



Privacy Impact Assessment
for the

DHS Surveys, Interviews, and Focus Groups
DHS/ALL/PIA-069

September 28, 2018

Reviewing Official
Philip S. Kaplan
Chief Privacy Officer
Department of Homeland Security
(202) 343-1717



Abstract

The U.S. Department of Homeland Security (DHS) and its Components periodically solicit voluntary feedback from its employees, contractors, external stakeholders, and the general public through the use of surveys, interviews, and focus groups (hereinafter referred to as customer research) to improve DHS services and operations. Individuals who provide information during customer research do so voluntarily with the understanding that their responses will be kept confidential. This PIA covers DHS's collection, maintenance, and use of limited personally identifiable information (PII) in order to recruit individuals, facilitate correspondence, and perform trend analyses from results derived from customer research.

Overview

In its ongoing effort to continuously improve its operations and services, DHS and its Components solicit feedback from employees, contractors, external stakeholders, and the general public through surveys, interviews, and focus groups. This customer research collects information, opinions, and experiences from those interacting with and on behalf of DHS. The goal of this research is to identify opportunities to improve customer service, employee morale, and stakeholder relationships. This PIA only addresses DHS or Component-initiated research (collectively referred herein as DHS) on tool usability, general satisfaction, or service needs. Any customer research covered by this PIA will not collect more than contact information or demographic information that could be linkable to an individual. This PIA does not assess inquiries pertaining to investigations, individual complaints, or administrative actions.¹

Although the customer research assessed in this PIA is generally anonymous, DHS sometimes collects a limited amount of contact information in order to solicit participation in the research or facilitate future communications with participants. Demographic information (e.g., age, gender, race, country of origin, or languages spoken) may be collected and aggregated to perform trend analyses. Trend analyses measure changes in data over time in an attempt to predict future outcomes or needs. These trend analyses are used to identify areas for improvement in Department processes and operations.

DHS's customer research is collected from three categories of participants: (1) DHS employees and contractors; (2) DHS public stakeholders;² and (3) the general public.³ DHS may

¹ For more information on inquiries pertaining to investigations, complaints, and administrative actions, please see <https://www.dhs.gov/how-do-i/provide-feedback-dhs>.

² DHS public stakeholders are officials employed by federal, state, local, tribal, or foreign governments who work with DHS to fulfill a shared mission. Examples include law enforcement officers in border areas, state and local emergency management personnel at disaster sites, and foreign aviation personnel at airports outside the United States.

³ Members of the general public consist of people who are significantly impacted by DHS activities (e.g., immigration benefits applicants, disaster relief recipients, and pre-screened airline passengers).



either rely on federal employees and contractors dedicated to research and statistical analysis to conduct this customer research, or it may enter into contractual relationships with third-party vendors to conduct the research on its behalf. As described below, DHS may recruit participants directly or indirectly and uses three different research methods to collect information: surveys, interviews, and focus groups.

Recruiting Participants

DHS recruits participants for its customer research using both direct and indirect recruitment. Direct methods of recruitment include contacting potential participants in person at a DHS field office or DHS-sponsored event, or contacting them by email, phone, or direct mail. DHS uses contact information that was voluntarily provided on official DHS forms submitted previously for other purposes (e.g., a benefit request). The notice of DHS's ability to use information previously supplied on a form must be contained in that form's Privacy Act Statement or Privacy Notice before it can be used for recruitment purposes.⁴ Indirect recruitment requires the participant to volunteer for customer research advertised by DHS. This includes DHS public announcements and advertisements in industry trade journals, mailing lists, flyers, or the internet. DHS also publicizes opportunities to participate in customer research through community-based organizations and professional associations. DHS does not receive PII from associations or organizations, but rather individuals recruited by those organizations must contact DHS or a Component directly to express their interest in participating in a customer research initiative.

All recruitment of participants for customer research is conducted only by DHS and Component outreach units, research units, or third-party vendors, and not by those responsible for management, benefits, services, or enforcement decisions within the Department. Participation in all customer research for members of the public is completely voluntary and has no positive or negative impact on an individual's status or interaction with the Department. DHS employees may be required to participate in certain customer research in an effort to gather specific feedback on tools and processes within the Department, rather than on employee satisfaction. Responses in this regard will not be handled by DHS management until it has been anonymized. Any contact information collected during DHS's customer research is optional and used only for follow-up. PII collected from participants is separated from their responses to avoid identifying individual participants.

Surveys

Surveys are an efficient and cost-effective way to collect information and experiences from a large number of participants. Surveys are particularly useful for collecting and processing

⁴ Specifically, the Privacy Act requires all public-facing sites or forms that request PII to prominently and conspicuously display a privacy notice that identifies: 1) legal authority to collect information about a person; 2) purpose for which the information will be used; 3) routine uses for disclosure of information outside of DHS; 4) whether providing the information is voluntary or mandatory under law; and 5) effects if the person chooses to not provide the requested information.



quantifiable data because they primarily use closed-ended questions (i.e., must be answered using a pre-defined answer, like “yes or no” or reflecting a range of agreement or disagreement with a particular question) that make it easier to compare responses and limits the risk of participants disclosing unsolicited PII. Surveys may be administered by using DHS generated surveys or third-party survey tools.

DHS Administered Surveys

DHS conducts its surveys by phone, online, or on paper. Surveys conducted by phone are sometimes audio recorded, which requires participants to provide verbal consent to proceed. No PII other than general demographic information is solicited during a recorded survey. Paper surveys are completed either by mail or in-person, typically at DHS-sponsored conferences and trainings, DHS worksites, or other DHS locations. DHS provides potential survey participants with a notice about the purpose of the survey, instructions on how to complete the survey - including an admonition not to provide any unsolicited PII - and how to opt-out of future surveys.

Completed surveys, regardless of venue, are destroyed after one year or when no longer needed or in accordance National Archives and Records Administration (NARA) records retention schedules.⁵

Third Party Vendor Survey Tools

DHS uses survey tools developed by third party vendors. Some of these are commercial off-the-shelf (COTS) products, while others are developed specifically for one or more DHS surveys. The DHS Privacy Office and Office of Public Affairs must approve any third-party survey tool prior to its use to ensure the vendor has incorporated the appropriate privacy safeguards.⁶ Many third-party survey tools contain recruitment features, such as the ability to email a link to prospective survey participants, or to make surveys available on DHS or third party websites. Although some commercial survey tools can automatically collect participants’ Internet Protocol (IP) addresses and email addresses, DHS advises survey developers to disable IP address and email collection whenever possible. DHS will not request IP address or email data from third party developers.

Wave Surveys (Longitudinal Studies)

In a minority of cases, some DHS surveys will not dissociate PII from responses when there are going to be multiple waves of data collection. Wave surveys are used to monitor changes in attitude over time. Researchers must ensure that a response to a survey can be linked to responses

⁵ See NARA General Record Schedule (GRS) 6.5, Item 010, available at <https://www.archives.gov/files/records-mgmt/grs/grs06-5.pdf>.

⁶ The DHS Privacy office uses the Privacy Threshold Analysis (PTA) process to determine privacy safeguards for third party vendor survey tools. A more thorough explanation of the PTA process can be found at <https://www.dhs.gov/compliance>.



from a previous survey to ensure that different responses between surveys reflect a change in attitude or behavior, rather than a change in participants.

In wave surveys procedural safeguards are in place to protect participant PII. When responses and contact information of a participant is collected, they are stored in separate files, and each are assigned an anonymized unique identifier. This allows the PII to be “linkable” to responses, but in practice the PII will not be linked. Subsequent survey waves are associated with the unique identifier, instead of PII. The contact information can be destroyed as soon as the final wave of surveys is complete, making responses un-linkable to PII, without altering DHS’s ability to gauge personal change over time.

Interviews

DHS conducts one-on-one interviews by phone or in-person. Participants are advised that their responses are anonymous. Interviews gather information on a specific set of topics and typically allow for more open-ended questions than surveys.⁷ The interaction between the interviewer and participant lends itself to follow-up questions enabling a more in-depth understanding of participants’ experiences and perspectives. Interviews also tend to be more effective means of eliciting information on matters participants may not feel comfortable discussing in a group setting.

Phone interviews are sometimes audio recorded, and in-person interviews are sometimes video or audio recorded. Recording allows interviewers to collect direct quotes, verify the information recorded in field notes, and drastically improves the efficiency of note-taking. Participants are asked for their affirmative consent prior to recording (audio or video) and are advised not to disclose any PII when being recorded. Any PII associated with a participant’s consent is destroyed when the underlying recording is destroyed. As with surveys, any recordings of interviews are destroyed after 1 year or when no longer needed in accordance with NARA records retention schedules.⁸

Ethnographic-based Interviews

Ethnographic research combines interviewer observation with participant answers that allows an interviewer to immerse themselves in the lives, culture, or situation of the participant. Ethnography is a type of social research that allows an interviewer to immerse themselves in the lives, culture, or situation of the participant. Ethnographic-based interviews are conducted in the field, with the subject’s consent, and allows the interviewer to observe real-world behaviors and interactions with products and services taking place. Ethnographic research is generally used by

⁷ Open-ended questions are designed to encourage a full, meaningful answer using the subject’s own knowledge and feelings. Unlike closed-ended questions, few if any restrictions are placed on the length of the response.

⁸ See NARA General Record Schedule (GRS) 6.5, Item 010, available at <https://www.archives.gov/files/records-mgmt/grs/grs06-5.pdf>.



DHS's Components in usability studies, such as field testing mobile applications or websites, to make DHS programs and systems more accessible to the public.⁹ Through ethnographic research, DHS is able to understand how history and context (i.e., issues, settings, environment, and relationships) play an important role in the lives of participants and may design DHS programs to better meet the public's needs. Ethnography is considered a method of interaction and observation, and would not collect additional PII beyond a participant's demographic information or what the interviewer has observed. Any additional PII collection would be considered outside the scope of this PIA.

Focus Groups

Focus groups are dynamic group discussions designed to collect information, gather feedback, and conduct observations from a large number of participants at the same time. Like interviews, focus groups allow for more open-ended questions and discussion than surveys and permit greater insight into individual experiences and perspectives.

DHS conducts focus groups online or in-person. Individuals who volunteer to participate in a focus group session are advised that their responses are anonymous. In some focus groups, Subject Matter Experts agree to be quoted and to have their comments disseminated to the industry. Participation in this type of focus group is voluntary and the experts are allowed to decline to have their responses recorded or disseminated. Responses to focus group questions from individuals are collected and retained through transcription services, audio, and video recording. Transcription documents are redacted to exclude participant names or any other identifying information but may include information about DHS employees, not to include any PII, who may have interacted with the participant in the past. If a focus group is being recorded, participants are advised against disclosing PII. As with interviews, DHS seeks affirmative consent from participants prior to recording.

Interviewers and facilitators are trained to not solicit PII from a participant during the research, and participants are advised not to give any unsolicited PII during the inquiry. Recordings are stored either in DHS outreach or research unit systems or with a third-party contractor that DHS has retained to conduct the research. Access to these systems is restricted to those users with a verified business need. No recording is used for any purpose other than ensuring the accuracy of the responses. Recordings are only retained until its contents are transcribed or the accuracy of an interviewer's or facilitator's notes are confirmed. Once the business need for maintaining a recording is met, the recording is immediately purged. Recordings, transcripts, and any

⁹ For an example of Ethnographic research *see* DHS/USCIS/PIA-064 myUSCIS, Appendix H, "myUSCIS Usability Testing and Ethnographic Research," available at www.dhs.gov/privacy.



corresponding evidence of participant consent, are destroyed when no longer needed or after one year in accordance with the approved NARA retention schedule.¹⁰

Usability Testing

Usability testing is a type of focus group that examines the uses and convenience of a particular product that DHS is interested in deploying. DHS uses usability tests to determine if nascent programs or IT systems will achieve their desired purpose when deployed. Usability testing evaluates a system or program by eliciting participants to complete typical program tasks while facilitators observe, collect qualitative and quantitative data, and takes notes. Participants are generally video recorded completing the prescribed tasks. Participants are required to give affirmative consent prior to any recording taking place. Usability testing does not require the provision of PII. If necessary, mock data will be used by a participant to test the ease and usability of a particular system. The goal is to identify potential problems that may only be apparent in real world interactions.

Audio and Video Recordings

DHS and its Components may augment their note-taking with audio or video recording of interviews or focus groups. All participants are informed of the recording prior to engaging the customer research. A participant must give affirmative, informed consent prior to an interviewer or facilitator initiating a recording. Interviewers and facilitators are trained to not solicit PII from a participant during customer research, and participants are advised not to give any PII during the inquiry. Recordings are stored either in DHS outreach or research unit IT systems or with the third party contractors DHS contracted to conduct the customer research. Access to these systems is restricted to those users with a verified business need. No recording is used for any purpose other than ensuring the accuracy of customer research responses. Recordings are only retained until its contents are transcribed or the accuracy of an interviewer's or facilitator's notes are confirmed. Once the business need for maintaining a recording is met, the recording is immediately purged.

Survey, Interview, and Focus Group Analysis and Outputs

At the conclusion of the customer research, DHS and Component statistical or research experts aggregate and anonymize the data collected from participants because the goal is to identify trends among groups and not individuals within those groups.¹¹ The aggregated data is then analyzed, trends are documented, and recommendations may be made. A report is then distributed

¹⁰ See NARA General Record Schedule (GRS) 6.5, Item 010 available at <https://www.archives.gov/files/records-mgmt/grs/grs06-5.pdf>.

¹¹The aggregated data is typically presented in the form of charts and graphs that reflect certain demographic breakdowns, which are then analyzed to produce recommendations in furtherance of improving departmental processes and operations.



to appropriate DHS stakeholders and the general public, when appropriate. There is no PII included in the published reports- only aggregated data is distributed in the published reports.

Oversight of Information Collections

The Paperwork Reduction Act of 1995 (PRA) requires agencies to seek OMB approval prior to collecting information from the public.¹² These PRA submissions to OMB are commonly known as Information Collection Requests (ICR) or “OMB-clearance packages.” ICRs should be submitted for OMB approval prior to conducting surveys, interviews, or focus groups. Submission for OMB approval is required when data from 10 or more respondents from the public is collected within a 12-month period. It is DHS policy to conduct a Privacy Threshold Analysis (PTA) for every PRA submission. A PTA is a preliminary determination by the DHS Privacy Office regarding the privacy implications of a program, system, or information collection.¹³ Although information collections from federal employees are often exempt from the PRA, information collected from government contractors and those that target members of the public generally are not. Moreover, any unit or agency that chooses to collect information, whether that information requires PRA submission, is required to conduct a PTA. The DHS Privacy Office tracks and accounts for all customer research efforts by the Department or its Components through the PTA process. Any customer research effort conducted by DHS or its components must go through the PTA process to be covered by this PIA.

The ICRs submitted to OMB must specify all information collection materials that will be used, such as consent forms and brochures explaining the purpose of the survey, interview, or focus group. The ICR must describe how the collected information will be used in a way consistent with OMB and DHS information quality guidelines and the retention periods for that information. Upon OMB approval, DHS must conduct the information collection in a manner consistent with the quality and retention guidelines contained in the ICR.¹⁴

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?

The following legal authorities and executive orders permit DHS to conduct surveys, interviews, and focus groups:

¹² Paperwork Reduction Act of 1995, *as amended*, 44 U.S.C. §3501 et seq. The purpose of the PRA is to ensure that federal agencies do not overburden the public with federally-sponsored data collections. When determining whether to approve a particular data collection, OMB considers a range of issues from policy considerations to statistical design and methodology.

¹³ More information regarding the PTA process is *available at* <https://www.dhs.gov/compliance>

¹⁴ ICRs are required to adhere to the OMB Memorandum, “Guidance on Agency Survey and Statistical Information Collections,” January 2006, *available at*: www.whitehouse.gov.



Public Law 103-62 “Government Performance and Results Act of 1993 (GPRA)” – required federal agencies to engage in performance management tasks such as setting goals, measuring results, and reporting their progress based on objective criteria.¹⁵

Public Law 111-352 “Government Performance and Results Modernization Act of 2010” – Revised the GPRA to require agencies to implement a more fact-based decision-making framework and to be more results-oriented.¹⁶

Public Law 107-347 “E-Government Act of 2002” – established a broad framework of measures that require using Internet-based technology to enhance citizen access to Government information and services. Section 202(b) encourages all agencies to measure performance with a special consideration toward customer service.¹⁷

Executive Order no. 12862, “Setting Customer Service Standards” – established standards for customer service for Executive agencies that included surveying customers to determine the kind and quality of services they want and their level of satisfaction with existing services.¹⁸

Executive Order no. 13571, “Streamlining Service Delivery and Improving Customer Service” – required agencies that provided significant services to the public to identify and survey their customers, establish service standards, track performance against those standards, and benchmark customer service performance against the best in business.¹⁹

31 U.S. Code § 1115, “Federal Government and agency performance plans” – mandates that each Executive agency create performance goals, to include customer service, and to use data to measure progress toward its goals.²⁰

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

Limited contact information may be collected from participants during customer research to facilitate recruitment and future correspondence. This collection of information is covered by DHS/ALL-002 DHS Mailing and Other Lists System.²¹ The use of contact information from source systems to recruit potential participants for customer research will be covered by the source

¹⁵ P.L. No. 103-62, available at: <http://www.whitehouse.gov/omb/mgmt-gpra/gplaw2m.html>.

¹⁶ P.L. No. 111-352, available at: <https://www.gpo.gov/fdsys/pkg/PLAW-111publ352/pdf/PLAW-111publ352.pdf>.

¹⁷ P.L. No. 107-347, available at: <https://www.gpo.gov/fdsys/pkg/PLAW-107publ347/pdf/PLAW-107publ347.pdf>.

¹⁸ E.O. 12862, September 11, 1993, available at <https://www.archives.gov/files/federal-register/executive-orders/pdf/12862.pdf>.

¹⁹ E.O. 13571, April 27, 2011, available at <https://www.gpo.gov/fdsys/pkg/CFR-2012-title3-voll/pdf/CFR-2012-title3-voll-eo13571.pdf>.

²⁰ 31 U.S.C. 1115, available at <https://www.gpo.gov/fdsys/pkg/USCODE-2011-title31/pdf/USCODE-2011-title31-subtitleII-chap11-sec1115.pdf>.

²¹ DHS/ALL-002 Department of Homeland Security (DHS) Mailing and Other Lists System, 73 FR 71659 (Nov.25, 2008).



system SORN. Any other information collected during customer research is aggregated and is not retrievable by personal identifier.

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

There is not one specific system used by the Department for customer research, as data are collected by different research and outreach units. Data collected by a survey, interview, or focus group is anonymized and aggregated prior to its storage on DHS data systems whenever possible. If raw data²² is maintained on DHS systems, it is DHS policy that a system security plan be completed.²³

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

DHS maintains information related to focus groups, surveys, and interviews in accordance with the retention schedule stated in the OMB-approved ICR for that specific customer research. NARA's General Record Schedule (GRS) 6.5, Item 010, Public Customer Service Operations Records. Public Customer Service Records state that records are destroyed after one year or when no longer needed for business use.

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.

OMB approval and the PRA applies to surveys, interviews, and focus groups that collect data from ten or more members of the public. Surveys, interviews, and focus groups that collect information from federal employees are exempt from the PRA. Each DHS Component is responsible for its own compliance with federal PRA requirements.

Section 2.0 Characterization of the Information

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

DHS and its Components conduct customer research to gather experiences and opinions from DHS customers, employees, and other stakeholders about a particular DHS program or

²² Raw data refers to any data object that has not undergone thorough processing, either manually or through automated computer software.

²³ See Policy ID 3.2.f, DHS 4300A Sensitive Systems Handbook v12.0 (November 15, 2015), 6. Available at <https://www.dhs.gov/publication/dhs-4300a-sensitive-systems-handbook>.



service. The type of information collected varies depending on the particular subject of the survey, interview, or focus group. However, DHS may collect on an optional basis limited contact information such as name, phone number, and email address from participants for initial and future recruitment efforts or correspondence. The participants' contact information is not in any way linked to their responses to surveys, interviews, or focus groups.

Participants may also be asked to provide optional demographic information such as age, gender, race, country of origin, or personal occupation. This information may be collected using pre-determined questions or through an open-ended discussion. All demographic information provided by participants is aggregated so as not to identify individual participants. Audio or video recordings of a participant may be collected during interviews or focus groups to aid a facilitator's note taking. A consent form that may contain a participant's name and signature may be collected prior to the recording.

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

Personal information is collected directly from the participants either by DHS or through contracted third parties, such as public opinion polling consultants. DHS may also extract contact information from DHS systems (e.g., case management systems, human resources system, directories) to directly recruit potential participants for customer research.

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

In some instances, DHS may use publicly available or commercial sources to solicit participation in customer research. For example, DHS may contract with a firm to support direct and indirect recruitment activities, such as providing telephone numbers, ages, and other demographic data to supplement the recruiting sample. Neither DHS nor the contracted firm will incorporate contact information collected from commercial or publicly available sources into its surveys, interviews, or focus group files, or in the final reports and analyses that contain aggregated data from participants. DHS does not collect, maintain, or store any PII obtained through commercial data services used to recruit participants for customer research. When third-party commercial research companies are used to conduct surveys, interviews, or focus groups, DHS only receives aggregated summarized reports from these companies.

2.4 Discuss how accuracy of the data is ensured.

DHS, or a third party acting on its behalf, collects contact information, opinions, and experiences directly from participants in the focus groups, surveys, and interviews; therefore, responses are dependent upon the accuracy of the information provided by each participant.



Contact information gathered from DHS databases for purposes of recruitment are verified by the original program that collected the information prior to its use in customer research. In cases in which DHS relies on a third-party vendor to recruit participants, all vendors used are trusted and vetted to ensure DHS only uses accurate information. Contact information used by a vendor is publicly available and assumed to be accurate.

2.5 Privacy Impact Analysis: Related to Characterization of the Information

Privacy Risk: There is a risk that DHS will collect more information than necessary for purposes of future recruitment, correspondence, or for its reports and analyses.

Mitigation: The risk is partially mitigated. The purpose of DHS customer research is the collection of opinions and experiences of participants, not to collect PII. Although personal contact and demographic information is sometimes collected from participants, this information is aggregated and does not identify individuals. Survey, interview, and focus group questions are reviewed in advance by component privacy offices and approved by the DHS Privacy Office. If DHS collects information about more than 10 members of the public, the questions are submitted to OMB for approval. DHS and OMB reviews ensure only information necessary for the purpose of the research is collected. DHS may also give participants the option to voluntarily provide limited contact information to facilitate future correspondence (e.g., future wave surveys, informational pamphlets, email notifications), but participants are informed that they are not required to provide this information and their PII is not linked to the answers they provided during the customer research. If they choose to provide this information, DHS only uses it for follow-up and future recruitment purposes.

Privacy Risk: There is a privacy risk that interviewers or focus group facilitators will fail to protect the anonymity of participants during the collection of information.

Mitigation: The risk is partially mitigated. DHS interviewers and facilitators, including contracted third party vendors, are trained in how to conduct customer research and advised to focus on collecting feedback from participants rather than collecting PII. Interviewers and facilitators follow a uniform process to ensure the continuity of operations. At the end of each interview, the team de-briefs and reviews their notes to ensure all insights are captured, anonymized, and communicated across the team. Based on the findings, the team may revise the interview guide and research approach accordingly.

Privacy Risk: There is a privacy risk that collecting certain types of information (e.g., demographic information) or collecting information in an open-ended manner may allow for re-identification of a participant if the sample size is small and a specific participant's response is unique.



Mitigation: This risk must be mitigated on a separate basis for each individual customer research effort. DHS has instituted procedural safeguards to ensure the confidentiality of survey takers is protected, including through the PTA process. Questions that are deemed unnecessary or too specific to an individual during customer research are considered to be “over-collections” of information and are dropped from the questionnaire prior to distribution of the customer research or additional steps must be taken to remove the identifying information. Additionally, programs must work with their respective privacy office to determine appropriate thresholds to ensure that individuals cannot be re-identified.

Section 3.0 Uses of the Information

3.1 Describe how and why the project uses the information.

The DHS mission necessitates that the Department interact with and provide services to a large population of individuals (e.g., adjudicating benefit requests, assisting individuals recover from disasters, and inspecting carriers entering and exiting U.S. transportation systems). DHS, as a multi-faceted organization with over twenty component agencies, is responsible for thousands of employees and numerous stakeholders. DHS and its Components must always endeavor to improve its operations and the outcomes for individuals with whom they interact. DHS customer research efforts are developed to better understand the opinions and experiences from DHS stakeholders, the public, and employees. By analyzing large datasets of information regarding interactions with its operations, DHS can focus funding and effort to improving perceived shortcomings or predictable shortfalls in operations. DHS uses information gathered from customer research to improve customer service, employee morale, and stakeholder relationships.

Generally, DHS tries to recruit a specific population of individuals for customer research (e.g., recipients of a specific benefit, employees of a specific agency, or asylum seekers from a particular region).

Occasionally, DHS may extract contact information from a DHS system to solicit participation in customer research (e.g., from a system that maintains data about individuals who were granted a specific benefit from a particular DHS Component). DHS will only use names, telephone numbers, email addresses, and mailing addresses for this purpose.

DHS primarily collects the experiences and opinions of participants during its customer research, but may also collect certain demographic information (e.g., age, country of birth, income, state, county) for purposes of aggregating the information into management reports and analyses. These reports, for example, may identify long wait times or greater needs for certain types of foreign language speakers at different locations. All of the demographic information contained in these management reports and analyses is aggregated so the individual cannot be identified.



Also, as discussed, DHS may ask participants if they would like to voluntarily provide limited contact information to facilitate future correspondence (e.g., future survey waves, informational pamphlets, email notifications). Participants are informed beforehand that they are not required to provide this information and their PII will not be linked to the answers they provide during the customer research.

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.

Yes. DHS may use electronic databases to analyze data collected in focus groups, surveys, and interviews in order to reveal patterns of behaviors and opinions among specific demographic groups in order to tailor process improvements to those groups.

At the conclusion of the collection of customer research, DHS and Component statistical or research experts aggregate and anonymize raw data collected from participants. The data is aggregated and anonymized because the goal of the research is to identify trends among groups and not individuals within those groups.²⁴ The aggregated data is then analyzed, trends documented, and recommendations may be made. A report can then be distributed to appropriate DHS stakeholders and the general public, when appropriate. There is no PII, only aggregated data in the published reports

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

Not applicable. This PIA is written to assess the privacy implications of information collection and analysis. IT systems related to storage of raw data from customer research will be covered under separate PIAs or PTAs.

3.4 Privacy Impact Analysis: Related to the Uses of Information

Privacy Risk: There is a risk that PII collected from participants will be used inappropriately prior to it being aggregated into management reports or analyses.

Mitigation: All customer research with more than 10 participants must comply with the PRA and all OMB requirements described in OMB Memorandum, "Guidance on Agency Survey and Statistical Information Collections."²⁵ Any PII collected by DHS must be stored on a secured

²⁴The aggregated data is typically presented in the form of charts and graphs that reflect certain demographic breakdowns, which are then analyzed to produce recommendations in furtherance of improving departmental processes and operations.

²⁵ OMB Memorandum, "Guidance on Agency Survey and Statistical Information Collections," January 2006, available at www.whitehouse.gov.



IT system. Access to participant contact information or raw customer research data is limited to DHS employees who have a justifiable business need and appropriate training to access the information. Any demographics research conducted by a third party contracted by DHS are required to aggregate data before supplying it to DHS. It is standard operating procedure within DHS to separate information collected from customer research from an individual participant's personal information. Once DHS confirms a participant is the individual DHS originally solicited to participate in the customer research, it no longer uses the PII and does not include PII as part of any report.

Privacy Risk: There is a risk that DHS could use the information collected for purposes other than that for which the information was collected, including for operational uses.

Mitigation: DHS only collects information that is directly related to the survey, interview, or focus group. All recruitment of participants for customer research is conducted only by DHS and Component outreach units, research units, or third-party vendors, and not by those responsible for management, benefits, services, or enforcement decisions within the Department. All PII collected is destroyed once it is aggregated into the reports and any contact information collected for the purpose of future correspondence is separated from the answers provided by each participant. Information collected during the customer research resides within a Component's statistical or research unit of a DHS office, Component, or contractor that is responsible for producing statistical and demographic analysis. Operational units do not receive PII or any other information collected for these purposes that could be used for an operational decision or action related to a specific individual. Furthermore, all DHS employees are required to take annual privacy training and are subject to discipline for inappropriately using PII.

Section 4.0 Notice

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

The information collected in customer research is provided directly by the individual. DHS provides notice to individuals through a Privacy Notice or a Privacy Act Statement. Facilitators of customer research that occurs in-person or over the phone verbally informs participants that providing information is strictly voluntary DHS is required to publish a notice in the Federal Register when collecting information from 10 or more individuals of the public, which includes a 30 day public comment period, prior to commencing the research. When DHS extracts previously collected contact information from its systems to recruit potential participants, notice is provided through a Privacy Act Statement on the initial collection form.



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

All of DHS's customer research is consensual. Participants are informed that their involvement is voluntary, and failure to provide any information will not impact their eligibility for, or provision of, DHS services. OMB requires agencies to obtain consent from prospective participants prior to the collection of information from 10 or more members of the public. Therefore, individuals are notified prior to any collection (either on paper or verbally) that they may decline to provide information or opt-out of participating at any time.

4.3 Privacy Impact Analysis: Related to Notice

Privacy Risk: There is a risk that federal employees participating in customer research may not be properly protected since the Paperwork Reduction Act only applies to collections from the 10 or more members of the public.

Mitigation: The Privacy Act requires that an agency supply notice to federal employees any time PII is collected that could later be retrieved. DHS requires potential participants have express "informed consent" for any information collection regarding its employees. Customer research activities must be vetted by the Component and DHS Privacy Office to ensure that there is proper notice given to employees regarding the purpose, authority, and voluntariness of the information collection. For customer research facilitated by a person, the facilitator must explicitly verbally state the purpose of the research and how the data will be used, that participation is completely voluntary, failure to participate will not affect his or her relationship with DHS or the Component, and that responses will be kept confidential. Participants provide consent either verbally or by signing a consent form.

Privacy Risk: There is a risk that participants may not realize that the information they initially provide to DHS (e.g., to seek a benefit) may later be used to contact participants to engage in future customer research.

Mitigation: This risk is partially mitigated by publishing this PIA and the DHS/ALL-002 DHS Mailing and Other Lists System SORN, which states that mailing lists may be maintained of persons who attend or have an interest in DHS programs to be used in furtherance of DHS's duties.²⁶ DHS gives all potential participants the opportunity to decline or to discontinue participation at any point, minimizing any potential harm resulting from an individual's lack of notice.

²⁶ DHS/ALL-002 Department of Homeland Security (DHS) Mailing and Other Lists System, (November 25, 2008, 73 FR 71659) available at: <https://www.dhs.gov/system-records-notices-sorns>.



Section 5.0 Data Retention by the project

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

DHS maintains information related to surveys, interviews, and focus groups in accordance with the research's OMB-approved ICR as appropriate, or NARA's General Record Schedule (GRS) 6.5, Item 010, Public Customer Service Operations Records. Customer Service Operations records are destroyed after one year or when no longer needed for business use, whichever is appropriate. This includes all recordings, notes, contact information, and raw data collected during the course of the customer research.

Data retention for surveys created and distributed via third-party vendor tools varies from tool to tool. Generally, participant responses and email addresses are deleted when no longer needed for a valid business purpose.

5.2 Privacy Impact Analysis: Related to Retention

Privacy Risk: There is a risk that contact information collected for future correspondence may be retained for a period longer than necessary.

Mitigation: DHS mitigates this risk by deleting the data when no longer necessary, as required by the research's OMB-approved ICR or General Record Schedule 6.5, Item 010. Any PII, especially demographic data received from customer research is aggregated and is not linked to any particular participant. Contact information used to initially contact prospective participants is typically taken from other DHS systems and is deleted after completion of the customer research or any subsequent follow up.

Privacy Risk: There are risks associated with the fact that DHS may not be able to control third parties' retention of contact information and responses.

Mitigation: This risk is partially mitigated. If DHS contracts a third party vendor to assist in customer research that involves the collection of PII, then the Department ensures that DHS is the owner of all data collected. The vendor is required contractually to destroy all information associated with the information collection at the end of the contract. DHS also contracts for the right to investigate and audit a vendor's systems to ensure they are complying with DHS policies, procedures, and retention schedules. Any egregious or potentially illegal conduct could be referred to the Office of the Inspector General²⁷ or investigated by the DHS Privacy Office under its statutory authority.²⁸ DHS and Component Privacy offices are consulted by their respective contracting offices and have the ability to review contracts to ensure that appropriate language is included to protect participant PII.

²⁷ See 6 U.S.C. § 371 et seq.

²⁸ See 6 U.S.C. § 142(a)2



Section 6.0 Information Sharing

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.

DHS may share reports containing aggregated information with external agencies, Congress, or the public. These reports are distributed for both business-related and informational purposes. All information regarding persons in these reports is aggregated, so individuals are not identified.

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

DHS shares limited contact information with third-party contractors and vendors to assist DHS in recruiting for, and conducting, customer research. This sharing is compatible with “Routine Use F” of the DHS/ALL-002 Mailing Lists SORN, and similar routine uses found in DHS source systems. This routine use permits the disclosure of PII to DHS contractors when necessary to accomplish an agency function. Contractors and vendors provided PII under “Routine Use F” are subject to the same Privacy Act limitations on disclosures as DHS employees. The reports issued following customer research contains only aggregated information (no PII), so SORN compatibility is not needed for such disclosures.

6.3 Does the project place limitations on re-dissemination?

PII provided to contractors and vendors for purposes of facilitating customer research are contractually limited to the same Privacy Act limitations as DHS employees. As discussed, reports following customer research only contain aggregate data, therefore external parties may re-disseminate statistical data without limitations.

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

PII disclosed to third party contractors is recorded by DHS in accordance with the terms and conditions of the contract. Reports generated by customer research do not contain PII, and as such, a disclosure record is not maintained when shared externally.

6.5 Privacy Impact Analysis: Related to Information Sharing

Privacy Risk: There is a risk that third-party vendors or contractors could use participant PII for purposes other than facilitating a customer research.



Mitigation: This risk is partially mitigated. DHS requires all third-party vendors to comply with applicable DHS privacy policies and the provisions of the Privacy Act. Third-party vendors are required to delete or destroy any data collected from DHS or customer research participants at the end of its contract. DHS and component privacy offices ensure that all PII handling and storage processes comply with DHS Privacy standards through PTAs and contract review. The DHS Privacy Office must provide prior approval of a third party vendor's privacy policies prior to beginning to work.

Privacy Risk: There is a risk of unauthorized disclosure of information.

Mitigation: This risk is partially mitigated. Access to customer research responses in the relevant system is limited to those DHS employees with a need to know this information to perform their duties. Privacy Offices at the Component and Department level ensure that any question asked during customer research would not result in answers that could be linkable to an individual participant prior to distribution of the customer research. If DHS or a Component chooses to distribute a report externally, the reports contain only aggregate data that demonstrates a trend or pattern and is analyzed by component outreach or research units prior to disclosure to ensure the information cannot be used to identify an individual.

Section 7.0 Redress

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

DHS and Component privacy offices ensure that controls are in place so that customer research activities cannot be used in any way that affects any current or future interaction DHS may have with a participant. No access or redress can occur regarding participant responses because responses given during customer research are by design not linkable to a participant. In general customer research responses are anonymous and are not unique enough to allow for identification of an individual. DHS outreach or research units or third party contractors aggregate all information they collect from customer research such that it cannot be linked to individuals. Because customer research responses are anonymized, individuals may not be able to access the information they provided. If participants are interested in accessing information they previously provided to DHS for future contact or for the purposes of a benefit or other request, individuals are encouraged to contact the respective Component or DHS Freedom of Information Act (FOIA) Office. Additional information about FOIA is available at <http://www.dhs.gov/foia>.

However, each specific focus group, survey, or interview may have its own redress opportunities related to the contact information collected for future correspondence. Participants may contact the facilitator to learn about specific redress opportunities, if they believe their contact information is inaccurate.



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

DHS may collect contact information from DHS systems to identify and contact potential customer research participants. If participants are interested in accessing information they previously provided to DHS for the purposes of a benefit or other request, individuals are encouraged to contact the respective Component or DHS Freedom of Information Act (FOIA) office. Additional information about FOIA is available at <http://www.dhs.gov/foia>.

If DHS uses a third-party vendor or contractor to facilitate customer research, the participant should review the organization's respective privacy policy for specific instructions on how to access, correct, or update inaccurate or erroneous information.

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

Individuals who wish to request correction to their personal information may submit that request in writing directly to the DHS or Component point of contact, as each survey, interview, and focus group will have its own redress procedures. Contact information can be found at <http://www.dhs.gov/foia> under "Contact Information."

7.4 Privacy Impact Analysis: Related to Redress

Privacy Risk: There is a risk that individuals will not be able to correct any incorrect information that DHS collected during customer research.

Mitigation: The risk is partially mitigated. DHS refrains from collecting PII from participants whenever possible and immediately aggregates any demographic information collected during customer research. Information given during customer research, therefore, will be difficult to access or amend. As discussed, PII and participant responses are provided directly from the individual, and then the PII is separated from a participant's responses. Therefore, any potential privacy harm to an individual would be minimized. DHS ensures that all information, incorrect or not, is not associated to a single participant. DHS collects a sufficient amount of responses during customer research to ensure that one participant's erroneous information will not adversely affect the statistics and analysis generated from its research, or have any adverse or operational impacts on the participant.



Section 8.0 Auditing and Accountability

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

DHS ensures that the practices stated in this PIA are followed by leveraging training, standard operating procedures, policies, rules of behavior, and role-based access. Only employees and contractors with a valid need-to-know may collect and use information obtained from customer research. Moreover, any DHS unit or agency that chooses to collect information, regardless of whether that information requires PRA submission, is required to conduct a PTA. The DHS Privacy Office tracks and accounts for all customer research efforts by the Department or its Components through the PTA process.

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

All DHS employees and contractors receive annual security and privacy training. DHS interviewers and facilitators are trained in user research and how to avoid soliciting PII from participants. Each Component may supplement this training with system specific privacy training depending on the IT systems involved and data used.

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 deploys role-based access controls and enforces a separation of duties throughout all DHS operations to limit access to only those persons who have a need-to-know in order to perform their duties. This need-to-know is determined by the respective responsibilities of the employee.

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?

This PIA does not require information sharing agreements or MOUs; however, there is a process to review such agreements if it becomes necessary. This process involves review by the DHS IT Security, DHS Privacy Office, and DHS Office of General Counsel prior to sending to the DHS Privacy Office for formal review and clearance. Similarly, each Component will leverage its



stakeholders in the process of reviewing and approving any new uses for the surveys and/or focus groups.

Approval Signature

Original, signed copy on file with the DHS Privacy Office

Philip S. Kaplan
Chief Privacy Officer
Department of Homeland Security