

# Federal Bureau of Investigation



## **Administrative Privacy Impact Assessment for the Yello**

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## **EXECUTIVE SUMMARY**

Yello is a third-party website and application<sup>1</sup> that will enable the FBI to manage email subscriptions about recruiting and hiring events and FBI job postings. It will also enable prospective candidates to receive emails based on individual, self-selected interests. It is a Federal Risk and Authorization Management Program (FedRAMP)-authorized software as a service, talent acquisition software, and recruitment Customer Relationship Management Service provided to the FBI through its partnership with the Office of the Director of National Intelligence (ODNI).<sup>2</sup>

This Administrative Privacy Impact Assessment (PIA)<sup>3</sup> is being conducted because the FBI will use Yello to collect and retain certain personally identifiable information (PII) about prospective candidates, including their names, and email addresses. Yello's Privacy Policy<sup>4</sup> addresses its collection, use, maintenance, and disclosure of information.

### **Section 1: The Type and Purpose of System and Information Collected and Stored within the System:**

#### **1.1 What is the purpose for which the records and/or system were designed to serve for the agency?**

Human Resources Division (HRD), Human Resources Branch (HRB), and recruiters across the FBI's field offices (FO) host and attend numerous public career events to recruit for specific

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<sup>1</sup> The terms "third-party websites or applications" refer to "web-based technologies that are not exclusively operated or controlled by a government entity, or web-based technologies that involve significant participation of a nongovernment entity. Often these technologies are located on a '.com' website or other location that is not part of an official government domain. However, third-party applications can also be embedded or incorporated on an agency's official website." See OMB Memorandum M-10-23, "Guidance for Agency Use of Third-Party Websites and Applications" (June 25, 2010), [Memorandum for the Heads of Departments and Agencies \(whitehouse.gov\)](https://www.whitehouse.gov/the-press-office/2010/06/25/omb-memorandum-m-10-23).

<sup>2</sup> While Yello offers additional functions and services to aid talent acquisition and recruitment efforts, the FBI will only use Yello for email subscription purposes to engage with candidates at this time. If Yello is used differently from how it is described here (e.g., additional PII of candidates collected, other Yello functions used or the purpose of using Yello changes), privacy documentation may be updated accordingly. Congress provided ODNI with funding to enhance intelligence agency (IC) recruiting. ODNI designated the National Geospatial-Intelligence Agency to be the contracting authority on behalf of the IC to procure college recruiting services and event management systems as services of common concern. This initiative enables any IC agency to voluntarily use Yello. Presently, however, each participating IC agency conducts its own privacy documentation to use Yello, as appropriate.

<sup>3</sup> An Adapted (or Administrative) PIA is required by OMB Memorandum M-10-23 when:

[A]n agency's use of a third-party website or application makes PII available to the agency [to engage with the public]. Each adapted PIA should be tailored to address the specific functions of the website or application, but adapted PIAs need not be more elaborate than the agency's other PIAs. In general, each PIA should be posted on the agency's official website.

It was also completed in accordance with the DOJ Privacy Impact Assessments Official Guidance available at <http://www.justice.gov/opcl/pia.htm>.

<sup>4</sup> The Yello Privacy Policy is available at: <https://yello.co/privacy-policy/>.

positions and promote FBI employment. HRD and applicant coordinators in FOs will use Yello as a tool to communicate with prospective candidates and applicants to keep them engaged throughout the recruitment process. Yello will enable the FBI to provide job alerts and information regarding career paths to encourage candidates to apply for positions. Administrators from the HRD recruitment section or HRB, or FO recruiters will identify a need for creating an email subscription form (“interest form”),<sup>5</sup> such as for prospective candidates interested in attending a local career fair and prospective candidates interested in applying/receiving more information about the FBI. Once the interest form is created, prospective candidates and applicants can subscribe to (and opt out of, if they choose) emails about upcoming events and job postings by providing their information on the form in Yello.<sup>6</sup> It will also enable candidates to receive emails based on individual, self-selected interests (e.g., their preferred locations and types of postings (Intern, Special Agent, Intelligence Analyst, and Professional Staff)).

Once interest forms are created, data will be maintained in Yello’s Amazon Web Services (AWS) servers. When an individual submits their interest form, their submission will be tied to the specific talent community form that was created for an event or website they visited. Everyone that submits that talent community form will be automatically added to that form’s specific folder in Yello.

Using candidate email addresses, HRD and HRB users will send out email campaigns, newsletters, or job opening recommendations. For each email campaign, HRD and HRB users will fill out their (or their program-specific) FBI work email address on the “From” line and the email content. Yello will enable the email to be sent to the subscribed candidates. Yello will not store or maintain sent emails; it will facilitate the email transfer to multiple recipients and place web beacons<sup>7</sup> in sent emails to measure the effectiveness of email campaigns by collecting aggregate metrics and statistical information, including the number of emails sent, number of candidates that have viewed those emails, number of candidates that clicked on links within the emails, and the number of candidates who have unsubscribed. Metrics and statistical information about email campaigns will be used so that HRD and HRB users can assess how those campaigns performed and help improve future communications to subscribers.

## **1.2 What information in identifiable form (IIF) is made available or is to be collected, maintained, used or disseminated by the system (e.g., identifying numbers, general personal data, work-related data, distinguishing features/biometrics, system administrative and user data)?**

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<sup>5</sup> There will be a standard template owned by the recruiting team in HRD who will manage this and ensure that FBI field offices use the standard template.

<sup>6</sup> These forms are used before candidates submit any job applications. They will be used to manage email subscription lists for individuals who are interested in learning more about the FBI/about applying for the FBI. Prospective candidates cannot create Yello accounts. Only FBI personnel have Yello accounts to manage email subscriptions.

<sup>7</sup> Web beacons are tiny graphic files that are placed in emails to record when the content was loaded.

Yello will collect and maintain information of prospective candidates such as names, and email addresses. Yello may also collect other information in pre-set fields to tailor the types of emails candidates receive, such as a list of careers they are interested in and preferred locations. Only name and email address are required PII fields.

Yello will collect data for FBI personnel with Yello accounts. The data that is collected is User ID (work email address), hashed password,<sup>8</sup> and date/time of when they accessed the system. FBI administrators also have access to audit logs, including date/time of when emails were sent/when data is exported/when form data is accessed, and user maintenance information (e.g., adding, modifying, or deleting user IDs, and date/time of that action). While Yello personnel may have access to the underlying logs, they do not access the logs.

**1.3 About whom (e.g., government employees, members of the public, individuals associated with investigations) and from whom is the IIF collected (e.g., directly from individual about whom the information pertains, government or non-government sources)?**

Information will be collected directly from anyone who chooses to complete an email subscription form created by FBI personnel in Yello. While the form is open to anyone, including all members of the public and government employees, it is targeted towards prospective candidates who are interested in applying and are eligible for employment with the FBI.

**Section 2: The Uses and Sharing of Information Collected and Stored within the System:**

**2.1 What are all the Department's intended uses of the IIF collected (e.g., criminal law enforcement, intelligence matters, civil enforcement, administrative matters, public affairs, or human resources)?**

The FBI intends to use Yello related to human resources matters, specifically informing, engaging with, and recruiting candidates to pursue careers with the FBI. As such, the data collected in Yello will be used as a subscription service to send curated emails about job postings and upcoming recruiting/hiring events. Additional emails may be sent based on the interests and locations that subscribers selected.

To the extent information from Yello is ingested into FBI systems, it will be maintained consistent with the Privacy Act. Specifically, the FBI will not disclose such records by any means of communication to any person, or to another agency, except pursuant to written consent of the individual to whom the record pertains, or if the disclosure is otherwise consistent with the Privacy Act.

**2.2 Describe why the information that is collected, maintained, or**

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<sup>8</sup> Hashing performs a one-way mathematical transformation of a password, turning the password into another string text, called the hashed password that is practically impossible to convert back to the original password.

**disseminated is necessary to accomplish the intended uses described above and to further the component's and/or the Department's mission. Indicate legal authorities, policies, or agreements that authorize collection of the information in the system.**

Yello will enable FBI users to create an email subscription form specific to their area of responsibility and enable prospective candidates and applicants to subscribe to (and opt out of, if they choose) the email subscription service to learn more about upcoming recruiting events and new job postings. Information collected in the email subscription form is necessary to facilitate emails that are tailored to prospective candidates' individual, self-selected interests. To mitigate any privacy risks, forms will be voluntary, and candidates will consent to a Privacy Act Statement that describes how the FBI will maintain, use, or share PII through using Yello. Candidates also have access to Yello's privacy policy. FBI's use of Yello is authorized by Title 28 Code of Federal Regulations (C.F.R.) Part 0.138, 5 C.F.R. Part 302 and Executive Order 13571. Additionally, the President's Memorandum on Transparency and Open Government Memorandum (January 21, 2009),<sup>9</sup> OMB Memorandum M-10-06, Open Government Directive (December 8, 2009),<sup>10</sup> and OMB Memorandum M-10-23, Guidance for Agency Use of Third-Party Websites and Applications (June 25, 2010)<sup>11</sup> direct federal departments and agencies to harness new technologies to engage the public.

**2.3 Indicate how long the information will be retained to accomplish the intended purpose, and how it will be disposed of at the end of the retention period. Reference the applicable retention schedule approved by the National Archives and Records Administration, if available or necessary.**

To the extent information from Yello is ingested into FBI systems, it will be retained in accordance with FBI approved records retention schedule: General Records Schedule 2.1, item 180, "Recruitment records." In addition to the regular retention schedule, when a candidate unsubscribes from an email subscription list, their information is flagged as being unsubscribed. On a monthly basis, an HRD administrator will filter the list for unsubscribed candidates and delete them from the email list.

**2.4 With whom does the component intend to share the information in the system (e.g., within the component, other Department components, foreign/federal/state/local authorities, public, etc.) and how will the information be shared (e.g., case-by-case basis, bulk transfer, or direct access)?**

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<sup>9</sup> *The President's Memorandum on Transparency and Open Government* (Jan. 21, 2009), available at <https://www.archives.gov/files/cui/documents/2009-WH-memo-on-transparency-and-open-government.pdf>.

<sup>10</sup> OMB Memorandum M-10-06, *Open Government Directive* (Dec. 8, 2009), available at [https://www.whitehouse.gov/wp-content/uploads/legacy\\_drupal\\_files/omb/memoranda/2010/m10-06.pdf](https://www.whitehouse.gov/wp-content/uploads/legacy_drupal_files/omb/memoranda/2010/m10-06.pdf).

<sup>11</sup> OMB Memorandum M-10-23, *Guidance for Agency Use of Third-Party Websites and Applications* (June 25, 2010), available at [http://www.whitehouse.gov/omb/assets/memoranda\\_2010/m10-23.pdf](http://www.whitehouse.gov/omb/assets/memoranda_2010/m10-23.pdf).

Yello will be accessed by HRB and HRD personnel who have Administrator accounts, and FO recruiters who have Staff accounts. The Staff account can view any candidates that have submitted their information and manually add candidates into Yello if the user had issues using the form. They can also send curated emails to the candidates that have submitted interest. Administrator accounts can do everything the Staff account can do, as well as add or remove FBI user accounts. Administrators can also view statistics on email campaigns and user ID maintenance audit logs.

To request a Yello account, HRB, HRD, and FO recruiters send an email to an existing administrator in HRB. While candidate information is stored on Yello servers, Yello personnel do not access candidate information nor email campaigns.

On a monthly basis, HRD administrators will also export the email subscription list from Yello, including name and email address, that will be loaded into FBI Candidate Gateway.<sup>12</sup> Data maintained in FBI Candidate Gateway is refreshed monthly, meaning the list exported from Yello will only include candidates who remain subscribed and exclude any candidates who have opted out from emails. Additionally, emails will be sent out to candidates about how to unsubscribe from the subscription list if they are no longer interested annually. The list will be maintained in FBI Candidate Gateway to track candidates who apply to FBIJobs as a part of talent pool to determine the success rate of this recruiting effort.

HRD administrators can export a report with aggregate metrics, such as the number of candidates that have opened emails, the number of candidates that clicked on links within the emails; but reports cannot be generated on which candidates opened emails or clicked on links within the emails. Generated reports may be shared with FBI executive management and FBI personnel who support recruiting and hiring functions.

## **2.5 Are there any potential threats to privacy that exist in light of the information collected or shared? Please describe the choices that the component made with regard to the type or quantity of information collected and the sources providing the information in order to prevent or mitigate threats to privacy.**

FBI has taken appropriate steps to mitigate potential threats to privacy that exist in light of the information collected and shared. The FBI will collect only the information necessary to enable prospective candidates to receive emails based on their self-selected interests. When email subscribers unsubscribe from receiving further emails, an HRD recruiting administrator will remove their information from the Yello database monthly.

While there is risk of physical compromise to the system, Yello is FedRAMP-authorized. Additionally, data is stored in U.S. based-portion of AWS Commercial Cloud that is also

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<sup>12</sup> FBIJobs and Candidate Gateway is the system used to facilitate the FBI's recruiting, hiring, and job application review processes. It covered by separate privacy documentation.

FedRAMP-authorized. Yello is operating in a manner compliant with NIST 800-53 to protect data and to ensure data security all data in transit and at rest is secured using strong encryption methods.

### **Section 3: The Security of the Information Collected and Stored within the System:**

#### **3.1 What controls has the component put into place to ensure that the information is handled, retained, and disposed appropriately (e.g., access/security controls, monitoring/testing/evaluation, auditing, privacy training, automatic purging of information, MOUs)?**

Yello provides role-based access to ensure only appropriate FBI personnel, those within HRB, HRD, and Field Offices, have access to the submitted form data. FBI users must be authenticated using their Yello username and password. Yello has access control policies to ensure that users with administrator and staff accounts are reviewed and approved prior to access being granted. Yello also provides audit logs of administrative actions taken by users, and these logs can be reviewed to ensure that only approved users export PII for approved purposes. Data in transit and at rest is secured using strong encryption methods. Data is backed up to a secondary location and is available for disaster recovery purposes.

All FBI personnel complete privacy training when they onboard and sign rules of behavior before being granted access to FBI systems. Additionally, all FBI personnel complete annual Information Security training, which includes a privacy component.

#### **3.2 Has a Certification and Accreditation been completed for this system? If yes, please provide the date; if one is underway, provide a status or completed expected completion date.**

Yello is a commercially available application accessed via the Internet. The FBI's Office of the Chief Information Officer (OCIO) is currently evaluating how to access the security of such applications in light of the Deputy Attorney General's Information System Inventory and Compliance Memorandum (dated March 1, 2023). The email subscription list from Yello will be maintained in FBI Candidate Gateway covered by FISMA and ATO requirements.

#### **3.3 Has security risk assessment been completed for this system? If yes, please provide the date.**

See section 3.2 above. Yello also completed the OCIO's Procurement Risk Assessment process in July 2022. The Procurement Risk Assessment includes assessing potential threats/risks and mitigation steps associated for each product.

#### **3.4 Do contractors have access to the system, and if yes, can you confirm that there are (a) provisions in their contract binding them under the Privacy**

## **Act; and (b) information security provisions in their contracts required by DOJ policy?**

FBI contractors in HRD and HRB will have access to Yello. Their contracts bind them under the Privacy Act and information security provisions required by DOJ policy.

### **Section 4: Notice, Consent, and Redress:**

#### **4.1 Will individuals be notified if their information is collected, maintained, or disseminated by the system (e.g., system of records notice, Privacy Act 552a(e)(3) notice)? Please specify.**

When a prospective candidate fills out an email subscription form voluntarily, they will be provided with the Privacy Act Statement. Once the prospective candidate submits the form, they will receive an email confirmation thanking them for subscribing.

#### **4.2 Do individuals have the opportunity to decline to provide information? Please specify.**

Providing information on the form is strictly voluntary for any prospective candidates. In order to submit the form, they will need to fill out the form and consent to the Privacy Act Statement. Once they successfully submit their forms in Yello, candidates will also receive a confirmation email that includes a link to unsubscribe from emails. They can unsubscribe from the email subscription list at any time.

The email will also provide a link to unsubscribe from emails and they will be opted out of receiving emails. On a monthly basis, an HRD recruiting administrator will remove their information from the Yello database. Additionally, emails will be sent out to candidates about how to unsubscribe from the subscription list if they are no longer interested annually. Individuals can also submit an email request directly to Yello to have their data permanently deleted or their account closed. HRD will remove the individual's email from the subscription list if the individual unsubscribes/opt's out. Per Yello's privacy policy states, Yello will delete data or close accounts at an individual's request.

#### **4.3 Do individuals have the opportunity to consent to particular uses of the information? Please specify.**

Individuals are asked to review and provide consent to the Privacy Act Statement before submitting an email subscription form. The Privacy Act Statement is displayed at the bottom of the form along with a check box to indicate consent. It explains that the individuals' information will be used to engage with and inform them about FBI recruitment events, job openings, and career opportunities and benefits.

### **Section 5: Privacy Act:**



**5.1 Is a system of records being created under the Privacy Act, 5 U.S.C. § 552a? If yes, indicate the existing system of records notice or whether one is being developed.**

The FBI will maintain information consistent with the Privacy Act and in accordance with the following systems of records notices: FBI-003, Bureau Mailing Lists, 70 Fed. Reg. 7513 (Feb. 14, 2005) and 82 Fed. Reg. 24147 (May 25, 2017); DOJ-003, Correspondence Management System for the Department of Justice, 66 Fed. Reg. 29992 (June 4, 2001) and 82 Fed. Reg. 24147 (May 25, 2017); and OPM/GOVT-5, Recruiting, Examining, and Placement Records, 65 Fed. Reg. 24731 (Apr. 27, 2000), 80 Fed. Reg. 74815 (Nov. 30, 2015), and 86 Fed. Reg. 68291 (Dec. 1, 2021).

**5.2 Describe how information in the system about United States citizens and/or lawfully admitted permanent resident aliens is or will be retrieved (e.g., name or other personal identifier).**

HRB, HRD, and FO recruiters will login to Yello using their user ID and password. Once in Yello, they can also use filters and a search bar in the system to find candidates based on information they submitted (e.g., name).