

PRIVACY IMPACT ASSESSMENT

Name of System/Application: Office of Hearings & Appeals Case Tracking System (OHACTS)

Program Office: Office of Hearings and Appeals

Once the Privacy Impact Assessment is completed and the signature approval page is signed, please submit an electronic copy and hardcopy with original signatures of the PIA to the SBA Senior Advisor to the Chief Privacy Officer in the Information Privacy Office of the OCIO.

A. CONTACT INFORMATION

- 1) Who is the person completing this document?***(Name, title, SBA Office, phone number, and SBA e-mail)*

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- 2) Who is the system owner?***(Name, title, SBA Office, phone number and SBA e-mail)*

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- 3) Who is the system manager for this system or application?***(Name, title, SBA Office, phone number. and SBA e-mail)*

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- 4) **Who is the IT Security Manager who reviewed this document?***(Name, title, SBA Office, phone number and SBA e-mail)*

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Office of the Chief Information Officer
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- 5) **Who is the Senior Advisor who reviewed this document?** *(Name, title, SBA Office, phone number and SBA e-mail)*

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- 6) **Who is the Reviewing Official?***(Name, title, SBA Office, phone number. and SBA e-mail)*

Paul T. Christy
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B. SYSTEM APPLICATION/GENERAL INFORMATION

- 1) ***Does this system contain any information about individuals? If yes, explain.***

Yes. Type of information collected is full names, company names, addresses, and telephone and fax numbers.

a. Is the information about individual members of the public?

Yes, the information is about individual members of the public with Salary Offset cases.

b. Is the information about employees?

Yes the information is about employees with Salary offset cases and Grievances.

2) What is the purpose of the system/application?

The Case Tracking System will keep track of the information about the cases received and processed by the Office of Hearings and Appeals. Broadly, Office of Hearings and Appeals hears and issues judgments in the following three types of cases:

- 1. Cases disputing the proposal and/or awards based on Size requirements.*
- 2. Cases disputing the NAICS Code for the proposal and/or award.*
- 3. Cases disputing other administrative issues.*

This system will broadly keep track of the following information about each case:

- Case Information – Case description, data filed, data assigned, agency, and solicitation.*
- Appellant – Plaintiff, who filed the case*
- Challenger – Entity who challenges the award*
- Protestor – Entity who protests the challenge*
- Other Interested Party – Other entities that are interested in the case.*
- Congress Man or Woman – Congress Man or Woman of the party that submits any inquiry related to the case.*
- Issues related to the case – Issues and decisions on the issues related to the case.*
- Decision – Decision of the Judge, date of the decision, judge who made the decision.*
- Archival Information –Date the documents archived, box numbers where actual archived documents are stored and date the documents destroyed.*

3) Is the system in the development process?

No.

4) How will the technology investment (new or updated) affect existing privacy processes?

N/A

5) What legal authority authorizes the purchase or development of this system/application?

N/A

- 6) Privacy Impact Analysis: What privacy risks were identified and describe how they were mitigated for security and access controls?**

None

C. SYSTEM DATA

- 1) What categories of individuals are covered in the system?**

Names of business owners, Salary Offset debtors and Grievants

- 2) What are the sources of the information in the system?**

The source of the information in the system is Appeals of Agency determinations for program eligibility actions.

- a. Is the source of the information from the individual or is it taken from another source? If not directly from the individual, then what other source?**

Yes, the information is taken directly from the individual filing documents.

- b. What Federal agencies are providing data for use in the system?**

None

- c. What Tribal, State and local agencies are providing data for use in the system?**

None

- d. From what other third party sources will data be collected?**

None

- e. What information will be collected from the employee and the public?**

Litigant and/or Business names, address, telephone and fax numbers.

3) Accuracy, Timeliness, and Reliability

- a. How is data collected from sources other than SBA records verified for accuracy?**

N/A

- b. How is data checked for completeness?**

N/A

- c. Is the data current?** What steps or procedures are taken to ensure the data is current and not out-of-date? Name the document (e.g., data models).

Data is populated as it is received within the office.

- d. Are the data elements described in detail and documented?** If yes, what is the name of the document?

Yes, OHA Physical Data Dictionary.xls.

- 4) Privacy Impact Analysis:** Discuss what privacy risks were identified and how they were mitigated for the types of information collected?

The Case Tracking System is on-line system which keeps track of the information about the cases received and processed by the Office of Hearings and Appeals. The system does not process sensitive but unclassified information that is covered under the Privacy for integrity and availability of its data.

D. DATA ATTRIBUTES

- 1) Is the use of the data both relevant and necessary to the purpose for which the system is being designed?**

Yes, the purpose and use of data is both relevant and necessary to the purpose for which the system is being designed, and that is to track and manage OHA appeals.

- 2) Will the system derive new data or create previously unavailable data about an individual through aggregation from the information collected, and how will this be maintained and filed?**

No

- 3) Will the new data be placed in the individual's record?**

No

- 4) Can the system make determinations about employees or members of the public that would not be possible without the new data?**

No

- 5) How is the new data verified for relevance, timeliness and accuracy?**

N/A

- 6) If the data is being consolidated, what controls are in place to protect the data from unauthorized access or use?**

N/A

- 7) If processes are being consolidated, are the proper controls remaining in place to protect the data and prevent unauthorized access? If process are not be consolidated please state, "N/A".**

N/A

- 8) How will the data be retrieved? Does a personal identifier retrieve the data? If yes, explain and list the identifiers that will be used to retrieve information on the individual.**

Yes, the data is retrieved by the individual last names and/or Business Names.

- 9) What kinds of reports can be produced on individuals? What will be the use of these reports? Who will have access to them?**

There are no reports that can be produced on individuals.

- 10) What opportunities do individuals have to decline to provide information (i.e., where providing information is voluntary) or to consent to particular**

uses of the information (other than required or authorized uses), and how individuals can grant consent.

N/A

11) Privacy Impact Analysis: Describe any types of controls that may be in place to ensure that information is used as intended.

Access and use is limited to the Office of Hearings and Appeals staff only and requires a user id. The training document can be found at <https://eweb.sba.gov/ohacts/help/OHACTSUserManual.pdf>. Denial access control is in place if an individual is found to be inappropriately using this information.

E. MAINTENANCE AND ADMINISTRATIVE CONTROLS

1) If the system is operated in more than one site, how will consistent use of the system and data be maintained in all sites?

The System operates on one site only and is located in SBA HQ.

2) What are the retention periods of data in this system?

The retention periods of data found in the OHACTS system is found in Hearings and Appeals Records Group 45.

3) What are the procedures for disposition of the data at the end of the retention period? How long will the reports produced be kept? Where are the procedures documented?

The maintenance and disposition of records pertaining to the administration of the Privacy Act are outlined in EMPLOYEE DISPUTES AND APPEALS—SBA 15.

4) Is the system using technologies in ways that the SBA has not previously employed (e.g., monitoring software, Smart Cards, Caller-ID)?

No

5) How does the use of this technology affect public/employee privacy?

Guidance: *Describe the impact on either public or employee privacy the new technology or process will have on affected individuals. If “N/A,” please state so.*

N/A

- 6) **Will this system provide the capability to identify, locate, and monitor individuals? If yes, explain.**

No

- 7) **What kinds of information are collected as a function of the monitoring of individuals?**

Office of Hearings and Appeals tracking system does not use technology to monitor individuals.

- 8) **What controls will be used to prevent unauthorized monitoring?**

Only SBA's Office of Hearings and Appeals employees are granted access to the system via an issued user-id and password.

- 9) **Under which Privacy Act systems of records notice (SORN) does the system operate? Provide number and name.**

SBA Privacy Act System of Records 15, Employee Disputes and Appeals.

- 10) **If the system is being modified, will the Privacy Act system of records notice require amendment or revision?**

No

F. DATA ACCESS

- 1) **Who will have access to the data in the system?** (e.g., contractors, users, managers, system administrators, developers, tribes, other)

Hearing & Appeals staff, systems developers, and database support personnel.

- 2) **How is access to the data by a user determined? Are criteria, procedures, controls, and responsibilities regarding access documented?**

Security roles have been defined based on the roles of the existing user community. SBA's IT security team is responsible for granting access to OHA CTS at the appropriate security level using the GLS system.

- 3) **Will users have access to all data on the system or will the user's access be restricted? Explain.**

Yes, user access is restricted.

Read Only (ATTORNEY)

The attorney has the ability to generate reports and view all information about the case including the judge's comments.

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This role cannot access the Code Maintenance module and has no update capability.

UPDATE Only (CLERK)

The clerk has the ability to enter all information pertaining to a case and generate reports.

The clerk also has the ability to modify all case information, with the exception of judge comments.

This role cannot access the Code Maintenance module.

UPDATE Only (JUDGE)

The judge has the ability to review and update individual case information, and generate reports.

This role cannot modify case information or access the Code Maintenance module.

UPDATE Only (SYSTEM ADMINISTRATOR)

The Administrator can generate reports, as well as enter and modify all case information with the exception of judge comments.

- 4) What controls are in place to prevent the misuse (e.g., unauthorized browsing) of data by those having access? (Please list processes and training materials)**

Security role, User-id, and password.

- 5) Are contractors involved with the design and development of the system and will they be involved with the maintenance of the system? If yes, were Privacy Act contract clauses inserted in their contracts and other regulatory measures addressed?**

Yes. The agency has the following controls in Place: All SBA employees and contractor personnel are subject to reference and background checks prior to employment. Sensitive positions have been identified to the Office of Human Resources and user access is restricted to the lowest level necessary to complete a given task, by the appropriate supervisor and prior to any access being granted.

- 6) Do other systems share data or have access to the data in the system? If yes, explain.**

No.

- 7) Who will be responsible for protecting the privacy rights of the public and employees affected by the interface?**

N/A

- 8) Will other agencies share data or have access to the data in this system via transferred or transmitted (Federal, State, and Local, Other (e.g., Tribal))?**

No

- 9) How will the shared data be used by the other agency?**

N/A

- 10) What procedures are in place for assuring proper use of the shared data?**

N/A

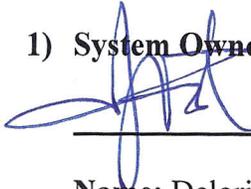
- 11) Privacy Impact Analysis: Discuss what privacy risks were identified and how they were mitigated for information shared internal and external.**

Because data within the system is maintained and shared internally within the Office of Hearings and Appeal, there is no risk associated. For further information regarding privacy Impact Analysis please see OHA CTS SYSTEM SECURITY PLAN collab.sba.gov.

Privacy Impact Assessment PIA Approval Page

The Following Officials Have Approved this Document:

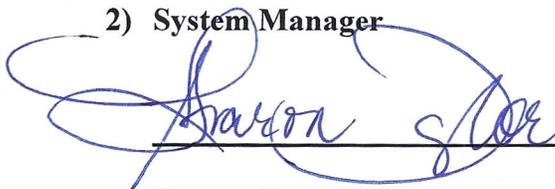
1) System Owner

 _____ (Signature) 2/16/11 _____ (Date)

Name: Delorice P. Ford

Title: Assistant Administrator for Hearings and Appeals

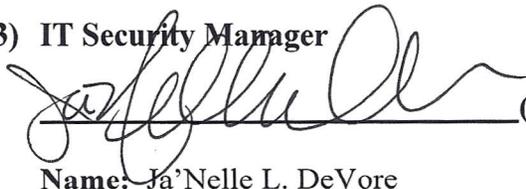
2) System Manager

 _____ (Signature) 2.16.11 _____ (Date)

Name: Sharon Taylor

Title: Program Support Specialist

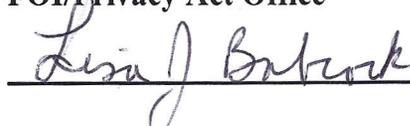
3) IT Security Manager

 _____ (Signature) 2-24-11 _____ (Date)

Name: Ja'Nelle L. DeVore

Title: Chief Information Security Officer

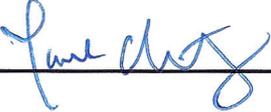
4) FOI/Privacy Act Office

 _____ (Signature) 2/16/11 _____ (Date)

Name: Lisa J. Babcock

Title: Chief, FOIA/PA

5) **Chief Privacy Officer**

 (Signature) 3. 2 - 2011 (Date)

Name: Paul T. Christy

Title: Chief Information Officer/Chief Privacy Officer