

**Department of Energy**  
**Privacy Impact Assessment (PIA)**

**Name of Project:** Office of Hearings and Appeals (OHA) Case Tracking System

**Bureau:** U. S. Department of Energy (DOE)

**Project Unique ID:** 019-60-02-00-01-5000-04

**Date:** October 18, 2007

**A. CONTACT INFORMATION**

**1. Who is the person completing this document?**

Otto S. Reid, Director  
Management Information Division  
Office of Hearings and Appeals  
950 L'Enfant Plaza  
Washington, DC 20585-1615  
(202) 287-1488

**2. Who is the system owner?**

Poli A. Marmolejos  
Acting Director  
Office of Hearings and Appeals  
950 L'Enfant Plaza  
Washington, DC 20585-1615  
(202) 287-1566

**3. Who is the system manager for this system or application?**

Otto S. Reid, Director  
Management Information Division  
Office of Hearings and Appeals  
950 L'Enfant Plaza  
Washington, DC 20585-1615  
(202) 287-1488

**4. Who is the IT Security Manager who reviewed this document?**

Otto S. Reid, Director  
Management Information Division  
Office of Hearings and Appeals  
950 L'Enfant Plaza

Washington, DC 20585-1615  
(202) 287-1488

**5. Who is the Privacy Act Officer who reviewed this document?**

Kevin T. Hagerty  
Director  
Office of Information Resources  
1000 Independence Avenue, SW  
Washington, DC 20585  
(202) 586-8067

**B. SYSTEM APPLICATION/GENERAL INFORMATION**

**1. Does this system contain any information about individuals?**

Yes.

**a. Is this information identifiable to the individual? <sup>1</sup>**

Yes.

**b. Is the information about individual members of the public?**

Yes.

**c. Is the information about DOE or contractor employees?**

Yes.

**2. What is the purpose of the system/application?**

The primary purpose of the OHA Case Tracking System is to serve as a tool to record, control and maintain an inventory of administrative cases filed by individuals and corporations.

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<sup>1</sup> "Identifiable Form" - According to the OMB Memo M-02-22, this means information in an IT system or online collection: (i) that directly identifies an individual (e.g., name, address, social security number or other identifying number or code, telephone number, email address, etc.) or (ii) by which an agency intends to identify specific individuals in conjunction with other data elements, i.e., indirect identification. (These data elements may include a combination of gender, race, birth date, geographic indicator, and other descriptor).

**3. What legal authority authorizes the purchase or development of this system/application?**

Title 42, United States Code (U.S.C.), Section 7101 *et seq.*; 50 U.S.C. 2401 *et seq.*; 42 U.S.C. 2201(b), (c), (I), (p), 5814, 5815, 7251, 7254, 7255, 7257; 42 U.S.C. 7239; 5 U.S.C. 552 and 5 U.S.C. 552a.

**C. DATA IN THE SYSTEM**

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

Individuals and corporations seeking redress of grievances or claims filed with DOE.

**2. What are the sources of information in the system?**

**a. Is the source of the information from the individual or is it taken from another source?**

The information is obtained from the individual petitioner who is seeking redress.

**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 individual and the public?**

The name and address of the petitioner.

**3. Accuracy, Timeliness, and Reliability**

**a. How will data collected from sources other than DOE records be verified for accuracy?**

The data maintained in the system is provided by the individual to whom it pertains. Therefore, it is determined that the information is accurate at the time it is provided.

**b. How will data be checked for completeness?**

The data maintained in the system is provided by the individual to whom it pertains. Therefore, it is determined that the information is complete at the time it is provided. However, the data is checked by the staff attorney assigned to the case who communicates directly with the petitioner.

**c. Are the data current? What steps or procedures are taken to ensure the data are current and not out-of-date?**

The data maintained in the system is provided by the individual to whom it pertains. Therefore, it is determined that the information is current at the time it is provided. However, the staff attorney verifies the data with the petitioner.

**d. Are the data elements described in detail and documented?**

Yes, the data elements are described in detail and documented in database designing documentation.

**D. ATTRIBUTES OF THE DATA**

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

Yes.

**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?**

The system will not derive new data.

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

N/A

**4. Can the system make determinations about employees/the public that would not be possible without the new data?**

N/A

**5. How will the new data be verified for relevance and accuracy?**

N/A

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

The data is not being consolidated.

**7. If processes are being consolidated, do the proper controls remain in place to protect the data and prevent unauthorized access?**

N/A

**8. How will 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.**

Data is retrieved by the case number assigned to the case or by name of the petitioner.

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

Reports are not produced on individuals. However, weekly and monthly status reports are created and provided to the staff attorney assigned to the case and his or her supervisor. Access is limited to those whose official duties require access to the records in the system.

**10. What opportunities do individuals have to decline to provide information (e.g., where providing information is voluntary) or to consent only to particular uses of the information (other than required or authorized uses)?**

Information is submitted voluntarily by the petitioner when filing a case. The information is required in order to process the petition.

**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 is only operated at one site.

**2. What are the retention periods of data in the system?**

The retention of data related to Whistleblower Investigation Hearings and Appeals Records is pending DOE F1324.5, (unscheduled records waiting for NARA Disposition Authority).

The retention of data related to FOIA Administrative Appeals is in accordance with DOE Administrative Records Schedule 14, "Informational Services Records," item 12. Information is available at [http://cio.energy.gov/documents/ADM\\_14.pdf](http://cio.energy.gov/documents/ADM_14.pdf).

The retention of data related to Personnel Security Administrative Review Files is in accordance with DOE Administrative Records Schedule 18, Security, Planning and Safety Records, (N1-434-02-01), item 22. Information is available at [http://cio.energy.gov/documents/ADM\\_18.pdf](http://cio.energy.gov/documents/ADM_18.pdf).

**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?**

The procedures for disposition of data related to Whistleblower Investigation Hearings and Appeals Records is pending DOE F1324.5 (unscheduled records waiting for NARA Disposition Authority).

The procedure for disposition of data related to FOIA Administrative Appeals is in accordance with DOE Administrative Records Schedule 14, "Information Services Records," Section 12. Information is available at [http://cio.energy.gov/documents/ADM\\_14.pdf](http://cio.energy.gov/documents/ADM_14.pdf).

The procedures for disposition of data related to Personnel Security Administrative Review Files is in accordance with DOE Administrative Records Schedule 18, Security, Planning and Safety Records, (N1-434-02-01), item 22. Information is available at [http://cio.energy.gov/documents/ADM\\_18.pdf](http://cio.energy.gov/documents/ADM_18.pdf).

**4. Is the system using technologies in ways that DOE 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?**

N/A

**6. Will this system provide the capability to identify, locate, and monitor individuals?**

No, the system does not have the capability to identify, locate, or monitor individuals.

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

N/A

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

N/A

**9. Under which PA system of records notice does the system operate?**

DOE-7 “Whistleblower Investigation, Hearings and Appeals Records”  
DOE-46 “Administrative Review Files”  
DOE-55 “Freedom of Information and Privacy Act (FOIA/PA) Requests for Records”

**10. If the system is being modified, will the PA system of records notice require amendment or revision?**

No, the system is not being modified.

**F. ACCESS TO DATA**

**1. Who will have access to the data in the system?**

Access is limited to system administrator and OHA staff attorneys and supervisors. Access is strictly controlled based on job responsibility and function. User name and password are required to access data.

**2. How is access to the data by a user determined?**

Access is limited to personnel in OHA. Access is restricted by job roles and responsibilities.

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

Access is determined through the use control account access procedures.

**4. What controls are in place to prevent the misuse (e.g., unauthorized browsing) of data by those having access?**

Administrative (procedures), authentication policy, and physical controls are implemented to prevent misuse. Employees are required to take training on security controls and ethics.

**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 PA contract clauses included in their contracts and other regulatory measures addressed?**

Yes. Contractors are only involved in the maintenance of the system. Personal information may be disclosed to these contractors and their officers and employees in performance of their contract. Those individuals provided this type of information are subject to the same limitations applicable to DOE officers and employees under the Privacy Act, 5 U.S.C. 552a.

Pertinent contract language states that data covered by the Privacy Act may be disclosed to contractors and their officers and employees. Any information that is obtained or viewed shall be on a need-to-know basis. Contractors are required to safeguard all information that they may obtain in accordance with the provisions of the Privacy Act and the requirements of the DOE. The contractor shall ensure that all DOE documents and software processed, and the information contained therein, are protected from unauthorized use and mishandling by assigned personnel.

**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?**

Otto S. Reid, Director  
Management Information Division  
Office of Hearings and Appeals  
950 L'Enfant Plaza  
Washington, DC 20585-1615  
(202) 287-1488

**8. Will other agencies share data or have access to the data in this system?**

Other agencies will not share or have access to the data in the system.



**9. How will the data be used by the other agency?**

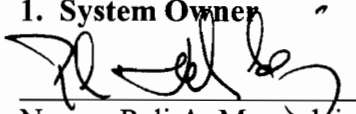
N/A

**10. Who is responsible for assuring proper use of the data?**

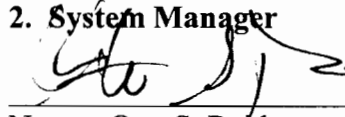
N/A

**The following officials have approved this document:**

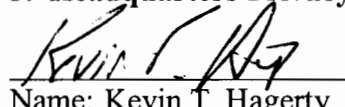
**1. System Owner**

 (Signature) 10/18/07 (Date)  
 Name: Poli A. Marmelejos  
 Title: Acting Director, Office of Hearings and Appeals

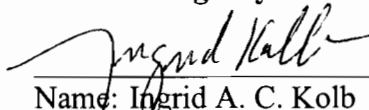
**2. System Manager**

 (Signature) 10-18-07 (Date)  
 Name: Otto S. Reid  
 Title: Director, Management Information Division

**3. Headquarters Privacy Act Officer**

 (Signature) 10/25/07 (Date)  
 Name: Kevin T. Hagerty  
 Title: Director, Office of Information Resources

**4. Senior Agency Official for Privacy**

 (Signature) 10-29-07 (Date)  
 Name: Ingrid A. C. Kolb  
 Title: Director, Office of Management