

**Office of Government Ethics**  
**Privacy Impact Assessment for**  
**Financial Disclosure Tracking System**



**November 14, 2007**  
**Office of Agency Programs**

**U.S. Office of Government Ethics  
Privacy Impact Assessment (PIA) for  
Financial Disclosure Tracking System (FDTS)**

Once the PIA is completed and the signature approval page is signed, please provide copies of the PIA to OGE's Chief Information Security Officer and Privacy Officer.

**Name of Project/System:** Financial Disclosure Tracking System (FDTS)

**Office:** Office of Agency Programs

**A. CONTACT INFORMATION:**

- 1) Who is the person completing this document?** (Name, title, organization and contact information).

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- 2) Who is the system owner?** (Name, title, organization and contact information).

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- 3) Who is the system manager for this system or application?** (Name, title, organization, and contact information).

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- 4) Who is the Chief Information Security Officer who reviewed this document?**  
(Name, organization, and contact information).

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- 5) Who is the Privacy Officer who reviewed this document?** (Name, organization, and contact information).

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- 6) Who is the Reviewing Official?** (According to OMB, this is the agency CIO or other agency head designee, someone other than the official procuring the system or the official who conducts the PIA).

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**B. SYSTEM APPLICATION/GENERAL INFORMATION:**

- 1) Does this system contain any information about individuals?**

Yes. Information about both members of the public (generally, individuals being nominated as Senate-confirmed Presidential appointees (PAS), and terminated PAS officials) and federal employees.

**a. Is this information identifiable to the individual?**

(If there is **NO** information collected, maintained, or used that is identifiable to the individual in the system, the remainder of the Privacy Impact Assessment does not have to be completed).

Yes. Information maintained in the Financial Disclosure Tracking System (FDTS) is related to the review of an individual's or federal employee's public or confidential financial disclosure report, and if applicable, information about, and a copy of the resulting nominee ethics agreement. Also, FDTS maintains tracking and review information concerning any requested certificates of divestiture and blind trusts.

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

(If YES, a PIA must be submitted with the IT Security C&A documentation).

Yes. Nominees to the Senate-confirmed Presidential appointee positions are routinely members of the public. Also, FDTS maintains review information about a nominee's termination public financial disclosure report, which may be completed after the appointee leaves federal service.

**c. Is the information about employees?**

(If yes and there is no information about members of the public, the PIA is required for the OGE IT Security C&A process).

Yes. In part, the FDTS retains review information about the annually required public financial disclosure reports of the PAS officials, and the Federal employees who serve as Designated Agency Ethics Officials (DAEO) in executive branch agencies.

**2) What is the purpose of the system/application?** (What will be the primary uses of the system/application? How will this support the program's mission?)

The Financial Disclosure Tracking System contains information about the review status of Public Financial Disclosure Reports (SF 278) and other financial disclosure documents. Not all executive branch SF 278 filers are tracked in the FDTS; generally only those individuals nominated and serving in PAS positions, and agency DAEOs.

The other financial disclosure documents include nominee reports, annual and termination SF 278s, certificates of divestiture, ethics agreements, and blind trusts. The information is taken from various sources including paper documents and is manually inputted into the FDTS. The ethics agreement is scanned and stored as an

Acrobat PDF file which is uploaded to the applications server and may be viewed online by users of the system.

The system processes and tracks the OGE review comments and activities, discloses the physical location of the reports, and identifies the progress of the reports during the process of approval. The financial disclosure documents are reviewed to resolve any potential conflict of interest issues that may arise. Reviewers print review sheets and various financial disclosure summary reports for their use; and there are numerous management reports that are printed periodically.

The program is for the use of OGE staff only, and may be accessed through the Intranet or externally through the OGE portal.

**3) What legal authority authorizes the purchase or development of this system/application?** (What are the statutory provisions or Executive Orders that authorize the maintenance of the information to meet an official program mission or goal?)

The Ethics in Government Act of 1978 (5 U.S.C. appendix) requires that PAS nominees and certain federal officials file the public financial disclosure report and related information. The FDTS helps to manage the collection and review of the required reports and related information.

**C. DATA in the SYSTEM:**

**1) What categories of individuals are covered in the system?** (e.g., employees, contractors, volunteers, etc.)

Covered individuals in the FDTS include: members of the public under consideration for nomination to PAS positions, Presidential appointees, federal employees who serve as DAEOs for executive branch agencies, and former PAS officials.

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

Sources include: Office of Government Ethics (OGE) staff via their reviews of the financial disclosure reports filed by the individuals covered in the system: the nominee's actual ethics agreement document from the agency DAEO; the individual's financial disclosure report; and official Government sources for nomination and Senate confirmation dates.

**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?**

Sources include: Office of Government Ethics (OGE) staff via their reviews of the financial disclosure reports filed by the individuals covered in the system; the nominee's actual ethics agreement document from the agency DAEO; the individual's financial disclosure report; and official Government sources for nomination and Senate confirmation dates.

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

The White House and Senate for nomination and confirmation dates respectively.

**c. What 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?**

None, except that an agency DAEO may, at times, provide clarifying information about their own public financial disclosure report, as a result of the OGE staff review.

**3) Accuracy, Timeliness, Reliability, and Completeness**

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

Some dates recorded in the system, such as the nominee's Senate confirmation date, are from official federal government sources.

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

Periodically, as a check on data completeness, various FDTS reports that contain the information will be produced, and any identified missing data will be entered.

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

Some dates recorded in the system, such as the nominee's Senate confirmation date, are from official federal government sources.

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

Yes, "User Guide to the FDTS."

**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?**

The FDTS is a management information system for the process of reviewing financial disclosure documents, and must contain information identifying filers of the reports, comments made by reviewers of those reports, and dates of actions taken by reviewers and others.

- 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?**

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 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? Explain.**

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.**

The data is retrieved by an individual's full name, position title and agency.

- 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 individual review sheets on nominees and other SF 278 filers. In addition, there are various reports that indicate review status of a filer's form. Only OGE staff, with specified user rights via the Account Access Request Form (AARF) (OGE Form 115) approval process, have access to filer review sheets and reports.

- 10) What opportunities do individuals have to decline/refuse 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.

**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) Is the data in the system covered by existing records disposition authority? If yes, what are the retention periods of data in this system?**

Yes, the National Archives and Records Administration disposition authority N1-522-99-3.

Retention periods for data maintained in the system are linked to the destruction of the related, individual SF 278 Financial Disclosure Report. (The SF 278 reports are not maintained in the system). Data in the system related to reports of individuals who filed in accordance with 5 U.S.C. app. § 101 (b) or 101 (c) of the Ethics in Government Act, but were not subsequently confirmed by the U.S. Senate or elected, is deleted one year after the individual ceases to be under consideration by the U.S. Senate for the position or is no longer a candidate for the Office of the President

or Vice-President. Data in the system related to all other SF 278 reports is deleted when six years old. Data needed for an ongoing investigation will be retained until no longer needed in the investigation.

**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?**

At the end of the appropriate retention period, the data related to the SF 278 report will be deleted after authorization is received from either the Deputy Associate Director for Financial Disclosure, Program Services Division or the Program Manager for Nominee Financial Disclosure, Office of the General Counsel and Legal Policy.

Routine tracking and control reports printed out from the system are destroyed when 3 years old or when no longer needed for business purposes, whichever is sooner.

Procedures are documented in the policies and procedures of the Program Services Division.

**4) Is the system using technologies in ways that the OGE 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? If yes, explain.**

No

**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?**

Only authorized users have access to the FDTS. Using the Account Access Request Form (AARF) process, the program office and the Deputy Chief Information Officer (CIO) must authorize all user accounts, as well as the user access level.

Remote access to the FDTS is controlled via the OGE Web Portal, with security provided by a pair of Juniper SSL VPN appliances. For added security, remote access to the FDTS is permitted only from OGE owned and managed computers.

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

OGE maintains Executive branch governmentwide systems of records OGE/GOVT-1 (public financial disclosure reports) and OGE/GOVT-2 (confidential financial disclosure reports), both of which also include other name-retrieved ethics program records.

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

The system is not being modified at this time.

**F. ACCESS TO DATA:**

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

Only OGE staff has access to the system.

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

Users are restricted to accessing data based upon their role in the system operation, which is documented on the OGE Form 115--Account Access Request Form (AARF) and enforced by network authentication and system authorization function.

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

Users are restricted to accessing data based upon their role in the system operation, which is documented on the OGE AARF and enforced by network authentication and system authorization function.

**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)**

The FDTS Security Plan, Section 1.9, General Description of Information Sensitivity, states that the information processed by FDTS is considered sensitive but unclassified (SBU), and the impact of a loss of integrity is rated "medium." Consequently, it is not

cost-effective to implement technical controls to prevent misuse (unauthorized changes) by authorized users.

However, the FDTS writes user logs that provide useful forensic information if an incident of tampering is suspected. Moreover, the only fields that an authorized user might want to tamper with are reviewer comments.\* Technical controls prevent a user from modifying existing comments, except to "add" additional comments. New comments are appended by a date/time stamp added by the system.

\*Comments are the only truly sensitive information in the FDTS; the critical dates (e.g. nomination, confirmation or denial by the Senate) are public information recorded elsewhere.

Finally, mitigating management controls regarding appropriate use include the FDTS Rules of Behavior document, and the FDTS training program, including the User Manual.

**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?**

No contractors are involved.

**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 (Federal, State, or Local)?**

No

**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

**See Attached Approval Page**

**The Following Officials Have Approved this Document**

**1) System Manager**

\_\_\_\_\_ (Signature) \_\_\_\_\_(Date)

**Name**

**Title**

**2) Chief Information Security Officer**

\_\_\_\_\_ (Signature) \_\_\_\_\_(Date)

**Name**

**Title**

**3) Privacy Officer**

\_\_\_\_\_ (Signature) \_\_\_\_\_(Date)

**Name**

**Title**

**4) Reviewing Official**

\_\_\_\_\_ (Signature) \_\_\_\_\_(Date)

**Name**

**Title**