

PRIVACY IMPACT ASSESSMENT

Background: Rapid advancements in computer technology make it possible to store and retrieve vast amounts of data of all kinds quickly and efficiently. These advancements have raised concerns about the impact of large computerized information systems on the privacy of data subjects. 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. We have instituted the Privacy Impact Assessment in order to ensure that the National Labor Relations Board (NLRB) appropriately considers privacy issues from the earliest stages of design.

Purpose: The purpose of this Privacy Impact Assessment is to determine if your proposed plans to collect, maintain, and use data in an automated system will impact on the Privacy rights of U. S. Citizens and lawfully admitted aliens. Depending on your answers, we may be required to seek additional details from you to comply with certain publication requirements of the Privacy Act (5 U.S.C. 552a). Please direct questions to Steven Coney, 202-273-2833.

Authorities: 5 U.S.C. 552a, The Privacy Act of 1974, as implemented by OMB Circular A-130.

Other Requirements: You may be required to conduct a NLRB Security Certification and Accreditation Process as required by OMB Circular A-130. Contact NLRB-ITB or your local information technology office for details.

Definitions: Some terms in this assessment have unique or specific meanings. Therefore, please review the "Definitions" section before completing this assessment.

Returning Assessments: Return this completed assessment to National Labor Relations Board (NLRB-LASB), 1099 14th Street, NW, Room 7620, Washington, DC 20570-0001.

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.

PCCOTC – Paper Check Conversion Over The Counter

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.*)

This System is used to electronically capture checks and deposit funds at the Federal Reserve. It stores digital images of the checks and information about the remitter and purpose of the payment.

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 which is provided by Treasury FMS.

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:

Names, Addresses and Banking Information of Individuals and Companies.

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

____ NLRB files or databases.

X Non-NLRB files or databases. *(List.)*
Information on Checks, Invoices or Memo included with checks

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

____ The record subject himself.

____ Supervisors.

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

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.

Yes, PCCOTC Data Dictionary, description of Participants Table. (See final page)

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:

Verified by operator to match check and data keyed into form when scanning checks. The amount of deposit is verified the following day against Treasury confirmation report.

b. Completeness:

Verified against report

c. Relevance:

Verified against report and entered into Momentum

d. Timeliness:

Reports are reviewed and verified before data is entered into Momentum

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.*)

Only authorize personnel have access to system. Data resides on Secure Server at US Treasury FMS. Deposit reports are generated and compared to Treasury Confirmation reports

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 the system is restricted to several employees in the Finance Branch that scan the checks or review the data for accuracy, completeness and post to the financial system.

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

The Chief of the Finance Branch determines who has authorizations to access the system.

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

Users are granted access and issued login ID and passwords by Treasury. Authorized users are required to login to Treasury secure site to generate the reports

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.)*

Access is limited to assigned users with proper ID and password. Users are trusted senior finance personnel.

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

No
Yes X *(Explain.)*

Relevant financial information is booked into the agency financial system (Momentum) and Backpay system.

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.*)

Manisha Tuli
Chief, Finance Branch Room 7830
1099 14th St, NW Washington DC 20570-0001
(202) 273-4226

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 X (*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 X .

2c. Will the data be retrieved by personal identifier (name, SSN, employee number, computer ID number, etc.)

No (*Go to Section VI.*)
Yes X (*List retrieval fields.*)
Names, Addresses and Banking Information of Individuals and Companies

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

Not Applicable X .

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.)

The system is used to electronically deposit checks received by the Agency.

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

Not Applicable X

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

The data will be retained for 7 years in the PCC system but may vary based on the Agency requirements.

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

No X *(Explain.)*

This is a Department of Treasury System therefore the records are maintained a minimum of seven years.

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?

Department of Treasury Financial Management Service, Privacy Impact Assessment.

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
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 the system is controlled by treasury assigned accounts approved by the Chief of the Finance Branch

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 *(Go to Section VIII.)*

Yes *(Continue.)*

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

Treasury/FMS.017 Collection Systems for Treasury/FMS

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

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

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

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.

Name: Manisha Tuli
 Title: Chief, Finance Branch
 Email Address: manisha.tuli@nlrb.gov
 Telephone Number: 202-273-4226
 FAX Number: 202-273-4273
 (Signature) Manisha E. Tuli
 (Date) 9/9/09

Name: Tremell Warren
 Title: Chief, IT Security
 Email Address: tremell.warren@nlrb.gov
 Telephone Number: 202-273-0766
 FAX Number: 202-273-1924
 (Signature) Tremell Warren
 (Date) 9-10-09

Name: Steven Coney
 Title: Privacy Act Officer
 Email Address: steven.coney@nlrb.gov
 Telephone Number: 202-273-2833
 FAX Number: 202-273-2928
 (Signature) Steven Coney
 (Date) 9/15/2009

Name: Bryan Burnett
 Title: Acting Chief Information Officer
 Email Address: bryan.burnett@nlrb.gov
 Telephone Number: 202-273-2555
 FAX Number: 202-273-1924
 (Signature) Bryan Burnett
 (Date) 9/30/2009

Definitions

Accounting of Disclosures – a record showing all third party disclosures made from a system. The disclosure accounting shows the date, recipient name, recipient address, purpose, and the data elements disclosed. You need not account for disclosures made to NLRB employees who require access to the data to perform official duties.

Accuracy – within sufficient tolerance for error to assure the quality of the record in terms of its use in making a determination.

Completeness – all elements necessary for making a determination are present before such determination is made.

Determination – any decision affecting an individual which, in whole or in part, is based on information contained in the record and which is made by any person or agency.

Disclosure – the transfer of any personal information from a system of records by any means of communication (oral, written, electronic, mechanical, or actual review) to any person, private entity, or government agency, other than the subject of the record, the subject's designated agent, or the subject's legal guardian.

Necessary – a threshold of need for an element of information greater than mere relevance and utility. A data element is "necessary" if the program cannot function properly or efficiently without it.

Personal Data – data about an individual that is personal in nature. Personal data may consist of home address; home email address; home telephone numbers; date and place of birth; marital status; names of spouse and children; financial, credit, and medical data; SSN; take home pay; credit card account numbers; mother's maiden name; other names used; government life and health insurance options elected; criminal history; for individuals assigned to (or about to be assigned to) overseas, sensitive, or routinely duty stations, their names, duty stations, duty addresses, and duty telephone numbers; performance ratings; race and national origin data; citizenship; religion; annual and sick leave use and balances; security clearance information; drug test results; and the fact of participation in rehabilitation or employee assistance programs. The following data elements are **NOT** normally considered personal: U.S. based work addresses and work telephone numbers; position data; performance elements; date of rank; source of commission; education level; education and training paid for by the government; job related certifications; current and past annual salary rates (but not take home pay); position titles; occupational series; and current and past grades. **NOTE: If you are not sure if the data elements you plan to collect are considered "personal," contact NLRB Privacy Officer.**

Record – any item, collection or grouping of information about an individual and identifiable to that individual that is maintained by an agency.

Relevance – limitation to only those elements of information which clearly bear on the determination(s) for which the records are intended. A data element is "relevant" if you cannot make a determination without it.

Routine Use – the disclosure of a record outside the National Labor Relations Board for a use that is compatible with the purpose for which the information was collected and maintained. The "Routine Users" that have been authorized access to each NLRB data system are listed in the governing NLRB or government-wide Privacy Act system notice. *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>

System of Records – a group of any records under the control of any agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual. Each Federal agency is required to publish in the Federal Register full descriptions of its systems of records. Some systems of records are "owned" by one agency but maintained at another agency. The "owning" agency is responsible for publishing a system notice for all Federal agencies to follow. These are referred to as "Government Wide" system notices. Example 1: Civilian Official Personnel Files are "owned" by the Office of Personnel Management but maintained at the employing agency. OPM publishes the system notice. Example 2: Workers Compensation Case files are "owned" by the Department of Labor but maintained at the employing agency. Thus, Labor publishes the system notice. *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>

Third Party – an organization, entity, or individual other than the record subject himself, his designated agent, or his legal guardian. For purposes of disclosure accountings, a NLRB employee is not considered a "third party" when performing officially assigned duties.