

Office of Government Ethics
Privacy Impact Assessment for
Freedom of Information Act (FOIA)
Tracking and Reporting Application

Program Counsel Division
November 2016

**U.S. Office of Government Ethics
Privacy Impact Assessment (PIA) for
FOIA Tracking and Reporting Application**

Name of Project/System: FOIA Tracking and Reporting Application

Office: Program Counsel Division

A. CONTACT INFORMATION:

- 1) Who is the person completing this document?** (Name, title, organization and contact information).

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- 2) Who is the system owner?** (Name, title, organization and contact information).

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- 3) Who is the system manager for this system or application?** (Name, title, organization, and contact information).

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- 4) Who is the Chief Information Security Officer who reviewed this document?** (Name, organization, and contact information).

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Chief Information Officer
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- 5) **Who is the Privacy Officer who reviewed this document?** (Name, organization, and contact information).

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- 6) **Who is the Reviewing Official?** (According to OMB, this is the agency CIO or other agency head designee, someone other than the official procuring the system or the official who conducts the PIA).

Ty Cooper
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B. SYSTEM APPLICATION/GENERAL INFORMATION:

OGE's FOIA tracking and reporting application is a tool to manage and process Freedom of Information Act (FOIA) and Privacy Act (PA) requests and any applicable appeals of decisions on those requests. It allows the FOIA Officer to assign FOIA requests for processing to an OGE employee and to track the status of the request. It also allows the requester to view and track the status of his/her request through OGE's website. Additionally, it allows the FOIA Officer to capture and aggregate general statistics for use in required reporting on OGE's FOIA program.

- 1) **Does this system contain any information about individuals?**

Yes.

- a) **Is this information identifiable to the individual?**

No.

- b) **Is the information about individual members of the public?**

Yes.

- c) **Is the information about employees?**

The system includes information about federal government employees to the extent that such information is included in a FOIA request or contained in agency documents responsive to the request. Additionally, the name and title of the OGE

staff involved in processing or approving a FOIA response is captured either directly in a data field or through uploaded documents.

2) What is the purpose of the system/application?

The FOIA tracking and reporting application is a tool to manage and process FOIA and PA requests, and any applicable appeals of decisions on those requests. It allows the FOIA Officer to assign FOIA/PA requests for processing to an OGE employee and to track the status of the request. It also allows the requester to view and track the status of his/her request through an external portal on OGE's website. Additionally, it allows the FOIA Officer to aggregate general statistics for use in reporting on the agency's FOIA program numbers.

3) What legal authority authorizes the purchase or development of this system?

The FOIA tracking and reporting application was developed by OGE staff to automate OGE's compliance with record access and disclosure requirements of the Freedom of Information Act, 5 U.S.C. §552, as amended.

C. DATA in the SYSTEM:

1) What categories of individuals are covered in the system?

The category of the individual covered in the system depends on who is requesting the information and the information responsive to the FOIA/PA request.¹ Potential categories of individuals covered in the system, based on the identity of a requestor and whether responsive records contain information about a given person, could include:

- Executive branch employees, both former and current;
- Legislative branch employees, both former and current;
- Judicial branch employees, both former and current;
- State and local government employees, both former and current; and
- Members of the public, including the press.

2) What are the sources of the information in the system?

Users input information into the system. Requestors provide certain personal information required to make a request under FOIA/PA. Agency users may add necessary related information and responsive agency records in accordance with the FOIA, as amended, PA, OGE regulations and DOJ guidelines.

¹ For other instances where information may be retained refer to OGE's PIAs for the Agency Information Management System (AIMS), the OGE website, the automated 201 System, and Third-Party Applications.

- a. Is the source of the information from the individual or is it taken from another source? If not directly from the individual, then what other source?**

Information about requestors comes from the individuals themselves. Information about employees processing requests comes from system users. Information about other individuals comes from agency records found responsive to a request, which are uploaded into the system.

- b. What federal agencies provide data for use in the system?**

Generally, the only agency providing information is OGE. In certain circumstances, another federal agency may refer a FOIA request to OGE that originated with that agency, or consult with OGE about responsive information that originated at another agency.

- c. What state or local agencies are providing data for use in the system?**

N/A

- d. From what other third party sources will data be collected?**

N/A

- e. What information will be collected from the employee and the public?**

A requestor provides information necessary to process a FOIA/PA request, such as a name, address or email address, and telephone number.

Insofar as employees of OGE are concerned, the only information that is collected is the name of the employee processing the request.

3) Accuracy, Timeliness, Reliability, and Completeness

- a. How will data collected from sources other than OGE records be verified for accuracy?**

As an individual provides the data directly to OGE in the form of a FOIA/PA request, OGE does not verify the accuracy of the information. When more information is needed, to respond to the request, OGE will normally contact the requestor for clarification.

- b. How will data be checked for completeness?**

As an individual provides the data directly to OGE in the form of a FOIA/PA request, OGE does not verify the completeness of the information. When more

information is needed, to respond to the request, OGE will normally contact the requestor for clarification

- c. Is the data current? What steps or procedures are taken to ensure the data is current and not out-of-date?**

N/A

- d. Are the data elements described in detail and documented?**

N/A

D. ATTRIBUTES OF THE DATA:

- 1) Is the use of the data both relevant and necessary to the purpose for which the system is being designed?**

Yes.

- 2) Will the system derive new data or create previously unavailable data about an individual through aggregation from the information collected, and how will this be maintained and filed?**

No.

- 3) Will the new data be placed in the individual's record?**

No.

- 4) Can the system make determinations about employees/the public that would not be possible without the new data?**

N/A

- 5) How will the new data be verified for relevance and accuracy?**

N/A

- 6) If the data is being aggregated, what controls are in place to protect the data from unauthorized access or use?**

N/A

- 7) **If data is being aggregated, are the proper controls remaining in place to protect the data and prevent unauthorized access?**

N/A

- 8) **How will the data be retrieved? Does a personal identifier retrieve the data?**

Data may be retrieved by fiscal year, by matter status (i.e., expedited request, appeal etc.) by the processing employee's name or by the assigned OGE FOIA/PA case number. Data cannot be retrieved by the requestor's personal identifier.

- 9) **What kinds of reports can be produced on individuals? What will be the use of these reports? Who will have access to them?**

N/A

- 10) **What opportunities do individuals have to decline/refuse to provide information (i.e., where providing information is voluntary) or to consent to particular uses of the information (other than required or authorized uses), and how individuals can grant consent.)**

Individual FOIA/P requestors make requests voluntarily, and are required to submit certain, minimal information in order for their submission to comply with the FOIA, the PA, and OGE's FOIA regulations.

E. MAINTENANCE AND ADMINISTRATIVE CONTROLS:

- 1) **If the system is operated in more than one site, how will consistent use of the system and data be maintained in all sites?**

N/A

- 2) **Is the data in the system covered by existing records disposition authority? If yes, what are the retention periods of data in this system?**

Yes. The data in the system is covered under General Records Schedule 4.2: Information Access and Protection Records – Item 020: Access and Disclosure Request Files.

- 3) **What are the procedures for disposition of the data at the end of the retention period? How long will the reports produced be kept? Where are the procedures documented?**

The retention period is temporary. The records are destroyed six years after final agency action or three years after final adjudication by the courts in the case of a

matter that goes to court, whichever is later. Longer retention is authorized if required for business use.

Beginning in fiscal year 2016, FOIA records are maintained in the FOIA tracking system. The system also contains duplicates of some earlier FOIA records, which are also officially maintained in another system. The disposition procedures will be applied by the Records Officer to all FOIA records when appropriate for destruction.

4) Is the system using technologies in ways that the OGE has not previously employed (e.g., monitoring software, Smart Cards, Caller-ID)?

Yes. The system allows individual requestors to get the status of their FOIA/PA requests by accessing a portal available on OGE's website.

5) How does the use of this technology affect public/employee privacy?

In general, the use of this technology does not affect the privacy of the public at large. Any PII provided by an individual requestor is necessary in order to process the voluntary FOIA/PA request.

6) Will this system provide the capability to identify, locate, and monitor individuals? If yes, explain.

No.

7) What kinds of information are collected as a function of the monitoring of individuals?

N/A

8) What controls will be used to prevent unauthorized monitoring?

N/A

9) Under which Privacy Act systems of records notice does the system operate? Provide number and name.

N/A

10) If the system is being modified, will the Privacy Act system of records notice require amendment or revision? Explain.

N/A

F. ACCESS TO DATA:

1) Who will have access to the data in the system?

Authorized OGE employees will have access to the data in the application, including:

- Users;
- Managers; and
- System Administrators.

2) Will users have access to all data on the system or will the user's access be restricted? Explain.

Authorized users have access to all of the data in the system. This allows OGE employees working on a request to review the disposition in a prior request for comparison purposes, supervisors monitoring the status of a FOIA/PA request to review its status, and employees processing a FOIA appeal to view the original decision.

3) What controls are in place to prevent the misuse (e.g., unauthorized browsing) of data by those having access?

Access is on a need to know basis.

4) Are contractors involved with the design and development of the system and will they be involved with the maintenance of the system? If yes, were Privacy Act contract clauses inserted in their contracts and other regulatory measures addressed?

No.

5) Do other systems share data or have access to the data in the system? If yes, explain.

No.

6) Who will be responsible for protecting the privacy rights of the public and employees affected by the interface?

N/A

7) Will other agencies share data or have access to the data in this system (Federal, State, or Local)?

Data is not shared or made available to other agencies except in conformance with the FOIA, as amended, and DOJ guidelines.

8) How will the data be used by the other agency?

Information provided to DOJ's Office of Information Policy is used to satisfy their statutory reporting and oversight responsibilities. Agencies may use data provided by OGE to process FOIA requests pursuant to the FOIA consultation and referral processes.

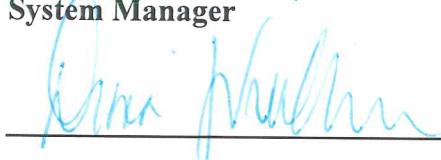
9) Who is responsible for assuring proper use of the data?

Each authorized user is responsible for assuring proper use of the data.

See Attached Approval Page

The Following Officials Have Approved this Document

1) System Manager

 (Signature) 11/29/16 (Date)

Name: Diana J. Veilleux

Title: Chief, Legal, External Affairs and Performance Branch

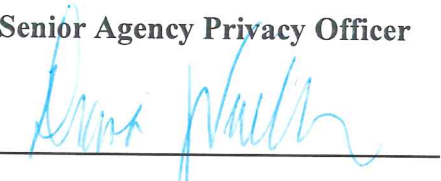
2) Chief Information Officer

 (Signature) 11/23/16 (Date)

Name: Ty Cooper

Title: Chief Information Officer

3) Senior Agency Privacy Officer

 (Signature) 11/29/16 (Date)

Name: Diana Veilleux

Title: Chief, Legal, External Affairs and Performance Branch