

Privacy Impact Assessment PACA

Cyber and Privacy Policy and Oversight

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Privacy Impact Assessment for the PACA Oracle Database

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Abstract

The abstract should be a minimum of three sentences and a maximum of four, if necessary, and conform to the following format:

- First sentence should be the name of the component and system.
- Second sentence should be a brief description of the system and its function.
- Third sentence should explain why the PIA is being conducted.

The Perishable Agricultural Commodities Act (PACA) Oracle Database is administered by the AMS, F &V Programs, PACA Branch. The database tracks information relating to produce industry members with regards to whether or not they are subject to the licensing provisions of the PACA as set forth in 1930. In addition to license details, the database also tracks information relating to complaints filed by other industry members as well as administrative actions filed by the Department. A privacy impact analysis (PIA) is needed because the database contains personal identifiable information (PII).

Overview

The overview is the most important section of the PIA. A thorough and clear overview gives the reader the appropriate context to understand the responses in the PIA. The overview should contain the following elements:

- The system name and the name of the Department component(s) who own(s) the system;
- The purpose of the program, system, or technology and how it relates to the component's and Department's mission;
- A general description of the information in the system;
- A description of a typical transaction conducted on the system;
- Any information sharing conducted by the program or system;
- A general description of the modules and subsystems, where relevant, and their functions; and
- A citation to the legal authority to operate the program or system.

The PACA Oracle Database is administered by the AMS, F &V Programs, PACA Branch. Its purpose is to track information relating to PACA licensees and complaints. PACA uses this information in order to promote fair produce trading through regulation and enforcement of the provisions outlined in the PACA.

The database contains information on company name and address, principal name and address, social security number, telephone numbers, corporate officers, percentages of stock, and details regarding transactions involved in complaints or actions to be taken by the Department. This information is used solely by PACA. There is no access by other USDA agencies or by the public at large. This information is collected in accordance with the PACA (7 CFR 46.4).

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?

Company name and address, principal name and address, social security number, telephone numbers, corporate officers, percentages of stock, and details regarding transactions involved in complaints or actions to be taken by the Department.

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

Most of the information is obtained from the customer. Phone listings and industry credit reporting service information is also used. Information from USDA APHIS import license applications are used to contact firms who may be subject to PACA licensing provisions.

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

For purposes of administering the PACA and any required regulation or enforcement thereof.

1.4 How is the information collected?

Most of the information is obtained from the customer. Phone listings and industry credit reporting service information is also used. Information from USDA APHIS import license applications are used to contact firms who may be subject to PACA licensing provisions.

1.5 How will the information be checked for accuracy?

Information is always verified with the customer

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

The PACA license and complaint procedures define the collection of data

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

Once entered into the database, the SSN's are encrypted. Only certain PACA managers have access to all data fields. PACA personnel are allowed to see only data which is crucial to the job tasks and function.

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.

The sole use for the data is administering the PACA. Data is not used for any other purpose or by any other parties.

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

PACA personnel access the database using forms and reports created by the PACA Oracle staff. Certain Oracle development tools are utilized by the PACA Oracle staff in creating these forms and reports. All data relates to PACA licenses or complaints.

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

N/A

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.

No additional controls.

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?

Data is purged when it is no longer needed.

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

Yes

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

The same security measures are in place regardless of the length of time the data is retained.

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?

None

4.2 How is the information transmitted or disclosed?

N/A

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

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?

None

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.

N/A

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

N/A

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

N/A

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

Yes

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

PACA cannot force any party to provide information. Failure to provide information may result in denial of a license. Operating without a license is a violation of the PACA.

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

Information is not used for any other purpose.

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

Persons or firms applying for a PACA license are advised on the application that failure to provide certain information may result in PACA denying issuance of a license. Operating without a license is a violation of PACA. Information collected in the PACA complaint process is required in order to resolve disputes under PACA. Parties are advised in writing that the purpose of providing information is to resolve said disputes. Parties are aware that data is being collected.

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?

Individuals may call, e-mail or write regarding any questions relating to their records.

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

Corrections must be submitted in writing

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

Individuals are notified by phone or in writing

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

N/A

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

Corrections to the data are maintained in the same way as the data itself.

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?

The system records which records were accessed by users. This information can be retrieved using system reports.

8.2 Will Department contractors have access to the system?

PACA has its own Oracle DBA and programmer. No contractor access is planned.

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

Annual privacy training as required by the Department is provided.

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

Yes

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

The system is accessed only by authorized PACA personnel who have current AMS domain credentials and current PACA Oracle database credentials. Access can be tracked through logs and system reports.

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?

The system is accessed only by authorized PACA personnel who have current AMS domain credentials and current PACA Oracle database credentials. Access can be tracked through logs and system reports.

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?

This is an operational system used to track and record data necessary to administer the PACA


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

No

Responsible Officials

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Approval Signature



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