



NATIONAL COMMISSION ON MILITARY, NATIONAL, AND PUBLIC SERVICE PRIVACY IMPACT ASSESSMENT FOR EMPLOYEE ADMINISTRATIVE SYSTEM

Introduction

The National Commission on Military, National, and Public Service (the “Commission”) employs a system to process various employee relations activities, including personnel actions, earning and leave tracking, travel, and ethics. The Commission is conducting this Privacy Impact Assessment (PIA) because it is establishing a new system of records to manage employee administrative activities and will use personally identifiable information (PII) in those efforts.

Background

The Commission was created as an independent agency within the executive branch by the National Defense Authorization Act for Fiscal Year 2017, Pub. L. 114-328, 130 Stat. 2000 (2016). As a federal agency, the Commission is required to maintain information regarding its personnel. The Employee Administrative system helps the Commission manage and administer human capital functions, including personnel actions, payroll, time and attendance, leave, insurance, tax, retirement and other benefits, and employee claims for loss or damage to personal property; to prepare related reports to other federal agencies; to prepare travel arrangements for Commission employees; and to apply the federal ethics regulations to the Commission and its employees. The information will also be used for administrative purposes to ensure quality control, performance, and improving management processes.

Section 1 – Specific Purpose of the Agency’s Collection and Use of the Information

The following questions are intended to address why the information is being collected.

1.1 What is the specific purpose of the agency’s use of PII in the employee administrative system; and how does that use fit with the agency’s broader mission?

The Commission uses PII to facilitate the human capital requirements, travel, budgeting, and ethics requirements of the Commission. This kind of information is typical for a Federal agency to collect and is necessary for the Commission to complete its basic functions. Without it, the Commission would not be able to properly administer its internal programs and could not function.

1.2 Is the agency’s use of this PII consistent with all applicable laws, regulations, or policies?

The Commission has the authority to collect this information under its authorizing statute, Pub. L. 114-328, §§ 551-557; as well as the general authorities granted to Federal agencies under 5 U.S.C. 301, 5 U.S.C. 5501 *et seq.*, and 44 U.S.C. 3101.

The Commission’s use of employee PII is consistent with relevant laws and guidance, including the Privacy Act of 1974. The Commission also draws on executive branch guidance, such as

OMB, GSA, OGE and OPM memoranda, where applicable, to advise it on the appropriate scope of information to collect.

Section 2 – Is Any PII Likely to Become Available to the Agency?

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.

2.1 What PII is collected, used, disseminated, or maintained in the system?

The Employee Administrative systems contain both PII and non-PII information pertaining to current and past Commission employees. The system includes:

- First and Last name;
- Contact information (e.g., personal address, phone number, and email address);
- Social security number;
- Emergency contact information;
- Pay, benefits, and retirement information;
- Employment-related information (e.g., performance appraisals); and
- Limited financial information needed for the Financial Disclosure Program.

2.3 What are the sources of PII in the system?

The Commission primarily obtains this information from current and former Commission employees. As secondary sources, the Commission may also receive information from employee-named dependents, beneficiaries, and/or emergency contacts; individuals who have applied for positions or have been extended offers of employment by the Commission; and from individuals and entities associated with federal employee benefits, retirement, human resources, accounting, and payroll system administrators.

2.4 How will the information be checked for accuracy?

Information received by the Commission from its employees is assumed to be true and accurate unless follow-up documentation or correspondence indicates otherwise. Commission administrative staff will notify the Director of Operations, who serves as the Chief Human Resource Officer, if there is inconsistency in the information provided. If there is a question about the accuracy, the Commission will first reach out to the original source of the PII, usually the employee, to confirm its accuracy and address inconsistencies.

2.5 Do the Commission's activities trigger the Paperwork Reduction (PRA) and, if so, how will the agency, comply with the statute?

The PII collected is not subject to the PRA because any information the Commission may gather from employees for inclusion in this system will not constitute an “information collection” under the PRA under 44 U.S.C. 3502(3).

Section 3 – The Commission's Intended or Expected Use of PII

The following questions are intended to delineate clearly the use of information.

3.1 How will the Commission use the information?

The Commission uses the PII provided by employees to perform required administrative tasks. The tasks, generally, fall into one of four major categories:

- Human resources actions, such as paying employees, providing benefits, or ensuring retirement contributions are made;
- Performance management actions, such as appraising performance, tracking trainings, or instituting discipline;
- Travel actions, such as arranging for trips or providing reimbursement for official travel expenses; and
- Ethics actions, such as assessing employee's potential conflicts and advising them on how to abide by the Federal ethics statutes and regulations.

3.2 What types of tools, if any, are used to analyze data and what type of data may be produced?

The PII obtained by the Commission is not synthesized or analyzed to create new data sets. It is used simply to permit that the administrative functions of the Commission.

Section 4 – How will the Commission Maintain and Retain PII?

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

4.1 What information is retained?

All of the PII is retained for at least some period of time.

4.2 How will the agency maintain PII, and for how long?

Records are primarily maintained as electronic files on the Commission's SharePoint server; however, paper copies of some records will be maintained in locked file cabinets in locked offices. The retention period for the PII varies greatly depending on the business purpose of the records, and range from 90 days to 3 years after the end of Commission.

4.3 Was the retention period established to minimize privacy risk? Has the retention schedule been approved by the component records officer and the National Archives and Records Administration (NARA)?

Yes. The retention period is intended to ensure compliance with the agency's records obligations while minimizing privacy risks to personal information. The Commission is following NARA's General Records Schedules 1.1, 2.1-2.8.

Section 5 – How Will the Commission Share or Disclose PII?

The following questions are intended to define the scope of sharing within the Commission.

5.1 With which entities or persons inside or outside the agency will PII be shared, and for what purpose will PII be disclosed?

Documents may be shared within the Commission only in order to process administrative steps. Only approved staff members will have access to the SharePoint files that hold this PII. Annual summaries and statistical data that do not include PII are shared with appropriate Commission personnel for the purpose of preparing statutorily-mandated annual reports. In addition, the agency may be required to share PII in response to lawful requests for information. In doing so, the Commission will protect elements of personal information to the greatest extent permitted.

5.2 How is the information transmitted or disclosed?

The information stored electronically is stored internally in the Commission's cloud server, and can be accessed through a SharePoint portal. Only individuals with a need to access the information for official purposes will be granted access and those individuals will be granted access only to the limited files they need.

5.3 Is the sharing of personally identifiable information outside the Commission 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 the Commission.

The external sharing is compatible with the original collection. The Commission may share information with external organizations when required by statute, executive order, regulation, or policy. These instances of sharing are fully consistent with the Commission's draft SORN, NCMNPS-2, Employee Administrative Records.

5.4 What safeguards prevent expansion of uses beyond those authorized by law and described in this PIA?

Access to the information is restricted to authorized personnel who need access to perform their particular job functions. All individuals are also required to complete mandatory Computer Security Awareness Training, Privacy Act Training, and Records Management Awareness Training.

Information is shared only with external agencies under the applicable provision of NCMNPS-2, Employee Administrative Records. No external users are authorized direct access to the Commission's records in this system.

Section 6 – Notice, Access, Redress, and Correction for Individuals

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

The Commission provided notice of the PII requirements during the employee application and onboarding process. When we collect personal information from individuals, we advise them of our legal authority for requesting the information, the purposes for which we will use and disclose the information, and the consequences of their not providing any or all of the requested information. The individuals can then make informed decisions as to whether or not they should provide the information.

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

All submissions to the Commission are voluntary. However, individuals may not be employed with the Commission, or enjoy all of the benefits of their employment, if they do not submit the information.

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

When we collect a person's information, we advise that person of the purposes for which we will use the information. We further advise them that we will disclose this information without their prior written consent only when we have specific legal authority to do so.

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

All requests for access must be made in writing. For those individuals subject to the Privacy Act (PA), proper identification (a notarized signature or submitted sworn statement under penalty of perjury) must be included. Requesters are required to provide their full name, contact information, and other information as needed to verify their identity. Further information is set forth in the PA regulations.

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

To update or correct mailing address or other contact information, employees can contact the appropriate Commission staff member and explain the correction needed. Former employees can notify the Commission as indicated in the Commission's PA regulations.

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

The Commission's PA regulations and the applicable SORN provide individuals with procedures for correcting their information.

Section 7 – How does the Commission Secure PII?

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

7.1 What type program or system is being used to store or analyze information? In what stage of development is the system?

Some of the employee administrative information will be maintained in paper forms. The materials that are kept on electronic systems will be stored on the Commission cloud servers and accessed through SharePoint. SharePoint allows certain shared folders to be limited to only employees with specified access. Access is limited to authorized users. All users must possess valid user IDs and passwords to access the system. The system is in the Development/Implementation stage of the life cycle.

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

The Commission does not employ any technology that may raise privacy concerns

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

Access to information by Commission personnel is on a need-to-know basis. The need to know is determined by the individual's current job function and assessed by the Commission's Chief Privacy Officer.

7.4 Will Department contractors have access to the system?

Commission contractors have access to the system only in order to provide continuing technical operation and maintenance support. This includes providing system administration for all servers, and development for Commission system change requests, as well as integration and deployment of upgraded or new hardware and/or software.

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

All Commission personnel complete the mandatory annual Computer Security Awareness, Privacy Act, and Records Management Awareness training. All trainings include guidance on federal laws, policies, and regulations relating to privacy, data integrity, and the handling of "Sensitive" but "Unclassified/For Official Use Only" information. The Commission verifies that training has been successfully completed and maintains a record of certificates of training on all Commission personnel.

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

The Commission uses a comprehensive audit trail tracking and maintenance function that stores information on each action performed within the application to prevent misuse of data. These audit capabilities include the tracking of all user actions via audit logs to identify information by user, date, time, and data accessed. No guest accounts are ever created and system access is revoked when an employee leaves the Commission.

Section 8 – Creation or Modification of a System of Records

8.1 Will the Commission's activities create or modify a "system of records" under the Privacy Act (5 U.S.C. § 552a) of 1974?

Yes. The Commission will retain or search for PII in a manner that would require the Commission to create or modify a system of records under the Privacy Act of 1974. A system of records notice has been prepared and will be published with this PIA.

Section 9 – Identification and Mitigation of Other Privacy Risks

9.1 What other privacy risks exist, and how will the Commission mitigate those risks?

The Commission is not aware of any other privacy risks with respect to the records at issue.

Determination

As a result of performing the PIA, the Commission will retain the PII it receives from its current and former employees for the minimum amount of time required by the Commission's records schedule. The Commission will not disclose any personal information with outside organizations and will closely monitor internal use. PII may be retrieved by personal identifier, and thus a Privacy Act System of Records Notice is required.

System Title: Employee Administration System

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