

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.

Request Electronic Database (FOIA-ED) (E-FOIA) and Associated Branch Office Files.

Unique Project Identifier: 420-00-01-03-02-0071-00

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.*)

FOIA-ED is an information storage and retrieval system that is used to electronically record and to store current and historical information concerning FOIA requests from the public for documents maintained by the General Counsel, and to produce reports, including the Annual FOIA Report to Congress. FOIA-ED data is also used to assist in making case assignments and in evaluating 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: _____

Other (Explain, providing the data required above for new or existing systems.)

This is an existing system that is in the maintenance stage.

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

- 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 and address of FOIA requester, and may also contain requester's telephone number, fax number, and e-mail address. Depending upon the identity of the requester, these data elements are composed of work contact information; however, individual requesters will provide home addresses, and may provide home telephone numbers, fax numbers, or email addresses.
- Full name of NLRB employees to whom case is assigned for processing. This is both current and historical information.

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

_____ NLRB files or databases.

_____ Non-NLRB files or databases. *(List.)*

_____ State and local agencies. *(List.)*

X The record subject himself.

X Supervisors.

_____ Other third party sources. *(List.)*

FOIA requesters are required to provide information so that Agency can respond to request.

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.

No X

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.

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

Not applicable; no other source for data.

a. Accuracy:

N/A

b. Completeness:

N/A

c. Relevance:

N/A

d. Timeliness:

N/A

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.) There are none at this time.*

Section IV. Access to the Data.

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

Access to FOIA-ED is limited to Legal Research staff members, which includes supervisors, attorneys and support staff.

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

Job responsibilities and or case processing duties.

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

No.

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.)*

There are none at this time.

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

No
Yes _____ *(Explain.)*

The Agency plans to import the Legal Research FOIA database to all of the Regional Offices. The plan envisions an integrated Agency-wide system that will include some modifications to the present system, and will involve as yet-to-be determined access to Agency-wide FOIA request data. The Agency also intends to link the FOIA request database with CATS.

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

No *(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 X

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

No _____ *(Go to Section VI.)*
Yes X *(Continue.)*

Information about an individual is based on input from those individuals who file FOIA requests. The FOIA-ED enables the Agency to retrieve data such as the number of FOIA requests filed by an individual or entity. The system also allows the Agency to retrieve data concerning the number of cases completed by an employee and the amount of time that case processing required. However, FOIA-ED does not create new data and does not disclose data relating to individuals to the public.

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 X *(Identify the record, database, or type of record or database.)*

In the sense that data retrieved concerning an employee's case processing is incorporated into and therefore affects that employee's evaluation, the new data is placed in an individual's employment record.

Not Applicable X

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

No _____
Yes X (*Explain.*)

See response to 2a. Retrieving the data concerning an employee's work performance is facilitated by FOIA-ED; however, it is possible to manually collect this data.

Not Applicable X

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.)

FOIA-ED is an internal case processing system, which contains only data relevant to FOIA case processing and attorney assignments.

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

See above response.

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

NLRB is in the process of developing retention schedules for FOIA-ED.

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

No X *(Explain.)* (See response to the above Item Number 3)
Yes _____

3b. What are the procedures for eliminating the data at the end of the retention period?
(See response to the above Item number 3)

3c. Where are the procedures discussed in Question 3b above documented? (See response to the above Item number 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 X *(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
Yes _____ *(Explain.)*

3f. Will this system provides 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.*)

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.*)

Yes _____ (*Continue.*)

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

N/A 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 VIII. 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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