PRIVACY IMPACT ASSESSMENT

Section I. Nature of the System:

1. Provide the commonly used name of the system, spelling out any acronyms. If the system will be referred to by acronym, include that in parentheses after the name.

The Case Activity Tracking System (CATS) and Associated Regional Office Files.

2. In five sentences or less, provide a generalized broad description of the system and its purpose. *(What does this system do; what function does it fulfill.)*

CATS is an information storage and retrieval system that utilizes a relational database management system (RDBMS) to electronically record actions that initiate, change, or complete activities within the lifecycle of an Unfair Labor Practice (ULP) or Representation case. This database is used to store current and historical information, to produce reports, including an annual report, and respond to public requests under the Freedom of Information Act (FOIA). CATS data may also be used to assist in evaluating Regional Office employee performance.

3. Describe the stage of development of this system:

    _____ This is a new system which is --
             _____ Still in the planning stages.
             _____ Mid-way to launch.
             _____ Ready for launch.
             Anticipated Launch Date: _____
    _____ We propose to change an existing system, the changes of which are
             _____ Still in the planning stages.
             _____ Mid-way to launch.
             _____ Ready for launch.
             Anticipated Launch Date: _____
    __X__ Other (Explain, providing the data required above for new or existing systems.)

This is an existing system that is in the maintenance stage. There are periodic releases that require a System Development Life Cycle (SDLC) approach, however, the overall system remains operational.

4. Is this system required by law or Executive Order?

    __X_ No.
    _____ Yes. *(List the law or Executive Order and the implementing NLRB policies and regulations.)*

Section II. Data in the System:

1. Will this system contain personal data elements? *(See Definitions for a list of common data elements considered personal.)*

    No_____ *(Go to Section IX.)*
    Yes__X__ *(Continue.)*

2. List those personal data elements or types of data elements that the system will contain:

- Full name, address, telephone number, fax number, and email address of contacts that are associated as participants on a filed Unfair Labor Practice (ULP) or representation case. These participants include the Party, Legal Representatives, those affiliated with the Party participants and organizations that request notification of certain ULP or Petition related public documents being filed. Although most of these data elements are composed of work contact information, participants may also provide home addresses, telephone numbers, fax numbers, or email addresses.

- Full name of NLRB employees that use the CATS application or who are assigned to the cases with information in CATS. This is both current and historical information.

3. What are the sources of the personal information in the system? *(Check all that apply:)*

    __X__NLRB files or databases.

Regional offices maintain addresses and contacts of organizations they work with on regular business. The filed charges and petitions provide the bulk of the information.

    __X__Non-NLRB files or databases. *(List.)*

Unions and law firms representing an individual or group may provide the personal information
    _____State and local agencies. *(List.)*

    _____

    _____

    _____

    __X__The record subject himself.
    _____Supervisors.
    _____Other third party sources. *(List.)*

        An individual may provide the personal information as required in the Agency's Charge and Petition Forms when a complaint is initially made.

4. Are the personal data elements described in detail and itemized in a record layout or other document? If yes, provide the name of the document and attach a copy.

CATS Analysis and Design Document, Release 6.0. Database Documentation.

5. Review the list of personal data elements you currently collect. Is each data element essential to perform some official function? *[Note: This question only pertains to data elements you specifically solicit. It does NOT apply to personal data that may be voluntarily provided in a "Remarks," "Comments," "Explanation," or similar type of block where the individual is free to add information of his choosing.]*

    X 5a. Yes, all data elements solicited are absolutely essential. *(Go to Section III.)*

      5b. Some of the solicited data elements are nice to have but not essential.

      5c. None of the personal data elements are necessary. The program could function efficiently without personal data.

6. If you checked blocks 5b or 5c above, list the data elements that are not essential.

Section III. Verifying Data.

1. For data collected from sources other than NLRB records and the record subject himself, describe how the data will be verified for --

   a. Accuracy:

      NLRB Regional Office personnel review the information that is provided online and the filing individual will be required to review the information prior to signing a hardcopy form.

   b. Completeness:

      NLRB Regional Office personnel review the data provided by the public for completeness. The unfair labor practice charge forms and representation petition forms assert that all required information has been provided, and are signed by participants.

   c. Relevance:

      NLRB Regional Office personnel review the data provided by the public for relevance.

   d. Timeliness:

      Regional Office personnel are instructed to input new and corrected information in a timely manner.

2. Describe your procedures for determining if data have been tampered with by unauthorized persons. *(Note: Do not go into so much detail as to compromise system security.)*

   The application resides on existing NLRB platforms that are protected by the NLRB firewall and intrusion detection systems.

Section IV. Access to the Data.

1. Who will have access to the data in the system (Users, Managers, System Administrators, Developers, Others)?

> Access to CATS data is based on a "need to know" model where access rights are controlled both from a national and local level. The National Access Control Officer (NACO) is considered the system administrator group of CATS with regard to Access Control. As such, this group is handled specially by Access Control. The NACO controls access for Local Access Control Officers (LACO). The LACO is a regional administrator of CATS with regard to Access Control. Within a region, members of this group have the authority to determine restrictions and authorizations for all users of the CATS application.

2. How is right of access to the data by a user determined?

> Each LACO is responsible for assigning the access each user needs to perform case processing duties.

3. Are criteria, procedures, controls, and responsibilities regarding access documented?

> Yes, this is documented according to the policies stated in NLRB Access Control Standards, Password Management, January 23, 2002. The CATS Analysis & Design document records all access controls processes within the system.

4. What controls are in place to prevent the misuse (e.g. browsing) of data by those having access? *(Note: Do not go into so much detail as to compromise system security.)*

> Data access is based on the national and regional access control. Users with NACO rights may access data across the enterprise; users with LACO rights across a region; and regional users are limited to access within their member regions. If there is a need to view data within another region, users have to be given rights by the LACO from the other region.

5. Do other systems share data or have access to data in this system?

> No_____
> Yes__X__ *(Explain.)*

> Future web based applications will access CATS through intermediate tables rather than direct access. Intranet applications will also be populated with CATS data via database replication, database scripting, and middleware tools. No external systems will access data. Currently CATS data is shared with the Judicial Case Management System (JCMS) formerly known as PCL.

Following are other electronic case tracking systems that the Agency plans to link to CATS in the future:

1. Extension of Time (EOTS) - Office of Appeals
2. E-Filing Charges (In requirements gathering phase of the NLRB SDLC)
3. E-Filing Petitions (in requirements gathering phase of the NLRB SDLC)
4. E-FOIA
5. Extension of Time (EOTS) - Executive Secretary
6. Board E-Filing
7. Judicial Case Management System (JCMS)
8. Regional Advice Case Tracking System (RABS)
9. Injunction Litigation Case Tracking System (ILBS)
10. Appellate Court Case Tracking System
11. Trail Information Gathered on Electronic Records (TIGER)
12. Office of Appeals Case Tracking System (ACTS)
13. Special Litigation Case Tracking System
14. Legal Research Work In Progress (WIP) System
15. Litigation Information On the Network (LION)

6. Will other non-NLRB agencies share data or have direct access to data in this system (International, Federal, State, Local, Other)?

No _X_ *(Go to Question IV-9.)*
Yes___ *(List each agency by name or type (e.g., law enforcement activities; Social Security Administration, etc.) and briefly provide the purpose of the access.)*

7. How will the system ensure that agencies only get the information they need to fulfill their official functions?

N/A

8. Who will be responsible for protecting the privacy rights of individuals and employees affected by the interface between agencies?

N/A

9. Who is responsible for assuring proper use of the data? *(List name, title, mailing address, and current telephone number.)*

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Section V. Attributes of the Personal Data.

1. Is the use of the personal data both relevant and necessary to the purpose for which the system is being designed?

> No_____ *(Explain.)*
> Yes X̲

2. Will the system derive new data or create previously unavailable data about an individual through a data aggregation process

> No   X̲   *(Go to Section VI.)*
> Yes_____ *(Continue.)*

2a.   Will the new data be placed in the individual's employment or other type of record (whether manual or electronic) that is retrieved by name, SSN, or other personal identifier?

> No _____
> Yes_____ *(Identify the record, database, or type of record or database.)*
>
> Not Applicable X_____

2b.   Can the system make determinations about individuals or employees that would not be possible without the new data?

> No_____
> Yes_____ *(Explain.)*
>
> Not Applicable X̲

2c. Will the data be retrieved by personal identifier (name, SSN, employee number, computer ID number, etc.) The data can be retrieved by name, but data relating to individuals is not disclosed to the public.

> No_____*(Go to Section VI.)*
> Yes_____ *(List retrieval fields.)*

> Not Applicable X

2d. What are the potential effects on the due process rights of citizens and lawfully admitted aliens?

> 2d-1. Consolidation and linkage of files and systems?
>
> > Not Applicable X
>
> 2d-2. Derivation of data?
>
> > Not Applicable X
>
> 2d-3. Accelerated information processing and decision-making?
>
> > Not Applicable X
>
> 2d-4. Use of new technologies?
>
> > Not Applicable X

2e. How are any effects discussed in 2d-1 through 2d-4 to be mitigated?

> Not Applicable X

Section VI. Maintenance of Administrative Controls.

1. Explain how the system and its use will ensure equitable treatment of individuals. *(NOTE: If the system is operated in more than one site, also include a discussion of how consistent use of the system and data will be maintained in all sites.)*

> All regional NLRB offices operate within the NLRB mission. Unfair labor practice charges and representation petitions are filed and are handled according to the NLRA. CATS, as a case tracking system, allows NLRB personnel to efficiently resolve the thousands of charges and petitions filed with the NLRB.

2. Explain any possibility of disparate treatment of individuals or groups.

> CATS does not have the capability to be partial. CATS tracks each case and provides a repository for case-related data. Decisions on cases are made by NLRB personnel who review the contents of the case and make decisions on the merit of the content provided by the charging party or petitioner. All appropriate due process, including a review process, is provided by the NLRA and the Board's Rules and Regulations. When CATS data is used for evaluation purposes, this information is used in accordance with governing collective bargaining agreements and OPM regulations.

3. What are the retention periods for the data in this system?

> NLRB is in the process of developing retention schedules for CATS.

3a. Does your retention period agree with that listed in Appendix 1, of NLRB Files Management and Records Disposition Handbook?

> No __X__ *(Explain.)* NLRB is in the process of developing retention schedules for CATS.
>
> Yes_____ *(List disposal rule from Appendix 1, of NLRB Files Management and Records Disposition Handbook.)*

3b. What are the procedures for eliminating the data at the end of the retention period? (see above statement)

3c. Where are the procedures discussed in Question 3b above documented? (see response to question #3)

3d. Is the system using technologies in ways that the NLRB has not previously employed (e.g. Caller-ID, surveillance, etc.)?

> No __X__ *(Continue.)*
>
> Yes_____ *(Identify the technology and describe how these technologies affect individual privacy.)*

3e. Will this system provide the capability to identify, locate, and monitor individuals?

No __X__ CATS does not utilize cookies, and accordingly, does not provide the capability of identifying, locating and monitoring users in that manner.

Yes_____ *(Explain.)*

3f. Will this system provide the capability to identify, locate, and monitor groups of people?

No X
Yes_____ *(Explain.)*

3g. What controls will be used to prevent unauthorized monitoring? *(Note: Do not describe your controls and procedures in so much detail as to compromise system security.)*

Access to CATS is based on the rights and privileges established by the system owner and Operations management. CATS has the capability to enforce the access rules established by Access Control Officers within each region using database objects. Authentication and access control is also supported by the operating system.

Section VII. Interface with Privacy Act Systems of Records.

1. Does this system currently operate under an existing NLRB or Government-Wide Privacy Act system of records? *(Note: The NLRB and Government Wide systems are described at: http://www.access.gpo.gov/su_docs/aces/PrivacyAct.shtml and http://www.whitehouse.gov/omb/memoranda/m99-05-c.html*

      No _X_ *(Go to Section VIII.)* However, the Agency is in the process of issuing a Privacy Act notice of this system, NLRB-21, Case Activity Tracking System and Associated Regional Office Files.

      Yes _____ *(Continue.)*

2. Provide the identifying number and name of each system.

      Not Applicable X

3. If an existing NLRB Privacy Act system of records is being modified, will the system notice require amendment or alteration? *(List all proposed changes. Consider the following: Will you be collecting new data elements not previously approved for collection; using the data for new internal purposes; sharing the data with new non-NLRB agencies; keeping the records longer; creating new locations of data, etc?)*

      No_____
      Yes_____ *(Explain your changes.)*

      Not Applicable X

4. If the system currently operates under an existing Government-Wide Privacy Act system of records notice, are your proposed modifications in agreement with the existing notice?

      No_____ *(Explain your changes and continue.)*
      Yes_____ *(Go to Section VIII.)*

      Not Applicable X

5. If you answered "no" to VII-4 above, have you consulted with the government agency that "owns" the government-wide system to determine if they approve of your modifications and intend to amend or alter the existing notice to accommodate your needs?
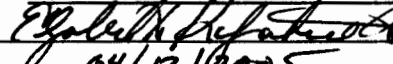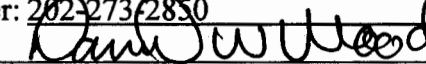
      No_____
      Yes_____ *(Provide the name and telephone number of the official with responsibility for the government-wide system.)*
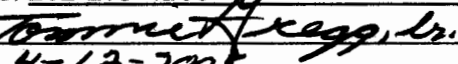
      Not Applicable X

Section IX. Certification:

Certification: I have read and understand the purpose of this assessment. I have also reviewed the definition of "personal data" and have accurately listed the personal data elements collected or accurately answered "no" to Question II-1.

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