



**Privacy Impact Assessment**

**For**

Case & Activity Management System (CAMS)

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**Point of Contact**

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1. **System Information.** Describe the system - include system name, system acronym, and a description of the system, to include scope, purpose and major functions.

The Office of the General Counsel's (OGC) Case and Activity Management System (OGC-CAMS) contains in-house developed applications (including modifications to adapt to OGC's particular needs), commercial-off-the-shelf (COTS) software, and OpenText Document Management System (DMS).

OGC-CAMS is an in-house case and document management system that stores and organizes for quick retrieval OGC's day to day work product, including documents associated with on-going litigation, contracts, legislation reviews, and regulatory matters, and also documents reflecting OGC's written legal advice contained in memorandums and emails. In general terms, the system centralizes the OGC's documents for orderly accessibility and searching; prevents the loss of work product; manages all relevant content associated with a particular matter or case; secures confidential, privileged, deliberative and attorney-work product information; allows for searching and access to relevant information across the OGC, and provides a content and knowledge management feature that preserves the knowledge of the OGC developed over time. The OGC-CAMS is not accessible to Department staff outside of OGC, nor is it accessible to the public.

2. **Legal Authority.** Cite the legal authority to collect and use this data. What specific legal authorities, arrangements, and/or agreements regulate the collection of information?

The legal authorities for OGC to collect and use data are listed as follows.

20 U.S.C. § 3421 "The General Counsel (GC) shall provide legal assistance to the Secretary concerning the programs and policies of the Department."

Federal Torts Claims Act (28 U.S.C. §§ 2671-2680, 1346(b); Waiver of Overpayment of Pay Act 5 U.S.C. 5584; Military Personnel and Civilian Employees Claims Act, 31 U.S.C. 240 et seq.; Federal Claims Collection Act, 31 U.S.C. 951-953. See System of Records Notice ([SORN 18-09-01](#))

5 U.S.C. §§ 3301 et seq. See [SORN 18-09-02](#)

Pub. L. 95-521, Ethics in Government Act of 1978; Pub. L. 101-194, Ethics Reform Act of 1989, as amended; and Executive Orders 12674, 12565, and 11222, as amended. See [SORN 18-09-03](#)

Civil Rights Act, and Federal Torts Claim Act (The authority for maintaining information consists of various statutes, regulations, rules or orders pertaining to the subject matter of the litigation, administrative complaint or adverse personnel action). See [SORN 18-09-04](#)

Section 206(d) of the E-Government Act of 2002 (Pub. L. 107-347, 44 U.S.C. § 3501 note); 5 U.S.C. § 301; and 5 U.S.C. § 553. See [SORN 18-09-05](#)

- 5 U.S.C. §§ 7301, 7351, and 7353; 5 U.S.C. App. (Ethics in Government Act of 1978); 31 U.S.C. § 1353; E.O. 12674 (as modified by E.O. 12731). See [SORN OGE/GOVT-1](#)

5 U.S.C. App. (Ethics in Government Act of 1978); E.O. 12674 (as modified by E.O. 12731). See [SORN OGE/GOVT-2](#)

Federal Docket Management System (FDMS). See [SORN EPA-GOVT-2](#)

**3. Characterization of the Information. What elements of PII are collected and maintained by the system (e.g., name, social security number (SSN), date of birth (DOB), address, telephone number)?** What are the sources of information (e.g., student, teacher, employee, university)? How is the information collected (website, paper form, on-line form)? Is the information used to link or cross-reference multiple databases?

The primary purpose of the OGC-CAMS is not to collect or store Privacy Act information; however, documents used by OGC attorneys in their day to day work may be saved to the OGC-CAMS by and for the attorney and may contain elements of personal identifiable information (PII) covered by the Privacy Act. This includes but is not limited to, name, SSN, DOB, addresses, telephone numbers, and financial and personnel related information, etc. PII may be provided to an attorney in OGC in the course of an ethics review or in the course of legal proceedings, claims, complaints, and other sources in response to OGC required legal requirements (in response to court proceedings, i.e., ethics due diligence).

**4. Why is the information collected? How is this information necessary to the mission of the program, or contributes to a necessary agency activity.** Given the amount and any type of data collected (internally and externally), discuss the privacy risks identified and how they were mitigated.

OGC CAMS supports OGC's efforts (i.e., providing legal advice, drafting and conducting legal reviews of Department statutes, regulations, and guidance, providing legal services in litigation, ethics reviews, etc.) to provide legal assistance to the Secretary and other Department officials and staff concerning the Department's programs and policies.

Any PII saved to the OGC-CAMS system is stored within the EDUCATE Perot facilities in Plano TX, and is accessible to only OGC personnel. The risk of disclosure of PII is significantly minimized by the protections in place under the EDUCATE contract and the security permission controls in place by the OGC-CAMS product.

**5. Social Security Numbers. If an SSN is collected and used, describe the purpose of the collection, the type of use, and any disclosures.** Also specify any alternatives that you considered, and why the alternative was not selected.

OGC-CAMS stores documents provided to or obtained by an attorney in the course of their work. SSNs may, from time to time, be included in such documentation, particularly as they related to ethics reviews, personnel matters and legal claims, and court documents. Thus, documents stored within OGC-CAMS will contain SSNs in some documents, but this personal information will be identified and removed upon disposal or transfer to the National Archives Record Administration (NARA).

6. **Uses of the Information. What is the intended use of the information?** How will the information be used? Describe all internal and/or external uses of the information. What types of methods are used to analyze the data? If the system uses commercial information, publicly available information, or information from other Federal agency databases, explain how it is used.

Any Privacy Information saved in the system will be used in the normal course of OGC carrying out its responsibilities that presently applies to such information that OGC uses including information in hard-copy form. OGC-CAMS is not designed to serve as a repository for personal data.

7. **Internal Sharing and Disclosure. With which internal ED organizations will the information be shared?** What information is shared? For what purpose is the information shared?

The Department of Education may disclose information contained in a record in an individual's account under the routine uses listed in the Privacy Act System of Records notice without the consent of the individual if the disclosure is compatible with the purposes for which the record was collected.

See Routine Uses as listed in the system of records notices listed above in question #2.

8. **External Sharing and Disclosure. With what external entity will the information be shared (e.g., another agency for a specified programmatic purpose)?** What information is shared? For what purpose is the information shared? How is the information shared outside of the Department? Is the sharing pursuant to a Computer Matching Agreement (CMA), Memorandum of Understanding or other type of approved sharing agreement with another agency?

The Department of Education may disclose information contained in a record in an individual's account under the routine uses listed in the Privacy Act System of Records notice without the consent of the individual if the disclosure is compatible with the purposes for which the record was collected.

See Routine Uses as listed in the system of records notices listed above in question #2.

9. **Notice. Is notice provided to the individual prior to collection of their information (e.g., a posted Privacy Notice)?** What opportunities do individuals have to decline to provide information (where providing the information is voluntary) or to consent to particular uses of the information (other than required or authorized uses), and how individuals can grant consent?

OGC-CAMS resides on the EDUCATE network and is restricted to OGC access; all OGC personnel are advised during training that the system may contain PII and that the sharing of any PII is restricted for only OGC's proper use. OGC personnel are also aware that the Assistant General Counsel for their division is the only person authorized to grant release of PII and in the official performance of the duties and then only to legitimate authorized users. This is a general OGC policy and practice, which applies to the handling of any information stored on OGC-CAMS.

10. **Security. What administrative, technical, and physical security safeguards are in place to protect the PII?** Examples include: monitoring, auditing, authentication, firewalls, etc. Has an

appropriate certification and accreditation (C&A) been completed? Is the system compliant with any federal security requirements?

OGC-CAMS uses EDUCATE as its general support system. The software maintains audit and usage logs (history accounting) that will be monitored by authorized OGC personnel for authorized access. System permissions placed within the OGC-CAMS product also control security access only authorized users.

The information is secured following the guidance of OMB Circular A-130, "Management of Federal Information Resources," Appendix III, "Security of Federal Automated Information Resources," and Public Law 100-235, "Computer Security Act of 1987." OGC-CAMS resides on the Department network and is in compliance with Department Risk Assessment policy and procedures. The OGC-CAMS System Security Plan (SSP) details the security requirements and describes the security controls that are in place to meet those requirements.

Sensitive data, such as that covered by the Privacy Act, must be protected from unauthorized disclosure, modification, and destruction. The following guidelines and procedures have been implemented for protecting OGC-CAMS sensitive data and resources.

- Computers are not left unattended when processing sensitive data or when sensitive data or a critical application system is resident in memory
- Sensitive information is secured when visitors are present
- Sensitive material is stored in a secure locked cabinet. Material is returned to locked cabinets when not in use

A C&A has not been completed on OGC-CAMS but is scheduled for completion in mid-2010, after the system has completed development.

**11. Privacy Act System of Records. Is a system of records being created or altered under the Privacy Act, 5 U.S.C. 552a? Is this a Department-wide or Federal Government-wide SORN? If a SORN already exists, what is the SORN Number?**

A system of record notice is not being created. Currently, there are 8 system of records which cover information collected which are listed above in question #2.

**12. Records Retention and Disposition. Is there a records retention and disposition schedule approved by the National Archives and Records Administration (NARA) for the records created by the system development lifecycle AND for the data collected? If yes – provide records schedule number:**

Records retention and disposition are listed in the system of records notices as listed above in question #2.