



Privacy Impact Assessment
for the

Ammonium Nitrate Security Program

DHS/NPPD/PIA-019

July 25, 2011

Contact Point

Todd Klessman

**Infrastructure Security Compliance Division
National Protection and Programs Directorate
(703) 603-4614**

Reviewing Official

**Mary Ellen Callahan
Chief Privacy Officer
Department of Homeland Security
(703) 235-0780**



Abstract

The Department of Homeland Security (DHS or the Department), National Protection and Programs Directorate (NPPD), is publishing this Privacy Impact Assessment (PIA) to provide a comprehensive analysis of the proposed Ammonium Nitrate Security Program. The proposed Ammonium Nitrate Security Program seeks to prevent the misappropriation or use of ammonium nitrate in an act of terrorism by regulating the sale and transfer of ammonium nitrate by ammonium nitrate facilities (AN Facilities). This PIA provides transparency into how the proposed Ammonium Nitrate Security Program will support the homeland security and infrastructure protection missions of DHS/NPPD through the collection of personally identifiable information (PII), and describes reasonable mitigation solutions proposed to be implemented to address privacy and security risks. This PIA will be updated with any changes to the program concurrently with the rulemaking process.

This PIA is made available concurrently with the Department's publication in the Federal Register of a Notice of Proposed Rulemaking for the Ammonium Nitrate Security Program, see 76 FR 46908 (August 3, 2011) at <http://federalregister.gov/a/2011-19313>.

Overview

Section 563 of the Homeland Security Appropriations Act of 2008 provides DHS/NPPD with authority to regulate the purchase and sale of ammonium nitrate to prevent the misappropriation or use of ammonium nitrate in an act of terrorism. Section 563 specifically amends the Homeland Security Act of 2002 (6 U.S.C. § 361 *et. seq.*) by adding in a new Subtitle J – Secure Handling of Ammonium Nitrate (Subtitle J).

Subtitle J prohibits the sale of ammonium nitrate to any individual who does not possess a registration number (AN Registered User Number) issued by DHS, and requires the following:

- Certain ammonium nitrate sellers (AN Sellers) and ammonium nitrate purchasers (AN Purchasers) to apply for AN Registered User Numbers from DHS/NPPD in order to sell, transfer, and/or purchase ammonium nitrate.
- AN Sellers to verify each AN Purchaser's identity and registration to purchase ammonium nitrate pursuant to procedures established by DHS/NPPD.
- AN Facilities and certain AN Sellers to maintain records pertaining to sales and transfers of ammonium nitrate, and authorizes DHS to inspect and audit those records.
- AN Facilities and certain AN Sellers to report theft or loss of ammonium nitrate to the federal government.



In order to support this program, DHS/NPPD will establish an AN Helpdesk to 1) provide a DHS/NPPD point of contact for individuals seeking support related to the Ammonium Nitrate Security Program, and 2) answer general questions about the Ammonium Nitrate Security Program. The AN Helpdesk will collect information necessary to adequately respond to each caller's request (e.g., phone numbers/e-mail addresses used to respond to callers' requests for information or to call back in the event a call is disrupted). DHS/NPPD intends to use the same phone number for the AN Helpdesk, the Purchaser Verification Call Center, and the Ammonium Nitrate Security Program Tip-line (both described below). When contacting that number, callers will be prompted to select which of the three they would like to access.

Below is a description of five major aspects of the program, based on the Notice of Proposed Rulemaking being published in the Federal Register concomitant with this PIA.

- I. Registration of AN Sellers and AN Purchasers;
- II. Point of Sale Verification Requirements;
- III. Recordkeeping and Inspection/Audit Requirements;
- IV. Reporting Requirements; and
- V. Adjudication or Appeal of an Order Assessing Civil Penalty.

I. Registration of AN Sellers and AN Purchasers

Individuals wishing to purchase or sell ammonium nitrate would be required, under the Department's proposed program, to apply for AN Registered User Numbers, either as AN Purchasers or AN Sellers. Individuals would apply for AN Registered User Numbers through a web-based portal (the AN User Registration Portal). Individuals that apply for AN Registered User Numbers would be vetted against the Terrorist Screening Database (TSDB) prior to issuance of AN Registered User Numbers to those individuals. For more information on the TSDB, see DOJ/FBI – 019 Terrorist Screening Records System, 72 FR 47073 (August 22, 2007). Based upon the results of the vetting, and based on completeness and accuracy of the application information submitted through the AN User Registration Portal, DHS/NPPD would approve or deny each application. DHS/NPPD expects to complete processing of each application, and expects to respond to each applicant, within 72 hours of application submission.

A. Information Collected in Support of Providing an AN Registered User Number

Each applicant must submit the following information:

- Full name;
- Home or work address(es);
- Personal or work e-mail address(es);



- Personal or work telephone number(s);
- Photo identification information (e.g., type of photo identification document, issuing entity, unique document number) to support the identity verification process.
- Whether the individual is applying as AN Seller or AN Purchaser or both;
- Affiliation with any AN Facilities (if applicant registers as an AN Seller); and
- Each applicant who is a U.S. Citizen or Lawful Permanent Resident (LPR) must also submit the following information:
 - Aliases (if applicable);
 - Date of birth;
 - Place of birth;
 - Gender;
 - Citizenship; and
 - DHS Redress Number (if applicable).
- In addition to all of the above, each applicant who is a non-U.S. person must also submit the following information:
 - Passport information, to include country of issuance, date of expiration, and passport number; and
 - Alien registration number, if available, and/or visa number.

Upon receipt of an application for an AN Registered User Number, DHS/NPPD will electronically submit the information necessary for TSDB vetting to the DHS Transportation Security Administration (TSA). TSA's Office of Transportation Threat Assessment and Credentialing (TTAC), which conducts vetting of information against the TSDB for several DHS programs, will conduct TSDB vetting as part of the Ammonium Nitrate Security Program.

TTAC will compare the information pertaining to applicants to information listed in the TSDB. TTAC will determine whether each individual's information: 1) does not match a TSDB record; or 2) is a potential match to a TSDB record. Each potential match to the TSDB will then be manually vetted to determine whether a match has occurred.

TTAC will forward results of all positive matches to the Federal Bureau of Investigation's Terrorist Screening Center (TSC), which will make final match determinations and coordinate any necessary law enforcement response. TTAC will also notify DHS/NPPD of any positive match.



As part of this process, TTAC or the TSC may request that DHS/NPPD obtain additional information about individual applicants in order to clarify data errors or to resolve potential matches (e.g., in situations where an applicant has a common name). Such requests will not imply, and should not be construed to indicate, that the applicant has been confirmed as a match to an identity listed in the TSDB.

Based upon the completeness and accuracy of a registration application, and based on review of TSDB vetting results and national security interests (if applicable), the Department will issue or deny an AN Registered User Number to the applicant.

B. Comparability with Other DHS Vetting Programs

In lieu of conducting new TSDB vetting of an applicant, DHS/NPPD may collect information to verify that the applicant is currently enrolled in a DHS program that also requires a TSDB check equivalent to the TSDB vetting performed as part of the Ammonium Nitrate Security Program. Those DHS programs could include:

- 1) The Transportation Worker Identification Credential program (TWIC);
- 2) The Hazardous Material Endorsement program (HME);¹
- 3) The Trusted Traveler programs,² including:
 - a) The NEXUS program;
 - b) The Free and Secure Trade program (FAST); and
 - c) The Secure Electronic Network for Travelers Rapid Inspection program (SENTRI).

To verify an affected individual's enrollment, DHS/NPPD may collect the following PII on the affected individual:

- Full Name;
- Date of Birth;
- Place of Birth (optional);
- Gender;
- Citizenship; and

¹ The TWIC and HME Programs are covered under the Transportation Security Threat Assessment System System of Records Notice. See DHS/TSA-002–Transportation Security Threat Assessment System, 75 FR 28046 (May 19, 2010).

² The Trusted Traveler programs are covered under the Global Enrollment System System of Records Notice. See DHS/CBP-002 – Global Enrollment System (GES), 71 FR 20708 (April 21, 2006).



- Program-specific information or credential information, such as unique number, or issuing entity (e.g., State for Commercial Driver’s License with an HME).

The table below outlines the information that would be required, and the information that would be optional, to verify enrollment in other DHS programs. This information would be used to verify enrollment in lieu of using the information listed above, which is required for individuals who are not presently enrolled in one these programs, in order to conduct new TSDB vetting.

TABLE 1: Data Used To Verify Enrollment In Other DHS Programs In Lieu Of Performing New TSDB Vetting As Part Of Ammonium Nitrate Security Program Registration.

	TWIC	HME	NEXUS	SENTRI	FAST
Name	Required	Required	Required	Required	Required
Date of Birth	Required	Required	Required	Required	Required
Place of Birth	Optional	Optional	Optional	Optional	Optional
Gender	Required	Required	Required	Required	Required
Citizenship	Required	Required	Required	Required	Required
Unique Credential Information	- TWIC Serial Number: Required - Expiration Date: Required	- Commercial Drivers License (CDL) Issuing State(s): Required - CDL Number: Required - Expiration Date: Required	- PASS Number: Required - Expiration Date: Required	- PASS Number: Required - Expiration Date: Required	- PASS Number: Required - Expiration Date: Required

Leveraging a previous equivalent TSDB background check will limit the number of instances in which different DHS programs are required to vet the same affected individual against the TSDB.



Applicants whose enrollments cannot be verified will be provided the opportunity to update their information or provide information necessary to compare their information against the TSDB.

C. Designation of Agents by AN Purchasers

The Ammonium Nitrate Security Program allows each AN Purchaser to designate individuals as his/her agents. Any person who obtains possession of ammonium nitrate on behalf of an AN Purchaser is an agent (AN Agent). AN Purchasers may choose to provide the names of designated agents to DHS/NPPD while applying for AN Registered User Numbers. After registration, an AN Purchaser may subsequently add the names of newly designated agents to the list provided to DHS/NPPD, or may remove the names of former agents from the list provided to DHS/NPPD, through a web-based portal. DHS will not vet agents' information against the TSDB.³

D. Appeals for Denial or Revocation of AN Registered User Numbers

If DHS/NPPD denies an individual's application for an AN Registered User Number or revokes an individual's AN Registered User Number, DHS/NPPD will provide the individual an opportunity to appeal. DHS/NPPD will provide notification of the denial or revocation to the individual in writing, along with instructions on the process for appealing DHS's decision. When an individual appeals denial or revocation, DHS/NPPD will collect PII necessary to process the appeal.

E. Redress

Applicants for AN Registered User Numbers, and individuals who have been issued AN Registered User Numbers, will be able to update and/or correct inaccurate or erroneous information they have submitted to DHS/NPPD by accessing a web-based portal.

Individuals that believe that they have been negatively impacted by the Ammonium Nitrate Security Program may seek redress from the Department. The Department may collect information necessary to process each request for redress. Please see Section 7 of this PIA for additional information on this process.

II. Point of Sale Verification Requirements

Prior to each sale or transfer of ammonium nitrate, DHS/NPPD must A) verify that the AN Seller has a valid AN Registered User Number, and B) verify that the AN Purchaser has a valid AN Registered User Number.

³ Subtitle J limits Ammonium Nitrate Security Program registration and vetting requirements to AN Purchasers and AN Sellers, and does not extend registration and vetting requirements to the agents of AN Purchasers. See 6 U.S.C. § 488a(d) and 6 U.S.C. § 488a(e).



A. AN Seller Verification Requirements

DHS/NPPD will verify an AN Seller's AN Registered User Number when the AN Seller provides his/her name and AN Registered User Number, along with information identifying the AN Facility at which the sale or transfer of ammonium nitrate is taking place, to DHS/NPPD. DHS/NPPD will provide the AN Seller with a confirmation that his/her AN Registered User Number is valid, and that it is appropriately linked to the AN Facility at which the sale or transfer of ammonium nitrate is taking place.

This verification will be completed electronically through a web portal designed by the Department (the "Purchaser Verification Portal") or telephonically through a call center maintained by the Department (the "Purchaser Verification Call Center"⁴). The AN Seller's AN Registered User Number must be verified by DHS/NPPD before the AN Seller can further access the Purchaser Verification Portal or Purchaser Verification Call Center to conduct AN Purchaser verification requirements.

B. AN Purchaser Verification Requirements

Once the Department has verified that the AN Seller has an AN Registered User Number, the AN Seller may sell or transfer ammonium nitrate only after the following:

1) Verification of an AN Purchaser's AN Registered User Number

Verification of an AN Purchaser's AN Registered User Number requires the AN Purchaser to provide his/her name and AN Registered User Number to the AN Seller. The AN Seller will submit this information to DHS/NPPD through either the Purchaser Verification Portal or the Purchaser Verification Call Center. DHS/NPPD will verify that the individual listed matches the AN Registered User Number. DHS/NPPD will provide the AN Seller with a confirmation that the AN Registered User Number is valid. If DHS/NPPD is unable to verify the AN Purchaser's AN Registered User Number, the AN Seller may not sell or transfer the ammonium nitrate.

2) Verification of an AN Purchaser's Identity

a) When the AN Purchaser Opts Not to Use an Agent

If an AN Purchaser chooses not to use an agent, the AN Seller is required to visually inspect the AN Purchaser's photo identification for obvious fraud and compare the identity presented in the photo identification against its bearer. No information is provided to DHS/NPPD in order to verify an AN Purchaser's identity when an AN Purchaser opts not to use an agent. If the AN Seller is unable to verify

⁴ The Purchaser Verification Call Center is a specific function that will be housed within the AN Helpdesk (discussed further in this PIA).



the AN Purchaser's identity, the AN Seller may not sell or transfer the ammonium nitrate.

b) When the AN Purchaser Opts to Use an Agent

When the AN Purchaser opts to use an agent, the AN Seller must complete three verifications. These three verifications can be completed in any order, although all three must be completed prior to transfer of ammonium nitrate to an agent.

Verification 1. Under the Department's proposed Ammonium Nitrate Security Program, the AN Seller will be required to verify the prospective AN Purchaser's identity with DHS/NPPD when the prospective AN Purchaser chooses to use an agent to take possession of ammonium nitrate. For the purpose of this program, an AN Purchaser's identity is verified in this situation by comparing the information contained in the Department's registration database against the information provided by the AN Purchaser. Specifically, before completing a sale or transfer of ammonium nitrate the AN Seller would have to provide certain prospective AN Purchaser information (e.g., name, photo identification document information, AN Registered User Number) to DHS/NPPD either electronically through the Purchaser Verification Portal or telephonically through the Purchaser Verification Call Center. The Department proposes to compare this information, which a prospective AN Purchaser would be required to provide to an AN Seller for submission to the Department, to information contained in the Department's AN Registered User Database. If DHS/NPPD is unable to verify the AN Purchaser's identity by comparing this information to the information already contained in the Department's database, the AN Seller may not sell or transfer the ammonium nitrate. This approach would enable use of an agent when it is not possible to verify the identity of the AN Purchaser in person (i.e., by conducting a visual inspection of the photo identification of the AN Purchaser and comparing the photo identification with the AN Purchaser physically present). The Department seeks comments on this approach, including comments addressing whether AN Purchasers would be likely to provide identity verification information to AN Sellers themselves (e.g., by providing this information to AN Sellers over the telephone), or whether AN Purchasers would be likely to ask their agents to provide this information to AN Sellers in person. DHS also seeks comments on the advisability, costs, and benefits of enabling agents to provide AN Purchasers' identity verification information directly to AN Sellers, and seeks comments on possible alternative methods that could be employed to verify AN Purchasers' identities in sales or transfers involving AN Agents. For instructions on how to submit comments to DHS on these issues, see 76 FR 46908 (August 3, 2011) at <http://federalregister.gov/a/2011-19313>.

Verification 2. The AN Seller must verify that the agent is authorized to obtain ammonium nitrate on behalf of the AN Purchaser. To verify that an agent is authorized to obtain ammonium nitrate on behalf of the AN Purchaser, an AN Seller may either 1) submit the agent's name to DHS/NPPD concurrently with submission



of the AN Purchaser's AN Registered User Number, or 2) contact the AN Purchaser directly. Under option 1, DHS/NPPD will verify that the agent is authorized to obtain ammonium nitrate on behalf of the AN Purchaser if the AN Purchaser has previously listed the agent's name with DHS/NPPD. Under option 2, the AN Seller must contact the AN Purchaser in order to verify that agent is indeed authorized to obtain ammonium nitrate in his behalf. Verifications under option 2 must be conducted orally – e.g., over the telephone. If the AN Seller is unable to verify that the agent is authorized to obtain ammonium nitrate on behalf of an AN Purchaser, the AN Seller may not sell or transfer the ammonium nitrate.

Verification 3. The AN Seller must verify the agent's identity. To verify the agent's identity, an AN Seller must visually inspect the agent's photo identification for obvious fraud and compare the identity presented in the identity document against its bearer. No PII is provided to DHS/NPPD when verifying an agent's identity. If the AN Seller is unable to verify the agent's identity, the AN Seller may not sell or transfer the ammonium nitrate.

III. Recordkeeping and Inspection/Audit Requirements

A. Facility Recordkeeping Requirements

DHS/NPPD will require each AN Facility to maintain records pertaining to each sale or transfer of ammonium nitrate. The AN Facility must log the sale of the ammonium nitrate either in paper or electronic form with the following information:

- Date of sale or transfer;
- Form and amount of payment, if any;
- Quantity of ammonium nitrate sold or transferred;
- Type of packaging of the ammonium nitrate sold or transferred;
- Location where the AN Purchaser, or if applicable agent, will take possession of the ammonium nitrate sold or transferred;
- Name, home or work address, personal or work telephone number, AN Registered User Number, photo identification document type, photo identification document issuing entity, and photo identification document number of the AN Purchaser purchasing or taking possession of the ammonium nitrate sold or transferred;
- If an agent takes possession of ammonium nitrate, name, home or work address, personal or work telephone number, photo identification document type, photo identification document issuing entity, and photo identification document number of the agent taking possession of the ammonium nitrate sold or transferred;



- If an agent takes possession of ammonium nitrate, a record of the date and means by which confirmation of that agent's authority to act as an agent of a particular AN Purchaser was received; and
- Confirmation numbers or confirmation records, if any, received from DHS/NPPD as part of the verification processes required for each sale or transfer of ammonium nitrate.

Each AN Facility will be required to take reasonable actions to ensure that the AN Facility secures these records from damage, theft, and loss.

B. DHS/NPPD Ammonium Nitrate Electronic Recordkeeping Database

DHS/NPPD will make an electronic recordkeeping database available to AN Facilities which will provide the ability for those facilities to maintain records of ammonium nitrate sales and transfers as required by the regulation. While AN Facilities must maintain records of all sales and transfers of ammonium nitrate, use of the electronic recordkeeping database is voluntary. If an AN Facility elects to use the electronic recordkeeping database, the database will, at a minimum, maintain that information required by the regulation as to each sale or transfer of ammonium nitrate. In the electronic recordkeeping database, an AN Facility may also indicate why a particular verification did not result in the sale or transfer of ammonium nitrate (e.g., if an AN Seller could not verify an AN Purchaser's AN Registered User Number, or if an AN Seller could not verify an AN Purchaser's identity).

DHS/NPPD proposes that all AN Sellers associated with a particular AN Facility will have access to the information entered into the electronic recordkeeping database for that facility.

DHS/NPPD is considering using the electronic database to enable remote records inspections and audits under the Ammonium Nitrate Security Program. (See the "Inspections and Audits" section of this document, below, for discussion of the records inspections and audits proposed to be carried out under the Ammonium Nitrate Security Program.) DHS/NPPD is also considering collecting and analyzing data entered into the electronic database in order to identify suspicious activities and suspicious trends in ammonium nitrate transactions. DHS/NPPD intends to share information about suspicious activities and suspicious trends with federal, state, and local law enforcement, and with other governmental entities, as appropriate in order to prevent the misappropriation or use of ammonium nitrate in acts of terrorism.

In the NPRM proposing the Ammonium Nitrate Security Program, the Department seeks comments on this proposed electronic recordkeeping database. For instructions on how to submit comments to DHS on the proposed electronic recordkeeping database, see 76 FR 46908 (August 3, 2011) at <http://federalregister.gov/a/2011-19313>.

C. Inspections and Audits



Pursuant to 6 U.S.C. § 488b, DHS/NPPD is authorized to enter AN Facilities, or other locations where records are stored, to inspect and audit the records required to be maintained under the Ammonium Nitrate Security Program. DHS/NPPD may also inspect and audit records that pertain to misappropriation or preventing misappropriation of ammonium nitrate, and inspect and audit records required to be maintained pursuant to Subtitle J. These records may contain PII. During an inspection or audit, the Department may copy such records. In some cases, DHS/NPPD may also take original copies of pertinent records out of the subject AN Facilities for duplication and prompt return. DHS/NPPD may also perform remote inspections or audits, and require AN Facilities to make records available to the Department by facsimile, mail, or e-mail.

IV. Reporting Requirements

A. Ammonium Nitrate Tip-line

The Ammonium Nitrate Security Program will also maintain a Tip-line, which members of the public may voluntarily use to provide DHS/NPPD information regarding regulatory violations, suspicious ammonium nitrate sales or transfers, and other matters. Callers accessing the Tip-line will be able to listen to a recorded message, and then will be able to leave messages for DHS/NPPD. Callers will be informed that they may leave messages anonymously, but if they would like return calls, to leave their contact information. In the event that a caller chooses not to leave an anonymous message about regulatory violations or suspicious ammonium nitrate sales or transfers, the PII left by the caller would be collected. Tip-line messages will be reviewed by DHS/NPPD and responded to as appropriate.

B. Reporting Theft and Loss

DHS/NPPD is proposing to leverage the existing infrastructure established by the Department of Justice's Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) to require reporting of ammonium nitrate theft and loss under the Ammonium Nitrate Security Program. Individuals required to report the theft or loss of ammonium nitrate will contact ATF directly. The PII collected will be similar to the PII collected by ATF as part of other explosives theft/loss reporting efforts,⁵ with the addition of identifying information associated with the Ammonium Nitrate Security Program (e.g., AN Registered User Numbers).

Interagency discussions between DHS and ATF regarding potential theft and loss reporting are ongoing. Additional information on theft and loss reporting requirements will be published in the final rule implementing the Ammonium Nitrate Security Program. DHS will work with ATF to ensure that appropriate privacy requirements are met by the theft and loss

⁵ See, e.g., ATF Form 5400.5 (<http://www.atf.gov/forms/download/atf-f-5400-5.pdf>).



reporting mechanisms published in the final rule implementing the Ammonium Nitrate Security Program.

V. Adjudication or Appeal of an Order Assessing Civil Penalty

DHS/NPPD is authorized to assess civil penalties against persons or entities violating the rules promulgated as part of the Ammonium Nitrate Security Program. Subject persons or entities shall have the option of initiating adjudicatory proceedings to challenge the propriety of DHS/NPPD's civil penalty determinations. Such a person or entity must initiate adjudicatory proceedings by filing a Notice for Application for Review specifying that such person or entity requests a hearing and adjudication. The individual or entity must also submit all appropriate legal memoranda, declarations, affidavits, other documents and other evidence supporting the position asserted by the person or entity requesting a hearing and adjudication.

A person or entity, individually or through counsel, may offer relevant and material information including written direct testimony which that person or entity believes should be considered in opposition to the Order Assessing Civil Penalty at issue. DHS may collect PII or other information necessary to process, conduct, respond to, or participate in an adjudication contesting an Order Assessing Civil Penalty.

Additionally, a person or entity may appeal adverse adjudication decisions issued by DHS. The appellant must file a Notice of Appeal and Brief with the DHS Office of the General Counsel. DHS will collect PII necessary to process each appeal.

Section 1.0 Authorities and Other Requirements

1.1 What specific legal authorities and/or agreements permit and define the collection of information by the project in question?

Section 563 of the Homeland Security Appropriations Act of 2008 provides DHS with authority to regulate the purchase, sale, and transfer of ammonium nitrate to prevent the misappropriation or use of ammonium nitrate in an act of terrorism. See P.L. 110-161, Division E (2007). Section 563 specifically amends the Homeland Security Act of 2002 (6 U.S.C. 361 et seq.) by adding in a new Subtitle J – Secure Handling of Ammonium Nitrate.

This PIA is published concurrently with the publication of the Ammonium Nitrate Security Program Notice of Proposed Rulemaking, proposing to add Part 31 to Title 6 of the Code of Federal Regulations. The Ammonium Nitrate Security Program Notice of Proposed Rulemaking provides further definition of the required collection of information related to the sale or transfer of ammonium nitrate.



1.2 What Privacy Act System of Records Notice(s) (SORN(s)) apply to the information?

A program-specific SORN(s) and a rulemaking(s) to exempt portions of the SORN(s) from certain provisions of the Privacy Act will be published prior to implementation of the program.

1.3 Has a system security plan been completed for the information system(s) supporting the project?

The information system that will support the Ammonium Nitrate Security Program does not have a completed system security plan. Prior to implementation of the Ammonium Nitrate Security Program, all information systems will be Certified & Accredited by DHS/NPPD's Chief Information Officer.

1.4 Does a records retention schedule approved by the National Archives and Records Administration (NARA) exist?

A proposed schedule for the retention and disposal of records collected under the Ammonium Nitrate Security Program is being developed with DHS/NPPD Records Management for approval by NARA after a Final Rule implementing the Ammonium Nitrate Security Program has been published.

1.5 If the information is covered by the Paperwork Reduction Act (PRA), provide the OMB Control number and the agency number for the collection. If there are multiple forms, include a list in an appendix.

An information collection request was submitted to the Office of Management and Budget concurrent with the Ammonium Nitrate Security Program Notice of Proposed Rulemaking.

Section 2.0 Characterization of the Information

The following questions are intended to define the scope of the information requested and/or collected, as well as reasons for its collection.

2.1 Identify the information the project collects, uses, disseminates, or maintains.

Helpdesk

DHS/NPPD may collect information to support the AN Helpdesk's ability to: 1) operate the Purchaser Verification Call Center to perform verifications required under the Ammonium



Nitrate Security Program; 2) provide a DHS/NPPD point of contact for individuals seeking support related to the Ammonium Nitrate Security Program; 3) maintain a Tip-line, and; 4) answer general questions.

I. Registration of AN Sellers and AN Purchasers:

a) DHS/NPPD will collect the following information in support of the registration of AN Sellers and AN Purchasers:

Each applicant must submit the following information:

- Full name;
- Home or work address(es);
- Personal or work e-mail address(es);
- Personal or work telephone number(s);
- Photo identification information (e.g., type of photo identification document, issuing entity, unique document number) to support the identity verification process.
- Whether the individual is applying as AN Seller or AN Purchaser or both;
- Affiliation with any AN Facilities (if applicant registers as an AN Seller); and
- Each applicant who is a U.S. Citizen or Lawful Permanent Resident (LPR) must also submit the following information:
 - Aliases (if applicable);
 - Date of birth;
 - Place of birth;
 - Gender;
 - Citizenship; and
 - DHS Redress Number (if applicable);
- In addition to all of the above, each applicant who is a non-U.S. person must also submit the following information:
 - Passport information, to include country of issuance, date of expiration, and passport number; and
 - Alien registration number, if available, and/or visa number.



b) In lieu of conducting new TSDB vetting of an applicant, DHS/NPPD may collect information to verify that the applicant is currently enrolled in another DHS program that also requires a TSDB check equivalent to the TSDB vetting performed as part of the Ammonium Nitrate Security Program.

c) Information may be collected to clarify data errors or to resolve potential matches (e.g., in situations where an applicant has a common name). Such requests will not imply, and should not be construed to indicate, that the applicant has been confirmed as a match to an identity listed in the TSDB.

d) DHS/NPPD may collect information from other sources (including, but not limited to, law enforcement sources, and the TSDB) in the event that a match to the TSDB is identified as part of the Ammonium Nitrate Security Program.

e) DHS/NPPD may collect information to support appeals for denial or revocation of AN Registered User Numbers. The information collected will be that information necessary for DHS/NPPD to process each appeal.

f) DHS/NPPD may collect information from applicants for AN Registered User Numbers, from AN Sellers, from AN Purchasers, and AN Agents to enable DHS/NPPD to provide redress for individuals who believe they have been improperly impacted by the Ammonium Nitrate Security Program.

II. Point of Sale Verification Requirements

DHS/NPPD may collect information about AN Sellers, AN Purchasers, and AN Agents in order to conduct the necessary verifications related to the sale and transfer of ammonium nitrate each time AN Sellers and AN Purchasers or AN Agents are involved in sales or transfers of ammonium nitrate.

DHS/NPPD may also collect from each AN Purchaser (and from each applicant applying as an AN Purchaser) the full names of his/her agents.

III. Recordkeeping and Inspection/Audit Requirements

DHS/NPPD may also collect facility records and recordkeeping information as part of the requirement that facilities keep certain records under the Ammonium Nitrate Security Program, and as part of the requirement that DHS inspect and audit facility records.

The electronic recordkeeping database will collect both personally identifiable and non-personally identifiable information related to the sale or transfer of ammonium nitrate. Specifically, for each transaction entered into the system, DHS/NPPD will collect the following PII: name, home or work address, personal or work telephone number, AN Registered User Number, and photo identification document type, photo identification document issuing entity,



and photo identification document number of the AN Purchaser purchasing or taking possession of the ammonium nitrate sold or transferred.

If an agent takes possession of ammonium nitrate, the instrument will also collect the name, home or work address, personal or work telephone number, photo identification document type, photo identification document issuing entity, and photo identification document number of the agent taking possession of the ammonium nitrate sold or transferred.

In the NPRM proposing the Ammonium Nitrate Security Program the Department seeks comments on this proposed electronic recordkeeping database. For instructions on how to submit comments to DHS on the proposed electronic recordkeeping database, see 76 FR 46908 (August 3, 2011) at <http://federalregister.gov/a/2011-19313>.

IV. Reporting Requirements

ATF may collect information as part of the reporting of theft or loss of ammonium nitrate. The information collected will be similar to the information required by ATF as part of other explosives theft/loss reporting regulations (see, e.g., 27 CFR 555.30), with the addition of identifying information associated with the Ammonium Nitrate Security Program (e.g., AN Registered User Numbers).

V. Adjudication or Appeal of an Order Assessing Civil Penalty

DHS/NPPD may collect information to support adjudication or appeals of Orders Assessing Civil Penalties. The information collected will be that information necessary for DHS to process each adjudication or appeal.

2.2 What are the sources of the information and how is the information collected for the project?

Helpdesk

Information will be collected directly from the individual who contacts the Helpdesk will be collected via phone. Additional information collection may be conducted via e-mail, fax or web-portal.

I. Registration of AN Sellers and AN Purchasers

Information will be collected directly from individuals when they to register (through a web-based portal) for AN Seller and AN Purchaser AN Registered User Numbers through a web-based portal.

Additional information may also be collected in order to verify an applicant's enrollment in another DHS program in lieu of performing new TSDB vetting as part of Ammonium Nitrate Security Program registration.



Information may also be collected from other sources (including, but not limited to, law enforcement sources, and the TSDB) when a match to the TSDB is identified as part of the Ammonium Nitrate Security Program.

Information will be collected directly from individuals related to redress or to appeals of the denial or revocation of AN Registered User Numbers via mail, email, phone, or fax.

II. Point of Sale Verification Requirements

Information will be collected from the AN Seller or the AN Agent for Point of Sale Verification requirements.

Information collected from AN Sellers to conduct verifications prior to sale or transfer of ammonium nitrate will be collected either through a web-based portal or through the Purchaser Verification Call Center.

III. Recordkeeping and Inspection/Audit Requirements;

Information will be collected from AN Sellers via the electronic recordkeeping database, and via inspection or audit.

Information is collected from AN Sellers or other AN Facility personnel who enter information into the electronic recordkeeping database. Information is also collected when DHS/NPPD inspects or audits an AN Facility's records.

AN Facility records and recordkeeping information may be collected by DHS/NPPD inspectors, transcribed from AN Facility records, or collected via e-mail, facsimile, telephone, or web-based portal.

IV. Reporting Requirements

Information collected from individuals who contact the Tip-line will be collected via phone. Additional information collection may be conducted via e-mail, fax or web-portal.

Information may be collected from individuals who report theft or loss of ammonium nitrate. This information may be collected by ATF via mail, e-mail, facsimile, or telephone.

V. Adjudication or Appeal of an Order Assessing Civil Penalty

Information may be collected directly from individuals related to adjudications or appeals of Orders Assessing Civil Penalties. This information may be collected via mail, email, phone, or fax.



2.3 Does the project use information from commercial sources or publicly available data? If so, explain why and how this information is used.

DHS/NPPD may rely on commercial or publically available data to detect business situations outside the course of normal business operations, such as bankruptcy, which may affect AN Facilities. This commercial or publically available data may contain some PII about officers of a company or corporation.

2.4 Discuss how accuracy of the data is ensured.

Information collected directly from an individual will be assumed to be accurate.

Information collected from AN Sellers as part of verifications related to the sale and transfer of ammonium nitrate, or as part of recordkeeping activities, will also be assumed to be accurate. This information will be inspected and audited as required by statute.

2.5 Privacy Impact Analysis: Related to Characterization of the Information

Privacy Risk: Collecting inaccurate or false information is a privacy risk which could result in a determination which harms an applicant's ability to receive an AN Registered User Number. Collecting and maintaining more information than is necessary is another privacy risk. Finally, vetting of an applicant's information against the TSDB presents the privacy risk that a check against the TSDB could produce information which could inappropriately result in a determination which harms an applicant's ability to receive an AN Registered User Number, buy or transfer ammonium nitrate, or conduct other activities related to the Ammonium Nitrate Security Program.

Mitigation: To reduce this risk the Department will: 1) display to each AN Registered User Number applicant in the AN User Registration Portal his/her application prior to submission; 2) require the applicant to review the displayed application; and 3) require the applicant to affirm that the information contained therein is true and correct.

To reduce the risk of collecting more information than necessary, the Department has, where possible, limited the information being collected to that information explicitly listed in Subtitle J and to that information necessary to conduct the activities required by the statute.

To reduce the risk of harm to applicants who may be incorrectly identified as posing threats to national security and subsequently denied AN Registered User Numbers, the Ammonium Nitrate Security Program will collect sufficient PII to conduct vetting against the TSDB such that that TSDB vetting is accurate, and such that the Department has a high degree of confidence in the results of that TSDB vetting. Additional PII may be collected in instances



where additional PII is needed to best distinguish an applicant from other individuals who have similar names and/or biographic details.

Section 3.0 Uses of the Information

The following questions require a clear description of the project's use of information.

3.1 Describe how and why the project uses the information.

Helpdesk

DHS/NPPD may collect information to support the AN Helpdesk's ability to: 1) operate the Purchaser Verification Call Center to perform verifications required under the Ammonium Nitrate Security Program; 2) provide a DHS/NPPD point of contact for individuals seeking support related to the Ammonium Nitrate Security Program; 3) maintain a Tip-line, and; 4) answer general questions.

I. Registration of AN Sellers and AN Purchasers

DHS/NPPD will use PII collected to issue AN Registered User Numbers and to identify individuals with terrorist ties by comparing PII against information maintained in the TSDB. The PII collected by DHS/NPPD may be used to facilitate operational, law enforcement, or intelligence responses, if appropriate, when vetted individuals' identities match identities contained in the TSDB.

DHS/NPPD may use information collected to verify that an individual is currently enrolled in a DHS program which relies on a TSDB check equivalent to the TSDB vetting performed as part of the Ammonium Nitrate Security Program.

DHS/NPPD may collect information on individuals as necessary to enable it to provide redress for individuals who believe that they have been improperly impacted by the Ammonium Nitrate Security Program.

DHS/NPPD may collect information to conduct appeals for denial or revocation of AN Registered User Numbers.

II. Point of Sale Verification Requirements

DHS/NPPD will use information collected to conduct the necessary registration, identity, and agency verifications required for the sale or transfer of ammonium nitrate.

III. Reporting Requirements

ATF may receive, and ATF, DHS, or other government entities may follow up on reports of theft or loss of ammonium nitrate.



IV. Recordkeeping and Inspection/Audit Requirements

DHS/NPPD may use the PII collected to ensure that AN Facilities and certain AN Sellers are in compliance with the Ammonium Nitrate Security Program's recordkeeping requirements. Compliance assurance activities may involve the use of PII to conduct inspections or audits as required by statute.

V. Adjudication or Appeal of an Order Assessing Civil Penalty

DHS may collect information to conduct adjudications or appeals of Orders Assessing Civil Penalties.

3.2 Does the project use technology to conduct electronic searches, queries, or analyses in an electronic database to discover or locate a predictive pattern or an anomaly? If so, state how DHS plans to use such results.

DHS proposes to analyze recordkeeping information maintained by AN Facilities, including information entered into the electronic recordkeeping database in order to identify trends and/or suspicious activities, and also in order to assess regulatory compliance. Information about trends and/or potentially suspicious activities may be shared with federal law enforcement and federal, state, local, tribal, territorial, or other government entities, as appropriate. In the NPRM proposing the Ammonium Nitrate Security Program, the Department seeks comments on the proposed electronic recordkeeping database.

3.3 Are there other components with assigned roles and responsibilities within the system?

Yes. TSA will conduct vetting against the TSDB. TSA and U.S. Customs and Border Protection may participate in verifying previous TSDB vetting results under other DHS programs. In lieu of conducting new TSDB vetting of an applicant, DHS/NPPD may collect information to verify that the applicant is currently enrolled in a DHS program that also requires a TSDB check equivalent to the TSDB vetting performed as part of the Ammonium Nitrate Security Program. Those DHS Programs could include:

- 1) The Transportation Worker Identification Credential program (TWIC);
- 2) The Hazardous Material Endorsement program (HME);
- 3) The Trust Traveler Programs, including:
 - a) The Nexus program;
 - b) The Free and Secure Trade program (FAST); and



- c) The Secure Electronic Network for Travelers Rapid Inspection program (SENTRI).

Leveraging a previous equivalent TSDB background check will limit the number of instances in which different programs are required to vet the same affected individual against the TSDB.

3.4 Privacy Impact Analysis: Related to the Uses of Information

Sharing of information both internally and externally will be compatible with the Ammonium Nitrate Security Program's SORN(s). The Ammonium Nitrate Security Program's SORN(s) will cover sharing of PII by DHS with external entities (e.g., sharing information with the TSC to determine if an applicant's PII matches PII contained in the TSDB).

Privacy Risk: There is a privacy risk that the information will be improperly used.

Mitigation: To mitigate the potential privacy risk of unauthorized disclosure of PII, DHS/NPPD will implement the necessary security controls to ensure that all personnel granted access to the information have a confirmed need to know the information to perform their duties and are authorized to handle information collected by DHS/NPPD under the Ammonium Nitrate Security Program. These individuals will be required to complete DHS privacy training on at least an annual basis.

Additionally, DHS has well-established and comprehensive information handling processes to enhance information security and eliminate possibilities for inappropriate sharing, misuse and/or loss, including the information handling processes described in the Department's *Handbook for Safeguarding Sensitive Personally Identifiable Information*.⁶ Ammonium Nitrate Security Program personnel will adhere to established internal information security policies, as well as those outlined in DHS information technology security documents. Periodic audits and evaluations will ensure continued compliance with DHS security and privacy requirements, including those that cover the internal sharing of PII.

Finally, any internal or external organization to which information will routinely be transmitted must have a documented interagency security agreement on file with DHS, approved by both parties, that outlines security and privacy controls in place to protect the confidentiality, integrity, and availability of PII being shared or processed. Internal components with whom PII is shared must agree to maintain reasonable physical, electronic, and procedural safeguards to appropriately protect the shared information. DHS is also required to handle PII in accordance with the requirements of the Privacy Act,⁷ E-Government Act of 2002,⁸ and FISMA,⁹ as appropriate.

⁶ Available at http://www.dhs.gov/xlibrary/assets/privacy/privacy_guide_spji_handbook.pdf.

⁷ See 5 U.S.C. § 552a.



Section 4.0 Notice

The following questions seek information about the project's notice to the individual about the information collected, the right to consent to uses of said information, and the right to decline to provide information.

4.1 How does the project provide individuals notice prior to the collection of information? If notice is not provided, explain why not.

DHS/NPPD will provide notice in the form of a Privacy Act Statement to each applicant for an AN Registered User Number at the point of collection.

DHS/NPPD is considering how to provide adequate notice to each agent that his/her name will be provided to DHS/NPPD prior to submitting the agent's information to DHS/NPPD. The Department is seeking comment on this issue in the NPRM proposing the Ammonium Nitrate Security Program, and any updates to this PIA addressing this issue will be published prior to program implementation.

DHS/NPPD is considering how to provide notice regarding information collection to AN Purchasers and to AN Purchasers' agents prior to submission of their PII to DHS/NPPD as part of sales or transfers of ammonium nitrate. The Department is seeking comment on this issue in the NPRM proposing the Ammonium Nitrate Security Program, and any updates to this PIA addressing this issue will be published prior to program implementation.

DHS/NPPD will notify individuals that their information may be collected for all services provided in support of the Ammonium Nitrate Security Program when contacting the AN Helpdesk or Tip-line.

4.2 What opportunities are available for individuals to consent to uses, decline to provide information, or opt out of the project?

Individuals will be provided notice prior to or at the point of collection about their rights not to provide certain information and the consequences as a result of that decision (e.g., inability to obtain an AN Registered User Number; inability to obtain ammonium nitrate as part of a sale or transfer of ammonium nitrate; etc.). Individuals do not have the right to consent to particular uses of their information, other than to decline to obtain, purchase, sell, or transfer ammonium nitrate.

⁸ See 44 U.S.C. Ch. 36.

⁹ See 44 U.S.C. § 3541 et seq.



4.3 Privacy Impact Analysis: Related to Notice

Privacy Risk: There is a privacy risk that inadequate notice will be provided.

Mitigation: In addition to receiving a Privacy Act Statement at the point of collection, prior to submitting his/her application for an AN Registered User Number, each applicant will be required to affirm his/her understanding that: 1) his/her PII is submitted to DHS/NPPD for the purposes of vetting against the TSDB; 2) he/she is aware of steps for correcting inaccurate PII; and 3) additional PII may be requested by DHS/NPPD, and will be submitted to DHS/NPPD for the completion of the vetting process if requested.

A Privacy Act Notice will also be provided (via a recording) when an individual contacts the Helpdesk or tipline for any Ammonium Nitrate Security Program related services.

DHS/NPPD is also seeking comments through the NPRM proposing the Ammonium Nitrate Security Program on how to provide Notice to AN Purchasers and their agents when they are required to provide PII to purchase or obtain ammonium nitrate. Any privacy risks and mitigation strategies associated with the process to be implemented will be provided in an updated PIA prior to program implementation.

By providing notice when collecting information, DHS/NPPD mitigates the privacy risks associated with notice including, but not limited to, the lack of understanding on the part of individuals regarding the collection and use of their PII, their rights to refuse to participate in the Ammonium Nitrate Security Program, and their ability to correct inaccurate information.

Section 5.0 Data Retention by the project

The following questions are intended to outline how long the project retains the information after the initial collection.

5.1 Explain how long and for what reason the information is retained.

I. Registration of AN Sellers and AN Purchasers

The length of time DHS/NPPD will retain information on individuals will be dependent on individual TSDB vetting results. Specifically, individuals' information will be retained as described below, based on individuals' placements into three categories:

- a) Information pertaining to an individual who is not a potential match to a TSDB record will be retained for one year after the individual's AN Registered User Number is denied, revoked, or no longer valid;
- b) Information pertaining to an individual who may originally have appeared to be a match to a TSDB record, but who was subsequently determined not to be a match, will be retained for seven years after completion of TSDB matching, or one year



after the individual's AN Registered User Number is denied, revoked, or no longer valid, whichever is later; and

- c) Information pertaining to an individual who is determined to be a positive match to a TSDB record will be retained for 99 years after completion of matching activity, or 7 years after DHS/NPPD learns that the individual is deceased, whichever is earlier.

TTAC will maintain records within its possession in accordance with the DHS/TSA-002 Transportation Security Threat Assessment System System of Records, 75 FR 28046 (May 19, 2010) (notice to amend SORN). CBP will maintain records in its possession in accordance with the DHS/CBP-002 Global Enrollment System System of Records, 71 FR 20708 (April 21, 2006).

II. Point of Sale Verification Requirements

DHS will maintain as part of this program a list of every time DHS/NPPD conducts a verification, who participated in the verification, and the information verified. This information will be maintained for whichever is longer: (1) two years past the date the Department no longer regulates the AN Facility at which the verification took place; or (2) the period of time the Department retains information on the individuals involved in the verification (see the description of record retention based on TSDB vetting results, above).

III. Recordkeeping and Inspection/Audit Requirements

Information collected by the Department during an inspection or audit will be retained for the duration the Department regulates the AN Facility.

5.2 Privacy Impact Analysis: Related to Retention

Privacy Risk: There is a privacy risk that records containing PII collected under this program pertaining to an individual who may originally have appeared to be a match to a TSDB record, but who was subsequently determined not to be a match, will be retained in the system longer than needed.

Mitigation: PII will be retained for only the minimum amount of time necessary and in accordance with the retention schedule listed above. Audits and ongoing vigilance will be applied to verify adherence to applicable records retention schedules.

Section 6.0 Information Sharing

The following questions are intended to describe the scope of the project information sharing external to the Department. External sharing encompasses sharing with other federal, state, and local government entities, and with private sector entities.



6.1 Is information shared outside of DHS as part of the normal agency operations? If so, identify the organization(s) and how the information is accessed and how it is to be used.

Information collected by DHS/NPPD through the registration process and the verification process will be shared externally in accordance with the routine uses listed in the SORN(s) to be published for the Ammonium Nitrate Security Program.

DHS may externally share information, TSDB matching analyses, and vetting results in order to ensure appropriate federal law enforcement agency responses, and other appropriate government responses. DHS will also share information with the TSC, which maintains the federal government's TSDB.¹⁰

DHS may also share information about AN Purchasers (and their agents) with AN Facility personnel who have been issued AN Registered User Numbers. This external sharing will enable AN Facility personnel to conduct required registration and identity verifications prior to the sale or transfer of ammonium nitrate.

DHS may also share information about AN Sellers with other AN Sellers (e.g., Designated AN Facility POCs) to allow each AN Facility to manage which AN Sellers are associated with it.

6.2 Describe how the external sharing noted in 6.1 is compatible with the SORN noted in 1.2.

The Ammonium Nitrate Security Program Records SORN(s) will be written explicitly to accommodate the Ammonium Nitrate Security Program. External sharing of information will be compatible with this SORN(s).

6.3 Does the project place limitations on re-dissemination?

NPPD will share information pursuant to the Privacy Act and the routine uses in the SORN(s) for the Ammonium Nitrate Security Program. When information is shared, the receiving agency will be notified of the fact that records received are covered by the Privacy Act.

6.4 Describe how the project maintains a record of any disclosures outside of the Department.

The Ammonium Nitrate Security Program will follow standard operating procedures when sharing information outside the Department related to vetting applicant information against

¹⁰ The TSC will share information in accordance with the routine uses set forth in the Terrorist Screening Records System SORN. See 72 FR 47073 (Aug. 22, 2007) (notice to amend SORN).



the TSDB. The standard operating procedures require retaining appropriate accounting of what records are disclosed, and to whom they are disclosed.

The Ammonium Nitrate Security Program SORN(s) will be written explicitly to accommodate the Ammonium Nitrate Security Program. External sharing and accounting of disclosures of information will be compatible with this SORN(s).

6.5 Privacy Impact Analysis: Related to Information Sharing

Privacy Risk: Privacy risks identified include the risk of unauthorized access to the information collected, the risk of unauthorized use/disclosure of the information collected, and the risk of loss of information.

Mitigation: To mitigate the potential privacy risk of unauthorized access to the information collected, the risk of unauthorized use/disclosure of the information collected, and the risk of loss of information, each external organization that transmits information to or from DHS/NPPD must have a documented interagency security agreement on file with DHS/NPPD, approved by signatories representing both parties, that outlines security and privacy controls in place to protect the confidentiality, integrity, and availability of information being shared or processed. External organizations with which DHS shares information must agree to maintain physical, electronic, and procedural safeguards to protect the shared information. Federal agencies receiving Ammonium Nitrate Security Program-related information are also required to handle it in accordance with federal data protection requirements including the Privacy Act, the E-Government Act, and FISMA, as appropriate.

Section 7.0 Redress

The following questions seek information about processes in place for individuals to seek redress which may include access to records about themselves, ensuring the accuracy of the information collected about them, and/or filing complaints.

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

Applicants who apply for AN Registered User Numbers will be able to access their information they have previously submitted to DHS/NPPD via a web-based portal.

An individual seeking to appeal a denial or revocation of an AN Registered User Number may gain access to his/her information by filing a written Request for Materials with



DHS/NPPD, requesting copies of the materials on which denial or revocation was based.¹¹ Such materials will include the individual's information.

Each applicant may also request a copy of his/her PII from DHS/NPPD by submitting a Freedom of Information Act/Privacy Act (FOIA/PA) request to the DHS/NPPD FOIA Officer at 245 Murray Lane SW, Washington, D.C. 20528-0380. Applicants may obtain directions on how to submit a FOIA/PA request at http://www.dhs.gov/xfoia/editorial_0316.shtm.

7.2 What procedures are in place to allow the subject individual to correct inaccurate or erroneous information?

Applicants for AN Registered User Numbers, and individuals who have been issued AN Registered User Numbers, will be able to update and/or correct inaccurate or erroneous information they have submitted to DHS/NPPD by accessing a web-based portal.

Applicants and individuals who have been issued AN Registered User Numbers may also write to the DHS/NPPD FOIA Officer at 245 Murray Lane SW, Washington, D.C. 20528-0380, to have inaccurate or erroneous PII corrected.

7.3 How does the project notify individuals about the procedures for correcting their information?

Each applicant for an AN Registered User Number is notified of the procedures to correct his/her information as a part of the electronic notification he/she receives regarding the approval or denial of his/her AN Registered User Number.

Redress will be provided as described above in sections 7.1-7.2. Notice of redress procedures will be provided in the published SORN(s) and through the appropriate Privacy Act Statement (see section 4.0).

7.4 Privacy Impact Analysis: Related to Redress

Privacy Risk: Individuals may be unaware of or not understand their redress options.

Mitigation: These risks are mitigated because the Ammonium Nitrate Security Program will provide individuals with clear notice of their ability to access and correct their information, as well as to seek redress. Redress will be provided as described above in sections 7.1-7.2. Notice of redress procedures will be provided in the published SORN(s) and through the appropriate Privacy Act Statement (see section 4.0).

¹¹ See the Ammonium Nitrate Security Program Notice of Proposed Rulemaking for further discussion regarding denials, revocations, and Requests for Materials.



Section 8.0 Auditing and Accountability

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

8.1 How does the project ensure that the information is used in accordance with stated practices in this PIA?

DHS policy requires that systems implement auditing at the user level and regularly analyze audit logs to determine misuse or abuse. The likelihood of unauthorized access is mitigated through technical controls including firewalls, intrusion detection, encryption, access control lists, system hardening techniques, and other security measures. All implemented controls meet federal and DHS requirements governing information assurance.

8.2 Describe what privacy training is provided to users either generally or specifically relevant to the project.

All DHS personnel and contractor personnel with access to the IT system will undergo DHS privacy training, which includes a discussion of the DHS Fair Information Practice Principles (FIPPs) and instructions on handling PII in accordance with FIPPs and DHS privacy policy. Additionally, all DHS and contractor personnel must complete annual privacy refresher training to retain system access. In addition, security training is provided to DHS personnel on an annual basis, which helps to maintain the level of awareness for protecting PII. DHS reports on employees, including contractors, who receive IT security and privacy training as required by FISMA.

8.3 What procedures are in place to determine which users may access the information and how does the project determine who has access?

DHS has well-established and comprehensive processes to enhance information security and minimize possibilities for unauthorized access. DHS personnel adhere to internal information security policies. In addition, robust auditing measures and technical safeguards will monitor for unauthorized access or attempted access. To reduce the risk of a data breach, proactive monitoring of logs will identify potential incidents as early as possible, and audit trails will be maintained to facilitate investigation of incidents in accordance with DHS Privacy Incident Handling Guidance. Regularly scheduled risk assessments will be performed on the security controls for security vulnerabilities, including technical, managerial, and physical security access.

Established security controls will be in place to limit access based on user roles and responsibility, need to know, least privilege, and separation of duties. Rules governing a user's



access to the system will be applied by the system automatically, based on the user's assigned role. Categories of users will be approved by a DHS Information Systems Security Officer (ISSO) and any changes in roles will need approval prior to access.



8.4 How does the project review and approve information sharing agreements, MOUs, new uses of the information, new access to the system by organizations within DHS and outside?

Information sharing agreements are formally reviewed by the program manager, DHS/NPPD Privacy Officer, and counsel.

Responsible Officials

Todd Klessman
Infrastructure Security Compliance Division
National Protection and Programs Directorate

Approval Signature

Original signed copy on file with the DHS Privacy Office

Mary Ellen Callahan
Chief Privacy Officer
Department of Homeland Security