

Privacy Impact Assessment Packers and Stockyards System (PAS 2.0)

Policy, E-Government and Fair Information Practices

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Privacy Impact Assessment for the Packers and Stockyards (PAS 2.0)

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Abstract

The PAS 2.0 is a web-based application containing information on the entities licensed under AMS Fair Trade Practices Program (FTPP) Packers and Stockyards Division (PSD). PAS 2.0 will be used by USDA staff to track and manage license information. The license holders will be able to submit license applications and information to USDA electronically. The public will be able to search for license information.

Overview

AMS Fair Trade Practices Program (FTPP) Packers and Stockyards Division (PSD) promotes fair business practices and competitive environments to market livestock, meat, and poultry through its oversight activities under the Packers and Stockyards Act. PSD currently utilizes multiple systems (referred to as PAS, for Packers and Stockyards) managed by USDA Rural Development to support its regulatory oversight activities.

In 2015, PSD began developing PAS 2.0 on the Microsoft Dynamics platform, since the current systems used by PSD are becoming technically obsolete and does not support all business processes. The development of PAS 2.0 was delayed in 2017 due agency reorganization that impacted schedule and funding resources.

PAS 2.0 will replace the current PAS system with a Dynamics/SharePoint management solution that consolidates business registration account, financial, and enforcement management processes.

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?

PAS 2.0 system collects name and alias as given in the registration form(s) submitted into the system. The system collects mailing address. The system does not necessarily collect credit card information but depending on an entity's or individual bank statements this information may be included. It also depends on the investigation or activity that have been conducted on what may be included in the document collection. PAS 2.0 system creates a unique ID number for all entries and the system owners use these numbers to look up or research the system or include the numbers on internal documentation. Signatures are on the forms the PAS 2.0 collected and stored in the system. There is possibility that date and/or place of birth may be included on documents that PAS 2.0 system collects to use for investigations or other activities. PAS 2.0 system could potentially collect SSN/TIN information on documents that the system owners use for investigations and activities. The only time criminal history or employment history could potentially be in the system is on the Registrant History document. This is the document created to determine if a person is fit to engage in business and our Legal Specialists will pull or include history that is concerning when it relates to the industry. Pictures and other images may be taken by the system to conduct investigation on the entity's premise. And no two investigations are alike or include the same type of documents each time, so the information may vary. An investigation file and/or supporting docs are uploaded and attached to the system folder in PAS 2.0.

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

PAS 2.0 applications (Microsoft CRM Dynamic and SharePoint).

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

AMS Fair Trade Practices Program (FTPP) Packers and Stockyards Division (PSD) promotes fair business practices and competitive environments to market livestock, meat, and poultry through its oversight activities under the Packers and Stockyards Act.

1.4 How is the information collected?

PAS 2.0 collects information through various ways.

- Entities subject to the P&S Act mails application to the appropriate office.
- PSD staff will investigate complaints received or through normal work assignments to gather information that's entered into PAS 2.0.

1.5 How will the information be checked for accuracy?

PAS 2.0 will include a internal check to validate information for accuracy from paperwork and information received from industry.

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

Is it required by the The Packers and Stockyards Act of 1921 (7 U.S.C. §§ 181-229b; P&S Act).

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 include the risk of unauthorized release of data. These risks are mitigated by the following:

- Public users have read-only access to limited publicly-available information stored on a separate database that contains only publicly-available data.
- The system has controlled access to data via USDA e-Authentication for USDA and customer users. Access to data in the system are controlled by User Roles which are assigned appropriately to end users with permissions to view and edit data based on role. External users (license holders) can view their own license information only, and USDA staff are allowed to view only data which is relevant to 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 information collected and maintained in the PAS 2.0 system is used to administer licensing provisions under the PAS 2.0, to adjudicate contract disputes, and to enforce the PAS 2.0 and PAS 2.0 regulations.

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

The data will be analyzed through Microsoft Dynamics and SharePoint.

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

No.

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 system has controlled access to data via USDA e-Authentication for USDA and customer users. Access to data in the system is controlled by User Roles which are assigned appropriately to end users with permissions to view and edit data based on role. Public users have read-only access to publicly-available information.

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?

Paper and electronic records will be retained in accordance with disposition authority DAA-0136-2019-0002 which is currently being updated. Some records considered as permanent will be maintained in accordance with NARA requirements.

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.

All data stored within the PAS 2.0 system will comply with required USDA IT security policy and directives. 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?

Data deemed not to be business proprietary information is publicly available on the internet to any internal organization for information and research purposes. All employees of PSD will use this system to do their daily work responsibilities. The Fair Trade Practices Program Office of the Deputy Administrator staff will also use the system and from time to time interns and temporary employees may use it as well. If we receive request for information from upper leadership such as Office of the Administrator or others, PSD employees usually query the system and produce that information in a report or spreadsheet.

Complaint and violation information may be referred to other official Federal, State, local, or foreign agencies charged with the responsibility of investigating or prosecuting a violation of law, or enforcing or implementing the statute, rule, regulation or order issued pursuant to the law, or any record within the system, when available information indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation, or order issued pursuant to the law.

Complaint and violation information may be referred to a court, magistrate, or administrative tribunal, or to opposing counsel in a proceeding before any of the above, or any record with the system which constitutes evidence in that proceeding, or which is sought in the course of discovery.

4.2 How is the information transmitted or disclosed?

Organizations, internal and external to USDA, may request data collected in PAS 2.0 via the appropriate channels. Information will be transmitted to internal organizations by e-mail. USDA Office of General Counsel staff will be able to access information directly in the 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.

There is an inherent risk associated with the sharing of privacy data internally. However, PSD internal staff whose responsibilities involved the handling of privacy data are required to undergo privacy awareness training.

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?

Data deemed not to be business proprietary information is publicly available on the internet to any internal organization for information and research purposes.

Complaint and violation information may be referred to other official Federal, State, local, or foreign agencies charged with the responsibility of investigating or prosecuting a violation of law, or enforcing or implementing the statute, rule, regulation or order issued pursuant to the law, or any record within the system, when available information indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by rule, regulation, or order issued pursuant to the law.

Complaint and violation information may be referred to a court, magistrate, or administrative tribunal, or to opposing counsel in a proceeding before any of the above, or any record with the system which constitutes evidence in that proceeding, or which is sought in the course of discovery.

PII is not shared with Pay.gov payment transactions.

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 PAS 2.0 team is currently working with the AMS Fair Trade Practices Program (FTPP) Packers and Stockyards Division (PSD) to review the system of records notice (SORN) as applicable in the PAS 1.0. The existing PAS 2.0 system is covered by a SORN.

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

Organizations, internal and external to USDA, have access to public business data via the internet. When requested, PAS 2.0 staff will provide that same public information to external parties directly via phone or email.

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

Only data deemed as public business information is publicly-available on the internet, therefore the privacy risks associated with information sharing are low. Case information is not available to external organizations on the internet.

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.

The PAS 2.0 team is currently working with the AMS Fair Trade Practices Program (FTPP) Packers and Stockyards Division (PSD) to review the system of records notice (SORN) as applicable in the PAS 1.0. The existing PAS 2.0 system is covered by a SORN: RD-2 Enterprise Content Management

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

Yes. The Public was provided notice in the SORN USDA/RD-2 Enterprise Content Management.

(<https://www.federalregister.gov/documents/2014/03/12/2014-05351/privacy-act-of-1974-deletion-of-system-of-records-usdaoes-1-correspondence-and-document-management#page-13978>)

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

Individuals who are subject to be in compliance with the P&S Act and regulations are required to provide the requested 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 because the information is used to determine compliance with the P&S Act.

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.

The SORN is the official notice. No information is collected without an individual's awareness.

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 to the AMS Fair Trade Practices Program (FTPP) Packers and Stockyards Division (PSD) to review the system of records notice (SORN) as applicable in the PAS 1.0. The existing PAS 2.0 system is covered by a SORN.

Division regarding questions relating to their records. License holders will have direct access to the PAS 2.0 system through an account login, and will be able to enter or update data via the internet. Individuals may view the publicly-available information on the PAS 2.0 public search website via the internet.

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

Corrections must be submitted in writing, via email, fax, or in hard copy.

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

Individuals are notified by phone or in writing, via email, fax, or in hard copy.

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.

The privacy risks associated with redress available to individuals are low. All corrections to data are submitted in writing and individuals are notified.

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?

Public access: Anyone can gain access to the public side of the system, which posts publicly-available information on the Internet. Public access is via the Internet and requires no login to search and view information.

License Holder/Agency access: The system users who upload or edit data must login to the system via eAuthentication. The PAS 2.0 system is a role-based system; each user is assigned a role with permissions to access data appropriate to their job responsibilities. The PAS 2.0 Division will verify external users requesting access to the system.

The PAS 2.0 system will have audit and tracking information on user access.

8.2 Will Department contractors have access to the system?

Yes. Contractors will have access to the system for system development and deployment purposes.

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

Privacy and User notices will be available on the web site to educate users on how to protect PII when using the system. All USDA staff and contractors are required to complete IT security training annually.

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

The PAS 2.0 is currently under development.

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

PAS 2.0 has controls in place as required by USDA policy to ensure data integrity and to prevent unauthorized access. Access to data in the system is controlled by access roles which are assigned to end users, as appropriate. The system will include a timeout function for remote access and system audit logs to track user activity.

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 data maintained in the PAS 2.0 system is business and license information managed under USDA regulations. The privacy risks are low since operations obtaining licenses are given notice of the regulatory requirements. Security controls in the system minimize privacy risks.

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?

The PAS 2.0 system is a web-based application on the Microsoft Dynamics Customer Relationship Management (CRM) and SharePoint platform (a FedRAMP certified platform-as-a-service (PaaS)) that provides the user interface and database. All users can access the system on the internet, and users entering data have a USDA eAuthentication account to login to the system.

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

No.

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?

The PAS 2.0 system will be using 3rd party websites or applications.

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

N/A

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

N/A

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?

N/A

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

N/A

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

N/A

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?

N/A

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)?

N/A

10.10 Does the system use web measurement and customization technology?

N/A

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

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.

N/A. PAS 2.0 does not use 3rd party websites and/or applications.



Agency Approval Signature

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