

Privacy Impact Assessment FPAC CASP

Policy, E-Government and Fair Information Practices

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Privacy Impact Assessment for the FPAC CASP

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Abstract

The FPAC Cloud Access Security Platform (CASP) hosts the H2a application, a temporary agricultural program to help employers who anticipate a lack of available domestic workers to bring foreign workers to the U.S. to perform temporary or seasonal agricultural work including, but not limited to, planting, cultivating, or harvesting labor.

A Privacy Threshold Analysis (PTA) was performed, indicating that a PIA must be completed. This PIA is being conducted to comply with the Federal Information Security Modernization Act of 2014 (FISMA) (44 U.S.C. §3551 to §3559) and the E-Government Act of 2002 (Pub. Law. 107-347, 44 U.S.C. §101).

Overview

The FPAC Cloud Access Security Platform (CASP) hosts the following applications:

- H2A is a temporary agricultural program to help employers who anticipate a lack of available domestic workers to bring foreign workers to the U.S. to perform temporary or seasonal agricultural work including, but not limited to, planting, cultivating, or harvesting labor.

The H2A application is used by farmers and producers to access DOL and UCSIS, therefore the H2A application is expected to have PII inside its system boundary.

FPAC CASP / H2A application, however, does not store any PII with the exception of a case where a producer can save their inquiry and a DOL case number is stored by FPAC CASP / H2A.

Legal Authority: This system is regulated by privacy laws, regulations and government requirements, including the Privacy Act (5 U.S.C. §552a); the E-Government Act of 2002 (Pub. Law. 107-347, 44 U.S.C. §101); the Paperwork Reduction Act of 1995 (44 U.S.C. §3501); the Federal Information Security Modernization Act of 2014 (FISMA) (44 U.S.C. §3551 to §3559); OMB Memos M-03-22, M-10-22, M-10-23, M-16-24, and M-17-12; and OMB Circular A-130, Appendix I.

Section 1.0 Characterization of the Information

The following questions are intended to define the scope of the information requested and/or collected as well as reasons for its collection as part of the program, system, rule, or technology being developed.

1.1 What information is collected, used, disseminated, or maintained in the system?

A producer can save their inquiry and a DOL case number in FPAC CASP / H2A; this will allow the producer to retrieve their information from DOL and continue with their inquiry.

No other user information is collected, used, or maintained by FPAC CASP / H2A. FPAC CASP / H2A is, however, used as a ‘pass through’ system to allow farmers and producers to access DOL and USCIS from a single (common) entry point. As a result, information will be sent to (and from) users (farmers and producers) to DOL and USCIS, even though FPAC CASP / H2A does not assess or perform any actions on the data.

1.2 What are the sources of the information in the system?

Data is transmitted through FPAC CASP / H2A by users (farmers and producers), US Department of Labor, and United States Citizenship and Immigration Services.

1.3 Why is the information being collected, used, disseminated, or maintained?

FPAC CASP / H2A allows users to access several US Federal agencies only using a single authentication.

The only information stored by FPAC CASP / H2A is to allow a producer to save their inquiry and a DOL case number; this will allow the producer to retrieve their information from DOL and continue with their inquiry.

1.4 How is the information collected?

Data transmitted through FPAC CASP is collected from farmers and producers by either Login.gov, DOL, or USCIS.

1.5 How will the information be checked for accuracy?

As FPAC CASP / H2A does directly collect information from the user, it is unclear how this data is checked for accuracy.

1.6 What specific legal authorities, arrangements, and/or agreements defined the collection of information?

These regulations are applicable:

- Privacy Act (5 U.S.C. §552a);
- E-Government Act of 2002 (Pub. Law. 107-347, 44 U.S.C. §101);
- Paperwork Reduction Act of 1995 (44 U.S.C. §3501)

1.7 Privacy Impact Analysis: Given the amount and type of data collected, discuss the privacy risks identified and how they were mitigated.

Privacy risks are mitigated on FPAC CASP by not storing any PII on the system and by not assessing any data transmitted between users and DOL or USCIS.

Section 2.0 Uses of the Information

The following questions are intended to delineate clearly the use of information and the accuracy of the data being used.

2.1 Describe all the uses of information.

Privacy information is used by DOL and/or USCIS to process a farmer or producer's request to bring foreign workers to the U.S. to perform temporary or seasonal agricultural work including, but not limited to, planting, cultivating, or harvesting labor

2.2 What types of tools are used to analyze data and what type of data may be produced?

N/A – no tools are used by FPAC CASP to analyze this data.

2.3 If the system uses commercial or publicly available data please explain why and how it is used.

The FPAC CASP / H2A application is publicly available, however users must authenticate with either eAuth or Login.gov in order to access DOL or USCIS.

2.4 Privacy Impact Analysis: Describe any types of controls that may be in place to ensure that information is handled in accordance with the above described uses.

- The FPAC CASP system is in compliance with the FISMA and the security and privacy controls provided in the U.S. National Institute of Standards and Technology (NIST) Special Publication 800-53, Revision 4.
- If any residual risks are identified, they will be managed and reported via the FISMA mandated risk assessment processes.

Section 3.0 Retention

The following questions are intended to outline how long information will be retained after the initial collection.

3.1 How long is information retained?

N/A – information on FPAC CASP is not stored or retained. The only user information that is stored on FPAC CASP is a producer’s DOL case number; this information does not identify the specific user or contain any user information. This DOL case number is retained in FAPC CASP for 90 days.

3.2 Has the retention period been approved by the component records officer and the National Archives and Records Administration (NARA)?

N/A – no PII is retained in FPAC CASP.;

3.3 Privacy Impact Analysis: Please discuss the risks associated with the length of time data is retained and how those risks are mitigated.

N/A – no PII is retained in FPAC CASP.;

Section 4.0 Internal Sharing and Disclosure

The following questions are intended to define the scope of sharing within the United States Department of Agriculture.

4.1 With which internal organization(s) is the information shared, what information is shared and for what purpose?

N/A – no information is shared with any USDA system.

4.2 How is the information transmitted or disclosed?

N/A – no information is shared with any USDA system.

4.3 Privacy Impact Analysis: Considering the extent of internal information sharing, discuss the privacy risks associated with the sharing and how they were mitigated.

N/A – no information is shared with any USDA system.

Section 5.0 External Sharing and Disclosure

The following questions are intended to define the content, scope, and authority for information sharing external to USDA which includes Federal, state and local government, and the private sector.

5.1 With which external organization(s) is the information shared, what information is shared, and for what purpose?

FPAC CASP / H2A is used as a ‘pass through’ system to allow farmers and producers to access DOL and USCIS from a single (common) entry point. As a result, information will be sent to (and from) users (farmers and producers) to DOL and USCIS, even though FPAC CASP / H2A does not assess or perform any actions on the data.

5.2 Is the sharing of personally identifiable information outside the Department compatible with the original collection? If so, is it covered by an appropriate routine use in a SORN? If so, please describe. If not, please describe under what legal mechanism the program or system is allowed to share the personally identifiable information outside of USDA.

The USDA H2A application was designed for the purpose of providing a single entry point for farmers and producers.

5.3 How is the information shared outside the Department and what security measures safeguard its transmission?

Communications between FPAC CASP / H2A and DOL, USCIS, and Login.gov occur using HTTPS.

5.4 Privacy Impact Analysis: Given the external sharing, explain the privacy risks identified and describe how they were mitigated.

FPAC CASP / H2A mitigates the risk to a user’s PII by not assessing or storing this data. FPAC CASP is essentially a ‘pass through’ used by farmers and producers to access other US Federal Government agencies.

Section 6.0 Notice

The following questions are directed at notice to the individual of the scope of information collected, the right to consent to uses of said information, and the right to decline to provide information.

6.1 Does this system require a SORN and if so, please provide SORN name and URL.

No PII is directly solicited from any individual to support this application, so no "Notice" is provided to individual users. User information is NOT retrieved by a personal identifier

6.2 Was notice provided to the individual prior to collection of information?

No PII is directly solicited from any individual to support this application, so no "Notice" is provided to individual users

6.3 Do individuals have the opportunity and/or right to decline to provide information?

No PII is directly solicited from any individual to support this application, so users are not given the opportunity and/or right to decline to provide information on FPAC CASP. This opportunity and/or right to decline would be provided on the system that directly collect this information.

6.4 Do individuals have the right to consent to particular uses of the information? If so, how does the individual exercise the right?

No PII is directly solicited from any individual to support this application, so users are not given the opportunity to consent to particular uses of information on FPAC CASP. This opportunity to consent to particular uses of information would be provided on the system that directly collect this information

6.5 Privacy Impact Analysis: Describe how notice is provided to individuals, and how the risks associated with individuals being unaware of the collection are mitigated.

No PII is directly solicited from any individual on FPAC CASP. The risks associated with an individual's information would be mitigated by the system that directly collects this information

Section 7.0 Access, Redress and Correction

The following questions are directed at an individual's ability to ensure the accuracy of the information collected about them.

7.1 What are the procedures that allow individuals to gain access to their information?

N/A – no user information is stored or maintained on FPAC CASP.

7.2 What are the procedures for correcting inaccurate or erroneous information?

N/A – no user information is stored or maintained on FPAC CASP.

7.3 How are individuals notified of the procedures for correcting their information?

N/A – no user information is stored or maintained on FPAC CASP.

7.4 If no formal redress is provided, what alternatives are available to the individual?

N/A – no user information is stored or maintained on FPAC CASP.

7.5 Privacy Impact Analysis: Please discuss the privacy risks associated with the redress available to individuals and how those risks are mitigated.

N/A – no user information is stored or maintained on FPAC CASP.

Section 8.0 Technical Access and Security

The following questions are intended to describe technical safeguards and security measures.

8.1 What procedures are in place to determine which users may access the system and are they documented?

N/A – no user information is stored or maintained on FPAC CASP.

8.2 Will Department contractors have access to the system?

N/A – no user information is stored or maintained on FPAC CASP.

8.3 Describe what privacy training is provided to users either generally or specifically relevant to the program or system?

N/A – no user information is stored or maintained on FPAC CASP.

8.4 Has Certification & Accreditation been completed for the system or systems supporting the program?

The FPAC CASP system is currently undergoing a C&A assessment.

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

N/A – no user information is stored or maintained on FPAC CASP.

8.6 Privacy Impact Analysis: Given the sensitivity and scope of the information collected, as well as any information sharing conducted on the system, what privacy risks were identified and how do the security controls mitigate them?

FPAC CASP mitigates privacy risks by not storing any PII and by only being a ‘pass through’ between the user and other Federal applications.

Section 9.0 Technology

The following questions are directed at critically analyzing the selection process for any technologies utilized by the system, including system hardware and other technology.

9.1 What type of project is the program or system?

FPAC CASP / H2A is an application specifically designed to allow farmers and producers to access Login.gov, DOL, and USCIS.

9.2 Does the project employ technology which may raise privacy concerns? If so please discuss their implementation.

No, the project utilizes Agency approved technologies, and these technology choices do not raise privacy concerns.

Section 10.0 Third Party Websites/Applications

The following questions are directed at critically analyzing the privacy impact of using third party websites and/or applications.

10.1 Has the System Owner (SO) and/or Information Systems Security Program Manager (ISSPM) reviewed Office of Management and Budget (OMB) memorandums M-10-22 “Guidance for Online Use of Web Measurement and Customization Technology” and M-10-23 “Guidance for Agency Use of Third-Party Websites and Applications”?

Yes.

10.2 What is the specific purpose of the agency’s use of 3rd party websites and/or applications?

FPAC CASP will communicate with DOL, USCIS, and Login.gov to allow farmers and producers to apply for and process applications for temporary workers.

10.3 What personally identifiable information (PII) will become available through the agency’s use of 3rd party websites and/or applications.

No PII will become available through the use of non-USDA websites.

10.4 How will the PII that becomes available through the agency’s use of 3rd party websites and/or applications be used?

No PII will become available through the use of non-USDA websites.

10.5 How will the PII that becomes available through the agency’s use of 3rd party websites and/or applications be maintained and secured?

No PII will become available through the use of non-USDA websites.

10.6 Is the PII that becomes available through the agency’s use of 3rd party websites and/or applications purged periodically?

No PII will become available through the use of non-USDA websites.

10.7 Who will have access to PII that becomes available through the agency’s use of 3rd party websites and/or applications?

No PII will become available through the use of non-USDA websites.

10.8 With whom will the PII that becomes available through the agency's use of 3rd party websites and/or applications be shared - either internally or externally?

No PII will become available through the use of non-USDA websites.

10.9 Will the activities involving the PII that becomes available through the agency's use of 3rd party websites and/or applications require either the creation or modification of a system of records notice (SORN)?

No PII will become available through the use of non-USDA websites.

10.10 Does the system use web measurement and customization technology?

No, FPAC CASP does not use web measurement and customization technology.

10.11 Does the system allow users to either decline to opt-in or decide to opt-out of all uses of web measurement and customization technology?

N/A - FPAC CASP does not use web measurement and customization technology.

10.12 Privacy Impact Analysis: Given the amount and type of PII that becomes available through the agency's use of 3rd party websites and/or applications, discuss the privacy risks identified and how they were mitigated.

Privacy risks are nominal. FPAC CASP only communicates with other Federal agencies. Additionally, FPAC CASP does not use web measurement or customization technology.



Agency Responsible Officials

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Agency Approval Signature

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