



Privacy Impact Assessment Update

for the

Non-Intrusive Inspection Systems Program: Pedestrian Detection-at-Range

DHS Reference No. DHS/CBP/PIA-017(a)

October 5, 2021



**Homeland
Security**



Abstract

The Department of Homeland Security (DHS), U.S. Customs and Border Protection (CBP) uses Non-Intrusive Inspection (NII) technologies to conduct inspections of cargo and conveyances for contraband as part of its mission to stop illicit imports to facilitate lawful travel and trade. Customs and Border Protection uses Non-Intrusive Inspection technologies to help detect and prevent contraband, including drugs, unreported currency, guns, ammunition, and other illegal merchandise, as well as inadmissible persons, from being smuggled, trafficked, or otherwise imported contrary to law, into the United States while having a minimal impact on the flow of legitimate travel and commerce. Customs and Border Protection has generally used Non-Intrusive Inspection technologies to inspect cargo and conveyances; however, Customs and Border Protection is conducting a technology demonstration to assess the feasibility of using NII technology to observe pedestrians transiting ports of entry for potential weapons or dangerous objects being carried on their person. Customs and Border Protection is updating the previously issued Non-Intrusive Inspection Privacy Impact Assessment (PIA) to provide notice and to assess the privacy risks associated with the use of the Non-Intrusive Inspection technology being deployed as part of this technology demonstration on pedestrians¹ transiting ports of entry.

Overview

The initial purpose of the Non-Intrusive Inspection program was to enable Customs and Border Protection to perform more effective and efficient inspections of cars, trucks, railcars, intermodal containers, personal luggage, packages, parcels, and flat mail. Customs and Border Protection previously conducted a comprehensive privacy impact assessment regarding the Non-Intrusive Inspection program in 2014, which described the existing Non-Intrusive Inspection programs and methods for screening cargo and conveyances.² Customs and Border Protection routinely uses Non-Intrusive Inspection systems to confirm that the contents of a container, parcel, baggage, or conveyance match the declared goods described on the entry documents or to detect a violation of U.S. law. Non-Intrusive Inspection systems allow Customs and Border Protection to make these determinations without having to conduct time-consuming physical inspections of luggage and mail parcels or having to enter into conveyances, such as rail cars or shipping containers, in order to both detect violations at the border and facilitate legitimate trade. Longstanding authorities allow Customs and Border Protection to perform searches at the border to determine whether the merchandise being searched for may be in violation of U.S. law or may contain evidence of such a violation. All persons, baggage, containers, conveyances, and

¹ For the purposes of this document, the term “pedestrian” refers to any traveler at a port of entry traveling on foot and having disembarked from a conveyance for the purpose of transiting a port of entry where a Pedestrian Detection-at-Range system is in use.

² See U.S. DEPARTMENT OF HOMELAND SECURITY, CUSTOMS AND BORDER PROTECTION, PRIVACY IMPACT ASSESSMENT FOR THE NON-INTRUSIVE INSPECTION SYSTEM PROGRAM (NII), DHS/CBP/PIA-017 (2014), available at <https://www.dhs.gov/privacy-documents-cbp>.



merchandise arriving in or leaving the United States are subject to inspection and search by Customs and Border Protection.

Border Search Authority

Customs and Border Protection border search authority is derived from federal statutes and regulations, including 19 C.F.R. 162.6, which states that, “All persons, baggage, and merchandise arriving in the Customs territory of the United States from places outside thereof are liable to inspection by a CBP officer.” Unless exempt by diplomatic status, all persons entering the United States, including United States citizens, are subject to examination and search by Customs and Border Protection officers.

Customs and Border Protection’s use of Non-Intrusive Inspection technology to enhance pedestrian inspections directly supports the Customs and Border Protection law enforcement mission, while also facilitating lawful international travel, trade, commerce, and immigration. The Non-Intrusive Inspection Program also supports several of the Department of Homeland Security’s core missions, including preventing terrorism and enhancing border security, managing U.S. borders, and enforcing and administering U.S. customs and immigration laws.

Customs and Border Protection has been exploring the use of Non-Intrusive Inspection technology to enhance situational awareness and to identify potential weapons or dangerous objects being concealed on the body using passive technology during pedestrian processing. Customs and Border Protection is publishing this Privacy Impact Assessment in advance of a technology demonstration of the Pedestrian Detection-at-Range system that will assess whether Customs and Border Protection can incorporate Non-Intrusive Inspection technology to enhance pedestrian inspection operations at ports of entry. Pedestrians transiting ports of entry where a Pedestrian Detection-at-Range system is in use may elect not to be scanned by the system. Pedestrians who choose not to be scanned remain subject to all other authorized processes such as baggage inspection, roving canine operations, or personal search.

Personal Searches

Customs and Border Protection has a longstanding policy governing its use of border search authority to conduct personal searches, which may be significantly intrusive searches of a person to determine whether they are carrying contraband close to or inside their body. Customs and Border Protection policy indicates when such personal searches are appropriate, and how searches of persons at the border by Customs and Border Protection officers are to be conducted. Customs and Border Protection officers employ a variety of techniques to determine whether to conduct a personal search, including behavioral analysis and observable techniques involving recognizing discrepancies like unnatural gait and unexplained bulges in clothing. The Pedestrian Detection-at-Range system will assist Customs and Border Protection personnel in the decision-making process of whether conducting a personal search is appropriate.



Reason for the PIA Update

Customs and Border Protection is conducting this Privacy Impact Assessment update to provide notice and transparency about Customs and Border Protection’s technology demonstration of Non-Intrusive Inspection technology for use as a tool for primary inspections pursuant to Customs and Border Protection’s border search authority. As explained further below, pedestrians transiting ports of entry where a Pedestrian Detection-at-Range system is in use may choose not to be scanned by the system.

It is not the intent of Customs and Border Protection to subject pedestrians to unwarranted scrutiny. Everything that enters the United States, whether it be a person, vehicle, or piece of cargo, is subject to inspection by Customs and Border Protection. Customs and Border Protection is exploring deploying Non-Intrusive Inspection technology to facilitate the standard primary process to enhance situational awareness and aid Customs and Border Protection officers in observing potential weapons or dangerous objects in a timely manner, similar to the non-invasive, passive scanning technologies that are deployed for security at airports and in federal buildings.

Pedestrian Detection-at-Range System

The Pedestrian Detection-at-Range System technical demonstration will occur for an initial 30-day timeframe within the San Diego Field Office and Tucson Field Office areas of responsibility at five ports of entry: San Ysidro, California; Otay Mesa, California; Cross Border Express, California; Tecate, California; and Port of Nogales, Arizona. Customs and Border Protection then plans to expand the technology demonstration to additional locations: Miami International Airport, Fort Lauderdale cruise ship terminal, New York JFK International Airport, and Detroit, Michigan. Following the initial technology demonstration period, Customs and Border Protection may expand use to additional ports of entry including locations on the United States/Mexico border and Puerto Rico. Customs and Border Protection has already procured the Pedestrian Detection-at-Range systems that will be used in this technology demonstration.

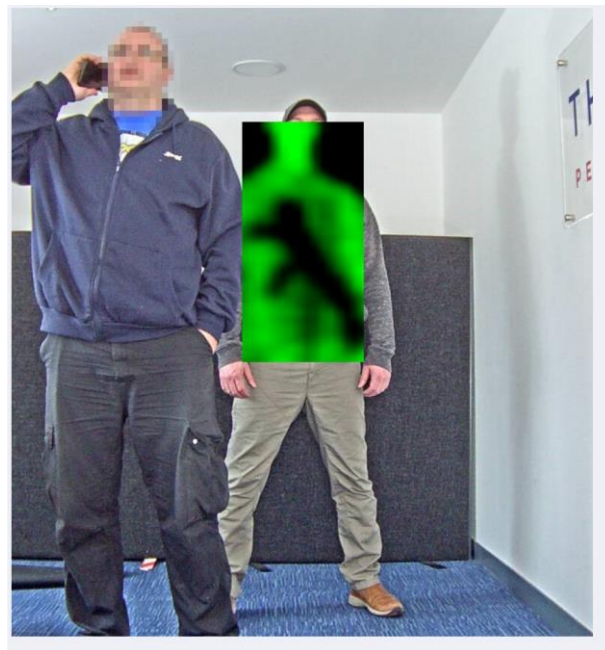


Figure 1. Representative system (ThruVision TAC) configurations

The Pedestrian Detection-at-Range System uses body heat and video cameras that capture video and is able to display both video and still images taken from the video. Humans radiate heat



in the form of thermal energy. Solid or liquid between the body and the thermal camera can block this heat. This system uses the human body's heat as a backdrop to indicate thermal temperature differences that may indicate potential objects on the exterior of the body. The system is passive, meaning that it does not emit energy like x-ray or other radio frequency waves and cannot see objects concealed inside the body. The technology is safe for everyone. The operator selects a variable field of view that focuses the thermal sensors to observe pedestrians either in motion or standing in place and while practicing social or physical distancing (e.g., greater than six feet recommended by the U.S. Centers for Disease Control and Prevention to reduce the spread of COVID-2019). This variable field of view allows the operator to adjust the sensors for different heights or if walking patterns shift. The thermal sensors are designed to detect temperature differences, not display images with intimate details of the person, and obscure gender, age, ethnicity, or race (as shown in Figure 2). Medical implants inside the body are not observable as they are under the skin. The reviewing officer may identify the absence of emitted thermal energy that may represent solid or liquid objects with known shapes, such as a weapon, or amorphous shapes, such as radiological material, explosives, or other contraband. If needed, Customs and Border Protection officers will ask pedestrians to remove these objects for immediate resolution and subsequent thermal imaging will confirm the objects were removed.



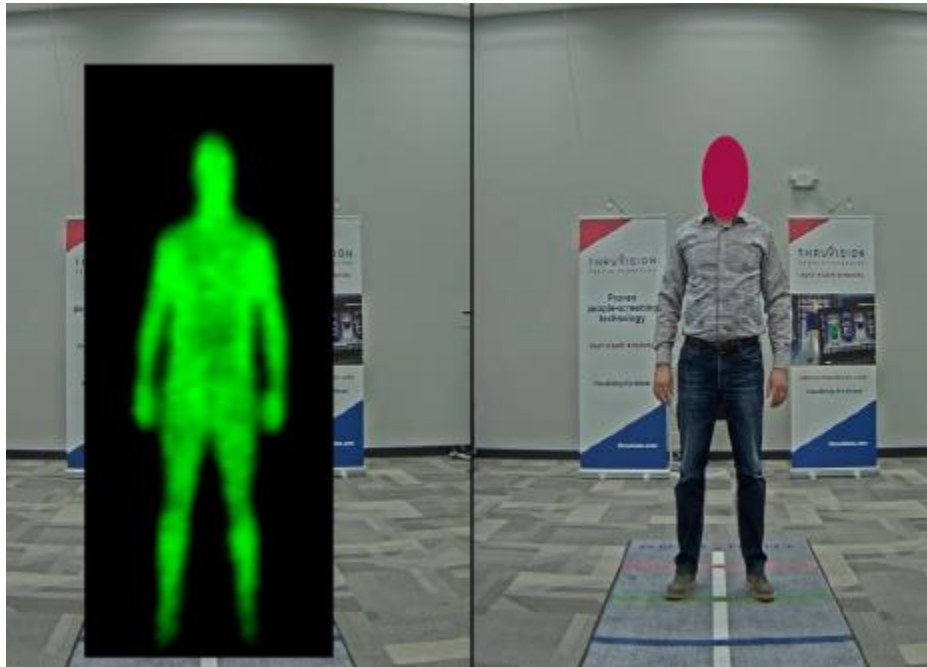


Figure 2. Representative system (ThruVision TAC) images (Note: The individual's face is not redacted when stored in the system.)

At the beginning of the demonstration, the system vendor will provide training to Customs and Border Protection officers regarding how to operate the system and review video. One trained operator can monitor between one to four units simultaneously; at least one additional officer will be present to assist with traffic flow, answer questions, or complete other duties, such as officer safety duties. The Pedestrian Detection-at-Range System will be used in fixed or mobile configurations in order to evaluate different uses in multiple environments. During the technology demonstration, only trained Customs and Border Protection officers will operate the system and view the system videos except during the initial operator training when trainers from the system vendor may have access to view the system videos in the presence of Customs and Border Protection officers undergoing training.

During the demonstration, the Pedestrian Detection-at-Range System will not be connected to the Customs and Border Protection network nor be used to capture any of the pedestrians' data, other than the photographic and thermal video. The system has three configurations for capturing data: 1) always record, 2) record on demand (a feature is called 'snapback'), or 3) never record. For this technology demonstration, CBP will only use the snapback feature and record on demand. CBP engages this recording feature when it is determined that an individual may be subject to additional scrutiny based on the images captured through the system (i.e., a positive result). Images and videos of individuals who do not meet this threshold (i.e., a negative result) are not recorded or retained.

When CBP personnel determine that an individual is presenting with positive results, they



will engage the snapback feature that enables the recording feature. Recorded videos will remain on the Pedestrian Detection-at-Range System computer or transferred to a Customs and Border Protection computer, when pertinent to an enforcement action. The videos with positive results deemed to have evidentiary value will be exported via compact disc or other removable data storage device prior to deletion and transferred to the Consolidated Secondary Inspection System (CSIS)³ and the Seized Assets and Case Tracking System (SEACATS),⁴ as per protocol for reporting positive scan findings. The export file format can be either video or still image.

For any pedestrians referred to secondary inspection due to a video with positive results, Customs and Border Protection officers will record any biographic personally identifiable information (PII) in the Seized Assets and Case Tracking System and the Consolidated Secondary Inspection System (or Unified Secondary (USEC) if available), per Customs and Border Protection's current process. The Pedestrian Detection-at-Range System Reference Number will also be entered in the comments or notes field in TECS, the Consolidated Secondary Inspection System, and the Consolidated Secondary Inspection System so videos or still images captured can be linked back through those systems. No personally identifiable information will be entered by Customs and Border Protection officers into the Pedestrian Detection-at-Range system. At the end of the technology demonstration, Customs and Border Protection may retain the Pedestrian Detection-at-Range systems for continued operations and will continue to employ appropriate data retention practices.⁵ If after the technology demonstration Customs and Border Protection determines to discontinue use of the Pedestrian Detection-at-Range system, the Customs and Border Protection-owned Pedestrian Detection-at-Range System laptops will be erased and

³ Consolidated Secondary Inspection System (CSIS), part of the TECS platform, provides Customs and Border Protection officers with an interface for processing travelers referred for secondary inspection. For additional information about primary and secondary processing generally, *See* U.S. DEPARTMENT OF HOMELAND SECURITY, CUSTOMS AND BORDER PROTECTION, PRIVACY IMPACT ASSESSMENT FOR TECS, DHS/CBP/PIA-009 (2010), *available at* <https://www.dhs.gov/privacy-documents-cbp>.

⁴ If the secondary inspection results in Customs and Border Protection discovering a violation, Customs and Border Protection officers will create a record of the seizure or violation in the Seized Assets and Case Tracking System (SEACATS). Customs and Border Protection uses the Seized Assets and Case Tracking System to track the physical inventory and records disposition of all seized assets, as well as the administrative and criminal cases associated with those seizures, and functions as the case management system capturing the relevant information and adjudication of the legal outcomes of all fines, penalties, and liquidated damages. The system also serves as the financial system of record for all collections related to these enforcement actions. For additional information about the Seized Assets and Case Tracking System, *See* U.S. DEPARTMENT OF HOMELAND SECURITY, CUSTOMS AND BORDER PROTECTION, PRIVACY IMPACT ASSESSMENT FOR THE SEIZED ASSETS AND CASE TRACKING SYSTEM (SEACATS), DHS/CBP/PIA-040 (2017), *available at* <https://www.dhs.gov/privacy-documents-cbp>.

⁵ The information collected and held within the Non-Intrusive Inspection systems is subject to retention requirements established by the National Archives and Records Administration (NARA). The National Archives and Records Administration's approved retention schedule specifies retention no longer than 30 days for Non-Intrusive Inspection records, with destruction or deletion of the Non-Intrusive Inspection records thereafter. This retention period applies to Non-Intrusive Inspection records not associated with a case file such as that belonging to a system of records; when NII records are associated with such a system of records (e.g., TECS) the records are retained per those systems' approved record retention periods.



disposed of per current procedures.

Pedestrian Detection-at-Range Concept of Operations

When used for primary inspections or tactical/outbound operations, two Pedestrian Detection-at-Range System units are located to view the front and rear of the pedestrian. If two units are not available, one unit may be used with modified traffic patterns. When possible, the operation will be co-located with other enforcement operations to minimize Customs and Border Protection staffing resources and to remove clutter (baggage, heavy coats, or other pedestrians) from the field of view. The co-location may include baggage x-ray, agriculture inspection, or primary inspection areas, in addition to pre-primary inspections such as canine inspections where pedestrians are inspected prior to the primary inspection booths and while still in possession of their baggage. A trained Customs and Border Protection officer will view the video to identify any potential anomalies. At least one other Customs and Border Protection officer will be present to assist with traffic flow, answer questions, or other duties, such as officer safety. If an anomaly is identified (e.g., the absence of thermal energy at one or more locations on the body), the Customs and Border Protection officer can conduct an immediate resolution (e.g., have the pedestrian remove the object and provide the Customs and Border Protection officer the opportunity for visual inspection). If an immediate threat to officer safety is identified, such as a discrepancy that could be a weapon or dangerous object, a Customs and Border Protection officer can conduct an immediate pat down.⁶ If a discrepancy is observed that may be contraband or undeclared goods, the Customs and Border Protection officer will refer the pedestrian to a Supervisor to determine if the photographic and thermal video and other factors meets the threshold for a pat down search.

Pedestrians will be provided a meaningful opportunity to choose not to be scanned (hereafter referred to as an “opt-out”). Signs will be posted in English and Spanish to inform pedestrians of the scanning operations and afford them an opportunity to opt out of the scanning process for alternative traffic flow and processing. Factsheets will be available in English and Spanish upon request. Pedestrians who opt out will not be exempted from other ongoing processes such as baggage inspection, roving canine operations, or personal search, if authorized. The opt-out process may vary by location based on local standard operating procedures and facility layouts.

Privacy Impact Analysis

Authorities and Other Requirements

Customs and Border Protection authorities for use of the Pedestrian Detection-at-Range system include, but are not limited to, 19 U.S.C. §§ 482 (search of vehicles and persons), 1582

⁶ An immediate pat down is an external search necessary to ensure officer safety and limited to those areas on a person where an officer suspects a weapon or dangerous object may be concealed. An immediate pat down can be conducted by the Customs and Border Protection officer without additional approvals. Contraband found during this procedure may lead to a seizure or arrest.



(search of persons and baggage), and 1595a (aiding unlawful importation).

The National Archives and Records Administration's approved retention schedule specifies retention no longer than 30 days for Non-Intrusive Inspection records, with destruction or deletion of the Non-Intrusive Inspection records thereafter.⁷ However, for purposes of this technology demonstration, negative scan result information will not be recorded or retained on the Pedestrian Detection-at-Range System. Video or still images that Customs and Border Protection determines to be positive scans associated with an enforcement action will be removed from the Pedestrian Detection-at-Range System and saved in the Seized Assets and Case Tracking System and the Consolidated Secondary Inspection System.

The information obtained during the process described in this Privacy Impact Assessment is not covered under the Paperwork Reduction Act (44 U.S.C. § 3501 et seq.).

Characterization of the Information

For this technology demonstration, Customs and Border Protection is capturing two views with each Pedestrian Detection-at-Range System: one view is a normal photographic image such as one captured by a surveillance camera and the second view is the thermal image that may show obstructions under clothing. The system captures both views in video format that can be exported as video clips or as still images. Video and images that Customs and Border Protection determines are evidence of a smuggling attempt or presence of contraband are associated with a reference number by Customs and Border Protection. These reference numbers are also stored in the Comments or Notes section of TECS, the Seized Assets and Case Tracking System, and the Consolidated Secondary Inspection System for Customs and Border Protection officers to be able to link to the related videos and still images in the systems. The negative scan results are not recorded by the system, and the positive results are saved on external media devices and uploaded to either the Seized Assets and Case Tracking System or the Consolidated Secondary Inspection System to be associated with law enforcement cases and stored consistent with the retention periods for those systems.

The sources of information are the videos and still images of pedestrians with positive results and randomly generated (i.e., reference) identifiers.

Given that the system is used to take videos of pedestrians transiting the port of entry, there is no use of commercial or other publicly available data in this process. Only videos and still images of pedestrians with positive results, plus their unique reference numbers, are collected, used, and stored in the system.

The accuracy of data is assured based on the photographic and thermal video produced

⁷ See U.S. DEPARTMENT OF HOMELAND SECURITY, CUSTOMS AND BORDER PROTECTION, PRIVACY IMPACT ASSESSMENT FOR THE NON-INTRUSIVE INSPECTION SYSTEM PROGRAM (NII), DHS/CBP/PIA-017 (2014), available at <https://www.dhs.gov/privacy-documents-cbp>.



directly from the pedestrians being inspected and their randomly generated assigned identifiers.

Privacy Risk: There is a risk of over-collection of sensitive information, which includes photographic and thermal video of the pedestrians.

Mitigation: This risk is mitigated. The system only collects photographic and thermal videos of the pedestrians within the camera's field of view. The body heat camera only displays the thermal energy being emitted by the pedestrian. If there are any solid or liquid objects between the body and the camera with a significant temperature difference, these objects will be observable via a flattened two-dimensional image. The body heat camera cannot display objects inside the human body such as medical implants and the sensors are designed to obscure any specific details that might reveal gender, age, ethnicity, or race.

Furthermore, CBP only retains images and videos of individuals when positive results are found during this technical demonstration.

Uses of the Information

Customs and Border Protection's use of Non-Intrusive Inspection technology to conduct pedestrian inspections directly supports the Customs and Border Protection law enforcement mission, while also facilitating lawful international travel, trade, commerce, and immigration. The Non-Intrusive Inspection Program supports several of the Department of Homeland Security's core missions including preventing terrorism and enhancing border security, managing United States borders, and enforcing and administering United States customs and immigration laws. The photographic and thermal video captured are meant to streamline the inspection process, increase situational awareness and increase officer safety. Customs and Border Protection uses the Non-Intrusive Inspection technology to identify anomalies that may be indicative of weapons, dangerous objects, or contraband. Customs and Border Protection officers will view the images and video and determine if a pat down or other inspection procedures are needed before Customs and Border Protection completes the inspection of the pedestrian.

Privacy Risk: There is a risk Non-Intrusive Inspection video will be used in a manner inconsistent with the original purpose for which they were collected.

Mitigation: This risk is mitigated. Customs and Border Protection is deploying Non-Intrusive Inspection technology through this technology demonstration to complement existing primary inspection processes and will use imagery in the same manner as other information collected as part of pedestrian processing. The videos captured are used to observe weapons or dangerous objects without having to expend additional Customs and Border Protection resources or extend the processing time. To ensure that the videos are accessed and used in a manner consistent with their original purpose of collection, Non-Intrusive Inspection videos and still images that support records governed by the Seized Assets and Case Tracking System and/or TECS System of Records Notices are saved on electronic media (such as CDs, DVDs, or Customs



and Border Protection-approved removable drives) that are prominently marked “For Official Use Only” (FOUO). These marked disks are stored in locked, secure containers in secured areas. Only users with prior authorization have access to the Non-Intrusive Inspection image CDs, DVDs, or approved removable drives.

Further, Customs and Border Protection will vet and train employees prior to giving them access to Non-Intrusive Inspection technologies. This vetting is consistent with the types of information and resources the employees need to access to perform their duties. Department of Homeland Security and Customs and Border Protection policy requires the following: (1) components shall ensure the incumbents of these positions have favorably adjudicated background investigations commensurate with the defined position sensitivity levels; and (2) no government employee or contractor shall be granted access to Department of Homeland Security and Customs and Border Protection systems without having a favorably adjudicated background investigation.

Privacy Risk: There is a risk videos will be misinterpreted and improperly used to the detriment of affected pedestrians.

Mitigation: This risk is mitigated. Prior to using the Pedestrian Detection-at-Range system, all Customs and Border Protection officers will complete training on how to read and interpret the photographic and thermal videos. Positive videos are merely indicative of the possibility of the presence of weapons, dangerous objects, or contraband and are not the sole basis of an adverse action against a pedestrian. When a Customs and Border Protection officer observes a weapon or potentially dangerous object, the officer may conduct an immediate pat down. When the Customs and Border Protection officer observes an object that may represent contraband or undeclared merchandise, the Customs and Border Protection officer may direct the pedestrian to remove outer garments or empty garment pockets or employ other techniques such as conduct an interview, employ canine support, or observe physiological signs of nervousness or deception to determine if there is need for a personal search. Based on the totality of the circumstances, the Customs and Border Protection officer may notify a supervisor to request approval to conduct a personal search such as a pat down.

Notice

Physical notices to members of the public regarding search and detention of persons, merchandise, and conveyances are posted throughout the ports of entry. The signs indicate people and items to be searched as well as consequences for violations. At ports of entry along the southern border of the United States, the warning signage is printed in English and Spanish. This Privacy Impact Assessment provides notice to the general public as to the collection and use of Non-Intrusive Inspection scanned videos through the technology demonstration of the Pedestrian Detection-at-Range system.

Pedestrians transiting ports of entry where this system is in use will be offered the



opportunity to opt out or decline being scanned. Signs in English and Spanish will be posted in advance of the scanning operations to notify the pedestrians of the use of this technology and the opportunity to opt out of being scanned. Any pedestrian declining to be scanned remains subject to the current search and inspection processes.

Privacy Risk: There is a risk that the subject will not know that they can decline to submit to the thermal scan.

Mitigation: This risk is partially mitigated. Customs and Border Protection is placing additional signs in advance of the technology to ensure pedestrians are aware of their ability to opt out of the scan. Although signs in all languages are not available, signs in English and Spanish, the languages most commonly encountered at land ports of entry, will be posted at the border prior to entry. The signs will state that passive imaging technology is in use at the facility and that pedestrians with concerns or who would like to opt out should notify a Customs and Border Protection officer.

Depending on the site layout, a separate line may be used for pedestrians that opt out of being scanned or the operators will suspend system operation to escort the opt-out pedestrian outside the system's field of view.

Data Retention

Negative scan results are not recorded. Positive results with evidentiary value are typically transferred to Customs and Border Protection-approved secure thumb drives or other portable storage devices and loaded into the Seized Assets and Case Tracking System and the Consolidated Secondary Inspection System, as appropriate. If a scanned video or still image is referred for law enforcement action (e.g., investigation, administrative action, or a judicial proceeding), then the Non-Intrusive Inspection video or still image is associated with information about the pedestrian when uploaded to the existing Customs and Border Protection systems. When the associated Non-Intrusive Inspection information is entered into the Consolidated Secondary Inspection System, the retention period in the TECS database is 75 years from the date of the collection of the information or for the life of the law enforcement matter to support that activity and other enforcement activities that may become related. Seized Assets and Case Tracking System records that are related to a law enforcement action, are linked to an alleged violation of law or regulation, or match or are suspected of matching to enforcement activities, investigations, or cases (i.e., administrative penalty actions or criminal prosecutions) will remain accessible until the conclusion of the law enforcement matter and any other related enforcement matters or associated investigative, administrative, or judicial action, plus five years. Seized Assets and Case Tracking System records associated with a law enforcement matter, when all applicable statutes of limitation have expired prior to the conclusion of the matter, will be retained for two years following the



expiration of the applicable statute of limitations.⁸

For purposes of this technology demonstration, the data will not be retained beyond 30 days unless associated with an enforcement record.

Privacy Risk: There is a risk that videos or still images will be retained locally on the vendor device beyond the technology demonstration's data deletion requirements.

Mitigation: This risk is mitigated. Customs and Border Protection personnel will undergo training for data retention including data deletion procedures. The vendor will not retain any videos or images as part of this demonstration for any purpose. During any maintenance activity performed by the equipment vendor, trained Customs and Border Protection personnel will escort and monitor the vendor technician's activities.

The Non-Intrusive Inspection Detection-at-Range systems were purchased by Customs and Border Protection and thus are U.S. government property. Prior to disposal of any U.S. government-owned system, the hard drives are erased or destroyed per Customs and Border Protection policy.

Information Sharing

There are no changes to information sharing as a result of this technology demonstration.

Redress

Pedestrians who choose not to be scanned remain subject to other ongoing processes such as baggage inspection, roving canine operations, or personal search, if authorized.

Individuals seeking notification of and access to information contained in Customs and Border Protection records may gain access to certain information by filing a Freedom of Information Act (FOIA) request with Customs and Border Protection at <https://foia.cbp.gov/>, or by mailing a request to:

U.S. Customs and Border Protection (CBP)
Freedom of Information Act (FOIA) Division
1300 Pennsylvania Avenue NW, Room 3.3D
Washington, D.C. 20229
Fax Number: (202) 325-1476

U.S. citizens, lawful permanent residents, and individuals who have records covered under the Judicial Redress Act (JRA) may file a Privacy Act request to access their information.

All Privacy Act and Freedom of Information Act requests must be in writing and include

⁸ See U.S. DEPARTMENT OF HOMELAND SECURITY, CUSTOMS AND BORDER PROTECTION, PRIVACY IMPACT ASSESSMENT FOR THE SEIZED ASSETS AND CASE TRACKING SYSTEM (SEACATS), DHS/CBP/PIA-040 (2017), available at <https://www.dhs.gov/privacy-documents-cbp>.



the requestor's daytime phone number, email address, and as much information as possible regarding the subject matter to expedite the search process. Requests for information are evaluated by Customs and Border Protection to ensure that the release of information is lawful; will not impede an investigation of an actual or potential criminal, civil, or regulatory violation; and will not reveal the existence of an investigation or investigative interest on the part of the Department of Homeland Security or another agency.

Auditing and Accountability

All Customs and Border Protection personnel will receive training at federal or vendor facilities for their specific role and are required to take annual "CBP IT Security Awareness and Rules of Behavior Training" through the online Department of Homeland Security Virtual Learning Center to gain access to Customs and Border Protection systems and data. All Customs and Border Protection employees and contractors must also complete mandatory Privacy training annually.

Viewing or exporting videos or still images from the Customs and Border Protection-owned Pedestrian Detection-at-Range System laptops requires authentication with a unique username and password which is tracked in the system log files. Administration of usernames and passwords requires further authentication. Authorized users must successfully complete the training described in this document.

System user access is restricted to certain designated Customs and Border Protection officers and other similarly authorized Customs and Border Protection personnel with a need to know. Customs and Border Protection officers have access to Customs and Border Protection systems such as the Consolidated Secondary Inspection System or the Seized Assets and Case Tracking System based upon each user's designated role and permissions.

No routine sharing of recorded video and still image files obtained through the use of the Pedestrian Detection-at-Range system exists. However, in the event that videos or still images contained in the Seized Assets and Case Tracking System, TECS, or the Consolidated Secondary Inspection System are requested to be shared outside the Department of Homeland Security, the terms of the relevant information sharing agreement or arrangement or other terms of disclosure would need to comply with the routine uses and other requirements specified in the individual systems of record notices for the respective systems.

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