



Privacy Impact Assessment
for the

Known Employer Document Library

DHS/USCIS/PIA-059

September 29, 2015

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Abstract

DHS is launching the “Known Employer” Pilot Project on October 1, 2015. Under this pilot project, U.S. Citizenship and Immigration Services (USCIS) will pre-adjudicate certain employer requirements of selected immigrant and nonimmigrant visa classifications. The Known Employer Pilot Project is centered on the Known Employer Document Library (KEDL), which allows participating employers to upload supplemental evidence that would normally have to be included in multiple individual petitions. This initial Privacy Impact Assessment (PIA) discusses the pilot project and evaluates the privacy risks and mitigations associated with the collection, use, and maintenance of personally identifiable information (PII). USCIS plans to update this PIA for the implementation of a permanent program, should it occur.

Overview

On January 8, 2015, the Department of Homeland Security (DHS) announced its plans to initiate the “Known Employer” Pilot Project. The pilot project is an effort to streamline the adjudication of certain types of immigration benefits petitions filed by U.S. employers meeting strict criteria of good corporate citizenship and compliance with immigration laws. The pilot project, which will be jointly administered by the U.S. Citizenship and Immigration Services (USCIS), U.S. Customs and Border Protection (CBP), and the Department of State (DOS), is designed to make adjudications more efficient and less costly while reducing paperwork and delays for both DHS and for U.S. employers that seek to transfer foreign workers to the United States or employ certain foreign professionals in the United States.

Currently, USCIS adjudication of an employer’s petition for certain foreign workers usually includes an analysis of the bona fides of the employer’s business, the nature of the job offered, the job requirements, and the beneficiary’s qualifications. While reviewing the evidence submitted in support of an employment-based petition, the USCIS adjudicator makes determinations relating to each of these elements, which is a time- and resource-intensive process.

Normally, the employer must submit the same business-related information about their organization with each petition filed. Many times, USCIS adjudicators may issue a request for evidence (RFE) for the same corporate documents, which may have already been submitted by the employer for a different petition. Each individual petition must stand on its own merits. The requirement to send and review the same information for multiple petitions is burdensome on both the employer and the adjudicator.

Under the Known Employer Pilot Project, USCIS provides employers with the option to file an application with USCIS to pre-verify and validate their business operations and financial viability. The Known Employer Pilot Project separates the adjudication of the employer’s and the



beneficiary's eligibility. This enables USCIS to determine key elements of the employer's portion of the eligibility requirements and retain that information in a document library.¹ If the pre-determination of the company's eligibility is approved, the employer may then file multiple petitions without the need to submit company information each time. The goal of this program is to reduce the time required to review an individual petition and determine a beneficiary's eligibility because the employer will have already been pre-verified.

Known Employer Document Library (KEDL)

The Known Employer Pilot Project is centered on the Known Employer Document Library (KEDL), which is a public-facing application. The purpose of the KEDL is to allow employers to reduce the amount of identical evidence and supporting evidence submitted in a paper format. Participating employers are able to upload documents that would normally be included in multiple individual petitions. The first iteration release of KEDL is being developed for the Known Employer Pilot Project.

Employer participation in the pilot project is voluntary and limited to a maximum of nine employers selected by USCIS. For purposes of this pilot, expected to start in October 2015, each employer seeking to participate in the pilot project creates and registers an employer profile with KEDL. Employers must be registered and the employer profile must be approved by a USCIS Administrator to participate in this pilot project. Upon USCIS approval, the employer profile manager receives an email notification with a system-generated Known Employer ID and login credentials. The login credentials include a user ID, which is the email address that the user provided during registration, and a system-generated password.

Employees and representatives (i.e., accredited representative, attorney, and form preparer) of a registered employer may request access to the employer's profile using the Known Employer ID assigned to the employer. Employees and representatives are individuals authorized to prepare petitions on behalf of the employer. Once an employee submits his or her access request, the KEDL forwards an email notification to the employee's profile manager, who in turn, reviews and either approves or denies the request. If approved, the requester receives an email notification with login credentials to include a user ID, which is the email address provided during profile access request, and a system-generated password.

KEDL allows authorized employer users to upload documents that would normally be submitted along with the paper petition. Once a user uploads a document, the user can update document attributes such as issue date, tag, purpose, and description. The user can also upload a new version of the existing document. KEDL provides a document versioning capability by maintaining multiple versions of each document such that the user can view all versions that he or

¹ Examples of the issues that could be documented up front include: ability to pay, the existence of one or more qualifying entities for certain nonimmigrant and immigrant classifications (e.g., parent, subsidiary, affiliate, or branch), and exemption from the H-1B cap.



she previously submitted. After the employer user uploads a document, the system assigns each document a 'received' status.

Once the employer has uploaded all supplemental evidence, the employer then completes and uploads the Form I-950, *Application for Pre-Determination Under the Known Employer Program* to initiate the pre-determination review. On this form, the employer indicates the immigrant and nonimmigrant visa classifications for which it is seeking a pre-determination and acknowledges that supplemental evidence has been uploaded for each classification. Employers that want to be approved for pre-determinations of certain immigrant and nonimmigrant classifications must file this form after creating a Known Employer account in the KEDL.

A USCIS adjudicator assigned to the USCIS Known Employer team reviews the form and the supplemental evidence in KEDL to determine whether the employer has established its eligibility for the requested classifications once the application and supplemental documents have been uploaded. The USCIS adjudicator reviews all uploaded documents and updates the status of the document to reflect:

- “Accepted,” meaning that the document is legible and has been uploaded correctly.
- “Unaccepted,” meaning that the document is illegible or has been uploaded incorrectly; and
- “Pending” meaning that the document is under USCIS review.

Every time the document status is updated, KEDL system emails the document status change notification to the employer profile manager.

If the documentation is not sufficient, the USCIS adjudicator drafts a Request for Evidence (RFE)² or Notice of Intent to Revoke (NOIR),³ and uploads it to the Notice section of KEDL. The employer receives a notification that a notice has been uploaded, and is required to provide a response or additional documents through KEDL.

After all the above steps are complete, the USCIS Known Employer teams adjudicate the requested pre-determinations, and upload a notice to the Notice section of the KEDL indicating which of the pre-determinations have been approved. If some of the requested pre-determinations have not been approved, the USCIS Known Employer teams also upload a notice identifying these denials and providing justification for the decisions.

² USCIS uses an RFE when an application lacks required documentation or the adjudicator needs additional evidence to determine the employer's eligibility for the benefit sought. The RFE indicates what evidence or information is needed for USCIS to fully evaluate the petition under review.

³ A NOIR is a formal statement from USCIS that it has determined that the employer is ineligible for the pre-determination. The NOIR includes a list of the types of evidence that would overcome the deficiency and satisfy the request of USCIS. However, USCIS will grant the employer an opportunity to overcome this determination and demonstrate that it is eligible.



If the pre-determination of the company's eligibility is approved, the employer may then file multiple petitions during the course of this pilot project without the need to submit additional company information. Only petitions filed with a copy of the pre-determination approval notice will be considered to have been filed under the Known Employer (KE) process. Although USCIS may grant pre-determinations of certain immigrant and nonimmigrant eligibility for an employer, USCIS reserves the right to re-evaluate these pre-determinations at a future time if the circumstances regarding the pre-determinations have changed or new material facts are discovered. If an employer has changes to its business or organization that may affect its pre-determination, the employer must file an amended Known Employer application and submit new or revised documentation.

Supplemental evidence uploaded into KEDL by the employer is also accessible to DOS and CBP officers in their adjudication of immigration benefits. CBP officers, who are responsible for the adjudication of the majority of Professionals Under the North American Free Trade Agreement (TN)⁴ and Intracompany Transferee (L-1)⁵ applications, can view documents that are pertinent to that adjudication, as well as make system notes pertaining to employers of TN and L-1 non-immigrants. DOS consular officers are also able to review documents uploaded to the KEDL that assist in the issuance of immigrant and nonimmigrant visas. CBP and DOS officers access KEDL while reviewing benefit request forms for eligibility and admissibility after USCIS has approved the pre-determination. The exception is the TN classification, in which petitioners will be able to upload documentation for CBP and DOS to use in the course of adjudication when applicants apply directly at the DOS post or CBP port of entry/pre-flight inspection point. CBP and DOS use of KEDL is limited to the verification of information that may have come into question during an interview.

Section 1.0 Authorities and Other Requirements

1.1 What specific legal authorities and/or agreements permit and define the collection of information by the project in question?

The authority to collect information by the project is found within the Immigration and Nationality Act (INA), 8 U.S.C. §§ 1101, 1103, 1201, and 1255.

⁴ The visa category "Professionals Under the North American Free Trade Agreement" (also known as a TN Visa) is available only to citizens of Canada and Mexico under the terms of the North American Free Trade Agreement (NAFTA).

⁵ The L-1 nonimmigrant classification - Intracompany Transferees – enables a U.S. employer to transfer an executive, manager, or specialized knowledge worker from one of its affiliated foreign offices to one of its offices in the United States. This classification also enables a foreign company that does not yet have an affiliated U.S. office to send an executive, manager, or specialized knowledge worker to the U.S. with the purpose of establishing one.



1.2 What Privacy Act System of Records Notice(s) (SORN(s)) apply to the information?

The information collected and maintained by KEDL is covered by the following SORNs that cover the collection, use, and maintenance of information:

- DHS/ALL-004 General Information Technology Access Account Records System (GITAARS),⁶ which covers the collection and use of information to authenticate an individual's identity for the purpose of obtaining a credential to electronically access KEDL;
- DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records,⁷ which covers the collection and use of supplemental evidence in support of a petition; and
- DHS/USCIS-007 Benefits Information System,⁸ which covers the collection and use of Information from individuals who have filed petitions on the behalf of others for employment-based benefits under the INA.

1.3 Has a system security plan been completed for the information system(s) supporting the project?

Yes. KEDL is covered as a minor application under the Digital Innovation and Development-Information Technology (DID-IT). USCIS completed the DID-IT security assessment and authorization documentation in April 30, 2014, and was subsequently enrolled in the USCIS Ongoing Authorization Program.⁹ Despite its enrollment in the USCIS Ongoing Authorization Program, DID-IT has not met all of its privacy compliance requirements.

1.4 Does a records retention schedule approved by the National Archives and Records Administration (NARA) exist?

No. USCIS is negotiating a retention schedule with NARA for KEDL that would retain documents uploaded into KEDL for up to 15 years. At the end of the pilot period (within one year from launch), USCIS will deactivate employer accounts. If USCIS decides to move forward with a permanent KE system following the pilot, USCIS would most likely require the pilot participants to create new accounts for the permanent system. Once USCIS decides that pilot participants will need to create a new account in the permanent system, USCIS will delete the participant's pilot

⁶ DHS/ALL-004 - General Information Technology Access Account Records System, 77 FR 70792 (Nov. 27, 2012)

⁷ DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records, 78 FR 69864 (Nov. 21, 2013).

⁸ DHS/USCIS-007 Benefits Information System, 73 FR 56596 (Sept. 29, 2008).

⁹ The Ongoing Authorization requires DID-IT, including KEDL, to be reviewed on a monthly basis to maintain its security posture and maintain its ATO.



accounts. If USCIS decides not to move forward with a permanent system, USCIS will delete the pilot accounts.

1.5 If the information is covered by the Paperwork Reduction Act (PRA), provide the OMB Control number and the agency number for the collection. If there are multiple forms, include a list in an appendix.

The provisions of the PRA do not apply to KEDL because USCIS is collecting information from less than 10 individuals as part of this pilot project.¹⁰ Once the pilot project is complete, application of the PRA provisions will be re-evaluated.

Section 2.0 Characterization of the Information

The following questions are intended to define the scope of the information requested and/or collected, as well as reasons for its collection.

2.1 Identify the information the project collects, uses, disseminates, or maintains.

Under the Known Employer Pilot Project, employers are able to use KEDL to register an employer profile, approve access to the employer profile for designated employees and representatives, and upload supplemental evidence.

Account Creation

In order to upload documents in KEDL, an employer has to be registered and the employer profile has to be approved by a USCIS Administrator. To register an employer profile, the employer enter the following information into KEDL: Federal Employer Identification Number (FEIN), Data Universal Numbering System (DUNS) number, business name, website, phone number, address, city, state, zip code, and country.¹¹

The KEDL Account Request mailbox receives email notifications once an employer registers a profile. The USCIS Administrator reviews and approves the employer profile. If approved, the employer profile manager receives an email notification with a system-generated Known Employer ID and login credentials for the initial employer profile manager. A login

¹⁰ The Paperwork Reduction Act only applies to federally sponsored information collections directed at 10 or more respondents. *See* 44 U.S.C. 3502(3)(A)(i).

¹¹ A nine-digit numbering system which uniquely identifies an individual business provided by the Dun & Bradstreet (D&B) company. This number can be used to access a database which details the name of the company, its address, telephone number, line of business and number of employees - along with other pertinent information about the specific company.



credential includes a user ID, which is the email address that user provided during registration, and a system generated password.

Any employee or representative of a registered employer may request access to the employer profile using the system-generated Known Employer ID. To request access, the representative or employee provides the following information: first name, last name, email address, phone number, and firm name (if applicable). After an employee or representative requests access, the employer profile manager receives an email notification, reviews the requests, and either approves or denies the request. If approved, the employee or representative receives an email notification with login credential, user ID, which is email address provided during profile access request, and system generated password.

Approval Request

In addition to registering an employer profile, employers that want to be approved for pre-determinations of certain immigrant and nonimmigrant classifications must file Form I-950, *Application for Pre-Determination Under the Known Employer Pilot Program*. The employer indicates which classifications it is seeking and acknowledges that supplemental evidence has been uploaded for each classification. This form collects information about the employer and representative. Information about the employer includes: Organization name, mailing address, FEIN, Known Employer ID, number of U.S. employees, year established, most recent annual gross and net income, name and title of employer's authorized signatory, signature, daytime telephone number, and email address. Information about the preparer includes: first name, last name, organization name, mailing address, telephone number, email address, and fax number.

Document Management

Authorized employer users are able to access KEDL to upload supplemental evidence in PDF format in support of an employment-based petition. These documents may include business or financial documents such as: articles of incorporation; business registration/license; bylaws and minutes; contracts; invoices; receipts; purchase agreements; lease(s); operating agreements; partnership agreements; share certificates and stock ledgers; audited financial statements; bank statements; company federal tax returns; IRS Form 941; Securities and Exchange Commission (SEC) Form 10-K and other SEC forms; and unaudited financial statements. Once a user uploads a document, he or she can update the document attributes such as issue date, tag, purpose, and description.

USCIS users examine the supplemental evidence to ensure all documents are present. In situations in which evidence is missing or all required initial evidence is submitted but does not establish eligibility, USCIS may request that the employer provide additional information. USCIS users are able to upload notices for viewing and retrieval by the participating employers. Such notices include receipt notices, RFEs, NOIRs, approval notices, and denial notices.



2.2 What are the sources of the information and how is the information collected for the project?

USCIS collects employer profile and supplemental evidence directly from the employer, employee, or representative.

2.3 Does the project use information from commercial sources or publicly available data? If so, explain why and how this information is used.

No.

2.4 Discuss how accuracy of the data is ensured.

KEDL collects employer profile and supplemental evidence directly from the employer or his or her representative. USCIS depends upon the accuracy of the information provided by the employer.

2.5 Privacy Impact Analysis: Related to Characterization of the Information

There is no risk because any petition filed prior to an employer's pre-determination approval must be submitted with all required documentation and USCIS will review it using normal processing procedures. Adjudicators will not review the KEDL when a petition is filed under normal procedures. Only petitions filed with a copy of the pre-determination approval notice will be considered to have been filed under the Known Employer process.

Section 3.0 Uses of the Information

The following questions require a clear description of the project's use of information.

3.1 Describe how and why the project uses the information.

The Known Employer Pilot Project is centered on the KEDL. The project allows participating employers to create an employer profile and submit an application through the online system in order to upload documents that would normally have to be included in multiple individual paper petitions.

Account Management and Approval

All information collected from the employer, its employees, and representatives is necessary to establish an employer manager profile and employer user account. USCIS uses the following information about an employer, its employees, and representatives:



- Employer profile information such as FEIN number, DUNS number, and business name to identify and verify an employer;
- Employer address, phone number, and business website URL to contact an employer;
- Representative or employee first and last name to identify valid employer users;
- Representative or employee email address and phone number to contact and communicate with him or her; and
- Employer representative email address to permit the employer representative to sign-in to system. The employer representative's user name is his or her email address.

Document Management

Under this Known Employer Pilot Project, employers will be able to keep certain information on file with USCIS. USCIS will use the information maintained in the KEDL to pre-determine an employer's eligibility for certain immigrant and non-immigrant benefit classifications.

3.2 Does the project use technology to conduct electronic searches, queries, or analyses in an electronic database to discover or locate a predictive pattern or an anomaly? If so, state how DHS plans to use such results.

No.

3.3 Are there other components with assigned roles and responsibilities within the system?

Yes. CBP accesses KEDL to support its adjudication of immigration benefits. CBP officers, who are responsible for the adjudication of the majority of TN and L-1 applications, are able to view documents that are pertinent to that adjudication, as well as make system notes pertaining to employers of TN nonimmigrants.

CBP designated three ports of entry and at least two Preclearance Operations Airports along the U.S.-Canada border that handle large volumes of TN and L-1 applications for admission: one in the West, one in the Central Region, and one in the East.¹² The Known Employer Pilot

¹² Before being permitted entry into the U.S., each traveler and his or her baggage must undergo immigration, customs, and agriculture inspection by CBP officers and agriculture specialists. Preclearance allows for these inspection processes to occur on foreign soil prior to boarding a direct flight to the United States, without further CBP processing or security screening on arrival. For more information, please visit http://www.cbp.gov/sites/default/files/documents/Final%20Preclearance%20Guidance_092014.pdf.



Project is to only be tested at the below locations for Canadian beneficiaries applying directly with CBP for admission as L-1 or TN nonimmigrant applicants. The following locations have been identified by CBP for participation in the pilot project: Blaine, WA, Detroit, MI, Buffalo, NY, Toronto Preclearance, and Vancouver Preclearance.

3.4 Privacy Impact Analysis: Related to the Uses of Information

There is no risk to information use because any petition filed prior to an employer's pre-determination approval must be submitted with all required documentation and USCIS will review it using normal processing procedures. Adjudicators will not review the KEDL when a petition is filed under normal procedures. Only petitions filed with a copy of the pre-determination approval notice will be considered to have been filed under the Known Employer process.

Section 4.0 Notice

The following questions seek information about the project's notice to the individual about the information collected, the right to consent to uses of said information, and the right to decline to provide information.

4.1 How does the project provide individuals notice prior to the collection of information? If notice is not provided, explain why not.

The employer or its representative directly provides all information collected by the KEDL. Employers invited to participate receive an invitation letter from USCIS with instructions on how to decline or accept the invitation, along with a fact sheet describing the Known Employer Pilot Project and an agreement that clarifies responsibilities and expectations for the pilot project. Once an employer accepts USCIS's invitation to participate in the pilot project, the employer is provided further instructions on how to participate in the pilot project and access KEDL to upload supplemental evidence to establish that such employer related eligibility requirements have been satisfied and request a pre-determination of specific classifications. KEDL and the application provides a Privacy Act Statement prior to the submission of any information, as required by Section (e)(3) of the Privacy Act. The Privacy Act Statement notifies the individual about the authority to collect the information requested, purpose, routine uses, and consequences of providing or declining to provide the information to USCIS.

Individuals also receive general notice through the publication of this PIA and the associated SORNs in section 1.2 of this PIA. Additional information about the Known Employer Pilot Project is available on the DHS webpage.



4.2 What opportunities are available for individuals to consent to uses, decline to provide information, or opt out of the project?

Individuals who provide information on behalf of an employer may decline participation in the Pilot project. USCIS provides employers who choose to participate in the Pilot project with a Privacy Act Statement to inform individuals that providing information is voluntary. However, the failure to provide information may prevent the employer from creating an account and uploading supporting evidence into KEDL.

4.3 Privacy Impact Analysis: Related to Notice

There is no privacy risk related to notice. USCIS provides employers and representatives with notice before they submit any information to USCIS.

Section 5.0 Data Retention by the project

The following questions are intended to outline how long the project retains the information after the initial collection.

5.1 Explain how long and for what reason the information is retained.

USCIS is developing a retention schedule for KEDL that is subject to final approval by NARA. USCIS is proposing to retain documents uploaded into KEDL for up to 15 years. The proposed retention period will allow USCIS to maintain a history of documents uploaded should questions arise about a USCIS benefits determination or for a fraud investigation. At the end of the pilot period (within one year from launch), USCIS will deactivate employer accounts. If USCIS decides to proceed with a permanent KE system, USCIS would most likely require the pilot participants to create new accounts for the permanent system. Once USCIS decides that pilot participants will need to create a new account in the permanent system, USCIS will delete the participant's pilot accounts. If USCIS decides not to implement a permanent system, USCIS will delete the pilot accounts.

5.2 Privacy Impact Analysis: Related to Retention

Privacy Risk: There is a risk that information may be retained longer than is needed, which increases the risk of unauthorized access to the information in KEDL.

Mitigation: This risk is not fully mitigated. USCIS is developing a retention schedule for KEDL and will not delete records until a retention schedule is approved by NARA.



Section 6.0 Information Sharing

The following questions are intended to describe the scope of the project information sharing external to the Department. External sharing encompasses sharing with other federal, state and local government, and private sector entities.

6.1 Is information shared outside of DHS as part of the normal agency operations? If so, identify the organization(s) and how the information is accessed and how it is to be used.

Yes. KEDL shares information with the DOS consular officers to assist in the issuance of immigrant and nonimmigrant visas. DOS's Visa Office, Kentucky Consular Center, and 10 designated embassies will participate in the pilot project. A limited number of DOS officers have access to KEDL.

6.2 Describe how the external sharing noted in 6.1 is compatible with the SORN noted in 1.2.

USCIS shares information under this pilot project with the DOS under the routine use O of the Alien File, Index, and National File Tracking System and routine use I of the Benefit Information System SORN, which permits USCIS to share information with the DOS for the purpose of assisting in the processing of petitions or applications for benefits under the INA, and all other immigration and nationality laws including treaties and reciprocal agreements.

6.3 Does the project place limitations on re-dissemination?

Yes. A Memorandum of Agreement (MOA) between DHS and DOS fully outlines responsibilities of the parties, security standards, and limits of use of the information, including re-dissemination. Under the MOA, DOS and USCIS may share and disclose information within DHS and DOS, but may not disseminate information to other external agencies. USCIS and DOS coordinate the methods and controls regarding dissemination of information prior to information sharing.

6.4 Describe how the project maintains a record of any disclosures outside of the Department.

KEDL maintains audit trail logs to identify transactions performed by external users. DOS users access the KEDL directly. The authenticated user ID is passed to each agency to record the disclosure information for auditing purposes.



6.5 Privacy Impact Analysis: Related to Information Sharing

Privacy Risk: There is a risk of unauthorized access to, or disclosure of, information contained within KEDL.

Mitigation: This risk is mitigated because USCIS provides access to KEDL for a limited number of CBP and DOS users that need it to perform their official duties. In addition, this risk is mitigated because the KEDL meets DHS Security specifications that require audit logs of user activity, security logs, and strict access controls.

Section 7.0 Redress

The following questions seek information about processes in place for individuals to seek redress which may include access to records about themselves, ensuring the accuracy of the information collected about them, and/or filing complaints.

7.1 What are the procedures that allow individuals to access their information?

Employers and representatives who create online accounts must authenticate their identity via a secure login using the username, password, and authentication code. Once authenticated, individuals may access the information they used to create their profiles, such as name and address information, as well as their password reset and security questions and answers on file.

Additionally, an individual seeking access to his or her information may gain access to their USCIS records by filing a Freedom of Information Act (FOIA) or Privacy Act request and submitting the requests to following address:

USCIS National Records Center
Freedom of Information Act/Privacy Act Program
P. O. Box 648010
Lee's Summit, MO 64064-8010

Further information for Privacy Act and FOIA requests for USCIS records can also be found at <http://www.uscis.gov>.

7.2 What procedures are in place to allow the subject individual to correct inaccurate or erroneous information?

The KEDL Pilot Project allows employer managers, employees, and representatives to directly engage with USCIS. Employer users are able to amend the information in their accounts by logging in and making the correction to information they provided. KEDL allows employer users to create, upload, and re-upload (versioning) documents. If an uploaded document appears



to be inaccurate, employer users may re-upload the document as a new version of the previously uploaded document. Retaining all versions is essential in retaining a record for each individual petition filed under the Known Employer program. By having the upload time and date associated with each document, USCIS is able to recreate what documents were available for the adjudication of each individual petition, as well as for amended pre-determinations.

Additionally, individuals may direct all requests to contest or amend information to the FOIA/Privacy Act Office at the USCIS address above. Individuals must state clearly and concisely in the redress request the information being contested, the reason for contesting it, the proposed amendment, and clearly mark the envelope "Privacy Act Amendment."

7.3 How does the project notify individuals about the procedures for correcting their information?

USCIS petition instructions, the USCIS website, this PIA, and the associated SORNs notify individuals of the procedures for correcting their information.

7.4 Privacy Impact Analysis: Related to Redress

There is no privacy risk related to redress with respect to KEDL. Individuals may access the information they submit to the KEDL at any time. Additionally, individuals may request access to information about themselves under the FOIA and Privacy Act.

Section 8.0 Auditing and Accountability

The following questions are intended to describe technical and policy based safeguards and security measures.

8.1 How does the project ensure that the information is used in accordance with stated practices in this PIA?

USCIS ensures that the information is used in accordance with this PIA by requiring training, policies, rules of behavior, and auditing and accountability practices. USCIS established access and security controls to mitigate privacy risks associated with authorized and unauthorized uses, namely misuse and inappropriate dissemination of data. DHS security specifications require auditing capabilities that log the activity of each user in order to reduce the possibility of misuse and inappropriate dissemination of information. All user actions are tracked via audit logs to identify audit information by user identification, network terminal identification, date, time, and data accessed. All USCIS systems employ auditing measures and technical safeguards to prevent the misuse of data.



8.2 Describe what privacy training is provided to users either generally or specifically relevant to the project.

All USCIS employees and contractors are required to complete annual privacy and security awareness training. The Culture of Privacy Awareness training addresses appropriate privacy concerns, including Privacy Act obligations (e.g., SORNs, Privacy Act Statements). The Computer Security Awareness training examines appropriate technical, physical, personnel, and administrative controls to safeguard information. In addition, USCIS provides federal users (i.e., CBP, DOS, USCIS) with training on the uses of KEDL prior to being approved for access.

8.3 What procedures are in place to determine which users may access the information and how does the project determine who has access?

External Users

External users (i.e., employer user) have two roles: (1) Employer Profile Manager and (2) employer user in KEDL.

USCIS identified nine employers to participate in the Known Employer Pilot. Each employer participating in the pilot must register an employer profile and apply by submitting Form I-950, *Application for Pre-determination Under the Known Employer Program*. USCIS will only approve the employer profiles of the nine selected employers. Employers that registered the profile are the Employer Profile Manager. If other employers attempt to register, USCIS will reject the employer profile.

Any employee or representative of a registered employer may request access to the employer profile. After access is requested, the Employer Profile Manager receives an email notification, reviews the requests, and either approves or denies the request for access.

Federal Users

Federal users have two roles: (1) USCIS Administrator and (2) Federal users (to include USCIS, CBP, and DOS).

USCIS users are required to complete access request forms, which are then approved by a supervisor. Once approved, accounts are granted for the user and the appropriate roles are assigned by the USCIS Administrator. If a CBP or DOS employee wishes to have access to KEDL, he or she must secure sponsorship from a USCIS employee who can verify the requestor's need-to-know. CBP and DOS employees must also complete an access request form to document the reason for access. The USCIS KEDL administrator reviews the request and approves the access request if the user has demonstrated valid need to know based on her or her official job functions.



8.4 How does the project review and approve information sharing agreements, MOUs, new uses of the information, new access to the system by organizations within DHS and outside?

USCIS has formal review and approval process in place for new sharing agreements. The proper authorities (i.e., Business Owner, Office of Information Technology, Office of Privacy, and Office of Chief Counsel) must approve any new use of information or new access requests for the system and Interconnection Security Agreements.

Responsible Officials

Donald K. Hawkins
Privacy Officer
U.S. Citizenship and Immigration Services
Department of Homeland Security

Approval Signature

Original signed PIA on file with the DHS Privacy Office.

Karen L. Neuman
Chief Privacy Officer
Department of Homeland Security