

**DEPARTMENT OF HOMELAND SECURITY**

[Docket No. DHS–2021–0035]

**Privacy Act of 1974; Computer Matching Program****AGENCY:** Department of Homeland Security, U.S. Citizenship and Immigration Services.**ACTION:** Notice of a reestablished matching program.

**SUMMARY:** Pursuant to the Privacy Act of 1974, as amended by the Computer Matching and Privacy Protection Act of 1988 and the Computer Matching and Privacy Protections Amendment of 1990 (Privacy Act), and Office of Management and Budget (OMB) guidance on the conduct of matching programs, notice is hereby given of the reestablishment of a matching program between the Department of Homeland Security (DHS), U.S. Citizenship and Immigration Services (USCIS) and the New York Department of Labor (NY–DOL). NY–DOL will match against DHS–USCIS data to verify the immigration status of non-U.S. citizens who apply for federal benefits (Benefit Applicants) under the Unemployment Compensation (UC) programs that it administers.

**DATES:** Please submit comments on or before January 7, 2022. The matching program will be effective on January 7, 2022 unless comments have been received from interested members of the public that require modification and republication of the notice. The matching program will continue for 18 months from the beginning date and may be extended an additional 12 months if the conditions specified in 5 U.S.C. 552a(o)(2)(D) have been met.

**ADDRESSES:** You may submit comments, identified by docket number *DHS–2021–0035* by one of the following methods:

- *Federal e-Rulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.
- *Fax:* 202–343–4010.
- *Mail:* Lynn Parker Dupree, Chief Privacy Officer, Privacy Office, Department of Homeland Security, Washington, DC 20528–0655.

*Instructions:* All submissions received must include the agency name and docket number DHS–2021–0035. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided.

*Docket:* For access to the docket to read background documents or comments received, go to <http://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** To obtain additional information about this matching program and the contents of this Computer Matching Agreement between DHS–USCIS and NY–DOL, please view this Computer Matching Agreement at the following website: <https://www.dhs.gov/publication/computer-matching-agreements-and-notice>. For general questions about this matching program, contact Jonathan M. Mills, Acting Chief, USCIS SAVE Program at (202) 306–9874. For general privacy questions, please contact Lynn Parker Dupree, (202) 343–1717, Chief Privacy Officer, Department of Homeland Security, Washington, DC 20528–0655.

**SUPPLEMENTARY INFORMATION:** DHS–USCIS provides this notice in accordance with the Privacy Act of 1974 (5 U.S.C. 552a), as amended by the Computer Matching and Privacy Protection Act of 1988 (Pub. L. 100–503) and the Computer Matching and Privacy Protection Amendments of 1990 (Pub. L. 101–508) (Privacy Act); Office of Management and Budget (OMB) Final Guidance Interpreting the Provisions of Public Law 100–503, the Computer Matching and Privacy Protection Act of 1988, 54 FR 25818 (June 19, 1989); and OMB Circular A–108, 81 FR 94424 (December 23, 2016).

*Participating Agencies:* DHS–USCIS and NY–DOL.

*Authority for Conducting the Matching Program:* Section 121 of the Immigration Reform and Control Act (IRCA) of 1986, Public Law 99–603, as amended by the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), Public Law 104–193, 110 Stat. 2168 (1996), requires DHS to establish a system for the verification of immigration status of noncitizen applicants for, or recipients of, certain types of benefits as specified within IRCA, and to make this system available to state agencies that administer such benefits. The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), Public Law 104–208, 110 Stat. 3009 (1996) grants federal, state, or local government agencies seeking to verify or ascertain the citizenship or immigration status of any individual within the jurisdiction of the agency with the authority to request such information from DHS–USCIS for any purpose authorized by law.

*Purpose:* The purpose of this Agreement is to reestablish the terms and conditions governing NY–DOL’s access to, and use of, the DHS–USCIS Systematic Alien Verification for Entitlements (SAVE) Program, which

provides immigration status information from federal immigration records to authorized users. NY–DOL will use the SAVE Program to verify the immigration status of non-U.S. citizens who apply for federal benefits (Benefit Applicants) under Unemployment Compensation (UC) programs that it administers. NY–DOL will use the information obtained through the SAVE Program to determine whether Benefit Applicants possess the requisite immigration status to be eligible for the UC benefits administered by NY–DOL.

*Categories of Individuals:* The persons about whom DHS–USCIS maintains information, which is contained in its Verification Information System (VIS) database used by the SAVE Program to verify immigration status, that are involved in this matching program include noncitizens (meaning any person as defined in Immigration and Nationality Act section 101(a)(3)), those naturalized, and to the extent those that have applied for Certificates of Citizenship, derived U.S. citizens, on whom DHS–USCIS has a record as an applicant, petitioner, sponsor, or beneficiary. The persons about whom NY–DOL maintains information that is involved in this matching program include non-citizen Benefit Applicants for, or recipients of, UC administered by NY–DOL. The persons referred to here are only considered individuals as defined by the Privacy Act, and thus covered under this matching program, to the extent they are U.S. citizens or lawful permanent residents.

*Categories of Records:* Data elements to be matched between NY–DOL records and DHS–USCIS federal immigration records include the following: Last Name, First Name, Middle Name, Date of Birth, Immigration Numbers (e.g., Alien Registration/USCIS Number, I–94 Number, SEVIS ID Number, Certificate of Naturalization Number, Certificate of Citizenship Number, or Unexpired Foreign Passport Number), and Other Information from Immigration Documentation (for example, Country of Birth, Date of Entry, Employment Authorization Category). Additional Data elements provided to NY–DOL from DHS–USCIS records related to the match may include: Citizenship or Immigration Data (for example, immigration class of admission and/or employment authorization), Sponsorship Data (for example, name, address, and social security number of Form I–864/I–864EZ sponsors and Form I–864A household members, when applicable) and Case Verification Number.

*System of Records:* DHS/USCIS–004 Systematic Alien Verification for

Entitlements (SAVE) System of Records Notice, 85 FR 31798 (May 27, 2020).

Lynn Parker Dupree, Chief Privacy Officer, Department of Homeland Security.

[FR Doc. 2021-26572 Filed 12-7-21; 8:45 am] BILLING CODE 9110-9L-P

DEPARTMENT OF HOMELAND SECURITY

Transportation Security Administration

[Docket No. TSA-2009-0024]

Enforcement Actions Summary

AGENCY: Transportation Security Administration, DHS.

ACTION: Notice of availability.

SUMMARY: TSA is providing notice that it has issued an annual summary of all enforcement actions taken by TSA under the authority granted in the Implementing Recommendations of the 9/11 Commission Act of 2007.

FOR FURTHER INFORMATION CONTACT: Nikki Harding, Assistant Chief Counsel, Civil Enforcement, Office of the Chief Counsel, TSA-2, Transportation Security Administration, 6595 Springfield Center Drive, Springfield, VA 20598-6002; telephone (571) 227-4777; facsimile (571) 227-1378; email nikki.harding@tsa.dhs.gov.

SUPPLEMENTARY INFORMATION:

Background

On August 3, 2007, section 1302(a) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (the 9/11 Act), Public Law 110-53, 121 Stat. 392, gave TSA authority to assess civil penalties for violations of any surface

transportation requirements under title 49 of the United States Code (U.S.C.) and for any violations of chapter 701 of title 46 of the U.S.C., which governs transportation worker identification credentials (TWICs).

Section 1302(a) of the 9/11 Act, codified at 49 U.S.C. 114(u),<sup>1</sup> authorizes the Secretary of Homeland Security to impose civil penalties of up to \$10,000 per violation of any surface transportation requirement under 49 U.S.C. or any requirement related to TWICs under 46 U.S.C. chapter 701. TSA exercises this function under delegated authority from the Secretary. See DHS Delegation No. 7060-2.

Under 49 U.S.C. 114(u)(7)(A), TSA is required to provide the public with an annual summary of all enforcement actions taken by TSA under this subsection; and include in each such summary the identifying information of each enforcement action, the type of alleged violation, the penalty or penalties proposed, and the final assessment amount of each penalty. This summary is for calendar year 2020. TSA will publish a summary of all enforcement actions taken under the statute in the beginning of the new calendar year to cover the previous calendar year.

Document Availability

You can get an electronic copy of both this notice and the enforcement actions summary on the internet by—

(1) Searching the electronic Federal Docket Management System (FDMS) web page at http://www.regulations.gov, Docket No. TSA-2009-0024; or

(2) Accessing the Government Printing Office's web page at http://www.gpo.gov/fdsys/browse/collection.action?collectionCode=FR to

view the daily published Federal Register edition; or accessing the "Search the Federal Register by Citation" in the "Related Resources" column on the left, if you need to do a Simple or Advanced search for information, such as a type of document that crosses multiple agencies or dates.

In addition, copies are available by writing or calling the individual in the FOR FURTHER INFORMATION CONTACT section. Make sure to identify the docket number of this action.

Dated: December 2, 2021.

Kelly D. Wheaton, Deputy Chief Counsel, Enforcement and Incident Management.

December 2, 2021

Annual Summary of Enforcement Actions Taken Under 49 U.S.C. 114(u)

Annual Report

Pursuant to 49 U.S.C. 114(u)(7)(A), TSA provides the following summary of enforcement actions taken by TSA in calendar year 2020 under section 114(u).<sup>2</sup>

Background

Section 114(u) of 49 U.S.C. gives the TSA authority to assess civil penalties for violations of any surface transportation requirements under 49 U.S.C. and for any violations of chapter 701 of 46 U.S.C., which governs TWICs. Specifically, section 114(u) authorizes the Secretary of Homeland Security to impose civil penalties of up to \$10,000 per violation<sup>3</sup> for violations of any surface transportation requirement under 49 U.S.C. or any requirement related to TWIC under 46 U.S.C. chapter 701.<sup>4</sup>

Table with 3 columns: TSA case No., Type of violation, and Penalty proposed/assessed. Rows include cases like 2019SAN0156, 2021SLC0056, etc., with corresponding violation types and penalties.

1 Pursuant to division K, title I, sec. 1904(b)(1)(I), of Public Law 115-254, (132 Stat. 3186, 3545; October 5, 2018), the TSA Modernization Act—part of the FAA Reauthorization Act of 2018, former 49 U.S.C. 114(v) was redesignated as 49 U.S.C. 114(u).

2 49 U.S.C. 114(u)(7)(A) states: In general.—the Secretary of Homeland Security shall—(i) provide an annual summary to the public of all enforcement actions taken by the Secretary under this subsection; and (ii) include in each such summary the docket number of each enforcement action, the type of alleged violation, the penalty or penalties

proposed, and the final assessment amount of each penalty.

3 Pursuant to title VII, sec. 701 of Public Law 114-74 (129 Stat. 583, 599; Nov. 2, 2015), the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015—part of the Bipartisan Budget Act of 2015, this \$10,000 civil penalty maximum is adjusted for inflation annually. See 49 CFR 1503.401(b).

4 TSA exercises this function under delegated authority from the Secretary. See DHS Delegation No. 7060-2.

5 On March 23, 2020, TSA promulgated a final rule which, among other things, reorganized Title 49 Chapter XII Subpart D, Maritime and Surface Transportation Security. For example, the regulation 49 CFR 1570.7, pertaining to fraudulent use and manufacture of credentials, is now located at 49 CFR 1570.301. This report cites to the regulatory violations as alleged in TSA's enforcement actions at the time of issuance.