

U.S. Department of Commerce NOAA



Privacy Impact Assessment for the NOAA4000 - Fisheries WAN and Enterprise Services

Reviewed by: Mark Graff, Bureau Chief Privacy Officer

- Concurrence of Senior Agency Official for Privacy/DOC Chief Privacy Officer
 Non-concurrence of Senior Agency Official for Privacy/DOC Chief Privacy Officer

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Signature of Senior Agency Official for Privacy/DOC Chief Privacy Officer

Date

U.S. Department of Commerce Privacy Impact Assessment NMFS/NOAA4000 - Fisheries WAN and Enterprise Services

Unique Project Identifier:

- A. 006-000351102 00-48-02-00-02-00 (SISP)
- B. 006-000351102 00-48-02-00-02-00(FNRS)
- C. 006-000351102 00-48-02-00-02-00 (EDMS)
- D. 006-000316800 00-48-01-14-02-00 (VMS)
- E. 006-03-02-00-01-0511-04-404-139 (TRIDENT)
- F. 006-000351100 00-48-02-00-01-00 (NRDA)
- G. 006-000351100 00-48-02-00-01-00 (RCDB)
- H. 006-000351102 00-48-02-00-02-00(eAOP)
- I. 006-000351102 00-48-02-00-02-00(MMHSRP)
- J. 006-000351102 00-48-02-00-02-00 (PCTS)
- K. 006-000351102 00-48-02-00-02-00 (GCLD)
- L. 006-000351102 00-48-02-00-02-00 (Rhythmyx CMS)
- M. 006-48-01-14-02-3305-00 (NPS)
- N. 006-000351100 (eDiscovery Application)

Introduction: System Description

This system hosts several applications that collect, store and/or disseminate information, mainly on members of the public, including foreign national guests, and in some cases, NOAA staff and/or contractors. This system is located in NMFS headquarters in Silver Spring, MD.

A. **The Seafood Inspection Services Portal (SISP)** system is a Web-based application that captures information pertaining to the scheduling, tracking, and *fee collections* for seafood inspection activities. The SISP allows Seafood Inspection Program participants (Seafood Companies, Seafood Inspection Personnel, System Administrative Staff, NOAA Finance (Billing Data)) to create an account, to update company information including multiple locations, to request certificates, inspections and contracts, and to review and pay invoices. We collect the information under the authority of Agriculture and Marketing Act of 1946 and Fish & Wildlife Act of 1956. Name, work email address, work address, and financial transaction are collected. We share the information with the private sector for invoicing and bill payment.

B. **The NOAA Foreign National Registration System (FNRS)** was designed to provide sponsors (NOAA researchers) of Foreign National Guests (who conduct collaborative research, participate in field research activities, and perform other duties while guests of NOAA), controlled technology coordinators, and the Office of Security, a single location to enter the information required to obtain appropriate approvals for a visit. We collect FNRS information solely to meet the requirements set forth by NOAA and other Department of Commerce policies and regulations including NOAA Administrative Order (NAO) 207-12 “Technology Controls and Foreign National Access”, Department Administrative Order (DAO) 207-12

“Foreign National Visitor and Guest Access Program”, and 15 Code of Federal Regulations (CFR) Parts 730-774, Export Administration Regulations, to sponsor a Foreign National Guest. Name, home email address, age, gender, race/ethnicity, date of birth, place of birth and passport number are collected. Sponsors do not share this information.

C. **The Electronic Document Management System (EDMS)** The Electronic Document Management System (EDMS) is a Web-based content management application that serves as a secure repository to archive various artifacts throughout their development life cycle. Authorized NMFS users (employees and contractors) can easily query this content management database, which has improved workflow. This application is a central resource for Habitat Division supervisors and staff for ongoing performance appraisal activity, and to assist in completing required personnel related forms that contains names, job descriptions, and GS level. EDMS also contains various legal documents/case files that may include SSN/Tax ID Numbers. Information in EDMS is housed behind the network firewall. The collection of such information is authorized by 5 U.S.C. 1302.

D. **The National Vessel Monitoring System (VMS)** program provides near-real time fishing vessel monitoring, control and surveillance throughout the US Exclusive Economic Zone (EEZ). Continuous 24/7/365 monitoring supports compliance with marine and fishing regulations regarding open and closed seasons, closed areas, international boundaries and obligations, and overfishing. The onboard-enhanced mobile transceiver units (EMTUs) send position location information to NMFS, which is stored in a database and displayed on an electronic surveillance software, which is currently vTrack. The information obtained through VMS is evidentiary in nature and used to prosecute violations of fishery regulations in administrative and civil proceedings. The overall authority for federal fishery management is the Magnuson-Stevens Conservation and Management Act (16 U.S. Code 1801 et. Seq.). Names, home telephone numbers, home email addresses and addresses for vessel operators are collected. This information is shared with the U.S. Coast Guard, many coastal states' marine enforcement offices, the Navy, Immigration and Customs Enforcement, NMFS science centers, and NMFS fishery managers.

E. TRIDENT

Trident is a cloud- based, case management system which allows sworn law enforcement officers, special agents, and other staff seamless electronic collaboration with internal team members and external partners and to develop case documentation by providing the ability to view/share incident data that documents enforcement activities such as patrols, investigations, compliance assistance and education and outreach.

The information is used to document and track patrols, investigations and other enforcement activities in which US laws and regulations as well as international agreements may have been violated. Enforcement personnel develop domestic and international investigative case files that support prosecuting alleged violations data and information from these files are entered into this system and data collected refers to businesses and members of the public.

This information is collected under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S. Code 1801 et. Seq.) and other laws under the purview of NOAA.

The Trident solution is a FedRAMP platform as a service (PaaS), private cloud, web accessible development environment, enabling the use of MicroPact's infrastructure and middleware services. The production environment consists of Tomcat/Apache web application server. Entellitrak is the thin-client that manages the business logic, data storage and interface presentation. Backend storage are Oracle and SQL Server. The system is integrated with the NOAA Office General Counsel system - Justware.

F. The Natural Resources Damage Assessment Database (NRDA) collects information about restoration projects suggested by the public in response to some incident such as an oil spill. All of the restoration activity information is submitted by the public (which could include companies or other business entities). Statutes authorizing programs also are considered to cover collections of information from the public in the form of contact information for receipt of data generated by programs, e.g. 15 U.S.C. 1151, "to make the results of technological research and development more readily available to industry and business, and to the general public." Along with project information, the database collects individual contact information (name, organization, work email address, home address, home phone number). Personal information is used internally and not disseminated. Organization names are disseminated publicly as either the submitting organization or as project partners, along with research information.

G. The Restoration and Conservation Database (RCDB) collects information related to fisheries habitat restoration projects implemented by the NOAA Office of Habitat Conservation. The Restoration Center often works with private companies and members of the public to implement projects and collects but does not disseminate contact information for individuals who have worked on the projects. Contact information includes name, work phone number, work email address, work address and organization name). An authorizing statute is 15 U.S.C. 1151. Company names can be disseminated publicly and listed as "project partners" or "funding recipients" depending on their relationship to the project. Research information is also available to the public.

H. **Electronic Annual Operating Plan (eAOP)** The application provides NMFS managers and employees with the ability to plan, monitor, and report on organizational and Program information. This includes planning and reporting of milestones and performance measures, arraying milestones by key subject areas, and assisting Programs managers and staff in producing Program Annual Operating Plans. Contact names and phone numbers PII (contact information) are included in the milestone and performance measure information. Only NMFS employees with password access, granted by the Database Administrator, may retrieve information from the system. Information is shared within the organization and used for assembling annual operating plans and for reporting strategic progress to NOAA and Department of Commerce.

I. **Marine Mammal Health and Stranding Response Program (MMHSRP)** The Marine Mammal Health and Stranding Response Program system is a centralized database that is accessible via a restricted web that collects and disseminate reference (Level A) data (i.e., genus, species, common name, etc.) on stranded marine mammals and tracks the animal's rehabilitation disposition when deemed non-releasable. The system is for the purpose of scientific research. The information is shared among federal agencies for research purposes. Our users are federal agencies, their non-federal partners, private organizations (i.e., aquariums), researchers, and educational institutions. **No user contact information is in the system.**

J. **Public Consultation Tracking System (PCTS):** The application is an information management system covering National Marine Fisheries Service (NOAA Fisheries) consultations under the Endangered Species Act (ESA) and under the Magnuson-Stevens Fishery Conservation and Management Act sections 305(b)(2) & 305(b)(4) Essential Fish Habitat (EFH). Phase I provided Corps' applicants in the Northwest Region, the ability to query the status of consultations on their permit actions for which consultation is occurring. Phase II provided Federal Action Agencies access to query the status of their ESA consultations for the Northwest, Northeast, Southeast, Southwest, and Alaska Regions, as well as Northwest Region EFH consultations records since October 1, 2000. Phase III allowed for all NOAA Fisheries regions to track EFH consultation records starting on October 1, 2004, as well as including the recently formed Pacific Islands Region ESA consultation tracking records. PCTS is also an online query system allowing federal agencies and U.S. Army Corps of Engineers' (COE) permit applicants to track the status of NMFS consultations under ESA section 7 and under MSA sections 305(b)2 and 305(b)(4): Essential Fish Habitat.

K. **General Counsel Litigation Database (GCLD):** This is an application to assist NOAA's legal counsel manage and respond to various inquiries on NMFS/NOAA litigation from Congress, the White House, Fisheries councils, government agencies. **There is no PII in this database.**

L. **Rhythmyx CMS:** This is a content management system which gives our web content teams an easy-to-use web-based tool to create, manage, and publish web content. The CMS covers the complete lifecycle of web pages - from providing simple forms to create the content, review and approve content for publishing, and finally archiving content. CMS supports public web sites and our NMFS' Intranet. **This is an internal tool that does not contain PII.**

M. **National Permits System (NPS):** In order to manage U.S. fisheries, the [NOAA National Marine Fisheries Service](#) (NMFS) requires the use of permits or registrations by participants in the United States. NMFS established the National Permits System (NPS) to accept and maintain all Sustainable Fisheries permit applications and related data. However, this system has not been sufficiently funded or widely accepted. Some of the West Coast and Pacific Islands Regions permits information is housed in NPS, as well as Antarctic Marine Living Resources and High Seas permits; the rest is in other NMFS FISMA systems and is addressed in their PIAs. Authorities are the Magnuson-Stevens Fishery Conservation and Management Act (16 USC 1801 et seq.), the High Seas Fishing Compliance Act, the Tuna Conventions Act of 1950, the Antarctic Marine Living Resources Convention Act, the Western and Central Pacific Fisheries Convention Implementation Act (WCPFCIA; 16 U.S.C. 6901 et seq.), the Marine Mammal Protection Act, the Endangered Species Act and the Fur Seal Act. The authority for the mandatory collection of the Tax Identification Number is 31 U.S.C. 7701.

N. **eDiscovery Application:** The eDiscovery Platform system is a web-based application used to simplify agency response to Freedom of Information Act (FOIA) requests, aid in the processing Administrative Records (AR), and to a lesser extent, Congressional Inquiries and Legal Holds. The system serves as a single point for the collection, review, tagging, redaction and export of responsive records.

Information is shared within NMFS offices, in order to coordinate monitoring and management of sustainability of fisheries and protected resources, as well as with the applicable State or Regional Marine Fisheries Commissions and International Organizations. Sources of information include the permit applicant/holder, other NMFS offices, NOAA ITC, U.S. Customs and Border Patrol, the U.S. Coast Guard, and State or Regional Marine Fisheries Commissions.

Note: two databases formerly in this system, National Marine Mammal Tissue Bank and The Biweekly, have been decommissioned, the former on 5/31/2017 and the latter on 4/5/2018.

Authorities from Applicable SORNs

From NOAA-5: Reorganization Plan No. 4 of 1970; 5 U.S.C. 301; 28 U.S.C. 533-535; 44 U.S.C. 3101; E.O.10450; certain sections of Titles 15, 16, 18, and 22 of the United States Code; and relevant treaty, international convention, and/or agreements of which there are approximately 20 (Example: International Convention for the Regulation of Whaling (TIAS 1849) cf. 16 U.S.C. 916).

From NOAA-11: [5 U.S.C. 301](#), Departmental Regulations and [15 U.S.C. 1512](#), Powers and duties of Department.

From NOAA-12: The Marine Mammal Protection Act, [16 U.S.C. 1361](#) et seq.; the Fur Seal Act, [16 U.S.C. 1151](#) et seq.; and the Endangered Species Act, [16 U.S.C. 1531](#) et seq. [For collection of the Tax Identifying Number (Employer Identification Number or Social Security Number), [31 U.S.C. 7701](#).]

From NOAA-19: Magnuson-Stevens Fishery Conservation and Management Act, [16 U.S.C.](#)

[1801](#) et seq. (Magnuson-Stevens Act); High Seas Fishing Compliance Act of 1995, [16 U.S.C. 5501](#) et seq.; International Fisheries Regulations: Vessels of the United States Fishing in Colombian Treaty Waters, [50 CFR 300.120](#); the American Fisheries Act, Title II, [Public Law 105-277](#); the Atlantic Coastal Fisheries Cooperative Management Act of 1993, [16 U.S.C. 5101-5108](#), as amended 1996; the Tuna Conventions Act of 1950, [16 U.S.C. 951-961](#); the Atlantic Tunas Convention Authorization Act, 16 U.S.C., Chapter 16A; the Northern Pacific Halibut Act of 1982, [16 U.S.C. 773](#) et seq. (Halibut Act); the Antarctic Marine Living Resources Convention Act of 1984, [16 U.S.C. 2431-2444](#); the Western and Central Pacific Fisheries Convention Implementation Act, [16 U.S.C. 6901](#) et seq. (WCPFCIA); the Marine Mammal Protection Act, [16 U.S.C. 1361](#); and Taxpayer Identifying Number, [31 U.S.C. 7701](#).

From DEPT-2: 28 U.S.C. 3101-3105, Debt Collection Act of 1982 (Pub. L. 97-365); 26 U.S.C. 6402(d); and 31 U.S.C. 3711.

From DEPT-5: Freedom of Information Act, [5 U.S.C. 552](#); Privacy Act of 1974 as amended, [5 U.S.C. 552a](#); [5 U.S.C. 301](#), and [44 U.S.C. 3101](#).

From DEPT-13: Executive Orders 10450, 11478, 12065, [5 U.S.C. 301](#) and 7531-332; [15 U.S.C. 1501](#) et seq.; [28 U.S.C. 533-535](#); [44 U.S.C. 3101](#); Equal Employment Act of 1972; and all existing, applicable Department policies, and regulations.

From DEPT-14: 5 U.S.C. 301; 44 U.S.C. 31101; 42 U.S.C. 3211; 31 U.S.C. 240; 28 U.S.C. 533-535 and 1346(b); 15 U.S.C. 277 and 278e(b); E.O. 10450; E.O. 11478, as amended and all other authorities of the Department.

From DEPT-18: 5 U.S.C. 301; 44 U.S.C. 3101; E.O. 12107, E.O. 13164, 41 U.S.C. 433(d); 5 U.S.C. 5379; 5 CFR Part 537; DAO 202-957; E.O. 12656; Federal Preparedness Circular (FPC) 65, July 26, 1999; DAO 210-110; Executive Order 12564; Public Law 100-71, dated July 11, 1987.

From DEPT-25: 5 U.S.C. 301; 35 U.S.C. 2; the Electronic Signatures in Global and National Commerce Act, Public Law 106-229; 28 U.S.C. 533-535; 44 U.S.C. 1301; Homeland Security Presidential Directive 12 and IRS Publication-1075.

NOAA4000 is categorized as a FIPS199 MODERATE impact system.

Section 1: Status of the Information System

1.1 Indicate whether the information system is a new or existing system.

This is a new information system.

This is an existing information system with changes that create new privacy risks.
(Check all that apply.)

Changes That Create New Privacy Risks (CTCNPR)

a. Conversions		d. Significant Merging	x	g. New Interagency Uses	
b. Anonymous to Non-Anonymous		e. New Public Access		h. Internal Flow or Collection	
c. Significant System Management Changes		f. Commercial Sources		i. Alteration in Character of Data	
j. Other changes that create new privacy risks (specify): Implementation of E-Discovery software for FOIA, Administrative Record, and litigation purposes. Explanation of significant merging: addition of TRIDENT and decommissioning of NERI.					

_____ This is an existing information system in which changes do not create new privacy risks, and there is not a SAOP approved Privacy Impact Assessment.

Section 2: Information in the System

2.1 Indicate what personally identifiable information (PII)/business identifiable information (BII) is collected, maintained, or disseminated. (*Check all that apply.*)

Identifying Numbers (IN)					
a. Social Security*	x	e. File/Case ID		i. Credit Card	
b. Taxpayer ID	x	f. Driver's License	X	j. Financial Account	
c. Employer ID	x	g. Passport	X	k. Financial Transaction*	x
d. Employee ID	x	h. Alien Registration		l. Vehicle Identifier	
m. Other identifying numbers (specify): Vessel ID Number for VMS and TRIDENT. Permits - Captain's license, State and Federal Dealer Numbers (if applicable), permit or license numbers for Federal or state permit/licenses issued and start and end dates and other permit status codes, vessel registration number					
*Explanation for the need to collect, maintain, or disseminate the Social Security number, including truncated form:					
* EDMS contains some legal documents which may include SSN. Also, a Tax Identification Number is required on all permit applications other than research or exempted fishing permits, under the authority 31 U.S.C. 7701. For purposes of administering the various NMFS fisheries permit and registration programs, a person shall be considered to be doing business with a Federal agency including, but not limited to, if the person is an applicant for, or recipient of, a Federal license, permit, right-of-way, grant, or benefit payment administered by the agency or insurance administered by the agency pursuant to subsection (c) (2) (B) of this statute.					

*Business only (permittee)

General Personal Data (GPD)					
a. Name	x	g. Date of Birth	X	m. Religion	
b. Maiden Name	x	h. Place of Birth	X	n. Financial Information	x
c. Alias	x	i. Home Address	X	o. Medical Information	x
d. Gender	x	j. Telephone Number	X	p. Military Service	
e. Age	x	k. Email Address	X	q. Physical Characteristics	x
f. Race/Ethnicity	x	l. Education		r. Mother's Maiden Name	
s. Other general personal data (specify):					

Work-Related Data (WRD)					
a. Occupation	x	d. Telephone Number	X	g. Salary	x
b. Job Title	x	e. Email Address	X	h. Work History	x

c. Work Address	x	f. Business Associates		
i. Other work-related data (specify): job description, grade, performance appraisals (EDMS); photographs, approved fishing licenses, type of fishing gear being used, vessel location (VMS, TRIDENT) file/case id and information on the catch (TRIDENT), sworn witness accounts, and (web facing) publicly available information, voice recordings (TRIDENT).				

Distinguishing Features/Biometrics (DFB)				
a. Fingerprints		d. Photographs	X	g. DNA Profiles
b. Palm Prints		e. Scars, Marks, Tattoos		h. Retina/Iris Scans
c. Voice Recording	X	f. Vascular Scan		i. Dental Profile
j. Other distinguishing features/biometrics (specify):				

System Administration/Audit Data (SAAD)				
a. User ID	X	c. Date/Time of Access	X	e. ID Files Accessed
b. IP Address	X	d. Queries Run	X	f. Contents of Files
g. Other system administration/audit data (specify):				

Other Information (specify)				
SISP - Products produced and inspection data.				
TRIDENT - Case files, Seized Property				
NPS - quota share balance, quota pound balance, quota pound limits, listings of endorsements and designations (i.e., gear endorsement, size endorsement, sector endorsement, permit tier) associated with the permit; Exemptions (i.e., Owner on Board - Grandfathered Exemption, Owner on Board, as stated in code of federal regulations) and exemption status, contact persons, Business Operation Information (Business Processes, Procedures, Physical Maps).				

2.2 Indicate sources of the PII/BII in the system. (Check all that apply.)

Directly from Individual about Whom the Information Pertains					
In Person	x	Hard Copy: Mail/Fax	x	Online	x
Telephone	x	Email	x		
Other (specify):					

Government Sources					
Within the Bureau	x	Other DOC Bureaus		Other Federal Agencies	x
State, Local, Tribal		Foreign			
Other (specify):					

Non-government Sources					
Public Organizations	x	Private Sector	x	Commercial Data Brokers	
Third Party Website or Application					
Other (specify):					

2.3 Describe how the accuracy of the information in the system is ensured.

Most data is captured electronically through website page visits. Processes in the SDLC ensure there are data integrity checks to ensure valid data is entered into the system.

For in-person information provided to NMFS Law Enforcement, this is sworn testimony corroborated by observation and other information.

NOAA4000 utilizes enterprise-wide services to aid in security monitoring, vulnerability scanning, and secure baseline management. The system also uses a NOAA enterprise service application for audit log management.

2.4 Is the information covered by the Paperwork Reduction Act?

x	<p>Yes, the information is covered by the Paperwork Reduction Act. Provide the OMB control number and the agency number for the collection. Yes, the information is covered by the Paperwork Reduction Act. Provide the OMB control number and the agency number for the collection. E. 0648-0441, Vessel Monitoring System Requirements in the Western Pacific Pelagic Longline Fishery, American Samoa Longline and Commonwealth of Northern Mariana Bottomfish Fisheries 0648-0445, Alaska VMS reporting 0648-0498, West Coast Region Longline Vessel Monitoring System and Pre-Trip Reporting Requirements 0648-0544, Southeast Region VMS and related requirements 0648-0573, Expanded VMS Requirement for Pacific Groundfish Fishery 0648-0596, Vessel Monitoring System (VMS) Requirement under the Western and Central Pacific Fisheries Commission K. 0648-0479, National Estuary Inventory L. 0648-0178, Marine Mammal Health and Stranding Response Program M. 0648-0468, Protocol for Access to Tissue Specimen Samples from the National Marine Mammal Tissue Bank 0648-0204, West Coast Permit Family of Forms 0648-0304, High Seas Fishing Vessel Permit Application, Logbook Reporting, and Vessel Marking 0648-0387, International Dolphin Conservation Program 0648-0490, Pacific Islands Region Permit Family of Forms 0648-0595, WCPFC Vessel Information Family of Forms</p> <p>These are the only PRA collections associated with this system.</p>
	No, the information is not covered by the Paperwork Reduction Act.

- 2.5 Indicate the technologies used that contain PII/BII in ways that have not been previously deployed. *(Check all that apply.)*

Technologies Used Containing PII/BII Not Previously Deployed (TUCPBNPD)			
Smart Cards		Biometrics	
Caller-ID		Personal Identity Verification (PIV) Cards	
Other (specify):			

x	There are not any technologies used that contain PII/BII in ways that have not been previously deployed.
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Section 3: System Supported Activities

- 3.1 Indicate IT system supported activities which raise privacy risks/concerns. *(Check all that apply.)*

Activities			
Audio recordings		Building entry readers	
Video surveillance		Electronic purchase transactions	
Other (specify):			

x	There are not any IT system supported activities which raise privacy risks/concerns.
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Section 4: Purpose of the System

- 4.1 Indicate why the PII/BII in the IT system is being collected, maintained, or disseminated. *(Check all that apply.)*

Purpose			
For a Computer Matching Program		For administering human resources programs	x
For administrative matters	X	To promote information sharing initiatives	x
For litigation	X	For criminal law enforcement activities	x
For civil enforcement activities	X	For intelligence activities	x
To improve Federal services online		For employee or customer satisfaction	
For web measurement and customization technologies (single-session)		For web measurement and customization technologies (multi-session)	
Other (specify):			

Section 5: Use of the Information

- 5.1 In the context of functional areas (business processes, missions, operations, etc.) supported by the IT system, describe how the PII/BII that is collected, maintained, or disseminated

will be used. Indicate if the PII/BII identified in Section 2.1 of this document is in reference to a federal employee/contractor, member of the public, foreign national, visitor or other (specify).

- A. SISP** – The information is used to track seafood inspection activities and scheduling, and to generate invoices for payment. The data collected refers to members of the public.
- B.** The information collected in **FNRS** is used to obtain appropriate approvals for a foreign national visit. The information is collected from members of the public.
- C. Electronic Document Management System (EDMS)** – Electronic Document Management System (EDMS) – This application is used for content management to provide users a secure method to manage the information assets of NMFS. The Habitat Division has a collection in the repository for supervisors and staff for ongoing performance appraisal activity, and to assist in completing required personnel related forms. Information is collected from employees.
- D.** The **VMS** helps to ensure individual vessel compliance with regional and federal fishing regulations through transmitted position reports at given intervals. The data is heavily used by fishery managers, as well. Vessel tracks, location and densities can be analyzed to indicate vessel location as well as trends and patterns of activity. VMS data is also used by the U.S. Coast Guard, many coastal states' marine enforcement offices, the Navy, Immigration and Customs Enforcement, NMFS science centers, and NMFS fishery managers, among others, to enforce other federal laws and international treaties related to the prevention of over-fishing: the High Seas Fishing Compliance Act, the American Fisheries Act, the Atlantic Coastal Fisheries Cooperative Management Act, the Atlantic Tunas Convention Authorization Act, the Northern Pacific Halibut Act and the Antarctic Marine Living Resources Convention Act. The data collected refers to members of the public.
- E.** The **TRIDENT** information is used to (1) detect instances in which the US fisheries laws as well as other US laws have been violated; and (2) develop case files that support fining and/or prosecuting these violators. The case files support the collection of fines and/or the prosecution of these cases. The data collected refers to members of the public. The TRIDENT database will be retired by Q3 2016.
- F.** The **NRDA** information will be used to manage information collected about restoration projects in response to incidents and to receive information form, and share information with, the interested public. The PII and BII collected refer to members of the public.
- G.** The **RCDB** information is used to manage information related to fisheries habitat restoration projects implemented by the NOAA Restoration Center. The data

collected refers to members of the public.

- H. Electronic Annual Operating Plan (eAOP)** The application provides NMFS managers and employees with the ability to plan, monitor, and report on agency programmatic performance. This includes planning and reporting of milestones and performance measures. Information included contains PII for some employees and contractor (names and phone numbers only) who are contacts for the milestones and performance measures. This information is used internally, as needed, to answer questions relating to progress on the milestones or performance measures.
- I. Marine Mammal Health and Stranding Response Program (MMHSRP)** The application provides the ability to track any mammals that die or are killed that come to shore (strand). **The data is for scientific research and does not contain PII.**
- J. Public Consultation Tracking System (PCTS)** PCTS is the database for documenting and tracking consultation status and key internal process requirements throughout the consultation including information quality assurance review and status in meeting statutory timelines. Only the project lead's name and business telephone number are collected.
- K. General Counsel Litigation Database (GCLD)** Is an application to assist NOAA's legal counsel manage and respond to various inquiries on NMFS/NOAA litigation from Congress, the White House, Fisheries councils, government agencies. **All information in this database is public and does not contain PII.**
- L. Rhythmyx CMS** This is a content management system which gives our web content teams an easy-to-use web-based tool to create, manage, and publish web content. The CMS covers the complete lifecycle of web pages - from providing simple forms to create the content, review and approve content for publishing, and finally archiving content. CMS supports public web sites and our NMFS' Intranet. **No PII is collected.**
- M. National Permits System (NPS)** This information will allow NMFS to identify owners and holders of permits and non-permit registrations and vessel owners and operators for both civil and criminal enforcement activities, evaluate permit applications, and document agency actions relating to the issuance, renewal, transfer, revocation, suspension or modification of a permit or registration. NMFS may use lists of permit holders or registrants as sample frames for the conduct of surveys to collect information necessary to the administration of the applicable statutes. NMFS may post non-sensitive permit holder, vessel-related, and/or IFQ information for the public, via Web sites and Web Services, per notice given on permit applications. This information is considered to be part of the public domain. Tax Identification Numbers allow positive identification for cost recovery billing of IFQ holders. Also, as stated in SORNs'-12 and 19 routine uses, a Tax Identification Number is required on all permit

applications other than research or exempted fishing permits, under the authority 31 U.S.C. 7701. For purposes of administering the various NMFS fisheries permit and registration programs, a person shall be considered to be doing business with a Federal agency including, but not limited to, if the person is an applicant for, or recipient of, a Federal license, permit, right-of-way, grant, or benefit payment administered by the agency or insurance administered by the agency pursuant to subsection (c) (2) (B) of this statute. All PII/BII are in reference to members of the public.

- N. eDiscovery Application** The information is used in the review process and is redacted before it is released to the requestor. The application does not actually save the data; it only saves the metadata or pointers to the scanned document.

- 5.2 Describe any potential threats to privacy as a result of the bureau's/operating unit's use of the information, and controls that the bureau/operating unit has put into place to ensure that the information is handled, retained, and disposed appropriately. (For example: mandatory training for system users regarding appropriate handling of information, automatic purging of information in accordance with the retention schedule, etc.)

There is mandatory training for all system users.

Potential threats include insider threat and an increased threat of attack considering the law enforcement material stored on the system. Controls for protection include the standard 2FA log in, VPN access for Clearwell, and statutory protections for Magnuson Stevens Act data.

NOAA4000 utilizes enterprise-wide services to aid in security monitoring, vulnerability scanning, and secure baseline management. The system also uses a NOAA enterprise service application for audit log management.

Section 6: Information Sharing and Access

- 6.1 Indicate with whom the bureau intends to share the PII/BII in the IT system and how the PII/BII will be shared. (*Check all that apply.*)

Recipient	How Information will be Shared		
	Case-by-Case	Bulk Transfer	Direct Access
Within the bureau	X	x	X
DOC bureaus	X		X
Federal agencies	x*		x*
State, local, tribal gov't agencies	X	x	
Public	X		X
Private sector	X		X
Foreign governments	X		
Foreign entities			
Other (specify): International law enforcement agencies.	FOIA Online		X

The PII/BII in the system will not be shared.

* USCG, USCBP and other agencies described in the Introduction have Information Sharing Agreements in place.)

SISP information is shared for invoicing and billing purposes.

NPS: non-sensitive information may be posted on public Web sites.

Trident information will be shared with law enforcement.

6.2 Indicate whether the IT system connects with or receives information from any other IT systems authorized to process PII and/or BII.

x	<p>Yes, this IT system connects with or receives information from another IT system(s) authorized to process PII and/or BII. Provide the name of the IT system and describe the technical controls which prevent PII/BII leakage:</p> <ul style="list-style-type: none"> i) US Coast Guard ii) Pacific States Marine Fisheries Commission iii) US Custom and Border Protection iv) Information Technology Center (ITC - NOAA1101) v) Other NOAA NMFS Systems (Permits, S&T, GARFO, NEFSC, SER, SEFSC, NWR, NWFSC, AKR, AKFSC, SWR, PIR, SWFSC, PIFSC) vi) Justware (connection with TRIDENT) <p>NOAA's firewalls are configured to allow incoming connections from predetermined external IPs. We also use SSL public key encryption.</p>
	No, this IT system does not connect with or receive information from another IT system(s) authorized to process PII and/or BII.

6.3 Identify the class of users who will have access to the IT system and the PII/BII. (*Check all that apply.*)

Class of Users			
General Public	X	Government Employees	x
Contractors	X		
Other (specify):			

Section 7: Notice and Consent

7.1 Indicate whether individuals will be notified if their PII/BII is collected, maintained, or disseminated by the system. *(Check all that apply.)*

x	Yes, notice is provided pursuant to a system of records notice published in the Federal Register and discussed in Section 9.
x	<p>Yes, notice is provided by a Privacy Act statement and/or privacy policy. The Privacy Act statement and/or privacy policy can be found at:</p> <ul style="list-style-type: none"> • https://seafoodinspection.nmfs.noaa.gov/customer/customerlogin.html • https://fisheriespermits.noaa.gov/npspub/pub_cmn_login/index_live.jsp • http://www.gulfspillrestoration.noaa.gov/restoration/give-us-your-ideas/suggest-a-restoration-project • http://hgclearwellt1.nmfs.local/esa/public/privacy_act_statement.html
x	<p>Yes, notice is provided by other means.</p> <p>Specify how:</p> <p>VMS: Notice is provided in a user nondisclosure agreement. For any BII release, the affected fishermen would be notified via email.</p> <p>NRDA: Notice is provided on the website.</p> <p>RCDB: Notice is provided on the website.</p> <p>NPS: Notice is provided on the website.</p> <p>SISP: Notice is provided in instructions on web page or form, as applicable.</p> <p>FNRS: Notice is provided in instructions on web page or form, as applicable.</p> <p>EDMS: Notice is provided in instructions on web page or form, as applicable</p> <p>TRIDENT: Notification is provided face to face by OLE officers. Users have NDA agreements.</p> <p>PCTS: The project manager is aware that his/her name and business telephone number is part of the information on the site. On the Web site, notice is given that IP addresses are being collected.</p> <p>NPS: Notice is provided on the permit or related application.</p> <p>eDiscovery Application: The information is redacted as part of the FOIA review process. The user voluntarily submits the information; if not, the business cannot be conducted.</p>

		<p>eAOP: It is an internal planning tool with contact information stored in conjunction with program information including reporting of milestones and performance measures.</p> <p>MMHSRP: PII/BII is not collected.</p> <p>GCLD: PII/BII is not collected.</p> <p>Rhythmyx CMS: PII/BII is not collected.</p>
	No, notice is not provided.	Specify why not:

7.2 Indicate whether and how individuals have an opportunity to decline to provide PII/BII.

x	Yes, individuals have an opportunity to decline to provide PII/BII.	<p>Specify how:</p> <p>FNRS - Foreign National visitors/guests may decline to provide this information face to face or in writing, to the administrator, but they will not be given guest privileges.</p> <p>SISP - The requestor may decline face to face or in writing, to provide information to the application owner but would not then receive the service/user account/be in compliance.</p> <p>EDMS - The requestor may decline, face to face or in writing, to provide information to the application owner but would not then receive the service/user account/be in compliance.</p> <p>VMS - The requestor may decline, face to face or in writing, to provide information in the account request form but would not then receive the service/user account/be in compliance.</p> <p>NRDA - The requestor may decline, face to face or in writing, to provide information to the application owner but would not then receive the service/user account/be in compliance.</p> <p>RCDB - The requestor may decline, face to face or in writing, to provide information to the application owner but would not then receive the service/user account/be in compliance.</p> <p>PCTS - The requestor may decline face to face or in writing, to provide information to the application but would not then receive the service/user account/be in compliance.</p> <p>NPS - The personal information is collected when the individual completes the appropriate application. On the application, the individual is advised that NMFS will not be able to issue a permit if the individual does not provide each item of information requested. The individual may choose to decline to provide the required personal information at that</p>
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		<p>time, but will not be able to receive a permit.</p> <p>eAOP- Managers' contact information is part of the program information. However, if any individual objects to their information being posted, it will be removed upon written or verbal request.</p> <p>eDiscovery Application: The BII/PII is collected via email as part of conducting business. Not providing the information affects the ability to conduct business. This is not the original data submission.</p> <p>Information in TRIDENT is collected, from review of documents on board and by observations, and entered into the system by sworn OLE agents and officers or their support staff.</p> <p>MMHSRP: PII/BII is not collected.</p> <p>GCLD: PII/BII is not collected.</p> <p>Rhythmyx CMS: PII/BII is not collected.</p>
	No, individuals do not have an opportunity to decline to provide PII/BII.	Specify why not:

7.3 Indicate whether and how individuals have an opportunity to consent to particular uses of their PII/BII.

x	Yes, individuals have an opportunity to consent to particular uses of their PII/BII.	<p>Specify how:</p> <p>There is only one purpose for each information collection. Those who provide information via Web pages have a link to the NOAA Privacy Policy, which states that provision of the information implies consent to the stated use(s). For provision of information in person, the purpose of the information is stated by the NOAA staff person.</p> <p>NPS - The individual consents by completion of the application.</p> <p>eDiscovery Application: The BII/PII is collected via email as part of conducting business.</p>
	No, individuals do not have an opportunity to consent to particular uses of their PII/BII.	Specify why not:

7.4 Indicate whether and how individuals have an opportunity to review/update PII/BII pertaining to them.

<p>x</p>	<p>Yes, individuals have an opportunity to review/update PII/BII pertaining to them.</p>	<p>Specify how:</p> <p>SISP: Users establish accounts and have access to their own profile.</p> <p>EDMS: Users establish accounts and have access to their own profile.</p> <p>FNRS: Users have limited access. Only users with a need to access the system as part of their duties and as approved by the appropriate authorizing official may directly access their data. Individuals with no access to the applicable database may request to review information and submit updates through secure means, with the person and office who collected their information originally.</p> <p>VMS: Users have limited access. Only users with a need to access the system as part of their duties and as approved by the appropriate authorizing official may directly access their data. Individuals with no access to the applicable database may request to review information and submit updates through secure means, with the person and office who collected their information originally.</p> <p>TRIDENT: Users may request to review information and submit updates through secure means, with the person and office who collected their information originally.</p> <p>NRDA: Users may request to review information and submit updates through secure means, with the person and office who collected their information originally.</p> <p>RCDB: Users may request to review information and submit updates through secure means, with the person and office who collected their information originally.</p> <p>PCTS: The project TRIDENT may email their updated information to the program administrator.</p> <p>NPS: Information may be reviewed/updated when completing or renewing a permit application or supporting document, or by calling or emailing the applicable NMFS office at any time.</p> <p>eDiscovery Application: The BII/PII is collected via email as part of conducting business.</p>
	<p>No, individuals do not have an opportunity to review/update PII/BII pertaining to them.</p>	<p>Specify why not:</p>

Section 8: Administrative and Technological Controls

8.1 Indicate the administrative and technological controls for the system. *(Check all that*

apply.)

x	All users signed a confidentiality agreement or non-disclosure agreement.
x	All users are subject to a Code of Conduct that includes the requirement for confidentiality.
x	Staff (employees and contractors) received training on privacy and confidentiality policies and practices.
x	Access to the PII/BII is restricted to authorized personnel only.
x	Access to the PII/BII is being monitored, tracked, or recorded. Explanation: A NOAA Enterprise application is being used to monitor and track activity.
x	The information is secured in accordance with FISMA requirements. Provide date of most recent Assessment and Authorization (A&A): <u>9/29/2017</u> <input type="checkbox"/> This is a new system. The A&A date will be provided when the A&A package is approved.
x	The Federal Information Processing Standard (FIPS) 199 security impact category for this system is a moderate or higher.
x	NIST Special Publication (SP) 800-122 and NIST SP 800-53 Revision 4 Appendix J recommended security controls for protecting PII/BII are in place and functioning as intended; or have an approved Plan of Action and Milestones (POA&M).
x	A security assessment report has been reviewed for the supporting information system and it has been determined that there are no additional privacy risks.
x	Contractors that have access to the system are subject to information security provisions in their contracts required by DOC policy.
	Contracts with customers establish ownership rights over data including PII/BII.
	Acceptance of liability for exposure of PII/BII is clearly defined in agreements with customers.
x	Other (specify): All employees/contractors are required to sign a confidentiality agreement.

8.2 Provide a general description of the technologies used to protect PII/BII on the IT system. (Include data encryption in transit and/or at rest, if applicable).

<p>Encryption at rest - Data is encrypted (storage, laptops and backup media). Access management control - Only users with authorization may access the data. The activities of users are tracked through audit logs and monitoring. Transmission - certificate used to access the web interface. UMS files are shared via Google Drive (https:) Any files shared with non NOAA federal recipients are shared via Accellion.</p>

Section 9: Privacy Act

9.1 Indicate whether a system of records is being created under the Privacy Act, 5 U.S.C. § 552a. (A new system of records notice (SORN) is required if the system is not covered by an existing SORN).

As per the Privacy Act of 1974, "the term 'system of records' means a group of any records under the control of any agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual."

x	Yes, this system is covered by an existing system of records notice (SORN).
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	<p>Provide the SORN name, number, and link. <i>(list all that apply):</i></p> <ul style="list-style-type: none"> ● SISP – Commerce/DEPT-2 Accounts Receivable; ● FNRS – Commerce/DEPT-13, Investigative and Security Records ● EDMS – Commerce/Dept-18 Employees Personnel Files not covered by notices of other agencies. ● VMS and TRIDENT – Commerce/ NOAA-5, Fisheries Law Enforcement Case Files ● NRDA and RCDB – NOAA-11, Contact Information of Members of the Public Requesting or Providing Information Related to NOAA’s mission. ● eAOP - Commerce/ DEPT -2 ● MMHSRP - NOAA-12, Marine Mammals, Endangered and Threatened Species, Permits, and Exemptions Applicants. ● PCTS - NOAA-12, Marine Mammals, Endangered and Threatened Species, Permits, and Exemptions Applicants. ● GCLD - Commerce/ DEPT -14 Litigation, Claims, and Administrative Proceeding Records. ● Rhythmyx CMS - Commerce/Dept-18 Employees Personnel Files not covered by notices of other agencies. ● NPS - COMMERCE/NOAA-19, Permits and Registrations for United States Federally Regulated Fisheries; COMMERCE/NOAA-12, Marine Mammals, Endangered and Threatened Species, Permits and Exempted Applicants ● eDiscovery Application: Commerce/DEPT-5, Freedom of Information Act and Privacy Act Request Records.
	Yes, a SORN has been submitted to the Department for approval on <u>(date)</u> .
	No, this system is not a system of records and a SORN is not applicable.

Section 10: Retention of Information

10.1 Indicate whether these records are covered by an approved records control schedule and monitored for compliance. *(Check all that apply.)*

x	<p>There is an approved record control schedule. Provide the name of the record control schedule:</p> <p>Chapter 100 – General Chapter 200 - Administrative and Housekeeping Records Chapter 1500 - Marine Fisheries NOAA 1504-11 NOAA 1513-01 NOAA 1514-01 NOAA 1516-01 NOAA 1517-01</p>
x	<p>No, there is not an approved record control schedule. Provide the stage in which the project is in developing and submitting a records control schedule:</p> <p><i>VMS and TRIDENT records are not authorized for disposal and must be retained.</i></p>
x	Yes, retention is monitored for compliance to the schedule.
	No, retention is not monitored for compliance to the schedule. Provide explanation:

10.2 Indicate the disposal method of the PII/BII. *(Check all that apply.)*

Disposal			
Shredding	x	Overwriting	x
Degaussing	x	Deleting	x
Other (specify):			

Section 11: NIST Special Publication 800-122 PII Confidentiality Impact Level

11.1 Indicate the potential impact that could result to the subject individuals and/or the organization if PII were inappropriately accessed, used, or disclosed. (*The PII Confidentiality Impact Level is not the same as the Federal Information Processing Standards (FIPS) 199 security impact category.*)

	Low – the loss of confidentiality, integrity, or availability could be expected to have a limited adverse effect on organizational operations, organizational assets, or individuals.
	Moderate – the loss of confidentiality, integrity, or availability could be expected to have a serious adverse effect on organizational operations, organizational assets, or individuals.
x	High – the loss of confidentiality, integrity, or availability could be expected to have a severe or catastrophic adverse effect on organizational operations, organizational assets, or individuals.

11.2 Indicate which factors were used to determine the above PII confidentiality impact levels. (*Check all that apply.*)

x	Identifiability	Provide explanation: The data collected is enough to identify an individual.
x	Quantity of PII	Provide explanation: Significant quantity.
x	Data Field Sensitivity	Provide explanation: Some of the data requested contains information such as SSN that could be exploited for financial gain (this includes permit applications).
x	Context of Use	Provide explanation: law enforcement and clearwell files
x	Obligation to Protect Confidentiality	Provide explanation: Authorities are the Magnuson-Stevens Act and the Marine Mammal Protection Act.
x	Access to and Location of PII	Provide explanation: Data is encrypted at rest and access is restricted.
	Other:	Provide explanation:

Section 12: Analysis

12.1 Identify and evaluate any potential threats to privacy that exist in light of the information collected or the sources from which the information is collected. Also, describe the

choices that the bureau/operating unit made with regard to the type or quantity of information collected and the sources providing the information in order to prevent or mitigate threats to privacy. (For example: If a decision was made to collect less data, include a discussion of this decision; if it is necessary to obtain information from sources other than the individual, explain why.)

We do not see any potential threats to privacy other than insider threat, which is addressed below. The BII/PII is collected via email as part of conducting business. Data collected in each instance is housed behind the network firewall for the system in which the instance resides.

For in-person information provided to NMFS Law Enforcement, this is sworn testimony corroborated by observation and other information.

NOAA4000 utilizes enterprise-wide services to aid in security monitoring, vulnerability scanning, and secure baseline management. The system also uses a NOAA enterprise service application for audit log management.

12.2 Indicate whether the conduct of this PIA results in any required business process changes.

	Yes, the conduct of this PIA results in required business process changes. Explanation:
x	No, the conduct of this PIA does not result in any required business process changes.

12.3 Indicate whether the conduct of this PIA results in any required technology changes.

	Yes, the conduct of this PIA results in required technology changes. Explanation:
x	No, the conduct of this PIA does not result in any required technology changes.