



Federal Emergency Management Agency

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1 INTRODUCTION

The Department of Homeland Security (DHS)/Emergency Preparedness and Response (EP& R)'s/Federal Emergency Management Agency (FEMA's) objective of this Privacy Impact Assessment (PIA) is to identify and to address the safeguarding of personal information that may result from our proposed addition of an electronic method (via the Internet) of data collection of disaster assistance applications from individuals. This electronic (Internet) method of collecting individuals' personal information on the Federal Emergency Management Agency (FEMA) Form 90-69 will not alter the data elements currently covered by the existing approved system of records (e.g. paper applications). This PIA document reexamines the privacy implications to ensure that adequate privacy considerations and protections have been applied to this electronic framework.

1.1 Background

Rapid advancements in computer technology make it possible to store, retrieve, and associate vast amounts of data quickly and efficiently. These advancements have raised concerns about the impact of large computerized information systems on the privacy of individuals who submit their personal data. Public concerns about highly integrated information systems operated by the government make it imperative to commit to a positive and aggressive approach to protecting individual privacy. Further, there are legal requirements to address these issues as derived from the following references:

- Privacy Act of 1974, as amended, 5 U.S.C. 552a (the "Privacy Act"), Public Law 93-579;
- Computer Security Act of 1987, Public Law 100-235, 40 USC §759;
- Clinger-Cohen Act of 1996, Public Law 104-106;
- Paperwork Reduction Act of 1995, 44 U.S.C. 3501, et seq., as amended;
- Freedom of Information Act, 5 U.S.C. 552 (2000);
- Office of Management and Budget (OMB) Circulars A-130: Management of Federal Information Resources (1996)
- Office of Management and Budget (OMB) Circulars A-123: Management Accountability and Control (1995).

In order to provide assistance to victims of a disaster, the DHS/EP& R/FEMA must collect, store, and manage detailed data on individuals, which is subject to privacy protections in accordance with the foregoing references.

In addition to the foregoing privacy-related documents, FEMA's National Emergency Management Information System (NEMIS), which hosts this system of records, complies with the following guidelines to protect the data stored in the NEMIS databases from unauthorized access:

- Federal Information Security Management Act (FISMA) Title III of the E-Government Act Public Law 107-347
- Government Paperwork Elimination Act (GPEA) Sec 1702

- Computer Fraud and Abuse Act of 1986, public law 99-474, 18 USC §1030
- Presidential Decision Directive: Critical Infrastructure Protection (PDD-63)
- Executive Order 13010 Critical Infrastructure Protection
- Office of Management and Budget OMB Circular A-123, Management Accountability and Control

- OMB Circular A-127, Financial Management Systems
- OMB Circular A-130, Management of Federal Information Resources, Appendix III, Security of Federal Information Resources
- National Information Standard Technology (NIST) Special Publications (SP) 800-18, Guide for Developing Security Plans for Information Technology Systems
- NIST SP 800-14, Generally Accepted Principles and Practices for Securing Information Technology Systems
- NIST SP 800-26, Security Self-Assessment Guide for Information Technology Systems
- NIST SP 800-30, Risk Management Guide
- NIST SP 800-34, Contingency Planning for IT Systems

In accordance with our existing Privacy Act system of records, the “Disaster Recovery Assistance Files”, (66 FR 51436--October 9, 2001), FEMA collects this personal information through applications in one of two ways. 1) Through applications in hard copy (paper) form when an individual fills out a paper application, or 2) by the telephone interview method, by which an individual calls FEMA through a published disaster assistance phone number, and a teleregistrar reads all of the questions, and inputs the individual’s answers directly into NEMIS.

In accordance with our existing Privacy Act system of records, FEMA collects this information in hard copy (paper) form, and stores it electronically in the NEMIS system. Specifically, the information has been collected from individuals either through applications in paper form by an individual filling out an application (which is input into the system by FEMA’s data entry staff), or via telephone interviews with disaster victims who call in to a published disaster assistance number where FEMA employees record their personal application information directly into the NEMIS system. In either case, the same type of personal information goes into the already existing Privacy Act system of records (the “Disaster Recovery Assistance Files”) to be processed by the system. The system used to store and process these data is the National Emergency Management Information System (NEMIS) Individual Assistance (IA) Module. In the telephone interview process, NEMIS provides the teleregistrars with the exact questions to be read to the applicant. The teleregistrar then enters the applicant’s verbal response into the corresponding entry on the form. This proposed modification to the NEMIS IA module will use the same tools and processes except that the question will be displayed to the applicant electronically, via the Internet rather than being read to the applicant by a teleregistrar. The applicant will then enter the information into the system via the Internet. A 128-bit encrypted secure Internet connection will be used.

1.2 Scope

We propose to make the Internet available for individuals to apply for disaster assistance in addition to the paper FEMA Form 90-69 application, and calling in through the telephone interview method. The proposed upgrade to the existing NEMIS IA Module would allow disaster victims an additional method to apply (electronically through accessing the Internet) for Individual Assistance (IA) disaster assistance. The new electronic method of applying for disaster assistance is the reason for this Privacy Impact Assessment (PIA). The Internet process will collect the same information that is currently collected by the paper and the telephone interview process under the existing Privacy Act system of records. Once collected, the Internet-supplied information from the individual will be processed and protected in the same manner with the same electronic safeguards in NEMIS, as the information transcribed from the paper form, or entered during the telephone interview method. In effect, the FEMA Form 90-69, "Disaster Assistance Registration/Application" form will be accessible electronically over the Internet at FEMA's website via a 128-bit secure connection. The FEMA web site will be advertised on //WWW.FEMA.GOV.

A description of the specific types of personal data to be collected on the FEMA Form 90-69 is itemized within Appendix A.

This PIA describes the IA programs and the NEMIS system's processes for protecting the privacy of personal information collected for disaster assistance in accordance with the Department of Homeland Security (DHS) Privacy Office's policy on the electronic collection of personal information. This PIA is intended to:

- Determine the risks and effects of collecting, maintaining and disseminating information in identifiable form in an Internet-capable electronic information system, and
- Evaluate protections and alternative processes for handling information to mitigate potential privacy risks.

2 AGENCY PROCESS

The Department of Homeland Security's Privacy Office has made protecting the privacy of ordinary citizens a top priority. The NEMIS IA Module is in full compliance with this priority.

2.1 System Description

NEMIS is an enterprise-wide automated system that integrates hardware, software, telecommunications, applications software, and operational procedures to handle the processing and management of disaster victim assistance to individual citizens and public assistance to State and local government entities. FEMA works closely with the Small Business Administration (SBA), and may share selected data with the SBA. Formalized agreements are in place with SBA for the information sharing to be limited to "official use" only for FEMA and SBA purposes. State governments are granted limited access to data from only its State's citizens. In both cases, access to the data is limited and controlled. Only authorized FEMA officials have access to the composite data source.

Data submitted via the Internet are input via a 128-bit Secure Socket Layer (SSL) Internet connection. The disaster victim, who supplies the data originally, may access only their own personal data and no other applicant's. The disaster victim authenticates their own information at the time of submission of their own data. Each individual is granted only limited access through a user id, password, and personal identification number (PIN) supplied by FEMA, in order to gain subsequent access only to their own data. Access to the data is granted in accordance with National Institute for Standards and Technology (NIST) Level 2 Assurance Level. Exposure of the data via the Internet is highly restricted and controlled in several layers to protect the data. No user accounts on the Internet are permitted direct access to the NEMIS database. The user's request for his specific record passes through three firewalls and the request is serviced by a trusted account behind the third firewall. The single record results are then passed back to the user, thus protecting the database. Each firewall serves to prevent unauthorized intruders from gaining access to systems behind that firewall. FEMA has implemented a series of these protection zones, which require successive penetration of each firewall to gain access to the subsequent one unless an authorized account is used.

2.2 Reason for Collecting Privacy Data

The collection of such personal information is necessary for FEMA to carry out its mission of assisting individuals who apply for disaster assistance benefits under the Robert T. Stafford Disaster Relief and Emergency Assistance Act. Complete legal descriptions are provided in Appendix B.

The Internet-based data collections provide disaster victims an alternate means of submitting their requests for disaster assistance, (e.g. electronically) especially when the phone teleregistration process is unavailable due to high demand after a disaster. This method of delivery of service is strongly endorsed and supported by the Public Law 106-

107 and the President's Government to Citizens Initiative as discussed at www.whitehouse.gov/omb/egov/pres_initiatives.htm.

When the information is processed, the individual's record is automatically updated to reflect the status of their specific application. Applicants may call to check on the status of their application, and the individual may also call in updates to the personal information on their application. It is especially important to maintain up-to-date information on the applicant that will speed up the application processing and render assistance quickly and equitably. These limited updates include an individual's temporary address and phone number, social security number, and bank routing and account numbers for electronic funds transfers, where appropriate. Accordingly, we are proposing to add a corresponding Internet capability that will provide applicants the ability to inquire about the status of their own applications only, and to update only their limited personal data electronically.

2.3 Information Type

Under the currently existing Privacy Act system of records, the FEMA IA Program staff collects the following types of privacy information in order to identify the individual applying for disaster assistance: an individual's name, home address, Social Security number, home phone number, temporary address and phone numbers, personal financial information including applicant's bank name, bank account information, insurance information, individual or household income, the home's number of occupants, and the dollar amount of their disaster losses. A detailed description of each element and a copy of the FEMA Form 90-69 from which the information is extracted is provided in Appendix A.

Depending on the nature of the disaster/emergency and subsequent losses, individuals may be referred to other Federal, state or local agencies and organizations authorized to provide disaster assistance, such as the Small Business Administration, the American Red Cross, the Internal Revenue Service, etc. The applicant is informed when FEMA initially collects their personal information collection about the Privacy Act and the possible sharing of their information with these referral agencies. The sharing proceeds pursuant to one of the routine uses published in the existing system of records, Disaster Recovery Assistance Files, which will be published very shortly in the Federal Register.

3 PRIVACY IMPACT ANALYSIS

DHS guidelines and Federal Law require a PIA when:

- Creating any new collection of personal information
- Employing, developing and/or procuring any new technology or system that can store and thus reveal a person's identity
- Creating new database(s) or view(s) from old databases or systems

This privacy impact assessment was conducted because this major system enhancement adds a new method of collecting the existing personal information data elements (electronically via the Internet) that may pose some privacy concerns. The detailed privacy impact assessments are provided in Part A.

APPENDIX A
DATA ELEMENTS
Application/Registration for Disaster Assistance
FEMA Form 90-69

Field 1.

- Selection of prefix or title, such as Mr. or Ms.
- Last name, first name, and middle initial of the applicant.
- Name suffix such as, Jr., Sr., etc.

Field 1.a.

- Language Spoken by the applicant.

Field 2.

- Applicant's social security number (SSN).

Field 3.

- Full physical street address at which the damage occurred.

Field 4.

- Date the damage occurred.

Field 5.

- Phone number used in the applicant's home at the time of the disaster.
- Second phone number that was in the home at the time of the disaster.

Field 6.

- Current Phone No.

Field 7.

- Applicant's e-mail address.

Field 8.

- Cause of Damage to the home

Field 9.

- Current Location where the applicant is living.

Field 10.

- Applicant's mailing address.

Field 11.

- If the applicant's current mailing address is not located in the U.S. or one of its territorial possessions (e.g., Puerto Rico, Virgin Islands, Guam), please enter the full Foreign Address.

Field 12.

- If the applicant has Essential Needs YES/NO

Field 13.

- If the applicant has damage to the home (e.g., electrical, heating, floors, walls, ceilings, and foundation), check Yes.
- If the applicant's home is unsafe, check Yes.

- Check Unknown if the applicant does not know if the home is damaged or unsafe.

Field 13a.

- Primary Residence

Field 13b.

- Own or Rent: check box selection

Field 13c

- Residence type: check box selection but allows for Other selection w/ comment

Field 14.

- Personal Property Damage: YES/NO

Field 15.

- Utilities out: YES/NO

Field 16.

- Inaccessible Due to the Disaster: YES/NO

Field 17.

- Inaccessible due to mandatory Evacuation: YES/NO

Field 18.

- Lost time at work: YES/NO

Field 19.

- Medical, Medical Personal Property, and/or Dental Expense: YES/NO
- Insurance Coverage: YES/NO
- Insurance company name.
- Amount.

Field 20.

- Moving/Storage: YES/NO
- Insurance Coverage: YES/NO
- Insurance Company.
- Amount.

Field 21.

- Other Expenses: YES/NO

Field 22.

- Funeral Expense: YES/NO

Field 23.

- Business Affected: YES/NO
- Business name.
- Business Related Essential Tool/Equipment: YES/NO
- Does your business operate as a Private not-for-Profit Org.?: YES/NO

Field 24.

- Farm or Ranch Damage: YES/NO

Field 25.

- Total number of vehicles for the household. (year, make, and model). Insert information.
- Vehicles Damaged: YES/NO
- Provide information IN TABLE: Comprehensive and/or Liability Insurance, and if the vehicle(s) is registered.

- Total number of vehicles for the household that are drivable. Insert number.

Field 26.

- IN TABLE: List the type of insurance that the applicant held at the time of the disaster, including but not limited to sewer backup, earthquake, real property, and/or personal property. Include the name of the insurance company.

Field 27.

- IN TABLE: List information for the applicant and all other persons/dependents, whether or not they are related to the applicant, who considered the home to be their primary residence at the time of the disaster. It is important that the applicant's SSN be included.

Field 28.

- Self-employed as a Primary Source of Income: YES/NO
- Primary Source of Income: insert information
- Number of claimed dependents: insert information.
- Combined individual or household pre-disaster gross Income: insert information. Check box: (weekly, bi-weekly, monthly, quarterly, or yearly).

Field 29.

- Electronic Funds Transfer: YES/NO
- Institution name: enter information
- Routing No.: enter information (9 digit number)
- Account type by marking the Checking or Savings box.
- Account no.: enter information.

Field 30.

- Enter any additional comments as necessary.

APPENDIX B: FEMA Form 90-69