

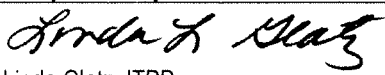
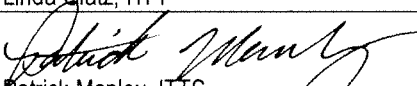

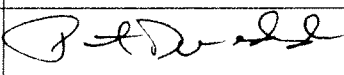
**U.S. Consumer Product Safety Commission  
PRIVACY IMPACT ASSESSMENT**

<b>Name of Project:</b>	Claims under Federal Tort Claims Act SORN CPSC-3
<b>Office/Directorate:</b>	Office of General Counsel

**A. CONTACT INFORMATION**

<b>Person completing PIA:</b> (Name, title, organization and ext.)	Pamela Brinker, Attorney, OGC, X7840
<b>System Owner:</b> (Name, title, organization and ext.)	Cheryl A. Falvey, General Counsel, OGC, X7642
<b>System Manager:</b> (Name, title, organization and ext.)	Not Applicable – Not an Electronic System

**B. APPROVING OFFICIALS**

	Signature	Approve	Disapprove	Date
<b>System Owner</b>	 Cheryl A. Falvey, OGC	CAF		4/13/10
<b>Privacy Advocate</b>	 Linda Glatz, ITPP	✓		4-13-10
<b>Chief Information Security Officer</b>	 Patrick Manley, ITTS	✓		5/12/10
<b>Senior Agency Official for Privacy</b>	 Mary James, Director, ITPP	✓		5/13/10
<b>System of Record?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No				
<b>Reviewing Official:</b>	 Patrick D. Weddle, AED, EXIT	✓		5/13/10

**C. SYSTEM APPLICATION/GENERAL INFORMATION**

<b>1. Does this system contain any personal information about individuals?</b> (If there is <b>NO</b> information collected, maintained, or used that is identifiable to the individual, the remainder of PIA does not have to be completed.)	Yes.
<b>2. Is this an electronic system?</b>	No.

<b>D. DATA IN THE SYSTEM</b>	
1. What categories of individuals are covered in the system? (public, employees, contractors)	All categories (public, employees, contractors). Anyone who has a claim against the Federal government for damages incurred as a result of their interaction with the CPSC.
2. Generally describe what data/information will be collected in the system.	Claimant's name and contact information, claim forms, accident and investigative reports, medical files, photographs, third party insurance information and correspondences and other documents concerning claims or potential claims.
3. Is the source of the information from the individual or is it taken from another source? If not directly from individual, then what other source?	The information is taken from the individual and any other person or organization that has information regarding the claim.
4. How will data be checked for completeness?	The accuracy and completeness of the data is reviewed by the staff working on the claim.
5. Is the data current? (What steps or procedures are taken to ensure the data is current and not out-of-date?)	Staff collects and updates claim related material as it becomes available.
6. Are the data elements described in detail and documented? (If yes, what is the name and location of the document?)	No.
<b>E. ATTRIBUTES OF THE DATA</b>	
1. Explain how the use of the data is both relevant and necessary to the purpose for which the system is being designed?	The data is relevant and necessary to ascertain the validity of tort claims made against the agency and to assist staff in making the appropriate determinations regarding the liability and damages throughout the course of the claim.
2. For electronic systems, if the data is being consolidated, what controls are in place to protect the data from unauthorized access or use? Explain.	Not applicable.
3. How will the data be retrieved? Can it be retrieved by a personal identifier? If yes, explain and list the identifiers that will be used to retrieve information on the individual.	The data can be retrieved by claimant's name.
4. What opportunities do individuals have to decline to provide information or to consent to particular uses of the information?	None.
<b>F. MAINTENANCE AND ADMINISTRATIVE CONTROLS</b>	
1. What are the retention periods of data in this system?	Six years.
2. 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?	Records are retained for six years following the final action on the claim and are then destroyed by shredding and/or electronic deletion.
3. For electronic systems, will this system provide the capability to identify, locate, and monitor individuals? If yes, explain.	Not applicable, not an electronic system.
4. For electronic systems only, what	Not applicable.

controls will be used to prevent unauthorized monitoring?	
5. Is this system currently identified as a CPSC system of records? If so, under which notice does the system operate?	Yes. CPSC-3, Claims
6. If the system is being modified, will the Privacy Act system of records notice require amendment or revision? Explain	Not applicable. This system is not being modified.
<b>G. ACCESS TO DATA</b>	
1. Who will have access to the data in the system? (e.g., contractors, managers, system administrators, developers, other).	Employees in the General Law Division and the Division of Financial Services and possibly Department of Justice Employees pursuant to routine use under the Privacy Act for litigation purposes.
2. What controls are in place to prevent the misuse of data by those having access? (Please list processes and training materials.)	The CPSC staff regularly undergoes ethics and privacy training and must adhere to the principles of ethical conduct which specify the appropriate and inappropriate use of government property and information by federal employees. Department of Justice employees are subject to the restrictions set forth by the Privacy Act.
3. Who is responsible for assuring proper use of the data?	Office of General Counsel.
4. Are contractors involved with the design and development of the system and will they be involved with the maintenance of the system? Are contractors involved in the collection of the data? If yes, were Privacy Act contract clauses inserted in their contracts and other regulatory measures addressed?	CPSC does not use contractors to use or maintain the system.
5. Do other systems share data or have access to the data in the system? If yes, explain. Who will be responsible for protecting the privacy rights of the public and employees affected by the interface?	The CPSC Division of Financial Services is responsible for maintaining information on amounts paid out for torts claims. Division of Financial Services employees are provided limited access to the materials on a need to know basis.
6. Will other agencies share data or have access to the data in this system? If yes, how will the data be used by the other agency?	The Department of Justice will have access to FTCA claims to assist with claims/civil litigation pursuant to routine use under the Privacy Act and are subject to the limitations included in the Privacy Act.
7. Will any of the personally identifiable information be accessed remotely or physically removed?	The information may be accessed remotely by Department of Justice Employees or physically removed from CPSC and transferred to the Department of Justice as needed for litigation purposes. Department of Justice employees are subject to the Privacy Act requirements.