

From: Andrew W Havely
To: [Bowman, Randal](#); [Barnett, Teri](#)
Subject: Re: Invitation: DiscoverText Follow-Up @ Wed May 17, 2017 1pm - 2pm (randal_bowman@ios.doi.gov)
Date: Wednesday, May 17, 2017 2:33:30 PM

Thank you very much for that clarification! we were wondering about that!



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From: Bowman, Randal <randal_bowman@ios.doi.gov>
Reply: Bowman, Randal <randal_bowman@ios.doi.gov>
Date: May 17, 2017 at 1:28:49 PM
To: Barnett, Teri <teri_barnett@ios.doi.gov>
Cc: Andrew W Havely <andrew_havely@ios.doi.gov>
Subject: Re: Invitation: DiscoverText Follow-Up @ Wed May 17, 2017 1pm - 2pm (randal_bowman@ios.doi.gov)

I think I may have inadvertently provided incorrect information about the processing of incoming mail comments. They will be scanned into FDMS, not into the DiscoverText system, and then would be transferred to the contractor system along with the regs.gov comments.

On Wed, May 17, 2017 at 11:32 AM, Barnett, Teri <teri_barnett@ios.doi.gov> wrote:
Hi Randal,

The FDMS is a Privacy Act system so we need to ensure we apply appropriate controls for handling the records. Agencies are required to conduct a PIA for any development, procurement or use of information technology that collects, processes, etc. personally identifiable information under the E-Gov Act and OMB policy. See OMB M-03-22 and OMB Circular A-130 for detailed guidance: <https://obamawhitehouse.archives.gov/sites/default/files/omb/assets/OMB/circulars/a130/a130revised.pdf>. Pertinent sections of the Circular are below.

- As a general matter, an agency shall conduct a privacy impact assessment (PIA) under section 208(b) of the E-Government Act of 2002, absent an applicable exception under that section, when the agency develops, procures, or uses information technology to create, collect, use, process, store, maintain, disseminate, disclose, or dispose of PII. A PIA is an analysis of how PII is handled to ensure that handling conforms to applicable privacy requirements, determine the privacy risks associated with an information system or activity, and evaluate ways to mitigate privacy risks.
- Agencies shall ensure compliance with all applicable statutory, regulatory, and policy requirements and use privacy impact assessments and other tools to manage privacy risks. Agencies shall cost-effectively manage privacy risks and reduce such risks to an acceptable level.

I would be happy to discuss the specific requirements and address any questions you may have.

Thanks,
Teri

Teri Barnett, CIPP/G
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On Wed, May 17, 2017 at 10:04 AM, Bowman, Randal
<randal_bowman@ios.doi.gov> wrote:

Thank you, that is very helpful.

On Wed, May 17, 2017 at 10:01 AM, Andrew W Havelly
<andrew_havelly@ios.doi.gov> wrote:

Great questions. To your last, my understanding based on the conversation we had with Sylvia last week is that we are likely to grant a conditional Authority to Operate specifically so that we do not cause delay to the project. We'll do the Information Assurance work concurrently so that we have a record that we have indeed conducted an evaluation. And it's distinctly possible that we won't be done with that work before you're done using the system. But that at least means we won't be scrambling the next time any bureau in the Department wants to use this system - so it's valuable work.

I'll leave the other questions to Teri to answer definitively but in short, because the regs.gov site is a Privacy Act system of record, the controls that govern records captured there extend to the transfer of data from that system to another (meaning that we need to evaluate the controls of the DiscoverText system and its hosting provider). As you point out, the information is publicly available already. So among the information assurance triad of protecting data confidentiality, integrity, and availability, the one that matters most is clearly integrity. And you're absolutely right that any work FWS have done, and any documents they've produced in this regard is directly applicable and may completely obviate the need for us to do more. We'll talk about that on our call today and I'm hopeful Marcia will be able to join us!

Teri - more to add?

-andrew



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From: Bowman, Randal <randal_bowman@ios.doi.gov>
Reply: Bowman, Randal <randal_bowman@ios.doi.gov>
Date: May 17, 2017 at 7:02:04 AM
To: Barnett, Teri <teri_barnett@ios.doi.gov>
Cc: Andrew Havely <andrew_havely@ios.doi.gov>
Subject: Re: Invitation: DiscoverText Follow-Up @ Wed May 17, 2017 1pm - 2pm (randal_bowman@ios.doi.gov)

Apologies for not asking this initially, but I have a couple of underlying questions:

Given that any PII that a member of the public may submit despite our disclaimer -

"Before including your name, address, phone number, e-mail address, or other personal identifying information in your comment, you should be aware that your entire comment—including your personal identifying information—may be made publicly available at any time. While you may ask us in your comment to withhold your personal identifying information from public review, we cannot guarantee that we will be able to do so."

- will likely be available to the entire world on the regs.gov site, what is the reason for a privacy impact assessment (PIA)? How long would this likely take and what aspects of the monument review would it address? Are these normally done for Federal Register public comment requests?

Similarly, it is my understanding – on which I am waiting for confirmation – that the comment processing system will not sort records by name or other PII unless we specifically direct that it be programmed to do so, which we will not, and given that any PII submitted is publicly available as per above, what is the purpose of the privacy clauses and breach provisions being added to the contract?

My concern here is delay, not avoiding compliance with legal requirements. I fully understand that contractors need security and privacy act training, for example, but expected that FWS had taken care of that given their long use of

the system.

I would greatly appreciate at least a summary response to these questions before our meeting at 1 today so I can be prepared for discussion.

On Tue, May 16, 2017 at 6:10 PM, Andrew Havelly
<andrew_havelly@ios.doi.gov> wrote:

DiscoverText Follow-Up

[more details »](#)

A placeholder for a follow-up discussion on DiscoverText and Information Assurance activities. I've blocked an hour on our calendars but am hopeful we won't need the full time. Please feel free to forward this invitation to others I may have omitted or who may have a role in managing the DiscoverText system.

1pm Eastern in the OS-OCIO Sweet Gum Conference Room 7115 MIB or Teleconference -

(b) (5) CIP

When Wed May 17, 2017 1pm – 2pm Eastern Time

Where OS-OCIO Sweet Gum Conference Room 7115 MIB; Teleconference - (b) (5) CIP
(b) (5) CIP [\(map\)](#)

Video call (b) (5) CIP

Calendar randal_bowman@ios.doi.gov

Who

- andrew_havelly@ios.doi.gov - organizer
- bruce_downs@ios.doi.gov
- louis_eichenbaum@ios.doi.gov
- teri_barnett@ios.doi.gov
- randal_bowman@ios.doi.gov
- Lawrence_Ruffin@ios.doi.gov
- marcia_cash@fws.gov
- oluwarotimi_abimbola@ios.doi.gov

Going? [Yes](#) - [Maybe](#) - [No](#) [more options »](#)

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