which there is "knowledge or reasonable cause to believe that the departure or entry of such other person is forbidden" by INA § 215. INA § 215(a)(1) provides a basis for denial of entry, provided that restrictions "meet the test of reasonableness." Immigration Laws and Iranian Students, 4A Op. Off. Legal Counsel 133, 140 (1979). Together, INA § 215(a) and DOS visa revocation authorities under INA § 221(i) may permit the Government to require EVUS compliance in advance of travel.

2. Describe the IC/Form



<p>a. Does this form collect any Personally Identifiable Information” (PII¹)?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>b. From which type(s) of individuals does this form collect information? (Check all that apply.)</p>	<p><input checked="" type="checkbox"/> Members of the public <input type="checkbox"/> U.S. citizens or lawful permanent residents <input checked="" type="checkbox"/> Non-U.S. Persons. <input type="checkbox"/> DHS Employees <input type="checkbox"/> DHS Contractors <input type="checkbox"/> Other federal employees or contractors.</p>
<p>c. Who will complete and submit this form? (Check all that apply.)</p>	<p><input checked="" type="checkbox"/> The record subject of the form (e.g., the individual applicant). <input type="checkbox"/> Legal Representative (preparer, attorney, etc.). <input type="checkbox"/> Business entity. If a business entity, is the only information collected business contact information? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Law enforcement. <input type="checkbox"/> DHS employee or contractor. <input checked="" type="checkbox"/> Other individual/entity/organization that is NOT the record subject. <i>Please describe.</i> The application allows for third parties to submit an EVUS enrollment on behalf of an applicant (e.g. travel agencies, family member)</p>
<p>d. How do individuals complete the form? Check all that apply.</p>	<p><input type="checkbox"/> Paper. <input type="checkbox"/> Electronic. (ex: fillable PDF) <input checked="" type="checkbox"/> Online web form. (available and submitted via the internet)</p>

¹ Personally identifiable information means any information that permits the identity of an individual to be directly or indirectly inferred, including any other information which is linked or linkable to that individual regardless of whether the individual is a U.S. citizen, lawful permanent resident, visitor to the U.S., or employee or contractor to the Department.



	<i>Provide link:</i> www.EVUS.gov
<p>e. What information will DHS collect on the form? <i>List all PII data elements on the form. If the form will collect information from more than one type of individual, please break down list of data elements collected by type of individual.</i></p>	
<p>As described in the previously issued PIA and SORN for EVUS, all foreign nationals of designated countries in possession of B1/B2, B1 or B2 visas with a ten year validity, will be required to submit the following information to EVUS:</p> <ul style="list-style-type: none"> • Name (English and Native Language) • Date of Birth • Other Name or Aliases (English and Native Language) • Gender • Travel Document Type • Primary Passport Number – Current, unexpired passport • Passport Number That Holds Visa • Passport Country/Citizenship • Passport Issuance Date • Passport Expiration Date • National ID Number • Visa Foil² Number • City of Birth • Country of Birth • Country of Residence • Parents Name (English and Native Language) • Other Citizenship • Home Address (English and Native Language) • Home Telephone • Cell Phone • Work Telephone • Primary Email • Secondary Email • Employer Name (English and Native Language) 	

² The term “visa foil” refers to the actual physical visa that is affixed into a person’s passport. It is the same as a visa number.



- Employee Address
- Employer City
- Employer State/Province/Region
- Employer Country
- Address While in the United States
- U.S. POC Name
- U.S. POC Address
- U.S. POC Phone Number
- Emergency POC Name
- Emergency POC Phone Number
- Emergency POC Email
- IP Address

PTA update:

CBP is submitting this PTA because DHS/CBP seek to add social media identifiers to the EVUS application to match the same social media collections previously approved for the Electronic System for Travel Authorization (ESTA) application. DHS/CBP seeks to add the following information to the EVUS application:

- Social media identifiers, such as username(s) and platforms used;
- Publicly available information from social media Web sites or platforms

f. Does this form collect Social Security number (SSN) or other element that is stand-alone Sensitive Personally Identifiable Information (SPII)? *Check all that apply.*

- | | |
|---|--|
| <input type="checkbox"/> Social Security number | <input type="checkbox"/> DHS Electronic Data Interchange Personal Identifier (EDIPI) |
| <input type="checkbox"/> Alien Number (A-Number) | <input checked="" type="checkbox"/> Social Media Handle/ID |
| <input type="checkbox"/> Tax Identification Number | <input type="checkbox"/> Known Traveler Number |
| <input checked="" type="checkbox"/> Visa Number | <input type="checkbox"/> Trusted Traveler Number (Global Entry, Pre-Check, etc.) |
| <input checked="" type="checkbox"/> Passport Number | <input type="checkbox"/> Driver's License Number |
| <input type="checkbox"/> Bank Account, Credit Card, or other financial account number | <input type="checkbox"/> Biometrics |
| <input type="checkbox"/> Other. <i>Please list: National ID</i> | |



g. List the <i>specific authority</i> to collect SSN or these other SPII elements.	
See above authorities in 1b.	
h. How will this information be used? What is the purpose of the collection? Describe <i>why</i> this collection of SPII is the minimum amount of information necessary to accomplish the purpose of the program.	
<p>The information collected is used to assess (b) (7)(E) (b) (7)(E). The timely and accurate capture of data, enables visa validation and helps ensure alien compliance with United States law. DHS will use the information collected through EVUS to determine whether (b) (7)(E). Specifically, EVUS will vet non-immigrant applicants who wish to travel to the United States for (b) (7)(E).</p> <p>Specifically regarding the collection of social media identifiers, adding social media data will enhance the existing process, and provide DHS/CBP greater clarity and visibility to (b) (7)(E) by providing an additional tool set which DHS/CBP may use to make better informed eligibility determinations. DHS/CBP's collection of a subject's social media identifiers adds (b) (7)(E).</p>	
i. Are individuals provided notice at the time of collection by DHS (<i>Does the records subject have notice of the collection or is form filled out by third party</i>)?	<input checked="" type="checkbox"/> Yes. There is a security notification that user must agree to prior to proceeding with the enrollment. There are also FAQs and a link to the Privacy Act Statement. <input type="checkbox"/> No.

3. How will DHS store the IC/form responses?	
a. How will DHS store the original, completed IC/forms?	<input type="checkbox"/> Paper. Please describe. Click here to enter text. <input checked="" type="checkbox"/> Electronic. All EVUS records are stored in the EVUS information technology system, which is part of the E-



	<p>Business accreditation boundary. All EVUS information is also replicated into the Automated Targeting System (ATS) and used for vetting, law enforcement, and national security purposes.</p> <p><input type="checkbox"/> Scanned forms (completed forms are scanned into an electronic repository). Please describe the electronic repository.</p> <p>Click here to enter text.</p>
<p>b. If electronic, how does DHS input the responses into the IT system?</p>	<p><input type="checkbox"/> Manually (data elements manually entered). Please describe.</p> <p>Click here to enter text.</p> <p><input checked="" type="checkbox"/> Automatically. Please describe.</p> <p>The traveler enters biographic and travel information into the public facing website which is stored within the EVUS system.</p>
<p>c. How would a user search the information submitted on the forms, <i>i.e.</i>, how is the information retrieved?</p>	<p><input checked="" type="checkbox"/> By a unique identifier.³ <i>Please describe.</i> If information is retrieved by personal identifier, please submit a Privacy Act Statement with this PTA.</p> <p>There are two types of users. The public can access their application information by entering either their enrollment number with their passport number, visa foil number (visa foil refers to the actual physical visa that is affixed into a person's passport) and date of birth or with their passport number, visa foil number, date of birth, surname, first name and country of citizenship. DHS users can access information with a single biographic element or combination of data elements (i. e. passport name, first and last name, foil number).</p> <p>The privacy statement can be accessed on the EVUS web page through this link:</p>

³ Generally, a unique identifier is considered any type of "personally identifiable information," meaning any information that permits the identity of an individual to be directly or indirectly inferred, including any other information which is linked or linkable to that individual regardless of whether the individual is a U.S. citizen, lawful permanent resident, visitor to the U.S., or employee or contractor to the Department.



	<p>https://www.evus.gov/, and clicking on the Privacy Act Statement at the bottom.</p> <p><input type="checkbox"/> By a non-personal identifier. <i>Please describe.</i></p> <p>Click here to enter text.</p>
<p>d. What is the records retention schedule(s)? <i>Include the records schedule number.</i></p>	<p>Enrollment information submitted to EVUS generally expires and is deemed “inactive” two years after the initial submission of information by the enrollee. In the event that a traveler's passport remains valid for less than two years from the date of the EVUS notification of compliance, the EVUS enrollment will expire concurrently with the passport. Information in EVUS will be retained for one year after the EVUS travel enrollment expires. After this period, the inactive account information will be purged from online access and archived for 12 years. At any time during the 15-year retention period (generally 3 years active, 12 years archived) CBP will match data linked to active law enforcement lookout records to enforcement activities, and/or investigations or cases, including EVUS enrollment attempts that are unsuccessful, which will remain accessible for the life of the law enforcement activities to which they may become related. NARA guidelines for retention and archiving of data will apply to EVUS (b) (5) [REDACTED].</p> <p>Records replicated on the unclassified and classified networks will follow the same retention schedule.</p> <p>Payment information is not stored in EVUS, but is forwarded to <i>Pay.gov</i> and stored in CBP's financial processing system, CDCDS, pursuant to the DHS/CBP-018, CDCDS system of records notice.</p> <p>When a traveler's EVUS data is used for purposes of processing his or her application for admission to the United States, the EVUS data will be used to create a corresponding admission record in the DHS/CBP-016 Non-Immigrant Information System (NIIS) (March 13, 2015, 80 FR 13398). This corresponding admission record will be retained in accordance with the NIIS retention schedule, which is 75 years.</p>



<p>e. How do you ensure that records are disposed of or deleted in accordance with the retention schedule?</p>	<p>The system automatically purges records based on retention dates.</p>
<p>f. Is any of this information shared outside of the original program/office? <i>If yes, describe where (other offices or DHS components or external entities) and why. What are the authorities of the receiving party?</i></p>	
<p><input checked="" type="checkbox"/> Yes, information is shared with other DHS components or offices. Please describe.</p> <p>Consistent with DHS’s information sharing mission, information stored in EVUS may be shared with other DHS components that have a need to know of the information to carry out their national security, law enforcement, immigration, intelligence, or other homeland security functions.</p> <p><input checked="" type="checkbox"/> Yes, information is shared <i>external</i> to DHS with other federal agencies, state/local partners, international partners, or non-governmental entities. Please describe.</p> <p>Information stored in EVUS may also be shared with other Federal security and counterterrorism agencies, as well as on a case-by-case basis to appropriate state, local, tribal, territorial, foreign, or international government agencies. DHS completes an information sharing and access agreement with Federal partners to establish the terms and conditions of the sharing, including documenting the need to know, authorized users and uses, and the privacy protections for the data.</p> <p><input type="checkbox"/> No. Information on this form is not shared outside of the collecting office.</p>	





**Homeland
Security**

Privacy Office
U.S. Department of Homeland Security
Washington, DC 20528
202-343-1717, pia@hq.dhs.gov
www.dhs.gov/privacy

Please include a copy of the referenced form and Privacy Act Statement (if applicable) with this PTA upon submission.



PRIVACY THRESHOLD REVIEW

(TO BE COMPLETED BY COMPONENT PRIVACY OFFICE)

Component Privacy Office Reviewer:	(b) (6), (b) (7)(C)
Date submitted to component Privacy Office:	March 7, 2017
Date submitted to DHS Privacy Office:	March 9, 2017
Have you approved a Privacy Act Statement for this form? <i>(Only applicable if you have received a waiver from the DHS Chief Privacy Officer to approve component Privacy Act Statements.)</i>	<input checked="" type="checkbox"/> Yes. Please include it with this PTA submission. <input type="checkbox"/> No. Please describe why not. Click here to enter text.
Component Privacy Office Recommendation: <i>Please include recommendation below, including what existing privacy compliance documentation is available or new privacy compliance documentation is needed.</i>	
(b) (5) [Redacted] [Redacted] [Redacted] [Redacted] [Redacted] [Redacted]	



PRIVACY THRESHOLD ADJUDICATION

(TO BE COMPLETED BY THE DHS PRIVACY OFFICE)

DHS Privacy Office Reviewer:	(b) (6), (b) (7)(C)
PCTS Workflow Number:	1140114
Date approved by DHS Privacy Office:	March 14, 2017
PTA Expiration Date	March 14, 2018

DESIGNATION

Privacy Sensitive IC or Form:	Yes If "no" PTA adjudication is complete.
Determination:	<input type="checkbox"/> PTA sufficient at this time. <input type="checkbox"/> Privacy compliance documentation determination in progress. <input type="checkbox"/> New information sharing arrangement is required. <input type="checkbox"/> DHS Policy for Computer-Readable Extracts Containing SPII applies. <input checked="" type="checkbox"/> Privacy Act Statement required. <input checked="" type="checkbox"/> Privacy Impact Assessment (PIA) required. <input checked="" type="checkbox"/> System of Records Notice (SORN) required. <input type="checkbox"/> Specialized training required. <input type="checkbox"/> Other. Click here to enter text.
DHS IC/Forms Review:	Choose an item.
Date IC/Form Approved by PRIV:	Click here to enter a date.
IC/Form PCTS Number:	Click here to enter text.
Privacy Act Statement:	e(3) statement not required. Previously approved PAS for EVUS still valid.
PTA:	No system PTA required. Click here to enter text.
PIA:	PIA update is required.



	<p>If covered by existing PIA, please list: Click here to enter text. If a PIA update is required, please list: DHS/CBP/PIA-033 Electronic Visa Update System (EVUS)</p>
SORN:	<p>SORN update is required. If covered by existing SORN, please list: Click here to enter text. If a SORN update is required, please list: DHS/CBP-022 Electronic Visa Update System (EVUS) System of Records, September 1, 2016, 81 FR 60371</p>
<p>DHS Privacy Office Comments: <i>Please describe rationale for privacy compliance determination above.</i></p>	
<p>CBP is submitting this Forms-PTA to discuss Electronic Visa Update System (EVUS). CBP is expanding the EVUS application to match the previously approved Electronic System for Travel Authorization (ESTA) application and request social media identifiers from all EVUS applicants. CBP will use social media identifiers to conduct screening, vetting, and law enforcement checks of EVUS applicants using publicly available information on social media.</p> <p>This field is optional on the application, but the information offered may be used for national security and law enforcement vetting purposes, and for EVUS eligibility determinations. CBP Officers already use publicly available information, including social media information, as part of the existing EVUS screening and vetting processes. CBP will abide by all social media privacy settings in the processing of EVUS applications.</p> <p>The specific questions CBP wishes to add</p> <ul style="list-style-type: none"> • Social media identifiers, such as username(s) and platforms used; and • Publicly available information from social media Web sites or platforms. <p>The DHS Privacy Office finds that the EVUS initiative is privacy-sensitive requiring both PIA and SORN coverage. Both a PIA Update and an updated SORN to the following artifacts is required.</p> <ul style="list-style-type: none"> • DHS/CBP/PIA-033 Electronic Visa Update System (EVUS) • DHS/CBP-022 Electronic Visa Update System (EVUS) System of Records 	



Homeland Security

Privacy Office
U.S. Department of Homeland Security
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202-343-1717, pia@hq.dhs.gov
www.dhs.gov/privacy

Please note, the PIA Update must be signed by the Chief Privacy Officer and the updated SORN must clear OMB and be published in the Federal Registrar before the social media questions can be put into operation.