

Federal Communications Commission
Office of the Managing Director



**Privacy Impact Assessment¹ (PIA) for the
Electronic Comment Filing System (ECFS)**

May 7, 2009

FCC Bureau/Office: Consumer and Governmental Affairs Bureau (CGB)
Division: Reference Information Center (RIC)

Privacy Analyst: Leslie F. Smith
Telephone Number: (202) 418-0217
E-mail Address: Leslie.Smith@fcc.gov

¹ This questionnaire is used to analyze the impacts on the privacy and security of the personally identifiable information (PII) that is being maintained in these records and files.

The *Privacy Act of 1974*, as amended, 5 U.S.C. 552a, requires Federal agencies to take special measures to protect personal information about individuals when the agencies collect, maintain, and use such personal information.

Having established through the **Privacy Threshold Assessment** that this information system contains information about individuals, *e.g.*, personally identifiable information (PII), it is important that when the FCC makes changes to such an information system, the FCC then analyzes:

- (a) What changes are being made to the information that the system presently collects and maintains; and/or
- (b) What new information will be collected and maintained to determine the continuing impact(s) on the privacy of the individuals.

The Privacy Impact Assessment template's purpose is to help the bureau/office to evaluate the changes in the information in the system and to make the appropriate determination(s) about how to treat this information, as required by the Privacy Act's regulations.

Section 1.0 Information System's Contents:

1.1 Status of the Information System:

- New information system—Implementation date:
- Revised or upgraded information system—Revision or upgrade date: March 2009

If this system is being revised—what will be done with the newly derived information:

- Placed in existing information system—Implementation Date: March 2009
- Placed in new auxiliary/ancillary information system—Date:
- Other use(s)—Implementation Date:

Please explain your response:

The Consumer and Governmental Affairs Bureau (CGB) is making various minor revisions to the Electronic Comment Filing System (ECFS) information system that is covered by the system of records notice (SORN) FCC/CGB-2, "Electronic Comment Filing System (ECFS)" SORN. CGB has upgraded parts of this information system and added a routine use, "breach notification," as required by OMB Memorandum M-07-16 (May 22, 2007).

1.2 Has a Privacy Threshold Assessment been done?

- Yes
Date:
- No

If a Privacy Threshold Assessment has not been done, please explain why not:

In 2006, the FCC determined that the Electronic Comment Filing System (ECFS) information system contained personally identifiable information (PII) and created a system of records, FCC/CGB-2, "Electronic Comment Filing System (ECFS)" to cover the PII. The FCC subsequently published this SORN in the *Federal Register* on April 5, 2006, see 71 FR 17255, 17236).

If the Privacy Threshold Assessment (PTA) has been completed, please skip to Question 1.15

1.3 Has this information system, which contains information about individuals, *e.g.*, personally identifiable information (PII), existed under another name, *e.g.*, has the name been changed or modified?

- Yes
 No

If yes, please explain your response:

The FCC created the Electronic Comment Filing System (ECFS) information system as part of the Commission's automation and electronic filing system implementation program to improve the staff's access to documents and to increase staff efficiency. This information system has never existed under another name, nor has the name been changed since the SORN was published in the *Federal Register* on April 5, 2006.

1.4 Has this information system undergone a "substantive change" in the system's format or operating system?

- Yes
 No

If yes, please explain your response:

The staff in the Consumer and Governmental Affairs Bureau (CGB) has made only minor updates to the operating system, *etc.*, for the Electronic Comment Filing System (ECFS) information system.

If there have been no such changes, please skip to Question 1.6.

1.5 Has the medium in which the information system stores the records or data in the system changed from paper files to electronic medium (computer database); or from one electronic information system to another, *i.e.*, from one database, operating system, or software program, *etc.*?

- Yes
 No

If yes, please explain your response:

1.6 Has this information system operated as part of another information system or was it linked to another information system:

- Yes
 No

If yes, please explain your response:

The Electronic Comment Filing System (ECFS) information system is a "stand alone" information system with no links to other FCC or non-FCC information systems.

If the information system is not part of, nor linked to another information system, please skip to Question 1.8

1.7 If so, was it operated by another bureau/office or transferred from another Federal agency to the FCC?

- Yes
 No

Please explain your response:

1.8 What information is the system collecting, analyzing, managing, storing, transferring, *etc.*:

Information about FCC Employees:

- No FCC employee information
- FCC employee's name
- Other names used, *i.e.*, maiden name, *etc.*
- FCC badge number (employee ID)
- SSN
- Race/Ethnicity
- Gender
- U.S. Citizenship
- Non-U.S. Citizenship
- Biometric data
 - Fingerprints
 - Voiceprints
 - Retina scans/prints
 - Photographs
 - Other physical information, *i.e.*, hair color, eye color, identifying marks, *etc.*
- Birth date/age
- Place of birth
- Medical data
- Marital status
- Spousal information
- Miscellaneous family information
- Home address
- Home address history
- Home telephone number(s)
- Personal cell phone number(s):
- Personal fax number(s)
- Personal e-mail address(es):
- Emergency contact data:
- Credit card number(s)
- Driver's license
- Bank account(s)
- FCC personal employment records
- Military records
- Financial history
- Foreign countries visited
- Law enforcement data
- Background investigation history
- National security data
- Communications protected by legal privileges
- Digital signature
- Other information:

Information about FCC Contractors:

- No FCC contractor information
- Contractor's name
- Other name(s) used, *i.e.*, maiden name, *etc.*
- FCC Contractor badge number (Contractor ID)
- SSN
- U.S. Citizenship
- Non-U.S. Citizenship
- Race/Ethnicity
- Gender
- Biometric data
 - Fingerprints
 - Voiceprints
 - Retina scans/prints
 - Photographs
 - Other physical information, *i.e.*, hair color, eye color, identifying marks, *etc.*
- Birth date/Age
- Place of birth
- Medical data
- Marital status
- Spousal information
- Miscellaneous family information
- Home address
- Home address history
- Home telephone number(s)
- Personal cell phone number(s):
- Personal fax number(s)
- Personal e-mail address(es):
- Emergency contact data:
- Credit card number(s)
- Driver's license number(s)
- Bank account(s)
- Non-FCC personal employment records
- Military records
- Financial history
- Foreign countries visited
- Law enforcement data
- Background investigation history
- National security data
- Communications protected by legal privileges
- Digital signature
- Other information:

Information about FCC Volunteers, Visitors, Customers, and other Individuals:

- Not applicable
- Individual's name:
- Other name(s) used, *i.e.*, maiden name, *etc.*
- FCC badge number (employee ID)
- SSN:
- Race/Ethnicity

- Gender
- Citizenship
- Non-U.S. Citizenship
- Biometric data
 - Fingerprints
 - Voiceprints
 - Retina scans/prints
 - Photographs
 - Other physical information, *i.e.*, hair color, eye color, identifying marks, *etc.*
- Birth date/Age:
- Place of birth
- Medical data
- Marital status
- Spousal information
- Miscellaneous family information
- Home address
- Home address history
- Home telephone number(s)
- Personal cell phone number(s):
- Personal fax number(s)
- Personal e-mail address(es):
- Emergency contact data:
- Credit card number(s)
- Driver's license number(s)
- Bank account(s)
- Personal e-mail address(es)
- Non-FCC personal employment records
- Military records
- Financial history
- Foreign countries visited
- Law enforcement data
- Background investigation history
- National security data
- Communications protected by legal privileges
- Digital signature
- Other information: Individuals may choose to submit other personally identifiable information (PII) with the comments they file.

Information about Business Customers and others (usually not considered “personal information”):

- Not applicable
- Name of business contact/firm representative, customer, and/or others
- Race/Ethnicity
- Gender
- Full or partial SSN:
- Business/corporate purpose(s)
- Other business/employment/job description(s)
- Professional affiliations
- Business/office address
- Intra-business office address (office or workstation)

- Business telephone number(s)
- Business cell phone number(s)
- Business fax number(s)
- Business pager number(s)
- Business e-mail address(es)
- Bill payee name
- Bank routing number(s)
- Income/Assets
- Web navigation habits
- Commercially obtained credit history data
- Commercially obtained buying habits
- Credit card number(s)
- Bank account(s)
- Other information: Individuals who submit comments on behalf of businesses and/or those who are self-employed, *i.e.*, consultants, *etc.*, may choose to submit personally identifiable information (PII) with their comments.

1.9 What are the sources for the information that you are collecting:

- Personal information from FCC employees:
- Personal information from FCC contractors:
- Personal information from non-FCC individuals and/or households: Individuals who have filed comments relative to FCC rulemakings and docketed proceedings or other matters arising under the Communications Act of 1934, as amended, and who may include their personally identifiable information (PII) as part of their filing(s).
- Non-personal information from businesses and other for-profit entities: Individuals who have filed comments relative to FCC rulemakings and docketed proceedings or other matters arising under the Communications Act of 1934, as amended, and who may include their personally identifiable information (PII) as part of their filing(s).
- Non-personal information from institutions and other non-profit entities: Individuals who have filed comments relative to FCC rulemakings and docketed proceedings or other matters arising under the Communications Act of 1934, as amended, and who may include their personally identifiable information (PII) as part of their filing(s).
- Non-personal information from farms:
- Non-personal information from Federal Government agencies:
- Non-personal information from state, local, or tribal governments:
- Other sources:

1.10 Will the information system obtain, use, store, analyze, *etc.* information about individuals *e.g.*, personally identifiable information (PII), from other information systems, including both FCC and non-FCC information systems?

- Yes
- No

Please explain your response:

The Electronic Comment Filing System (ECFS) information system is a "stand alone" information system. It has no links to any other FCC or non-FCC information systems.

If the information system does not use any PII from other information systems, including both FCC and non-FCC information systems, please skip to Question 1.15.

1.11 If the information system uses information about individuals from other information systems, what information will be used?

- FCC information system and information system name(s):
- Non-FCC information system and information system name(s):
- FCC employee's name:
- (non-FCC employee) individual's name
- Other names used, *i.e.*, maiden name, *etc.*
- FCC badge number (employee ID)
- Other Federal Government employee ID information, *i.e.*, badge number, *etc.*
- SSN:
- Race/Ethnicity
- Gender
- U.S. Citizenship
- Non-U.S. Citizenship
- Biometric data
 - Fingerprints
 - Voiceprints
 - Retina scan/prints
 - Photographs
 - Other physical information, *i.e.*, hair color, eye color, identifying marks, *etc.*
- Birth date/Age
- Place of birth
- Medical data
- Marital status
- Spousal information
- Miscellaneous family information:
- Home address
- Home address history
- Home telephone number(s)
- Personal cell phone number(s)
- Personal fax number(s)
- Personal e-mail address(es)
- Emergency contact data
- Credit card number(s)
- Driver's license
- Bank account(s)
- Personal e-mail address(es)
- Non-FCC personal employment records
- Non-FCC government badge number (employee ID)
- Law enforcement data
- Military records
- National security data
- Communications protected by legal privileges
- Financial history
- Foreign countries visited
- Background investigation history
- Digital signature
- Other information:

Information about Business Customers and others (usually not considered “personal information”):

- Not applicable
- Name of business contact/firm representative, customer, and/or others
- Race/Ethnicity
- Gender
- Full or partial SSN:
- Business/corporate purpose(s)
- Other business/employment/job description(s)
- Professional affiliations
- Intra-business office address (office or workstation)
- Business telephone number(s)
- Business cell phone number(s)
- Business fax number(s)
- Business e-mail address(es)
- Bill payee name
- Bank routing number(s)
- Income/Assets
- Web navigation habits
- Commercially obtained credit history data
- Commercially obtained buying habits
- Personal clubs and affiliations
- Credit card number(s)
- Bank account(s)
- Other information:

1.12 Will this information system derive new information, records, or data, or create previously unavailable information, records, or data, through aggregation or consolidation from the information that will now be collected via this link to the other system, including information, records, or data, that is being shared or transferred from the other information system(s)?

- Yes
- No

Please explain your response:

1.13 Can the information, whether it is: (a) in the information system, (b) in a linked information system, and/or (c) transferred from another system, be retrieved by a name or a “unique identifier” linked to an individual, *e.g.*, SSN, name, home telephone number, fingerprint, voice print, *etc.*?

- Yes
- No

Please explain your response:

1.14 Will the new information include personal information about individuals, *e.g.*, personally identifiable information (PII), be included in the individual's records, or be used to make a determination about an individual?

- Yes
 No

Please explain your response:

1.15 Under the *Privacy Act of 1974*, as amended, 5 U.S.C. 552a, Federal agencies are required to have a System of Records Notice (SORN) for an information system like this one, which contains information about individuals, *e.g.*, "personally identifiable information" (PII).

A System of Records Notice (SORN) is a description of how the information system will collect, maintain, store, and use the personally identifiable information (PII).

Is there a SORN that already covers this PII in this information system?

- Yes
 No

If yes, what is this System of Records Notice (SORN): This system of records notice, FCC/CGB-2, "Electronic Comment Filing System (ECFS)," was published in the *Federal Register* on April 5, 2006.

Please provide the citation that was published in the *Federal Register* for the SORN: 71 FR 17234, 17236.

If a SORN already covers this PII, please skip to **Section 2.0 System of Records Notice (SORN) Update** to address any changes to this SORN.

If a system of records notice (SORN) does not presently cover the information about individuals in this system, then it is necessary to determine whether a new FCC system of records notice must be created for the information.

1.16 If this information system is not covered by a system of records notice (SORN), does the information system exist by itself, or does it now, or did it previously exist as a component or subset of another SORN?

- Yes
 No

If yes, please explain what has occurred:

What is the System of Records Notice (SORN) of which it is currently or previously a component or subset:

Please also provide the citation that was published in the *Federal Register* for the SORN:

- 1.17 What are the purposes or functions that make it necessary to create a new a system of records notice (SORN) for this information system, *e.g.*, why is the information being collected?
- 1.18 Where is this information for the system of records notice (SORN) located?
- 1.19 Is the use of the information both relevant and necessary to the purposes for which the information system is designed, *e.g.*, is the SORN only collecting and using information for the specific purposes for which the SORN was designed so that there is no “extraneous” information included in the database(s) or paper files?
- Yes
 No

Please explain your response:

If the use of this information is both relevant and necessary to the processes for this information system is designed, please skip to Question 1.21.

- 1.20 If not, why or for what reasons is the information being collected?
- 1.21 Is the information covered under a Security Classification as determined by the FCC Security Officer?
- Yes
 No

Please explain your response:

- 1.22 What is the legal authority that authorizes the development of the information system and the information/data collection?
- 1.23 In what instances would the information system’s administrator/manager/developer permit disclosure to those groups outside the FCC for whom the information was not initially intended. Such disclosures, which are referred to as “Routine Uses,”² are those instances that permit the FCC to disclose information from a SORN to specific “third parties.” These disclosures may be for the following reasons:
 (check all that are applicable)

² Information about individuals in a system of records may routinely be disclosed for the following conditions, *e.g.*, “routine uses”; however, in each of these routine uses that are checked, the FCC will determine whether disclosure of the information, *i.e.*, records, files, documents, and data, *etc.*, is compatible with the purpose(s) for which the information has been collected.

- Adjudication and litigation:
- Committee communications:
- Compliance with welfare reform requirements:
- Congressional inquiries:
- Emergency response by medical personnel and law enforcement officials:
- Employment, security clearances, licensing, contracts, grants, and other benefits by the FCC:

- Employment, security clearances, licensing, contracts, grants, and other benefits upon a request from another Federal, state, local, tribal, or other public authority, *etc.*:
- FCC enforcement actions:
- Financial obligations under the Debt Collection Information Act:
- Financial obligations required by the National Finance Center:
- First responders, *e.g.*, law enforcement, DHS, FEMA, DOD, NTIA, *etc.*:
- Government-wide oversight by NARA, DOJ, and/or OMB:
- Labor relations (NTEU):
- Law enforcement and investigations:
- Program partners, *e.g.*, WMATA, *etc.*:
- Breach of Federal data:
- Others “third party” disclosures:

1.24 Will the information be disclosed to consumer reporting agencies?

- Yes
- No

Please explain your response:

1.25 What are the policies for the maintenance and secure storage of the information?

1.26 How is information in this system retrieved?

1.27 What policies and/or guidelines are in place on how long the bureau/office will retain the information?

1.28 Once the information is obsolete or out-of-date, what policies and procedures have the system’s managers/owners established for the destruction/purging of the data?

1.29 Have the records retention and disposition schedule(s) been issued or approved by the National Archives and Records Administration (NARA)?

- Yes
- No

Please explain your response:

If a NARA records retention and disposition schedule has been approved for this System of Records Notice (SORN), please skip to **Section 2.0 System of Records Notice (SORN) Update:**

1.30 If there is no NARA approved records retention and disposal schedule, has there been any coordination with the Performance Evaluation and Records Management Branch (PERM) or the Records Officer?

- Yes
- No

Please explain your response:

If this is a new System of Records Notice (SORN), please skip to **Section 3.0 Development, Management, and Deployment and/or Sharing of the Information:**

Section 2.0 System of Records Notice (SORN) Update:

If a System of Records Notice (SORN) currently covers the information, please provide information to update and/or revise the SORN:

2.1 Have there been any changes to the Security Classification for the information covered by the system of records notice (SORN) from what was originally determined by the FCC Security Officer?

- Yes
- No

Please explain your response:

The FCC's Security Operations Center (SOC) has not assigned a security classification to the Electronic Comment Filing System (ECFS) information system, and to the personally identifiable information (PII) that it collects, uses, and maintains, that is covered by FCC/CGB-2, "Electronic Comment Filing System (ECFS)" SORN.

2.2 Have there been any changes to the location of the information covered by the system of records notice (SORN)?

- Yes
- No

Please explain your response:

The information, including the personally identifiable information (PII) that is covered by this SORN, is located in the Office of the Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission (FCC), 445 12th Street, S.W., Washington, DC 20554 and 1270 Fairfield Road, Gettysburg, PA 17325.

2.3 Have there been any changes to the categories of individuals covered by the system of records notice (SORN)?

- Yes
- No

Please explain your response:

The categories of individuals that are covered by FCC/CGB-2, "Electronic Comment Filing System (ECFS)" SORN, include individuals who have filed comments relative to FCC rulemakings and docketed proceedings or other matters arising under the Communications Act of 1934, as amended, and the Rehabilitation Act.

- 2.4 Have there been any changes to the categories of records, *e.g.*, types of information (or records) that the system of records notice (SORN) collects, maintains, and uses?

- Yes
 No

Please explain your response:

The categories of records, including the personally identifiable information (PII) that is covered by FCC/CGB-2, "Electronic Comment Filing System (ECFS)" SORN, include:

- (1) Comments received by the FCC, whether electronically through the Electronic Comment Filing System (ECFS), via the Internet, e-mail, U.S. mail, or delivered by paper copy. This includes information provided via FCC Forms 475-B, 501, and 2000.
- (2) Files and records submitted in response to Commission rulemakings and docketed proceedings, and by the FCC's administrative law staff as the repository for official records arising out of the conduct of administrative proceedings.

- 2.5 Have there been any changes to the legal authority under which the FCC collects and maintains the information covered by the system of records notice (SORN)?

- Yes
 No

Please explain your response:

The legal authorities for maintenance of the personally identifiable information (PII) covered by FCC/CGB-2, "Electronic Comment Filing System (ECFS)" SORN, are 44 U.S.C. Chapter 36; 47 U.S.C. 151 and 154; and Sections 504 and 508 of the Rehabilitation Act, 29 U.S.C. 794 *et al.*

- 2.6 Have there been any changes to the purposes for collecting, maintaining, and using the information covered by the system of records notice (SORN)?

- Yes
 No

Please explain your response:

The purposes for collecting maintaining, and using the information in the Electronic Comment Filing System (ECFS) information system, including the personally identifiable information (PII) that is covered by FCC/CGB-2, "Electronic Comment Filing System (ECFS)" SORN, are:

- (1) to comply with the requirements of various statutes and regulations that require the Commission to offer the public an opportunity to become involved in the FCC's decision-making process, and
- (2) to inform the FCC of the public's concerns regarding compliance with FCC rules and requirements.

Collecting and maintaining these types of information allows the FCC to be fully informed in decision-making, implementation, and enforcement endeavors.

Such a system also allows staff access to documents and improves staff efficiency.

Records in this system are available for public inspection, however, the FCC may redact the submitter's personally identifiable information (PII) and other information to comply with privacy requirements and/or if confidentiality is requested under 47 C.F.R. Section 0.459.

2.7 Have there been any changes to the Routine Uses³ under which disclosures are permitted to “third parties” as noted in the system of records notice (SORN)?

- Yes
- No

Please check all Routine Uses that apply and provide any explanation as required:

- Adjudication and litigation:
- Committee communications:
- Compliance with welfare reform requirements:
- Congressional inquiries:
- Emergency response by medical personnel and law enforcement officials:
- Employment, security clearances, licensing, contracts, grants, and other benefits by the FCC:
- Employment, security clearances, licensing, contracts, grants, and other benefits upon a request from another Federal, state, local, tribal, or other public authority, *etc.*:
- FCC enforcement actions:
- Financial obligations under the Debt Collection Act:
- Financial obligations required by the National Finance Center:
- First responders, *e.g.*, law enforcement, DHS, FEMA, DOD, NTIA, *etc.*:
- Government-wide oversight by NARA, DOJ, and/or OMB:
- Labor relations:
- Law enforcement and investigations:
- Program partners, *e.g.*, WMATA:
- Breach of Federal data: OMB Memorandum M-07-16 (May 22, 2007).
- Others Routine Use disclosures not listed above: Public access.

2.8 Have there been any changes as to whether the FCC will permit the information covered by the system of records notice (SORN) can be disclosed to consumer reporting agencies?

- Yes
- No

Please explain your response:

Information in the Electronic Comment Filing System (ECFS) information system, including the personally identifiable information covered by FCC/CGB-2, “Electronic Comment Filing System (ECFS)” SORN, is not disclosed to any consumer reporting agencies.

³ Information about individuals in a system of records may routinely be disclosed for the following conditions, *e.g.*, “routine uses”; however, in each of these routine uses that are checked, the FCC will determine whether disclosure of the information, *i.e.*, records, files, documents, and data, *etc.*, is compatible with the purpose(s) for which the information has been collected.

2.9 Have there been any changes to the policies and/or guidelines for the storage and maintenance of the information covered by this system of records notice (SORN)?

- Yes
 No

Please explain your response:

The information in the Electronic Comment Filing System (ECFS) information system, including the personally identifiable information (PII) that is covered by FCC/CGB-2, "Electronic Comment Filing System (ECFS)" SORN, includes:

- (1) the electronic data and records that are stored in the FCC's computer network databases, and
- (2) the paper documents that are stored and maintained in file folders.

2.10 Have there been any changes to how the information covered by the system of records notice (SORN) is retrieved or otherwise accessed?

- Yes
 No

Please explain your response:

Information, including the electronic records and data and the paper documents, in the Electronic Comment Filing System (ECFS) information system's electronic databases and paper files, including the personally identifiable information (PII) covered by FCC/CGB-2, "Electronic Comment Filing System (ECFS)" SORN, is retrieved by the individual's name, entity name, rulemaking number, and/or docket number.

2.11 Have there been any changes to the safeguards that the system manager has in place to protect unauthorized access to the information covered by the system of records notice (SORN)?

- Yes
 No

Please explain your response:

Access to the information to the electronic records and data in the Electronic Comment Filing System (ECFS) information system, including the personally identifiable information (PII) that is covered by FCC/CGB-2, "Electronic Comment Filing System (ECFS)" SORN, is available over the internet 24 hours a day, seven days a week. However, the FCC will redact the personally identifiable information (PII) as appropriate. Information deemed "confidential" may also be redacted if requested under 47 C.F.R. Section 0.459.

Back-up of the electronic data in ECFS is the responsibility of the FCC's Information Technology Center, Assistant Managing Director in the Office of Managing Director (AMD-ITC). OMD-ITC performs a nightly back-up of the information. Back-up tapes are stored on-site and at an off-site storage location.

Copies of the paper documents, records, and files representing one third of the Electronic Comment Filing System (ECFS) information system's records are maintained in the Reference Information Center (RIC). The FCC will redact the personally identifiable information (PII) as appropriate, and information deemed "confidential" may also be redacted if requested under 47 C.F.R. Section 0.459.

The supervisors and staff in the Reference Information Center (RIC) of the Consumer and Governmental Affairs Bureau (CGB) are responsible for administration and access to all

information in the Electronic Comment Filing System (ECFS) information system, including both the electronic records and data and the paper documents and files.

Please note that you must also provide an update of the current protections, safeguard, and other security measures that are in place in this SORN in **Section 5.0 Safety and Security Requirements:**

- 2.12 Have there been any changes to the records retention and disposition schedule for the information covered by the system of records notice (SORN)? If so, has the system manager worked with the Performance Evaluation and Records Management (PERM) staff to insure that this revised schedule been approved by the National Archives and Records Administration (NARA)?

- Yes
 No

Please explain your response:

The Performance Evaluation and Records Management Division of Office of Managing Director (OMD-PERM) has not determined a records retentions schedule for the Electronic Comment Filing System (ECFS) information system (electronic records and data and paper document files), including the personally identifiable information (PII) that is covered by FCC/CGB-2, "Electronic Comment Filing System (ECFS)" SORN. No records will be destroyed until a disposal schedule is approved by the National Archives and Records Administration (NARA).

Section 3.0 Development, Management, and Deployment and/or Sharing of the Information:

- 3.1 Who will develop the information system(s) covered by this system of records notice (SORN)?

- Developed wholly by FCC staff employees:
 Developed wholly by FCC contractors:
 Developed jointly by FCC employees and contractors:
 Developed offsite primarily by non-FCC staff:
 COTS (commercial-off-the-shelf-software) package:
 Other development, management, and deployment/sharing information arrangements:

- 3.2 Where will the information system be hosted?

- FCC Headquarters
 Gettysburg
 San Diego
 Colorado
 New York
 Columbia Lab
 Chicago
 Other information:

- 3.3 Who will be the primary manager(s) of the information system who will be responsible for assuring access to, proper use of, and protecting the security and integrity of the information? (Check all that apply and provide a brief explanation)

- FCC staff in this bureau/office exclusively: The staff in the Reference Information Center (RIC) of the Consumer and Governmental Affairs Bureau (CGB) has responsibility for access and proper use of the information in the Electronic Comment Filing System (ECFS) information system.
 FCC staff in other bureaus/offices:

- Information system administrator/Information system developers:
- Contractors:
- Other information system developers, *etc*:

3.4 What are the FCC's policies and procedures that the information system administrators and managers use to determine who gets access to the information in the system's files and/or database(s)?

Access to the electronic data that are stored on the FCC's computer network is restricted to the staff in the Reference Information Center (RIC) of the Consumer and Governmental Affairs Bureau (CGB) and the staff in the Information Technology Center, Associate Managing Director (AMD-IT). Other FCC employees and contractors working at the FCC may have access on a "need to know" basis as dictated by their job duties and responsibilities.

3.5 How much access will users have to data in the information system(s)?

- Access to all data:
- Restricted access to data, as determined by the information system manager, administrator, and/or developer: CGB employees and contractors may be granted access on a "need-to-know" basis as dictated by their job duties and responsibilities.
- Other access policy:

3.6 Based on the Commission policies and procedures, which user group(s) may have access to the information at the FCC:

(Check all that apply and provide a brief explanation)

- Information system managers: RIC supervisory staff in the Consumer and Governmental Affairs Bureau (CGB).
- Information system administrators: Supervisors in the Information Technology Center, Associate Managing Director (AMD-ITC) in the Office of Managing Director (OMD).
- Information system developers:
- FCC staff in this bureau/office: CGB employees are granted access on a "need to know" basis.
- FCC staff in other bureaus/offices: FCC employees are granted access on a "need to know" basis.
- FCC staff in other bureaus/offices in FCC field offices: FCC employees are granted access on a "need to know" basis.
- Contractors: Contractors working at the FCC are granted access on a "need to know" basis.
- Other Federal agencies:
- State and/or local agencies:
- Businesses, institutions, and other groups:
- International agencies:
- Individuals/general public:
- Other groups:

3.7 If contractors are part of the staff in the FCC who collect, maintain, and access the information, does the IT supervisory staff ensure that contractors adhere fully to the Privacy Act provisions, as required under subsection (m) of the Privacy Act, as amended, 5 U.S.C. 552a(m)?

- Yes
- No

Please explain your response:

The supervisory staff in the Information Technology Center of the Associate Managing Director (AMD-ITC) provides periodic privacy training to the IT contractors who handle the PII contained in the Electronic Comment Filing System (ECFS) information system.

- 3.8 Do any Section M contract(s) associated with the information system covered by this system of records notice (SORN) include the required FAR clauses (FAR 52.224-1 and 52.224-2)?

- Yes
 No

Please explain your response:

The RIC's contracts covering contractors who have access to the information in the Electronic Comment Filing System (ECFS) information system include the required FAR clauses.

- 3.9 Does the information system covered by this system of records notice (SORN) transmit/share personal information, *e.g.*, personally identifiable information (PII), between the FCC information technology (ITC) network(s) and a public or other non-FCC IT network(s), which are not covered by this Privacy Impact Assessment?

- Yes
 No

Please explain your response:

If there is no information sharing or transmission, please skip to **Section 4.0 Data Quality, Utility, Objectivity, and Integrity Requirements:**

- 3.10 If the information system covered by this system of records noticed (SORN) transmits/shares personal information between the FCC network and a public or other non-FCC network, which is not covered by this Privacy Impact Assessment, what information is shared/transmitted/disclosed and for what purposes?

- 3.11 If there is such transmission/sharing of personal information, how is the information secured for transmission—what security measures are used to prevent unauthorized access during transmission, *i.e.*, encryption, *etc.*?

- 3.12 If there is sharing or transmission to other information systems, with what other non-FCC organizations, groups, and individuals will the information be shared?
(Check all that apply and provide a brief explanation)

- Other Federal agencies:
 State, local, or other government agencies:
 Businesses:
 Institutions:
 Individuals:
 Other groups:

If there is no “matching agreement,” *e.g., Memorandum of Understand (MOU), etc.*, please skip to **Section 4.0 Data Quality, Utility, Objectivity, and Integrity Requirements:**

3.13 What kind of “matching agreement,” *e.g., Memorandum of Understanding (MOU), etc.*, as defined by 5 U.S.C. 552a(u) of the Privacy Act, as amended, is there to cover the information sharing and/or transferal with the external organizations?

3.14 Is this a new or a renewed matching agreement?

- New matching agreement
- Renewed matching agreement

Please explain your response:

3.15 Has the matching agreement been reviewed and approved (or renewed) by the FCC’s Data Integrity Board, which has administrative oversight for all FCC matching agreements?

- Yes
If yes, on what date was the agreement approved:
- No

Please explain your response:

3.17 How is the information that is covered by this system of records notice (SORN) transmitted or disclosed with the external organization(s) under the *MOU* or other “matching agreement?”

3.18 How is the shared information secured by the recipient under the *MOU*, or other “matching agreement?”

Section 4.0 Data Quality, Utility, Objectivity, and Integrity Requirements:

OMB regulations require Federal agencies to insure that the information/data that they collect and use meets the highest possible level of quality and integrity. It is important, therefore, that the information the Commission’s information systems use meets the “benchmark standards” established for the information.

4.1 How will the information that is collected from FCC sources, including FCC employees and contractors, be checked for accuracy and adherence to the Data Quality guidelines?
(Please check all that apply)

- Information is processed and maintained only for the purposes for which it is collected.
- Information is reliable for its intended use(s).
- Information is accurate.
- Information is complete.
- Information is current.
- Not applicable:

Please explain any exceptions or clarifications:

The information contained in the Electronic Comment Filing System (ECFS) information system, including the personally identifiable information (PII) covered by FCC/CGB-2, "Electronic Comment Filing System (ECFS)" SORN, that individuals submit to the FCC via this information system comes from non-FCC sources.

If the Data Quality Guidelines do not apply to the information in this information system, please skip to **Section 5.0 Safety and Security Requirements:**

4.2 Is any information collected from non-FCC sources; if so, how will the information sources be checked for accuracy and adherence to the Data Quality guidelines?
(Please check all that apply and provide an explanation)

- Yes, information is collected from non-FCC sources:
 - Information is processed and maintained only for the purposes for which it is collected:
 - Information is reliable for its intended use(s):
 - Information is accurate:
 - Information is complete:
 - Information is current:
- No information comes from non-FCC sources:

Please explain any exceptions or clarifications:

The Electronic Comment Filing System (ECFS) information system is part of the FCC's public comment and outreach program that provides several ways by which the public-at-large can participate in the Commission's rulemakings and other activities. To ensure that each submission by the public is reliable and adheres to the Data Quality Guidelines, FCC Forms 475-B, 510, and 2000 carry a "notice" to which the submitters must attest to the accuracy and reliability of the contents of their submissions:

Your complaint will be most useful to us if you execute this sworn statement. The FCC will make every effort to take enforcement action against any party who violated the FCC's rules.

Fill in the blanks below and then click the "EXECUTE" box, to declare under penalty of perjury that the information you have provided is, to the best of your knowledge, true and correct.

I declare under penalty of perjury that (1) I am over 18 years old, (2) I am authorized to make decisions regarding the telephone number listed below, and (3) the information I have provided today on this Federal Communications Commission electronic form is, to the best of my knowledge, true and correct.

If the information that is covered by this system of records notice (SORN) is not being aggregated or consolidated, please skip to Question 4.5.

4.3 If the information that is covered by this system of records notice (SORN) is being aggregated or consolidated, what controls are in place to insure that the information is relevant, accurate, and complete?

4.4. What policies and procedures do the information system’s administrators and managers use to insure that the information adheres to the Data Quality guidelines both when the information is obtained from its sources and when the information is aggregated or consolidated for the use by the bureaus and offices?

4.5 How often are the policies and procedures checked routinely—what type of annual verification schedule has been established to insure that the information that is covered by this system of records notice adheres to the Data Quality guidelines?

The staff in the Records Information Center (RIC) of the Consumer and Governmental Affairs Bureau (CGB) does periodic checks of the information that is stored, maintained, and used in the Electronic Comment Filing System (ECFS) information system to insure that it adheres to the Data Quality guidelines.

Section 5.0 Safety and Security Requirements:

5.1 How are the records/information/data in the information system covered by this system of records notice (SORN) stored and maintained?

- IT database management system (DBMS)
- Storage media including CDs, CD-ROMs, *etc.*
- Electronic tape
- Paper files
- Other:

5.2 Is the information collected, stored, analyzed, or maintained by this information system available in another form or from another source (other than a “matching agreement” or *MOU*, as noted above)?

- Yes
- No

Please explain your response:

All information that the Electronic Comment Filing System (ECFS) information system collects, uses, and maintains is obtained from the data that individuals, businesses, and other entities submit to the FCC. These submissions are from non-FCC related sources.

5.3 Is the information system covered by this system of records notice (SORN) part of another FCC information system that collects personally identifiable information (PII)?

- Yes
- No

Please explain your response:

The Electronic Comment Filing System (ECFS) information system is a "stand alone" information system with no links to other FCC or non-FCC information systems.

If this information system is not part of another FCC information system, please skip to Question 5.7.

5.4 If the information system (under review here) has personally identifiable information (PII) and is part of another FCC information system, is there a transfer of records/data/information between these two FCC information system(s)?

- Yes
- No

Please explain your response:

5.5 If the information system's personally identifiable information (PII) is part of another FCC information system, does the information system have processes and/or applications that are part of those from the other FCC information systems?

- Yes
- No

Please explain your response:

5.6 If either or both such situations, as noted in Questions 5.4 and 5.5 exist, what security controls are there to protect the PII information and to prevent unauthorized access?

- Not applicable.

Please explain your response:

5.7 Would the unavailability of this information system prevent the timely performance of FCC operations?

- Yes
- No

Please explain your response:

The Electronic Comment Filing System (ECFS) information system performs a necessary a function for the Commission. This information system collects, stores, and uses the data that individuals, businesses, and other entities submit to the FCC as required by various statutes and regulations. Without this information system, it would be impossible for the FCC to adhere to the requirements that the public be given an opportunity to comment on FCC rulemakings, to submit complaints, *etc.*

5.8 Will the information system include an externally facing information system or portal such as an Internet accessible web application at www.fcc.gov or other URL that allows customers/users to access development, production, or internal FCC networks, and which may pose potential risks to the information's security?

- Yes
- No

Please explain your response:

The public can access the Electronic Comment Filing System (ECFS) information system via www.fcc.gov.

If the information is collected by some method or mechanism other than the externally facing information system portal at www.fcc.gov or other URL, please skip to Question 5.11.

5.9 If the information is collected via www.fcc.gov or other URL from the individuals, how does the information system notify users about the Privacy Notice:

- Link to the FCC's privacy policies for all users: <http://www.fcc.gov/fccprivacypolicy.html>.
- Privacy notice displayed on the webpage:
- Privacy notice printed at the end of the form or document: FCC Forms 475-B, 501, and 2000 all carry a Privacy notice.
- Website uses another method to alert users to the Privacy Act Notice, as follows:
- If there is no link or notice, why not:

5.10 If a privacy notice is displayed, which of the following are included?

- Proximity and timing—the privacy notice is provided at the time and point of data collection.
- Purpose—describes the principal purpose(s) for which the information will be used.
- Authority—specifies the legal authority that allows the information to be collected.
- Conditions—specifies whether providing the information is voluntary, and the effects, if any, of not providing it.
- Disclosures—specify the routine use(s) that may be made of the information.
- Not applicable, as information will not be collected in this way.

Please explain your response:

5.11 Will the information system include another customer-facing web site not on www.fcc.gov or other URL?

- Yes
- No

Please explain your response:

If the information is collected by some method or mechanism other than via the FCC Internet website at www.fcc.gov or the FCC Intranet for FCC employees and contractors working at the FCC, please skip to Question 5.14.

5.12 If the information system has a customer-facing web site via the FCC Intranet for FCC employees and contractors working at the FCC, does this web site(s) have a Privacy Act Notice and how is it displayed?

- Yes
 - Notice is displayed prominently on this FCC Intranet website:
 - Link is provided to a general FCC Privacy Notice for all users:
 - Privacy Notice is printed at the end of the form or document:
 - Website uses another method to alert users to the Privacy Act Notice:
- No:

If there is no Privacy Act Notice, please explain why not:

- 5.13 If a privacy notice is displayed, which of the following information is included?
- Proximity and timing—the privacy notice is provided at the time and point of data collection.
 - Purpose—describes the principal purpose(s) for which the information will be used.
 - Authority—specifies the legal authority that allows the information to be collected.
 - Conditions—specifies if providing the information is voluntary, and the effects, if any, of not providing it.
 - Disclosures—specify the routine use(s) that may be made of the information.
 - Not applicable, as information will not be collected in this way.

Please explain your response:

If information is collected by some method or mechanism other than by fax, e-mail, FCC form(s), or regular mail, please skip to Question 5.16.

- 5.14 If information is collected from the individual by fax, e-mail, FCC form(s), regular mail, or some other means not listed above, how is the privacy notice provided?
- Privacy notice is on the document, *e.g.*, FCC form, *etc.* FCC Forms 475-B, 501, and 2000 all carry a Privacy notice.
 - Privacy notice displayed on the webpage where the document is located:
 - Statement on the document notifies the recipient that they may read the FCC Privacy Notice at www.fcc.gov.
 - Website or FCC document uses other method(s) to alert users to the Privacy Act Notice:
 - Privacy notice is provided via a recorded message or given verbally by the FCC staff handling telephone calls:
 - No link or notice, please explain why not:
 - Not applicable, as personally identifiable information (PII) will not be collected.

- 5.15 If a privacy notice is displayed, which of the following information is included?
- Proximity and timing—the privacy notice is provided at the time and point of data collection.
 - Purpose—describes the principal purpose(s) for which the information will be used.
 - Authority—specifies the legal authority that allows the information to be collected.
 - Conditions—specifies if providing the information is voluntary, and the effects, if any, of not providing it.
 - Disclosures—specify the routine use(s) that may be made of the information.
 - Not applicable, as information will not be collected in any other way.

Please explain your response:

If there is no access to the information system from outside the FCC via www.FCC.gov or other URL, please skip to Question 5.17.

- 5.16 If consumers may access the information and/or the information system on-line via www.FCC.gov, does it identify ages or is it directed to people under 13 years old?
- Yes
 - No

Please explain your response:

The FCC Website policy states that although the Commission's Website contains some pages that offer educational content to children. It is FCC policy, in compliance with the requirements of the Children's Online Privacy Protection Act (COPPA), not to collect information online about or from children age 13 and under, except when it is needed to identify a submission or to answer a question. Under no circumstances will any of this information be used for another purpose or shared with third parties, nor will personally identifying information be published on the FCC website.

- 5.17 Will the FCC use the newly obtained information or revised information in this information covered by the existing system of records notice (SORN) to make a determination about the individual?

Yes
 No

Please explain your response:

The FCC's Electronic Comment Filing System (ECFS) information system, which includes the PII that is covered by FCC/CGB-2, "Electronic Comment Filing System (ECFS)" SORN, is used solely to permit the public to file comments on FCC rulemakings and docket proceedings or other matters arising under the Communications Act of 1934, as amended, and the Rehabilitation Act.

- 5.18 Do individuals have the right to decline to provide personally identifiable information (PII)?

Yes
 No

Please explain your response:

Individuals who file comments via the FCC's Electronic Comment Filing System (ECFS) information system, which includes the personally identifiable information (PII) that is covered by FCC/CGB-2, "Electronic Comment Filing System (ECFS)" SORN, are not required to provide any personally identifiable information except for their name and address.

- 5.19 Do individuals have the right to consent to particular uses of their personal information?

Yes
 No

Please explain your response:

Individuals who file comment via the FCC's Electronic Comment Filing System (ECFS) information system, which includes the PII that is covered by FCC/CGB-2, "Electronic Comment Filing System (ECFS)" SORN, are required to provide only minimal personally identifiable information, *i.e.*, their name and address, which the FCC needs to identify the filer.

If individuals do not have the right to consent to the use of their information, please skip to Question 5.22.

- 5.20 If individuals have the right to consent to the use of their personal information, how does the individual exercise this right?

5.21 What processes are used to notify and to obtain consent from the individuals whose personal information is being collected?

5.22 Is the information, *i.e.*, records, data, documents, *etc.*, that the information system collects, uses, maintains, *etc.*, being used to produce reports on the individuals whose PII is part of this information covered by the system of records notice (SORN)?

- Yes
- No

Please explain your response:

The Electronic Comment Filing System (ECFS) information system does not produce any reports on any PII pertaining to the filers. All submissions are voluntary. The information that is submitted, including any PII on the individual submitters, pertains to the comments, *etc.*, that individuals and other entities submit/file pursuant to FCC notices of public rulemaking(s), notices of public inquiry, miscellaneous filings, *etc.*

5.23 What safeguards and security measures, including physical and technical access controls, are in place to secure the information and to minimize unauthorized access, use, or dissemination of the information that is stored and maintained in the information system?

(Check all that apply)

- Account name
- Passwords
 - Accounts are locked after a set period of inactivity
 - Passwords have security features to prevent unauthorized disclosure, *e.g.*, “hacking”
 - Accounts are locked after a set number of incorrect attempts
 - One time password token
 - Other security features:
- Firewall
- Virtual private network (VPN)
- Data encryption:
- Intrusion detection application (IDS)
- Common access cards (CAC)
- Smart cards:
- Biometrics
- Public key infrastructure (PKI)
- Locked file cabinets or fireproof safes
- Locked rooms, with restricted access when not in use
- Locked rooms, without restricted access
- Documents physically marked as “sensitive”
- Guards
 - Identification badges
 - Key cards
 - Cipher locks
 - Closed circuit TV (CCTV)
- Other:

5.24 Please explain what staff security training and other measures are in place to assure that the security and privacy safeguards are maintained adequately?

All FCC employees and contractors who work with the information that is collected, used, stored and maintained in the Electronic Comment Filing System (ECFS) information system, including the PII that is covered by FCC/CGB-2, "Electronic Comment Filing System (ECFS)" SORN, are required to complete privacy training. In addition the Reference Information Center (RIC) staff in the Consumer and Governmental Affairs Bureau (CGB) provides various notices and warnings to the employees and contractors who have access that the PII is not to be shared or disclosed without authorization.

5.25 How often are security controls reviewed?

- Six months or less:
- One year: The RIC staff reviews the security controls in the Electronic Comment Filing System (ECFS) information system at least annually.
- Two years
- Three years
- Four years
- Five years
- Other:

5.26 How often are personnel (information system administrators, users, information system/information system developers, contractors, *etc.*) who use the information system trained and made aware of their responsibilities for protecting the information?

- There is no training
- One year:
- Two years
- Three years
- Four years
- Five years
- Other: The FCC has also inaugurated a Commission-wide privacy training program, which requires all FCC employees and contractors to complete a privacy training course annually, beginning in September 2006.

If privacy training is provided, please skip to Question 5.28.

5.27 What are the safeguards to insure that there are few opportunities for disclosure, unavailability, modification, and/or damage to the information system covered by this system of records notice (SORN), and/or prevention of timely performance of FCC operations if operational training is not provided?

5.28 How often must staff be "re-certified" that they understand the risks when working with personally identifiable information (PII)?

- Less than one year:
- One year: The RIC staff in CGB requires that the personnel who use the Electronic Comment Filing System (ECFS) information system, including FCC employees and contractors working at the FCC, must be trained at once a year about their responsibilities for

protecting the PII contained in the Electronic Comment Filing System (ECFS) information system.

- Two years
- Three or more years
- Other re-certification procedures:

5.29 Do the Commission's training and security requirements for this information system that is covered by this system of records notice (SORN) conform to the requirements of the Federal Information Security Management Act (FISMA)?

- Yes
- No

Please explain your response:

The Electronic Comment Filing System (ECFS) information system is not a major information system, and thus the training and security requirements do not have to conform to the FISMA requirements.

If the Privacy Threshold Assessment was completed recently as part of the information system's evaluation, please skip to Question 5.34.

5.30 What is the potential impact on individuals on whom the information is maintained in the information system(s) if unauthorized disclosure or misuse of information occurs? (check one)

- Results in little or no harm, embarrassment, inconvenience, or unfairness to the individual.
- Results in moderate harm, embarrassment, inconvenience, or unfairness to the individual.
- Results in significant harm, embarrassment, inconvenient, or unfairness to the individual.

Please explain your response:

The Electronic Comment Filing System (ECFS) information system requires submitters to provide only minimal personally identifiable information (PII) with their filings, *i.e.*, their name and address, which is necessary so that the FCC staff can identify each individual who makes a submission in a rulemaking, docketed proceeding, and/or other matters as required by the Communications Act of 1934, as amended, and the Rehabilitation Act.

5.31 Is the impact level for the information system(s) covered by this system of records notice (SORN) consistent with the guidelines as determined by the FIPS 199 assessment?

- Yes
- No

Please explain your response:

The Electronic Comment Filing System (ECFS) information system is not a major information system, and thus this information system does not have to conform to the requirements of a FIPS assessment.

5.32 Has a "Certification and Accreditation" (C&A) been completed for the information system(s) covered this system of records notice (SORN)?

- Yes
- No

If yes, please explain your response and give the C&A completion date:

The Electronic Comment Filing System (EFCS) information system is not a major information system, and thus this information system does not require a C&A.

5.33 Has the Chief Information Officer (CIO) and/or the Chief Security Officer (CSO) designated this information system as requiring one or more of the following:

- Independent risk assessment:
- Independent security test and evaluation:
- Other risk assessment and/or security testing procedures, *etc.*: The FCC conducts an "in house" review.
- Not applicable:

5.34 Is the system using technology in ways that the Commission has not done so previously, *i.e.*, Smart Cards, Caller-ID, *etc.*?

- Yes
- No

Please explain your response:

The Electronic Comment Filing System is used solely to allow individuals and other entities, *i.e.*, businesses, institutions, *etc.*, to file comments with the FCC.

5.35 How does the use of the technology affect the privacy of the general public and FCC employees and contractors?

The Electronic Comment Filing System (ECFS) information system has minimal impact on the privacy of individuals who file comments with the FCC via this information system. The FCC requires that individuals provide their PII so that their filings may be identified as part of the rulemakings, docketed proceedings, and/or other matters arising under the Communications Act of 1934, as amended, and the Rehabilitation Act.

5.36 Will the information system that is covered by this system of records notice (SORN) include a capability to identify, locate, and/or monitor individuals?

- Yes
- No

Please explain your response:

Among the Electronic Comment Filing System (ECFS) information system's purposes is to permit the public-at-large, including individuals, businesses, and other entities to file comments as part of the FCC's rulemakings, docketed proceedings, complaints, and/or other matters arising under the Communications Act of 1934, as amended. This information system does not include any capabilities to identify, locate, and/or monitor individuals, businesses, and other entities.

If the information system does not include any monitoring capabilities, please skip to **Section 6.0 Information Collection Requirements under the Paperwork Reduction Act (PRA)**:

5.37 If the information system includes these technical capabilities identified in Questions 5.34 through 5.36 above, what kinds of information will be collected as a function of the monitoring of individuals?

5.38 Does the information system covered by this system of records notice (SORN) contain any controls, policies, and procedures to prevent unauthorized monitoring?

- Yes
 No

Please explain your response:

Section 6.0 Information Collection Requirements under the Paperwork Reduction Act (PRA):

6.1 Does this system of records notice (SORN) require non-FCC employees and contractors to perform any paperwork or recordkeeping activities?

- Yes, individuals, who are not FCC employees or contractors, are required to complete paperwork or recordkeeping functions or activities, *i.e.*, fill out forms and/or licenses, participate in surveys, and or maintain records *etc.*

Please explain your response:

The Electronic Comment Filing System (ECFS) information system, including the PII that is covered by FCC/CGB-2, "Electronic Comment Filing System (ECFS) SORN, uses FCC Forms 475-B, 501, and 2000.

- No, individuals, who are not FCC employees or contractors, are not required to perform any paperwork or recordkeeping functions or activities

Please explain your response:

- No, this system of records notice includes only FCC employees and/or contractors, which exempts it from the PRA. Please skip to **Section 7.0 Correction and Redress:**

6.2 If the website requests information, such as the information necessary to complete an FCC form, license, authorization, *etc.*, has the information collection covered by this system of records notice (SORN) been identified for possible inclusion under the FCC's Paperwork Reduction Act (PRA) requirements?

- Yes
 No

Please explain your response:

FCC Forms 475-B, 501, and 2000 have been approved by the Office of Management and Budget (OMB) as part of the FCC's information collection budget as required by the Paperwork Reduction Act.

If there are no PRA information collections associated with the information system or its applications, please skip to **Section 7.0 Correction and Redress:**

6.3 If there are one or more PRA information collections that are covered by this system of records notice (SORN) that are associated with the information system's databases and paper files, please list the OMB Control Number, Title of the collection, and Form number(s) as applicable for the information collection(s):

3060-0874, Consumer Complaint Forms, FCC Form 475-B and FCC Form 2000 series.

3060-0968, Slamming Complaint Forms, FCC Form 501.

6.4 If there are any FCC forms associated with the information system(s) covered by this system of records notice (SORN), do the forms carry the Privacy Act notice?

- Yes: FCC Forms 475-B, Form 501, and Form 2000 series all carry a Privacy Act notice.
 No
 Not applicable—the information collection does not include any forms.

6.5 Have the system managers contacted the Performance Evaluation and Records Management (PERM) staff to coordinate PRA requirements and submission of the information collection to the Office of Management and Budget?

- Yes
 No

Please explain your response:

The CGB staff has coordinated the PRA requirements with PERM.

Section 7.0 Correction and Redress:

7.1 Are the procedures for individuals wishing to inquire whether this system of records notice (SORN) contains information about them consistent with the FCC Privacy Manual procedures and FCC rules under 47 CFR §§ 0.554 – 0.555 for the Privacy Act and Freedom of Information Act (FOIA) requirements?

- Yes
 No

Please explain your response, and if this is an existing system of records notice (SORN), please specify what, if anything, is changing in this procedure:

Individuals wishing to inquire whether the Electronic Comment Filing System (ECFS) information system, which is covered by the FCC/CGB-2, “Electronic Comment Filing System (ECFS)” SORN, contains information about them may address their inquiries to the system manager in the Consumer and Governmental Affairs Bureau (CGB). This is consistent with FCC rules under 47 CFR §§ 0.554 – 0.555 for the Privacy Act, as noted in this SORN.

7.2 Are the procedures for individuals to gain access to their own records/information/data in this information system that is covered by this system of records notice (SORN) consistent with the FCC Privacy Manual procedures and FCC rules under 47 CFR §§ 0.554 – 0.555 for the Privacy Act and Freedom of Information Act (FOIA) requirements?

- Yes
 No

Please explain your response, and if this is an existing system of records notice (SORN), please specify what, if anything, is changing in this procedure:

Individuals who seek access to the information about them that is contained in the Electronic Comment Filing System (ECFS) information system, and which is covered by FCC/CGB-2, “Electronic Comment Filing System (ECFS)” SORN, may address their inquiries to the system manager in the Consumer and Governmental Affairs Bureau (CGB). This is consistent with FCC policies and rules under 47 CFR §§ 0.554 – 0.555, as noted in the SORN.

7.3 Are the procedures for individuals seeking to correct or to amend records/information/data about them in the information system that is covered by this system of records notice (SORN) consistent with the FCC Privacy Manual procedures and FCC rules under 47 CFR §§ 0.556 – 0.558?

- Yes
 No

Please explain your response, and if this is an existing system of records notice (SORN), please specify what, if anything, is changing in this procedure:

Individuals seeking to correct or to amend information about them in the Electronic Comment Filing System (ECFS) information system, which is covered by FCC/CGB-2, “Electronic Comment Filing System (ECFS)” SORN, may address their inquiries to the system manager in the in the Consumer and Governmental Affairs Bureau (CGB). This is consistent with FCC policies and rules under 47 CFR §§ 0.556 – 0.558, as noted in the SORN.

7.4 Does the FCC provide any redress to amend or correct information about an individual covered by this system of records notice (SORN), and if so, what alternatives are available to the individual, and are these consistent with the FCC Privacy Manual procedures and FCC rules under 47 CFR §§ 0.556 – 0.558?

- Yes
 No

Please explain your response:

Individuals seeking any redress to amend or correct information about them in the Electronic Comment Filing System (ECFS) information system, which is covered by FCC/CGB-2, “Electronic Comment Filing System (ECFS)” SORN, may address their inquiries to the system manager in the Consumer and Governmental Affairs Bureau (CGB). This is consistent with FCC policies and rules under 47 CFR §§ 0.556 – 0.558, as noted in the SORN.

If this is a new system of records notice (SORN), please skip to Question 7.6.

7.5 Have the sources for the categories of records in the information system(s) covered by this system of records notice (SORN) changed?

- Yes
 No

Please explain your response, and if this is an existing system of records notice (SORN), please specify what, if anything, is changing in this procedure:

The sources for the categories of records in the FCC/CGB-2, “Electronic Comment Filing System (ECFS)” SORN, which covers the PII that is collected, used, and maintained by the Electronic Comment Filing System (ECFS) information system remain unchanged. These record sources are:

- (1) Comment received by the FCC, whether electronically through the Electronic Comment Filing System (ECFS), via the Internet, e-mail, U.S. mail, or delivered by paper copy (by courier or the submitter, *etc.*). This includes information provided via FCC Forms 475-B, 501, and 2000 series.

(2) Files and records submitted in response to Commission rulemakings and docketed proceedings, and by the FCC's administrative law staff as the repository for official records arising out of the conduct of administrative proceedings.

7.6 Does this system of records notice (SORN) claim any exemptions to the notification, access, and correction, and/or amendment procedures as they apply to individuals seeking information about them in this SORN, and if so, are these exemptions consistent with the FCC Privacy Manual procedures and FCC rules under 47 CFR §§ 0.561?

- Yes
- No

Please explain your response, and if this is an existing system of records notice (SORN), please specify what, if anything, is changing in this procedure:

FCC/CGB-2, "Electronic Comment Filing System (ECFS)" SORN, does not claim any exemption to the notification, access, and correction, and/or amendment procedures as they apply to individuals seeking information about themselves in this SORN.

7.7 What processes are in place to monitor and to respond to privacy and/or security incidents? Please specify what is changing if this is an existing system of records notice (SORN) that is being updated or revised?

The RIC staff issues reminders periodically to those granted access to the information in the Electronic Comment Filing System (ECFS) information system's electronic records, including the PII that is covered by FCC/CGB-2, "Electronic Comment Filing System (ECFS)" SORN, that this information is "non public for internal use only" and that they are to keep the information confidential and to safeguard any printed materials.

7.8 How often is the information system audited to ensure compliance with FCC and OMB regulations and to determine new needs?

- Six months or less
- One year
- Two years
- Three years
- Four years
- Five years
- Other audit scheduling procedure(s): The RIC staff will ensure that the PII in the Electronic Comment Filing System (ECFS) information system, which is covered by FCC/CGB-2, "Electronic Comment Filing System (ECFS)" SORN, has an audit schedule that complies with FCC and OMB audit regulations.

Section 8.0 Consumer Satisfaction:

8.1 Is there a customer satisfaction survey included as part of the public access to the information covered by this system of records notice (SORN)?

- Yes
- No
- Not applicable

Please explain your response:

If there are no Consumer Satisfaction requirements, please skip to **Section 9.0 Risk Assessment and Mitigation:**

8.2 Have any potential Paperwork Reduction Act (PRA) issues been addressed prior to implementation of the customer satisfaction survey?

- Yes
- No

Please explain your response:

If there are no PRA issues, please skip to **Section 9.0 Risk Assessment and Mitigation:**

8.3 If there are PRA issues, were these issues addressed in the PRA component of this PIA template?

- Yes
- No

Please explain your response:

Section 9.0 Risk Assessment and Mitigation:

9.1 What are the potential privacy risks for the information covered by this system of records notice (SORN), and what practices and procedures have you adopted to minimize them?

Risks:	Mitigating factors:
<p>a. Some of the information in the Electronic Comment Filing System (ECFS) information system's PII is contained in electronic records that are stored in the FCC's computer network databases.</p>	<p>a. PII that is contained in electronic records is protected in the FCC's computer network databases, which require users to provide log-ins and access rights to these records.</p>
<p>b. Some of the information in the Electronic Comment Filing System (ECFS) information system's PII is contained in paper copy documents and records that are stored in file cabinets in the Consumer and Government Affairs Bureaus file rooms.</p>	<p>b. PII that is contained in the paper copy documents and records is stored in file cabinets that are locked when not in use. These file cabinets are in rooms that are locked at the end of the business day. Access to the file cabinets is restricted to the staffs in RIC and CGB. Other FCC employees and contractors are granted access on a "need to know" basis as part of their job duties and responsibilities.</p>

Risks:	Mitigating factors:
<p>c. Those who file comments via the Electronic Comment Filing System (ECFS) in the FCC rulemakings, docketed proceedings, and other matters arising out of the Communications Act of 1934, as amended and the Rehabilitation Act, are members of the public at large. The FCC may need to verify that the comments it receives are valid.</p>	<p>c. To ensure that each submission by the public is reliable, accurate, and valid FCC Forms 475-B, 510, and 2000 carry a "notice" to which the submitters must attest to the accuracy and reliability of the contents of their submissions.</p>

9.2 What is the projected production/implementation date for the database(s):

Initial implementation: April 2006
 Secondary implementation: March 2009
 Tertiary implementation:
 Other implementation:

9.3 Are there any ancillary and/or auxiliary information system(s) applications linked to this information system that is covered by this system of records notice (SORN), which may also require a Privacy Impact Assessment (PIA)?

- Yes
- No

If so, please state the application(s), if a Privacy Impact Assessment (PIA) has been done, and the completion date for PIA:

At this time, the RIC staff does not anticipate that there will be any new ancillary or auxiliary information systems linked to the Electronic Comment Filing System (ECFS) information system.