

Financial Management Service
Privacy Impact Assessment

Name of Project: Treasury Offset Program (TOP) & Call Tracking System (CTS)

A. SYSTEM APPLICATION/GENERAL INFORMATION:

1) Does this system contain any information about individuals?

Yes, the TOP application contain information about Federal and state delinquent debtors, and CTS contain information entered by debtors inquiring about their delinquent debt(s).

a. Is this information identifiable to the individual¹?

(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).

TOP maintain data records that consist of a federally delinquent debtor's taxpayer identification number (TIN) – which can be either a social security number (SSN) or an employee identification number (EIN) along with the person's last name or the business entity's name.

CTS maintain TIN & EIN information entered into the system by debtors inquiring about their delinquent debt(s).

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

(If YES, a PIA must be submitted with the OMB Exhibit 300, and with the IT Security C&A documentation).

Yes, TOP maintains information about Federal and state delinquent debtors.

c. Is the information about employees? (If yes and there is no information about members of the public, the PIA is required for the FMS

¹ "Identifiable Form" - According to the OMB Memo M-03-22, 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 descriptors).

IT Security C&A process, but is not required to be submitted with the OMB Exhibit 300 documentation).

If an employee has a Federal or state delinquent debt his or her outstanding debt information will be in the TOP application.

2) What is the purpose of the system/application?

TOP is a centralized, interactive database of delinquent debts also known as the National Interactive Delinquent Debtor Database (NIDDD), which allows for identification of delinquent debtors who are receiving Federal payments. Payments certified by Federal payment agencies are compared to the interactive database; and where a match is identified, an offset may occur, reducing or eliminating the existing debt. Funds received due to an offset are provided by FMS to the agency that established the debt.

CTS is a tracking system that tracks calls to BDMOC from delinquent debtors inquiring about their delinquent debt.

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

On April 26, 1996, President Clinton signed legislation known as the Debt Collection Improvement Act of 1996 (public Law 104-134). The Debt Collection Improvement Act (DCIA) requires Federal Agencies to refer debts to the Department of the Treasury in order to offset Federal Payments to collect delinquent debts owed to the Federal Government. As a result of the DCIA, the Treasury Offset Program (TOP) was developed. TOP, which is a mandatory, government-wide debt collection program, has maximized recovery of delinquent debts owed to the federal government. In addition, TOP offsets payments to collect delinquent Federal tax, State tax, and child support debts.

C. DATA in the SYSTEM:

1) What categories of individuals are covered in the system?

Federal and state delinquent debtors.

The federal and state delinquent debtors

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

- 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?**

In TOP Debt and Debtor information is provided by the Federal and state agencies participating in TOP, in CTS the information is gathered from the debtor.

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

For the Federal agencies participating in TOP, please contact Debt Management Service (DMS) at (202) 874-3810.

c. What State and local agencies are providing data for use in the system?

d. For the state agencies participating in TOP, please contact Debt Management Service (DMS) at (202)874-3810.

e. From what other third party sources will data be collected?

The TOP application receives data from numerous government agencies and provides data to other internal systems. TOP does not connect to systems external to FMS nor does CTS.

f. What information will be collected from the employee and the public?

No information will be collected from the employee and the public for use in TOP. When a debtor calls into BDMOC, the debtor enters their TIN for verification and to help identify the debt.

3) Accuracy, Timeliness, and Reliability

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

Agencies are required to submit a certification agreement certifying all debts transmitted by the Creditor Agency to TOP for collection. The certification agreement covers all debts, including updates, changes and modifications submitted on or after the date of the Certification Agreement. The agreement certifies that the debts are valid and legally enforceable.

b. How will data be checked for completeness?

It is the agencies responsibility to certify and validate the debt information.

- c. Is the data current?** What steps or procedures are taken to ensure the data is current and not out-of-date? Name the document (e.g., data models).

TOP is updated weekly via batch transmission or daily using the TOP Client by the creditor agencies with current information.

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

The data elements are described in the *TOP Security Plan, Section 1.9*. TOP maintains data records that consist of Federal and state delinquent debtor's taxpayer identification number (TIN) – which can be either a social security number (SSN) or an employee identification number (EIN), debtor name, address, debtor status and debt information. In addition, TOP maintains data pertaining to the creditor agency that submitted the delinquent debtor to the Treasury Offset Program. This information includes the agency's name, business address, contact person and phone number.

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, the data in use is both relevant and necessary for the purpose of this initiative.

- 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 new data or previously unavailable data is created by the TOP & CTS systems.

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

No new data will be created by the TOP or CTS systems.

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

The system cannot make determinations about employees/public that would not be possible without the new data.

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

No new data will be created by the TOP & CTS systems.

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.

No data is being consolidated

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 TOP user will enter a Taxpayer Identification Number (TIN), Employee Identification Number (EIN) or debt number to retrieve debt and debtor information.

The debtor provides CTS with a Taxpayer Identification Number (TIN), Employee Identification Number (EIN) or debt number for verification of identity and to retrieve debt and debtor information.

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

The following are reports that can be produced on individuals through TOP: Individual Inquiry by Tin, Creditor Agency View; Individual Inquiry by Debt Number, Creditor Agency View; and Individual Inquiry by TIN, Payment Agency View.

No reports are generated by CTS.

10) What opportunities do individuals have to decline 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.)

Individuals do not provide information to TOP. The information is provided by the federal and state government agencies that participate in TOP.

Information provided to CTS is strictly voluntary.

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 in one site.

- 2) What are the retention periods of data in this system?**

Currently there are no retention guidelines in place. The data is retained indefinitely.

- 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?**

Currently there are no retention guidelines in place. The data is retained indefinitely and stored in the TOP database and the CTS information is maintained in it's own database.

- 4) Is the system using technologies in ways that the FMS has not previously employed (e.g., monitoring software, Smart Cards, Caller-ID)?**

No, the system does not use any new technology that FMS has not previously employed.

- 5) How does the use of this technology affect public/employee privacy?**

No new technology is being used.

- 6) Will this system provide the capability to identify, locate, and monitor individuals? If yes, explain.**

IDS systems are currently deployed at FMS. In addition to IDS, as a guard against intrusions and other unauthorized activity, audit trails from CA-Top Secret are maintained on the Mainframe and are available for investigating signs of intrusions. CTS stores the identifying information of all callers.

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

The Audit Trail report retrieves information on the user id, reference number and the timestamp of the queries performed by the user.

No queries are performed on CTS.

8) What controls will be used to prevent unauthorized monitoring?

The TOP System Administrator is the only role with the privileges to perform the audit trail.

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

The disclosure of TOP information to authorized Federal and state agencies is in accordance with the Privacy Act of 1974 and the Privacy Act notice published by Treasury's Financial Management Service (see 65 Fed. Reg. 56612-01, Sept. 19, 2000).

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

No, any system modifications will follow the rules provided in the Privacy Act of 1974 and the Privacy Act notice published by Treasury's Financial Management Service (see 65 Fed. Reg. 56612-01, Sept. 19, 2000).

F. ACCESS TO DATA:

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

Users of the application are external Federal Program Agencies (FPA's), external state agencies, and internal FMS employees.

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

All users are restricted to only the functions they need for the performance of their duties. For example, regular users cannot access the system audit logs. User level of access is authorized and reviewed regularly to ensure that user access does not exceed position requirements for all systems and applications. Risk levels are associated with job descriptions to determine access levels for the TOP application. Managerial approval is required before a user is granted access to functions within the TOP application.

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

TOP users are restricted to only the functions they need for the performance of their duties.

Only a limited number of individuals, associated with TOP have the highest level of access. Accesses are reviewed for continuing need to appropriate levels.

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 TOP application management is committed to supporting least privilege and logical access control. TOP application users are restricted to only the functions they need for the performance of their duties. Accesses are reviewed periodically to appropriate levels. In addition, TOP users must agree to the disclosure agreement displayed when logged on before they can proceed to the main menu.

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, the design and development of the system was performed internally.

6) Do other systems share data or have access to the data in the system? If yes, explain.

TOP shares data with other FMS Systems. Interface agreements among these systems are not necessary since they operate within the FMS-controlled security environment. The systems with which TOP shares data are listed here:

Debt Check receives a extract of the TOP database.

TCS receives and sends TOP data.

DMAS receives TOP data.

7) Who will be responsible for protecting the privacy rights of the public and employees affected by the interface?

The Financial Management Service will be responsible for protecting the privacy rights of the individuals affected by the interface.

8) Will other agencies share data or have access to the data in this system (Federal, State, Local, Other)?

Federal and state government employees working for agencies that have referred their outstanding debts to TOP will have access to their specific agency data in TOP.

9) How will the data be used by the other agency?

TOP information is provided to authorized Federal and state agencies for the purpose of collecting delinquent debt. The TOP system allows the identification of delinquent debtors who are receiving Federal payments. Payments certified by Federal payment agencies are compared to the interactive database; and where a match is identified, an offset may occur, reducing or eliminating the existing debt. Funds received due to an offset are provided by FMS to the agency that established the debt.

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

Each federal and state agency is responsible for the proper use of data by their employees.