

**U.S. International Boundary & Water Commission (USIBWC)
Information Management Division (IMD)**



Privacy Impact Assessment (PIA)

For the

**Safety & Security Division
Safety and Workers' Compensation Office**

Date: January 13, 2017

CONTACT INFORMATION AND BACKGROUND

Date Submitted to IMD: January 13, 2017		PIA Status <input checked="" type="checkbox"/> New <input type="checkbox"/> Updated	Agency: U.S. International Boundary & Water Commission (USIBWC)
System/Project Name: General Support System / Safety & Security Division - Safety and Workers' Compensation Office		System/Project Acronym: GSS / SSD	
Sponsoring USIBWC Division or Office: IMD			
Person Completing this PIA Form Name: Hector A. Villalobos Title: IT Specialist / Information Systems Security Officer Division: IMD Telephone: 915-832-4708		Information Security Manager for this System/Project Name: Zenon Mora Title: Supervisory, IT Specialist / ISSM Division: IMD Telephone: 915-832-4755	
System Owner for this System/Project Name: Maritza Dominguez Title: IT Specialist / Network Administrator Division: IMD Telephone: 915-832-4130		Program Manager for this System/Project Name: Mario Castro Title: Occupational Safety and Health Manager Division: Safety & Security Division Telephone: 915-832-4788	
Privacy Office or Designee Name: Matthew Myers Title: Chief Legal Counsel/Senior Agency Official for Privacy Division: Legal Affairs Office Telephone: 915-832-4728		Reviewing Official Name: Diana Forti Title: Chief Information Officer (CIO) Division: Administrative Department Telephone: 915-832-4123	
Additional Points of Contact (POCs) / Subject Matter Experts for this System/Project (if applicable)			
POC's Name: Title: Division: Telephone Number:		POC's Name: Title: Division: Telephone Number:	
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Section 1.0: Introduction

In accordance with federal regulations and mandates¹, the USIBWC conducts Privacy Impact Assessments (PIAs) on systems, business processes, projects and rulemakings that involve an *electronic* collection, creation, maintenance or distribution of personally identifiable information (PII).² The objective of a Privacy Impact Assessment is to identify privacy risks and integrate privacy protections throughout the development life cycle of an information system or electronic collection of PII. A completed PIA also serves as a vehicle for building transparency and public trust in government operations by providing public notice to individuals regarding the collection, use and protection of their personal data.

To fulfill the commitment of the USIBWC to protect personal data, the following requirements must be met:

- Use of the information must be controlled.
- Information may be used only for necessary and lawful purposes.
- Information collected for a particular purpose must not be used for another purpose without the data subject's consent unless such other uses are specifically authorized or mandated by law.
- Information collected must be sufficiently accurate, relevant, timely, and complete to ensure the individual's privacy rights.

Given the vast amounts of stored information and the expanded capabilities of information systems to process the information, it is foreseeable that there will be increased requests, from both inside and outside the USIBWC, to share sensitive personal information.

Upon completion of this questionnaire and prior to acquiring signatures, please email the form to the ISSM /ISSO: z.mora@ibwc.gov & hector.villalobos@ibwc.gov who will review your document, contact you with any questions, and notify you when the PIA is ready to be routed for signatures.

Section 2.0: System/Project Description

2.1 In this section of the Privacy Impact Assessment (PIA), describe the system/project and the method used to collect, process, and store information. Additionally, include information about the business functions the system/project supports.

USIBWC Workers' Compensation program:
IBWC Form 007, Supervisors Accident Report is filled out by the Employee Supervisor.

Department of Labor (DOL) and Office of Workers' Compensation Programs (OWCP) forms to include:
The CA1 – Report of Traumatic Injury, CA2 - Report of Illness, CA7 – Claim for Compensation, CA17 – Duty Status Report, CA20 – Attending Physician, CA16 – Authorization of Medical Treatment and/or Examination, CA6 – Official Superior's Report of Employee's Death. These report are sent to the Safety and Workers' Compensation Office for process, filing, and storage. These forms are also send to OWCP electronically via the DOL's Employees Compensation Operations & Management Portal (ECOMP). Hard copy files are stored in double locked areas. That office is located in the SSD suite which has an outer locked door. The door has key and card reader access. The suite to include the individual security offices has motion detection and alarm system. Electronic copies of workers' compensation related documentes are stored on the SSD share drive in designated folders.

¹ [Section 208 of the E-Government Act of 2002](#) requires federal government agencies to conduct a Privacy Impact Assessment (PIA) for all new or substantially changed technology that collects, maintains, or disseminates personally identifiable information (PII). Office of Management and Budget (OMB) Memorandum [M-03-22](#) provides specific guidance on how Section 208 should be implemented within government agencies. The [Privacy Act of 1974](#) imposes various requirements on federal agencies whenever they collect, create, maintain, and distribute records that can be retrieved by the name of an individual or other personal identifier, regardless of whether the records are in hardcopy or electronic format. Additionally, [Section 522](#) of the 2005 Consolidated Appropriations Act requires certain Federal agencies to ensure that the use of technology sustains, and does not erode, privacy protections, and extends the PIA requirement to the rulemakings process.

² For additional guidance about USIBWC rulemaking PIAs, contact the IMD ISSM / ISSO Staff at (z.mora@ibwc.gov & hector.villalobos@ibwc.gov).

Section 3.0: Data in the System/Project

The following questions address the type of data being collected and from whom (nature and source), why the data is being collected (purpose), the intended use of the data, and what opportunities individuals have to decline to provide information or to consent to particular uses of their information.

3.1 What personally identifiable information (PII) (e.g., name, social security number, date of birth, address, driver's license, passport, financial account, etc.) will be collected, used or maintained in the system? Explain.

Date of birth; social security number; family member information; court documents and information; home address; employment activities/conduct; drug usage information; mental history; and medical information. All of this information is used during employee claims for DOL/OWCP compensation for on-the-job injuries/illnesses.

3.2 What is the purpose and intended use of the information you described above in Question 3.1? (e.g., For administrative matters, For criminal law enforcement activities, To conduct analysis concerning subjects of investigative For litigation or other interest, etc.)

Used solely for administrative and investigations of workers' compensation under the Federal Employees Compensation Act (FECA).

3.3 Who/what are the sources of the information in the system? How are they derived? (e.g., In person, telephone, email, hard copy, online, etc.)

In-person; mail; telephonically; email; fax; on-line system, and hard copy.

3.4 What Federal, state, and/or local agencies are providing data for use in the system? What is the purpose for providing data and how is it used? Explain.

Department of Labor; Office of Workers Compensation Programs; and State's Health Services Departments.

3.5 What other third-party sources will be providing data to the system? Explain the data that will be provided, the purpose for it, and how will it be used.

Employee selected medical providers.

Date of birth; social security number; home address; employment activities/conduct; drug usage information; mental history; and medical information. All of this information is used during employee claims for DOL/OWCP compensation for on-the-job injuries/illnesses.

Used solely for administrative and investigations of workers' compensation under the Federal Employees Compensation Act (FECA).

3.6 Do individuals have the opportunity to decline to provide personal information and/or consent only to a particular use of their data (e.g., allowing basic use of their personal information, but not sharing with other government agencies)?

Yes Explain the issues and circumstances of being able to opt out (either for specific data elements or specific uses of the data):

Yes. However, if they refuse, they can be denied compensation benefits with the Federal government. As per 20 CFR 10.00 – 10.826

No Explain:

Section 4.0: Data Access and Sharing

The following questions address who has access to the data, with whom the data will be shared, and the procedures and criteria for determining what data can be shared with other parties and systems.

4.1 Who will have access to the data in the system (internal and external parties)? Explain their purpose for having access to this information.

Department of Labor, Office of Workers Compensation Programs; Occupational Safety and Health Manager, Workers' Compensation Manager, Legal Affairs, Employee Supervisor. For administration and investigation of workers' compensation benefits.

4.2 How is access to the data determined and by whom? Explain the criteria, procedures, controls, and responsibilities for granting access.

Access to the information stored in the Safety and Workers' Compensation Office is controlled by the Occupational Safety and Health Manager. Access is only given to OSH/Workers' Comp Manager, SSD Chief, Legal Affairs, Injured Employee Supervisor.

4.3 Do other systems (internal or external) receive data or have access to the data in the system? If yes, explain.

No

Yes Explain.

Yes. DOL/OWCP, OSH Manager, Injured Employee Supervisor, and Injured Employee have access to ECOMP. ECOMP is the online service provided by DOL/OWCP to file claims online.

4.4 If other agencies or entities use data in the system, explain the purpose for sharing the data and what other policies, procedures, controls, and/or sharing agreements are in place for protecting the shared data.

ECOMP is controlled by DOL. They establish the policy and control who is granted access to the systems. The agency signs a Memorandum Of Understanding (MOU) every three years granting the use of ECOMP.

4.5 Who is responsible for assuring proper use of data in the system and, if applicable, for determining what data can be shared with other parties and systems? Have policies and procedures been established for this responsibility and accountability? Explain.

ECOMP is controlled by DOL. They establish the policy and control who is granted access to the systems

4.6 What involvement will a contractor have with the design and maintenance of the system? Has a Contractor Confidentiality Agreement or a Non-Disclosure Agreement been developed for contractors who work on the system?

No contractors have access or a need for access to these systems. However, ECOMP is controlled by DOL. They establish the policy and control who is granted access to the systems

Section 5.0: Data Integrity and Security

The following questions address how data security and integrity will be ensured for the system/project.

5.1 How is data in the system verified for accuracy, timeliness, and completeness?

The hard copy and data entry of information at agency level is verified by the OSH/Workers' Compensation Manager assigned to the SSD. Information entered in ECOMP is controlled by DOL/OWCP.

5.2 What administrative and technical controls are in place to protect the data from unauthorized access and misuse? Explain.

DOL/OWCP control ECOMP. Internally, hard-copy documents and digital records are stored in secure areas and on the shared drive that is only accessible by PIV authorized SSD personnel.

Section 6.0: Data Maintenance and Retention

The following questions address the maintenance and retention of records, the creation of reports on individuals, and whether a system of records is being created under the Privacy Act, 5 U.S.C. 522a.

6.1 How is data retrieved in the system or as part of the project? Can it be retrieved by a personal identifier, such as name, social security number, etc.? If yes, explain, and list the identifiers that will be used to retrieve information on the individual.

Data in ECOMP is retrieved by entering a combination of claim number, last name, date of birth, and date of injury. Internally data is retrieve by name on file drive folders.

6.2 What kind of reports can be produced on individuals? What is the purpose of these reports, and who will have access to them? How long will the reports be maintained, and how will they be disposed of?

Complete workers' compensation files, medical reports, and accident reports. The purpose is to receive compensation benefits under FECA. Access is only to DOL/OWCP, Workers' Compensation Manger, Injured Employee Supervisor, SSD Chief, and Legal Affairs. Internal files detention and disposition follows the National Achieve and Records Administration guidelines.

6.3 What are the retention periods of data in this system? What are the procedures for disposition of the data at the end of the retention period? Under what guidelines are the retention and disposition procedures determined? Explain.

Safety disposition and retention periods follow IBWC Records Management and NARA regulations.

6.4 In the Federal Register, under which Privacy Act Systems of Record Notice (SORN) does this system operate? Provide number and name.

N/A

6.5 If the system is being modified, will the Privacy Act SORN require amendment or revision? Explain.

N/A

Section 7.0: Business Processes and Technology

The following questions address the magnitude of harm if the system/project data is inadvertently disclosed, as well as the choices the agency made regarding business processes and technology.

7.1 Will the system aggregate or consolidate data in order to make privacy determinations or derive new data about individuals? If so, what controls are in place to protect the newly derived data from unauthorized access or use?

N/A

7.2 Is the system/project using new technologies, such as monitoring software, SmartCards, Caller-ID, biometric collection devices, personal identification verification (PIV) cards, radio frequency identification devices (RFID), virtual data rooms (VDRs), social media, etc., to collect, maintain, or track information about individuals? If so, explain how the use of this technology may affect privacy.

To access the digital files we are required to use PIV/logical access. Access to ECOMP is externally controlled by DOL and access requires a user id and password.

7.3 Will the system/project provide the capability to monitor individuals or users? If yes, describe the data being collected. Additionally, describe the business need for the monitoring and explain how the information is protected.

DOL/OWCP monitors ECOMP access. Internally, the agency's Information Management Division (IMD) is charged with the monitoring internal usage.

7.4 Explain the magnitude of harm to the agency if privacy-related data in the system/project is disclosed, intentionally or unintentionally. Would the reputation of the agency be affected?

Highly sensitive information is kept on the IBWC GSS network. The USIBWC reputation would be greatly effected in a negative way if data was disclosed intentionally or unintentionally.

7.5 Did the completion of this PIA result in changes to business processes or technology? If yes, explain.

Yes. The IMD will provide the recommendations from section 2.1 to Executive Management of the USIBWC. Any approved recommendations will be converted into action items and tracked by the SOAP and the IMD. PIA assessments are a good reminder to identify privacy risks and integrate privacy protections and mitigate vulnerabilities.

Privacy Impact Assessment Authorization Memorandum

(Note: Do not route this form for signature until you have received approval from the IMD Staff.)

This system or application was assessed and its Privacy Impact Assessment approved for publication.

AARON HAYNES Digitally signed by AARON
HAYNES
Date: 2017.02.16 11:18:38 -07'00'

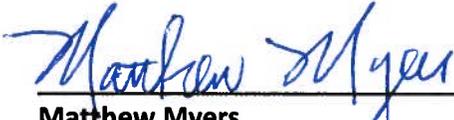
Aaron Haynes
Project / Program Manager

Date


Digitally signed by MANUEL MORA
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State, ou=U.S. and Mexico International Boundary and
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Zenon Mora
Information Security Manager

Date



Matthew Myers
Senior Agency Official for Privacy

Date



Diana Forti
Reviewing Official

2/9/2017
Date