

## U.S. Nuclear Regulatory Commission

### Privacy Impact Assessment

*(Designed to collect the information necessary to make relevant determinations regarding the applicability of the Privacy Act, the Paperwork Reduction Act information collections requirements, and record management requirements.)*

### E-FOIA Tracking System (FOIAXpress)

Date prepared by sponsoring office: March 18, 2008

#### A. GENERAL SYSTEM INFORMATION

1. Provide brief description of the system.

FOIAXpress is a COTS software, managed and revised by AINS, Inc., and resides on the NRC LAN server. IT is an electronic information management system designed specifically for use in tracking Freedom of Information Act/Privacy Act requests.

2. What agency function does it support?

NRC's Freedom of Information Act/Privacy Act Program

3. Describe any modules or subsystems, where relevant, and their functions.

N/A

4. Points of Contact:

Project Manager	Office/Division/Branch	Telephone
Barbara Culleen	OIS/IRSD/RFPSB	301-415-6873
Business Project Manager	Office/Division/Branch	Telephone
Becky Menefee	OIS/IRSD/RFPSB	301-415-6968
Technical Project Manager	Office/Division/Branch	Telephone
Russell Nichols	OIS/IRSD/RFPSB	301-415-6874
Executive Sponsor	Office/Division/Branch	Telephone
Thomas Boyce	OIS	301-415-0184

5. Does this Privacy Impact Assessment (PIA) support a proposed new system or a proposed modification to an existing system?

a.  New System  Modify Existing System  Other (Explain)

This PIA has been prepared to comply with the privacy provisions of the E-Government Act of 2002.

b. If modifying an existing system, has a PIA been prepared before?

N/A

(1) If yes, provide the date approved and ADAMS accession number.

**B. INFORMATION COLLECTED AND MAINTAINED**

*(These questions are intended to define the scope of the information requested as well as the reasons for its collection. Section 1 should be completed only if information is being collected about individuals. Section 2 should be completed for information being collected that is not about individuals.)*

**1. INFORMATION ABOUT INDIVIDUALS**

a. Does this system maintain information about individuals?

Yes

(1) If yes, what group(s) of individuals (e.g., Federal employees, Federal contractors, licensees, general public) is the information about?

Any person who submits a FOIA/PA request

b. What information is being maintained in the system about individuals (describe in detail)?

Name, home address, business name, business address, home phone number, business phone number, mobile phone number, fax number, home e-mail address, business e-mail address

c. Is the information being collected from the subject individuals?

Yes, through voluntary submittal of a FOIA/PA request.

(1) If yes, what information is being collected from the individuals?

Person making the FOIA/PA is required to provide NRC with their name and contact information such as home address, business name, business address, home phone number, business phone

number, mobile phone number, fax number, home e-mail address, or business e-mail address.

- d. Will the information be collected from 10 or more individuals who are **not** Federal employees?

Yes

- (1) If yes, does the information collection have OMB approval?

Yes

- (a) If yes, indicate the OMB approval number: 3150-0043

- e. Is the information being collected from internal files, databases, or systems?

No

- (1) If yes, identify the files/databases/systems and the information being collected.

- f. Is the information being collected from external sources(s)?

No

- (1) If yes, what is the source(s) and what type of information is being collected?

- g. How will this information be verified as current, accurate, and complete?

FOIA/PA Team only verifies the ability to contact a requestor, whether it is by telephone, mail, email, or fax, but do not verify whether the information provided is in fact their home address or home phone number.

- h. How will the information be collected (e.g. form, data transfer)?

FOIA/PA requests can be submitted in a paper or electronic format.

- i. What legal authority authorizes the collection of this information?

- Freedom of Information Act 5 U.S.C. 552
- Privacy Act 5 U.S.C. 552(a)
- 10 CFR Part 9

- j. What is the purpose for collecting this information?

Data is used to communicate with the requester, to generate the FOIA Annual Report to DOJ and run other ad hoc statistical reports as needed.

Used as an archival system to locate previous similar requests and requesters.

**2. INFORMATION NOT ABOUT INDIVIDUALS**

- a. What type of information will be maintained in this system (describe in detail)?

Offices assigned cases, assigned caseworker, fee category, fee estimates, multi-track type, received date, closed date, target date, perfected date of request, fee waiver request, expedited processing request, final fees due or owed to requester, requester type, identification of exemptions used for denied records.

- b. What is the source of this information? Will it come from internal agency sources and/or external sources? Explain in detail.

Information identified in "a." is determined by the FOIA/PA Team. Exemptions used for denied records are determined by the program offices and verified by the FOIA/PA Team and the Office of the General Counsel.

- c. What is the purpose for collecting this information?

Information is used to create the FOIA Annual Report to DOJ and run other ad hoc statistical reports as needed. Also used as an archival system to locate previous similar requests and requesters.

**C. USES OF SYSTEM AND INFORMATION**

*(These questions will identify the use of the information and the accuracy of the data being used.)*

1. Describe all uses made of the information.

The system is used to track all FOIA/PA requests received by the NRC in both paper and electronic form. The information is used to communicate with the requestor, to generate the FOIA Annual Report to the Department of Justice (DOJ), to generate correspondence to the FOIA requesters, reports required by regulation, and ad hoc reports as needed. The system also calculates fees for the requests and is used as an archival system to locate previous similar requests and requesters.

2. Is the use of the information both relevant and necessary for the purpose for which the system is designed?

Yes

3. Who will ensure the proper use of the information?

Members of the NRC's FOIA/PA Team

4. Are the data elements described in detail and documented?

Yes

- a. If yes, what is the name of the document that contains this information and where is it located?

Software owned by AINS Inc. for use by Federal agencies. Licenses purchased from AINS Inc., who provides a user's manual and training as needed. Hard copy of user's manual located in T-5 F14 and on-line.

5. Will the system derive new data or create previously unavailable data about an individual through aggregation from the information collected?

No

- a. If yes, how will aggregated data be maintained, filed, and utilized?

N/A

- b. How will aggregated data be validated for relevance and accuracy?

N/A

- c. If data are consolidated, what *controls* protect it from unauthorized access, use, or modification?

N/A

6. How will the information be *retrieved* from the system (be specific)?

Data can be retrieved through queries or reports using any of the fields in the database such as names of requesters, types of requesters, request number, subject matter of requests, exemptions used for denied records, multi-track type, payment status, fee waiver status, expedited status, closed between dates, caseworker name, etc.

7. Will this system provide the capability to identify, locate, and monitor (e.g., track, observe) individuals?

No

- a. If yes, explain.

(1) What controls will be used to prevent unauthorized monitoring?

8. Describe the report(s) that will be produced from this system.

FOIA Annual Report to DOJ describes the NRC's response to FOIA requests. Statistical data only. Report is available through NRC's public Web site.

A report for a previous request will provide data to the caseworker such as which offices were assigned the case, received date, closed date, perfected date, exemptions used for denied records, fees charged, etc.

Ad hoc statistical reports, for example, how many cases are open, how many cases were closed, uses of particular exemptions, response times, backlogs, etc..

a. What are the reports used for?

The FOIA Annual Report for DOJ, which oversees all Government FOIA programs, provides DOJ the statistical data needed to gauge our success in responding to FOIA/PA requests in a timely manner.

A report on a previous request can assist the review in handling a newer request for similar records.

A report on how many requests by a particular requester type are received can be provided to a FOIA/PA requester.

Management and oversight of the FOIA/PA program.

b. Who has access to these reports?

FOIA/PA Team members

**D. RECORDS RETENTION AND DISPOSAL**

*(These questions are intended to establish whether the information contained in this system has been scheduled, or if a determination has been made that a general record schedule can be applied to the information contained in this system. Reference NUREG-0910, 'NRC Comprehensive Records Disposition Schedule.')*

1. Has a retention schedule for this system been approved by the National Archives and Records Administration (NARA)?

Yes

a. If yes, list the disposition schedule.

Schedule 2, Part 6

2. Is there a General Records Schedule (GRS) that applies to information in this system?

Yes

- a. If yes, list the disposition schedule.

GRS 14

- 3. If you answered no to questions 1 and 2, complete NRC Form 637, NRC Electronic Information System Records Scheduling Survey, and submit it with this PIA.

## **E. ACCESS TO DATA**

### **1. INTERNAL ACCESS**

- a. What organizations (offices) will have access to the information in the system?

FOIA/PA Team

- (1) For what purpose?

- a. FOIA Annual Report to DOJ
- b. Archival data to review previous cases/requesters
- c. Data input to correct information in system, fees owed, etc.
- d. Input case closing information such as closed date, exemptions used.

- (2) Will access be limited?

No

- b. Will other systems share or have access to information in the system?

No

- c. How will information be transmitted or disclosed?

Printed reports.

- d. What controls will prevent the misuse (e.g., unauthorized browsing) of information by those having access?

Each FOIA/PA team member with access to FOIAXpress is aware of the requirement to protect all information related to FOIA/PA requests as part of their sensitive position responsibilities.

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

No

(1) If yes, where?

**2. EXTERNAL ACCESS**

a. Will external agencies/organizations/public share or have access to the information in this system?

No

(1) If yes, who.

b. What information will be shared/disclosed and for what purpose?

N/A

c. How will this information be transmitted/disclosed?

N/A

**F. TECHNICAL ACCESS AND SECURITY**

1. Describe security controls used to limit access to the system (e.g., passwords). Explain.

Each FOIA Team member with access to FOIAXpress has a user name and self-assigned password.

2. Will the system be accessed or operated at more than one location (site)?

No. The system is accessed and operated in the FOIA/PA Team office area and with one license per FOIA/PA team member. The software is located on each team members' workstation CPU.

a. If yes, how will consistent use be maintained at all sites?

N/A

3. Which user group(s) (e.g. system administrators, project manager, etc.) have access to the system?

FOIA/PA Team members, contractor who maintains the onsite server.

4. Will a record of their access to the system be captured?

No



a. If yes, what will be collected?

5. Will contractors have access to the system?

Yes

a. If yes, for what purpose?

Troubleshoot, maintain, and update the server.

- Ensure that the following Federal Acquisition Regulation (FAR) clauses are referenced in all contracts/agreements/purchase order where a contractor has access to a Privacy Act system of records to ensure that the wording of the agency contracts/agreements/purchase order make the provisions of the Privacy Act binding on the contractor and his or her employees:
  - 52.224-1 Privacy Act Notification.
  - 52.224-2 Privacy Act.

6. What auditing measures and technical safeguards are in place to prevent misuse of data?

No auditing measures. Access is only by the FOIA/PA Team members and the contractor who maintains the server.

7. Are the data secured in accordance with FISMA requirements?

No

a. If yes, when was Certification and Accreditation last completed?

**PRIVACY IMPACT ASSESSMENT REVIEW/APPROVAL**  
(For Use by OIS/IRSD/RFPSB Staff)

**System Name:**        **E-FOIA Tracking System (FOIAXpress)**

**Submitting Office:**   **Office of Information Services (OIS)**

**A.    PRIVACY ACT APPLICABILITY REVIEW**

Privacy Act is not applicable.

**Privacy Act is applicable. This system is currently covered under NRC's Privacy Act System of Records, NRC-10, "Freedom of Information Act (FOIA) and Privacy Act (PA) Request Records." No modification to the system notice is required.**

**Comments:**

This system contains personally identifiable information.

Reviewer's Name	Title	Date
Sandra S. Northern	Privacy Program Officer	April 11, 2008

**B.    INFORMATION COLLECTION APPLICABILITY DETERMINATION**

No OMB clearance is needed.

OMB clearance is needed.

**Currently has OMB Clearance. Clearance No.3150-0043**

**Comments:**

The information collected has been approved by OMB and assigned OMB control number 3150-0043. The collection has an expiration date of October 31, 2008 and is currently in the process for renewal from OMB.

Reviewer's Name	Title	Date
Gregory Trussell	Information Collections Team Leader	April 15, 2008

**C.    RECORDS RETENTION AND DISPOSAL SCHEDULE DETERMINATION**

No record schedule required.



**TRANSMITTAL OF PRIVACY IMPACT ASSESSMENT/  
PRIVACY IMPACT ASSESSMENT REVIEW RESULTS**

TO: <b>Thomas M. Boyce, Director, Office of Information Services</b>	
Name of System: <b>E-FOIA Tracking System (FOIAXpress)</b>	
Date RFPSB received PIA for review: <b>March 31, 2008</b>	Date RFPSB completed PIA review: <b>April 17, 2008</b>
<p><b>Noted Issues:</b></p> <p><b>This system is maintained as part of NRC's Privacy Act system of records NRC-10, "Freedom of Information Act (FOIA) and Privacy Act (PA) Requests Records."</b></p> <p><b>Information collected has been approved by OMB and assigned OMB control number 3150-0043.</b></p> <p><b>General Records Schedule 14 covers the retention and disposition of the information maintained in this system.</b></p>	
Margaret A. Janney, Chief Records and FOIA/Privacy Services Branch Office of Information Services	Signature/Date: <b>/RA/ 04/17/2008</b>
<p><i>Copies of this PIA will be provided to:</i></p> <p><i>James C. Corbett, Director Business Process Improvement and Applications Division Office of Information Services</i></p> <p><i>Paul Ricketts Senior IT Security Officer (SITSO) FISMA Compliance and Oversight Team Computer Security Office</i></p>	