

**United States Department of Justice
Office of Privacy and Civil Liberties (OPCL)**



**Initial Privacy Assessment (IPA)
Instructions & Template
(Revised March 2010)**

What is an Initial Privacy Assessment? An Initial Privacy Assessment (IPA) is the first step in a process developed by OPCL to assist DOJ components in the development and use of information systems. Specifically, the IPA is a tool used to facilitate the identification of potential privacy issues; assess whether additional privacy documentation is required; and ultimately, to ensure the Department's compliance with applicable privacy laws and policies.

The IPA asks a series of basic questions, the responses to which are reviewed by OPCL to identify privacy concerns that may necessitate changes to the system and to determine whether additional privacy analysis and documentation are required, such as a system of records notice (SORN) or collection notice under the Privacy Act, or a Privacy Impact Assessment (PIA) under the E-Government Act. Once OPCL has reviewed a component's responses and made its determination, a letter reflecting that determination is sent to the component. (The IPA incorporates the matters previously addressed in the Department's Privacy Threshold Analysis document (PTA), and thus replaces the PTA.)

When should an IPA be completed? An IPA should be completed at the beginning of development of an information system, before commencement of any testing or piloting. (This applies regardless of whether the system is electronic or contains only records in paper form.) Additionally, an IPA should be completed any time there is a significant change to the information system to determine whether there are any resulting privacy issues.

The IPA is designed to be a cross-cutting tool to address the requirements of several different privacy laws and policies. These laws and policies have different scopes of coverage, and each has specific terms and definitions to define that coverage. However, because the IPA is not limited to the terms or definitions of just one law or policy, and to ensure the IPA's utility as a cross-cutting tool, the term **"information system"** as used in the IPA instructions and template refers to: any process of collection, maintenance, use, or dissemination of information, whether performed manually with paper records, or electronically through the use of information technology (IT) products or design.

Who should prepare the IPA? The IPA should be written and reviewed at the component level through the coordinated effort by the component's privacy officials (e.g., Senior Component Official for Privacy (SCOP), Privacy Act Officer, and/or Office of General Counsel), IT security staff, and the program-specific office responsible for the system.

Where should the prepared IPA be sent? A copy of the prepared IPA should be sent to OPCL via email to privacy@usdoj.gov. (For classified IPAs, please call 202-514-0208 to coordinate delivery to Suite 940, National Place Bldg., 1331 Pennsylvania Ave., NW., Washington, DC 20530.)

Once OPCL has received the IPA, it will be reviewed for legal and policy concerns, and OPCL will make a determination as to whether any further privacy documentation will be necessary. OPCL will provide written notice, in the form of a determination letter, to the component when the IPA review is completed. The IPA process is considered completed only upon the issuance of OPCL's determination letter.

How is the IPA related to the Certification and Accreditation (C&A) process? If an IT system requires C&A from the Office of the Chief Information Officer, OPCL's determination letter must be uploaded into the C&A Web tool as part of the C&A process. Because the determination letter is the artifact that marks the completion of the IPA process, it is the proper artifact to be uploaded (not the IPA itself). For a system that does not require C&A (such as a minor application running on an already certified and accredited IT system, or a paper-based non-IT system), an IPA still should be completed to determine if a PIA, a SORN, or other related privacy documents are required for the system.

**Please prepare the IPA per the guidance provided in the questions on the template below.
(These instructions may be detached before submitting the IPA.)**

**Department of Justice
Initial Privacy Assessment (IPA)**

NAME OF INFORMATION SYSTEM:

COMPONENT:

<p>COMPONENT PRIVACY POINT OF CONTACT (POC) Name: Office: Phone: Bldg./Room Number: Email:</p>	<p>IPA AUTHOR (if different from POC) Name: Office: Phone: Bldg./Room Number: Email:</p>
<p>SYSTEM MANAGER/OWNER Name: Office: Phone: Bldg./Room Number: Email:</p>	<p>SENIOR COMPONENT OFFICIAL FOR PRIVACY (if applicable, or if different from POC) Name: Office: Phone: Bldg./Room Number: Email:</p>

<p>IPA REVIEW SIGNATURES</p>	
<p>SYSTEM MANAGER/OWNER Signature: _____ Date signed: _____ (If signed by System Manager's/Owner's delegate, please identify delegate): Delegate's Name: Office: Phone: Bldg./Room Number: Email:</p>	<p>SENIOR COMPONENT OFFICIAL FOR PRIVACY (where applicable) OR COMPONENT PRIVACY POINT OF CONTACT Signature: _____ Date signed: _____ (If signed by SCOP's delegate, please identify delegate): SCOP Delegate's Name: Office: Phone: Bldg./Room Number: Email:</p>

After obtaining all review signatures, please forward the IPA to OPCL and indicate the date forwarded. Unclassified IPAs should be emailed to the OPCL mailbox: privacy@usdoj.gov. (For classified IPAs, please call 202-514-0208 to coordinate delivery to Suite 940, National Place Bldg., 1331 Pennsylvania Ave., NW., Washington, DC 20530.)

DATE FORWARDED TO OPCL: _____

Note: Submission of an IPA to OPCL marks the beginning of the IPA and privacy compliance processes. The IPA process is not complete until OPCL has reviewed the IPA and issued its determination as to the necessity for any further privacy documentation. OPCL will provide written notice, in the form of a determination letter, to the submitting POC when the IPA review is completed. Once the submitting program receives OPCL's determination letter, the letter should be uploaded to C&A Web to reflect completion of the IPA process. (The IPA itself should not be uploaded as an artifact.)

[INSERT CLASSIFICATION/CONTROL MARKINGS, IF APPROPRIATE]

I. DESCRIPTION OF THE INFORMATION SYSTEM

1. Provide a description of the information system that details: (a) the purpose that the records and/or system are designed to serve; (b) the way the system operates to achieve the purpose(s); (c) the type of information collected, maintained, used, or disseminated by the system; (d) who has access to information in the system; (e) how information in the system is retrieved by the user; (f) how information is transmitted to and from the system; and (g) any interconnections with other systems.

(A COMPREHENSIVE RESPONSE TO THIS QUESTION IS IMPERATIVE; PLEASE USE AS MUCH SPACE AS IS NEEDED TO PROVIDE A CLEAR AND FULL RESPONSE.)

2. Which of the following describes the type of information in the system:

Electronic only. Combination paper/electronic. Paper only.

3. Is there a Certification & Accreditation record within C&A Web?

Yes. If yes, please indicate the following:

Confidentiality: Low Moderate High Undefined

Integrity: Low Moderate High Undefined

Availability: Low Moderate High Undefined

No. If no, please identify the FISMA-reportable system, the C&A for which, covers this system.

Do not know.

Not applicable – this system is only paper based.

4. Is this a national security system?

No. Yes. Do not know.

[INSERT CLASSIFICATION/CONTROL MARKINGS, IF APPROPRIATE]

[INSERT CLASSIFICATION/CONTROL MARKINGS, IF APPROPRIATE]

5. Does the system collect, maintain, use, or disseminate any information about individuals?

(When responding to questions in the IPA that include the term “individual,” please use the common dictionary definition for that term (i.e., a human being or natural person). While the term “individual” sometimes has a more limited meaning in certain laws and policies, at this early stage of analyzing the information system, OPCL is interested in understanding whether any information concerning a human being or natural person is at issue.)

_____ No. If no, briefly describe the information collected, maintained, or disseminated by the system.

[If you checked no, STOP here after providing the requested description. No further responses are required, and after obtaining all review signatures on page 1, the IPA should be submitted to DOJ OPCL for final review and determination as to whether other privacy-related documentation will be required.]

_____ Yes. If yes, briefly describe the types of information about individuals in the system. *After providing the requested description, proceed to the next question.*

6. Please indicate if any of the following characteristics apply to the information in the system about individuals:

(Check all that apply.)

_____ The information directly identifies specific individuals.

_____ The information is intended to be used, in conjunction with other data elements, to indirectly identify specific individuals.

_____ The information can be used to distinguish or trace an individual's identity (i.e., it is linked or linkable to specific individuals).

If you marked any of the above, proceed to the next question.

_____ None of the above. If none of the above, describe why the information does not identify specific individuals, or how it is intended to be used, such that it will not indirectly identify specific individuals? **[If you checked this item, STOP here after providing the requested description. No further responses are required, and after obtaining all review signatures on page 1, the IPA should be submitted to DOJ OPCL for final review and determination as to whether**

[INSERT CLASSIFICATION/CONTROL MARKINGS, IF APPROPRIATE]

[INSERT CLASSIFICATION/CONTROL MARKINGS, IF APPROPRIATE]

other privacy-related documentation will be required.]

7. Does the identifiable information in the system pertain only to government employees, contractors, or consultants?

_____ No. _____ Yes.

8. Is information about United States citizens or lawfully admitted permanent resident aliens retrieved from the system by a personal identifier?

_____ No. If no, skip to question I.11.

_____ Yes. If yes, proceed to the next question.

9. Is there an existing Privacy Act system of records notice (SORN) that has been published in the Federal Register to cover this system? (Please consult with your component's SCOP, Privacy Act officer, General Counsel, or OPCL if assistance is needed in responding to this question.)

_____ No.

_____ Yes. If yes, provide the system name and number, as well as the Federal Register citation(s) for the most recent complete notice and any subsequent notices reflecting amendment to the system.

10. Does the system collect any information directly from United States citizens or lawfully admitted permanent resident aliens who are the subjects of the information?

_____ No.

_____ Yes. If yes, are subjects of information from whom the information is directly collected provided a written Privacy Act (e)(3) statement (either on the collection form or via a separate notice)? (An (e)(3) statement indicates: (I) the authority for collection of the information; (ii) whether submission of the information is mandatory or voluntary; (iii) the principal purpose(s) for which the information will be used; (iv) the applicable routine uses; and (v) the effects on the individual, if any, of not providing the information.)

_____ Yes. If yes, provide links to, or attach copies of, any such forms or notices.

[INSERT CLASSIFICATION/CONTROL MARKINGS, IF APPROPRIATE]

[INSERT CLASSIFICATION/CONTROL MARKINGS, IF APPROPRIATE]

_____ No.

11. Are Social Security Numbers (SSNs) collected, maintained or disseminated by the system?

_____ No. *If no, skip to question I.13.*

_____ Yes. If yes, could the program that this system supports operate without SSNs?

_____ Yes.

_____ No. If no, explain why.

12. Does the system provide any special protection to SSNs (e.g., SSNs are encrypted, only available to certain users, hidden from all users via a look-up table, only in partial form)?

_____ No.

_____ Yes. If yes, describe any special protection provided.

13. Is the system operated by a contractor?

_____ No.

_____ Yes. *If yes, and it is determined that the system is covered by the Privacy Act, then the component must ensure that the contract includes language set forth in the Federal Acquisition Regulation, see 48 C.F.R. §§ 24.104 and 52.224-1 to -2, applying the Privacy Act's provisions to the system.*

14. Status of system:

_____ This is a new system in development. **[If you checked this block, STOP here. No further responses are required, and after obtaining all review signatures on page 1, the IPA should be submitted to DOJ OPCL for final review and determination as to whether other privacy-related documentation will be required.]**

_____ This is an existing system. *Please continue with Part II.*

[INSERT CLASSIFICATION/CONTROL MARKINGS, IF APPROPRIATE]

[INSERT CLASSIFICATION/CONTROL MARKINGS, IF APPROPRIATE]

II. EXISTING SYSTEMS

1. When was the system developed?

2. Has the system undergone any significant changes since April 17, 2003?

_____ No. If no, skip to question II.5.

_____ Yes. If yes, explain the nature of those changes. After providing the requested explanation, proceed to the next question.

3. Do the changes to the system involve a change in the type of records maintained, the individuals on whom records are maintained, or the use or dissemination of information from the system?

_____ No. _____ Yes.

4. Please indicate if any of the following changes to the system have occurred:
(Check all that apply.)

_____ A conversion from paper-based records to an electronic system

_____ A change from information in a format that is anonymous or nonidentifiable to a format that is identifiable to particular individuals.

_____ A new use of an IT system, including application of a new technology, that changes how information in identifiable form is managed. (For example, a change that would create a more open environment and/or avenue for exposure of data that previously did not exist.)

_____ A change that results in information in identifiable form being merged, centralized, or matched with other databases.

_____ A new method of authenticating the use of and access to information in identifiable form by members of the public.

_____ A systematic incorporation of databases of information in identifiable form purchased or obtained from commercial or public sources.

[INSERT CLASSIFICATION/CONTROL MARKINGS, IF APPROPRIATE]

[INSERT CLASSIFICATION/CONTROL MARKINGS, IF APPROPRIATE]

- _____ A new interagency use or shared agency function that results in new uses or exchanges of information in identifiable form.
- _____ A change that results in a new use or disclosure of information in identifiable form.
- _____ A change that results in new items of information in identifiable form being added into the system.

5. Does a PIA for this system already exist?

- _____ No.
- _____ Yes. If yes:
 - a. Provide the date and title of the PIA and whether the PIA is posted on the web (and if so, include the link):
 - b. Has the system undergone any significant changes since the PIA?
 - _____ No. _____ Yes. If yes, describe.

[After obtaining all review signatures on page 1, the IPA should be submitted to DOJ OPCL for final review and determination as to whether other privacy-related documentation will be required.]

[INSERT CLASSIFICATION/CONTROL MARKINGS, IF APPROPRIATE]