Privacy Impact Assessment Update

for the

Collection of Advance Information from Certain Undocumented Individuals on the Land Border: Appointment Validation Tool

DHS Reference No. DHS/CBP/PIA-076(b)

July 25, 2024

Homeland Security

Abstract

The U.S. Customs and Border Protection (CBP) allows certain undocumented individuals[1] to submit biographic and biometric information via the CBP One™ mobile application in advance of their arrival in the United States, and to schedule an appointment at a port of entry for processing.[2] CBP is conducting this Privacy Impact Assessment (PIA) update to provide notice on a new tool within CBP One™. As part of its efforts to manage migration with Mexico, the government of Mexico has requested that its National Institute of Migration be provided with a mechanism to validate that an individual they may encounter has a CBP One™ appointment. In response to this request, CBP created the CBP One™ Appointment Validation Tool.

Overview

To facilitate the processing of certain undocumented individuals at land ports of entry, CBP created a way for undocumented individuals, as well as organizations and entities who may provide assistance to undocumented individuals, to submit advance information to CBP through CBP One™, a mobile and desktop application that serves as a single portal to a variety of CBP services.[3] Individuals may voluntarily choose to submit biographic and biometric information on behalf of themselves, family members, and other co-travelers using CBP One™ in advance of their arrival at a port of entry. Separately, organizations and entities that work with undocumented individuals may collect and transmit the information on behalf of an undocumented individual and their spouse and children in advance of arrival at a port of entry.

Once a user downloads the CBP One™ mobile application or logs into the desktop application, they select "Submit Advance Information" and then create their traveler profile (for

---

[1] As used in this Privacy Impact Assessment, an "undocumented individual" is a noncitizen who does not possess a document valid for admission to the United States. Undocumented individuals may or may not possess a passport or other acceptable document that denotes identity and citizenship when entering the United States (e.g., passport, passport card; Enhanced Driver's License; Trusted Traveler Program card (NEXUS, SENTRI, or FAST); U.S. Military identification card; U.S. Merchant Mariner; or American Indian Card or (when available) Enhanced Tribal Card).
[2] *See* U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. CUSTOMS AND BORDER PROTECTION, PRIVACY IMPACT ASSESSMENT FOR THE CBP ONETM MOBILE APPLICATION, DHS/CBP/PIA-068 (2021), *available at* https://www.dhs.gov/privacy-documents-us-customs-and-border-protection.
[3] While CBP assess the desktop and mobile application to be an intuitive, user-friendly interface that requires no training to use it properly, CBP provided multiple live demonstration sessions for designated users and a Quick Reference Guide. CBP also provided and continues to provide ad hoc assistance to troubleshoot technical issues as well as implement system enhancements to improve the user experience.
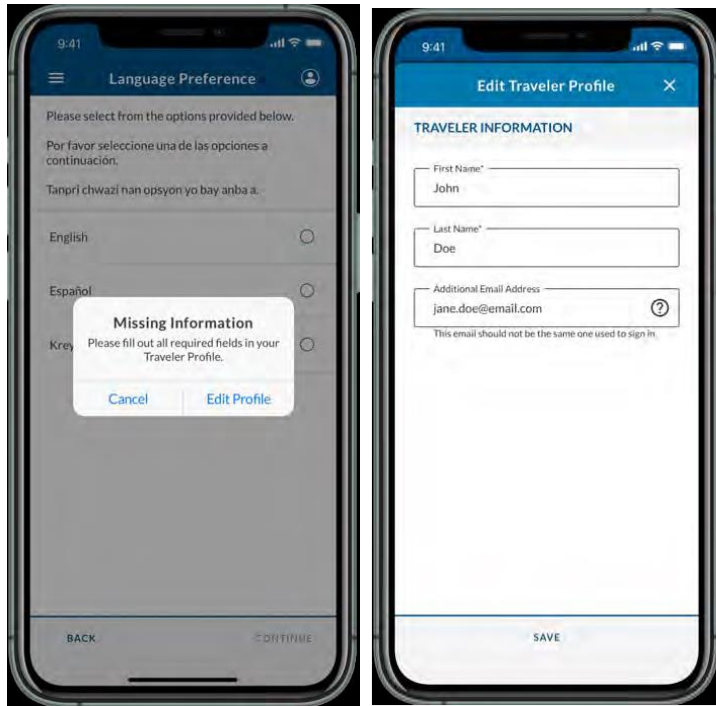
first time users). To create a profile, the user provides their first and last name and email address.

Once a user completes their profile, they are prompted to select their preferred language and then continue to enable location permissions. A pop-up requesting permission to use location services will appear. As described in the previous Privacy Impact Assessment series, the individual must be within a specified distance from the U.S.-Mexico border to request an appointment via CBP One™.[4] In order to verify that the individual is within the specified distance, users must enable their location services.

After enabling location services, the user is presented with instructions on the CBP One™ appointment process. These on-screen instructions provide a brief explanation on the steps needed to request an appointment.

---
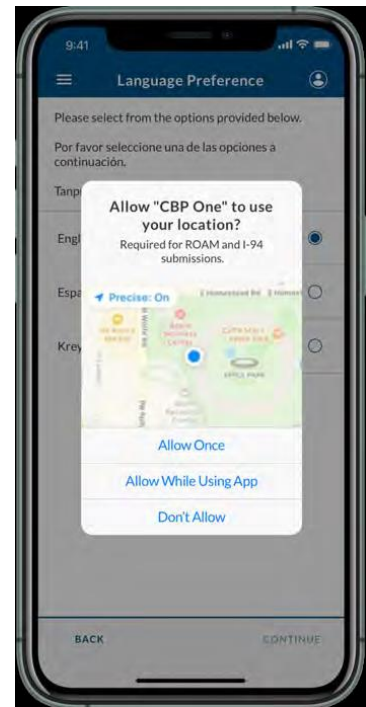
[4] CBP does not know the location of the user's device beyond the moment of submission of the user's information. Use for surveillance or tracking purposes is prohibited. The latitude and longitude information captured will continue to not be visible to CBP officers. However, the location information will be used by CBP personnel to monitor trends to assess resource and/or staffing needs and identify potential vulnerabilities in the application. The location data is stored in a separate Amazon Web Services Cloud East database and only associated with a unique confirmation and not associated with a specific device or individual. CBP will not associate the names of individuals or specific device information with the location information captured by CBP at the time of submission.

Once the user reviews the instructions, they can begin registering themselves and each traveler (in their group). To register travelers together to receive an appointment together, the undocumented individuals must be going to the same U.S. address and have the same prior foreign address.

CBP One™ requests the user enter the same information that CBP would otherwise collect from undocumented individuals during the primary and/or secondary inspection, including: name, date of birth, nationality, country/city of birth, country of residence, phone numbers, U.S. address, foreign addresses (optional), employment history (optional), travel history (optional), emergency contact information (optional), family information (optional), marital information (optional), non-Western Hemisphere Travel Initiative (WHTI) compliant[5] identity documents (optional), primary language, gender, height, weight, and eye color.[6]

Once the user enters all requested information, the CBP One™ application prompts the user to either upload a photograph (if using the desktop application) or take a live photo of the undocumented individual (if using the mobile application). All users are required to submit a photograph of the undocumented individual(s) as part of the advance information collection. Biographic advance information cannot be submitted to CBP without including a photograph.

---
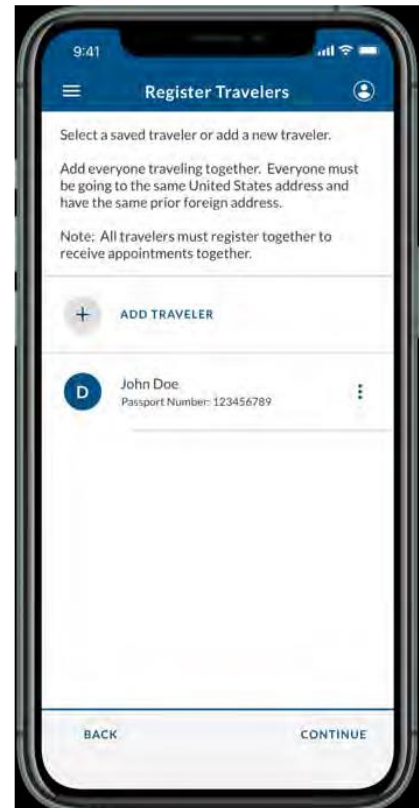
[5] The types of acceptable Western Hemisphere Travel Initiative compliance documents vary by port of entry type (i.e., land, air, sea), but generally include U.S. Passport; U.S. Passport Card, Enhanced Driver's License, Enhanced Tribal Card, Trusted Traveler Program card (NEXUS, SENTRI, or FAST); U.S. Military identification card when traveling on official orders; or U.S. Merchant Mariner document when traveling in conjunction with official maritime business.

[6] The data elements are substantially similar to, and used for the same purposes as, Form I-94W, *Nonimmigrant Visa Waiver Arrival/Departure Record.*

The user provides all the biographic and biometric information for each traveler. Once all travelers are registered, the user selects from a drop-down list the port of entry at which they would like to schedule their appointment.

Once the registration is complete for each traveler, and the user has selected a port of entry, the user can "Ask for An Appointment." Currently, undocumented individuals can request CBP One™ appointments between the hours of 12 p.m. and 11:59 p.m. Eastern Time each day.[7]

To request an appointment in CBP One™, the user selects the registration that contains all members of their family or co-travelers who share a common U.S. destination address.
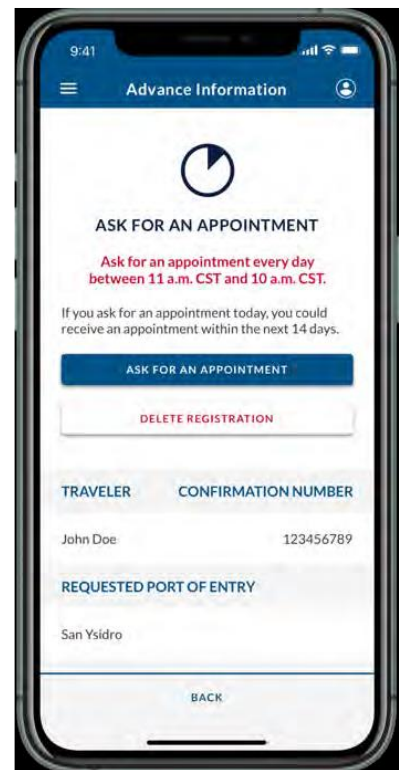
At 12 p.m. Eastern Time the following day, appointments will be allocated from a pool of registered users who requested an appointment the previous day. If an undocumented individual receives an appointment, they are notified at around 12 p.m. Eastern Time via the CBP One™ application and email. The individual has up to 23 hours to confirm the appointment by completing a geolocation check to ensure they are within the specified location from the U.S. border and by completing the photo capture and liveness detection process. As of August 2023, undocumented individuals can schedule an appointment up to 21 days in advance. However, this time frame is subject to change as operational needs demand.
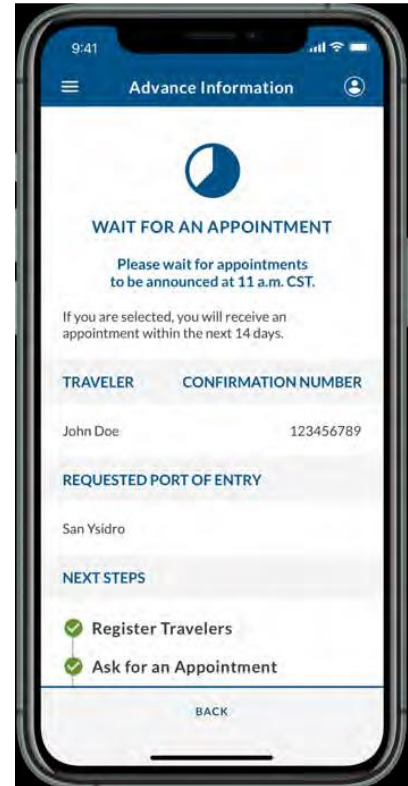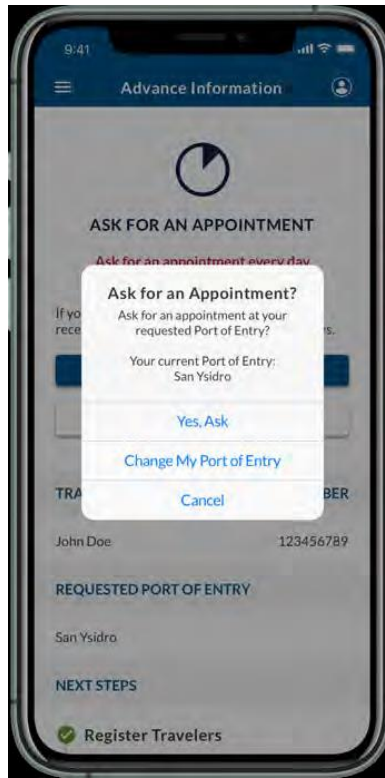
If an undocumented individual does not receive an appointment, they are able to "Ask for an Appointment" each day during the specified hours until they receive an appointment.

Reason for the PIA Update

Undocumented individuals located in Mexico are currently the only eligible population who can request an appointment via CBP One™. As part of its efforts to manage migration in Mexico, Mexico has requested that the National Institute of Migration, an agency of the Government of Mexico, have a mechanism to validate that an individual they encounter has a valid CBP One™ appointment. To respond to this request, CBP created the CBP One™ Appointment Validation Tool. The Appointment Validation Tool is the only CBP One™ capability available to National Institute of Migration users with a valid National Institute of Migration email domain and a need to know. This tool does not share personally identifiable information with the National Institute of Migration, though it does confirm whether the date of birth/appointment confirmation number input into the tool are information maintained by CBP and whether an individual (or group of individuals) has an appointment with CBP.

National Institute of Migration employees can download CBP One™ from the Google Play

or iTunes mobile application stores. National Institute of Migration users will be prompted to create a new Login.gov account or login to an existing Login.gov account. Personnel must use their official National Institute of Migration email address to access CBP One™.[8] When users log into CBP One™, users must consent to the CBP Privacy Policy[9] before using the application.

Once logged in to CBP One™, National Institute of Migration personnel (based on their Login.gov account) will be presented with only one option: "Check Traveler Appointment." The National Institute of Migration personnel cannot utilize CBP One™ for any other reason under their official National Institute of Migration email Login.gov account. The National Institute of Migration user will input a CBP One™ appointment confirmation number and traveler's date of birth based on information the traveler provides to National Institute of Migration personnel during their encounter. Once the National Institute of Migration user initiates a search, the CBP One™ application will query the CBP Amazon Web Services Cloud Service (CACE) to locate a registration. If the app locates a matching registration with a confirmed future appointment, the application will display the appointment date, time, location, and the total number of travelers in the registration. If the traveler does not have a confirmed appointment, the app will display a red "X" and "No Appointment Found." CBP does not conduct any system checks other than to verify the existence of a traveler's appointment. CBP will store the National Institute of Migration query for one year within the CBP Amazon Web Services Cloud East environment. This information is stored for reporting purposes only.

CBP intends to share this limited information with certain National Institute of Migration users to support their encounters with undocumented individuals located in Mexico. While Mexico maintains its own authorities with respect to migration and individuals encountered, CBP is sharing this information to indicate to National Institute of Migration personnel which individuals may already have an appointment with CBP and which individuals may need to schedule an appointment with CBP if they intend to reach the United States. This sharing is not intended to inform a negative inference by National Institute of Migration users about the individuals they may encounter.

Privacy Impact Analysis

Authorities and Other Requirements

The legal authorities and System of Records Notice(s) do not change because of this update. Routine Use G of the Automated Targeting System System of Records Notice permits

---

[8] Login.gov ensures a secure connection and identity verification for International Organizations/Non-Governmental Organizations to use CBP One™. *See* GENERAL SERVICES ADMINISTRATION, PRIVACY IMPACT ASSESSMENT FOR LOGIN.GOV (2020), *available at* https://www.gsa.gov/reference/gsa-privacy-program/privacy-impact-assessments-pia.

[9] The CBP One™ Privacy Policy can be found at https://cbpone.cbp.dhs.gov/#/.

CBP to disclose appointment information to National Institute of Migration personnel "responsible for …enforcing or implementing, a statute, rule, regulation…where CBP believes the information would assist enforcement of applicable civil or criminal laws."[10]

Characterization of the Information

CBP is continuing to collect the same information as described in the previous Privacy Impact Assessments. However, with this update, CBP is now creating a tool within CBP One™ to enable the National Institute of Migration to validate CBP One™ appointments. A National Institute of Migration employee who encounters an individual during their operational duties can use CBP One™ to look up whether the encountered individual has a valid CBP One™ appointment. To do this, the National Institute of Migration employee will query the CBP One™ Appointment Validation Tool using the CBP One™ appointment confirmation number and date of birth supplied by the induvial. If the individual has a valid CBP One™ appointment, CBP One™ will display the individual's appointment date, time, location, and number of travelers in the group. If there is not a valid appointment, CBP One™ will display a red "X" and "No Appointment Found."

Privacy Risk: There is a risk that CBP One™ will display more information than necessary to the National Institute of Migration.

Mitigation: This risk is mitigated. CBP oversight offices determined that the CBP One™ appointment confirmation number and date of birth were the least privacy sensitive information needed to validate whether an individual has matching registration with a confirmed future appointment. This tool does not share personally identifiable information with the National Institute of Migration other than to confirm that CBP maintains information about the individual whose appointment confirmation number and date of birth are shared with CBP. The Appointment Validation Tool is the only CBP One™ capability available to National Institute of Migration users.

Uses of the Information

This update does not impact the use of information by CBP. CBP continues to use advance information collected from certain undocumented individuals via CBP One™ to streamline processing upon arrival at the port of entry. With this update, CBP is documenting the ability for the National Institute of Migration to access and query CBP One™ to validate whether an individual they encounter has a valid CBP One™ appointment.

Privacy Risk: There is a risk that the National Institute of Migration will use the CBP One™ application beyond the terms of this Privacy Impact Assessment.

---

[10] *See* DHS/CBP-006 Automated Targeting System, 77 Fed. Reg. 30297 (May 22, 2012), *available at* https://www.dhs.gov/system-records-notices-sorns.

Mitigation: This risk is mitigated. Authorized National Institute of Migration users are authenticated by the Login.gov process. CBP created a dedicated mechanism within CBP One™ for National Institute of Migration users to access the Appointment Validation Tool based on their National Institute of Migration email addresses. These users cannot access or use any other functionality within CBP One™ beyond the Appointment Validation tool.

Notice

CBP is providing notice of these changes through the publication of this Privacy Impact Assessment. CBP is also posting public notice of these changes on the CBP website. The Government of Mexico may provide additional notice on their uses of the CBP One™ Appointment Validation Tool. There are no new privacy risks associated with CBP providing notice.

Data Retention by the Project

CBP continues to store the information for the same retention periods as described in the original Privacy Impact Assessment. With this update, the National Institute of Migration query will also be stored for one year within the CBP Amazon Web Services Cloud East environment. This information is stored for reporting purposes only. There are no new risks to retention.

Information Sharing

With this update, CBP is providing the National Institute of Migration with the ability to access and query CBP One™ to validate whether an individual they encounter has a valid CBP One™ appointment. Additionally, information collected through CBP One™ will continue to be ingested into systems that share information on a case-by-case basis with appropriate federal, state, local, tribal, and foreign governmental agencies or multilateral governmental organizations responsible for investigating or prosecuting violations of, or for enforcing or implementing, a statute, rule, regulation, order, or license, or when CBP believes the information would assist enforcement of civil or criminal laws.

Redress

This update does not impact how access, redress, and correction may be sought through CBP.

Auditing and Accountability

The CBP One™ application uses Login.gov to manage users' authentication by allowing users to sign in with an email address, password, and multi-factor method, and conduct identity proofing by verifying an individual's asserted identity. Login.gov ensures a secure connection and identity verification when using the CBP One™ application. CBP One™ only stores the user's Login.gov email address locally onto the user's device. This update does not impact the auditing

and accountability mechanisms in place to ensure information is used in accordance with stated practices in the original Privacy Impact Assessment and this Privacy Impact Assessment update.

Contact Official

Jody Hardin
Innovation and Strategy Directorate
Office of Field Operations
U.S. Customs and Border Protection

Responsible Official

Debra L. Danisek
CBP Privacy Officer
Privacy and Diversity Office
U.S. Customs and Border Protection
privacy.cbp@cbp.dhs.gov

Approval Signature

Original, signed copy on file with the DHS Privacy Office.

_____

Mason C. Clutter
Chief Privacy Officer
U.S. Department of Homeland Security
privacy@hq.dhs.gov