

# US Department of Health and Human Services

## Privacy Impact Assessment

**Date Signed:**

08/31/2016

**OPDIV:**

ACF

**Name:**

Office of Child Care Information System

**PIA Unique Identifier:**

P-8800529-716331

**The subject of this PIA is which of the following?**

Minor Application (child)

**Identify the Enterprise Performance Lifecycle Phase of the system.**

Operations and Maintenance

**Is this a FISMA-Reportable system?**

No

**Does the system include a Website or online application available to and for the use of the general public?**

No

**Identify the operator.**

Contractor

**Is this a new or existing system?**

Existing

**Does the system have Security Authorization (SA)?**

No

**Indicate the following reason(s) for updating this PIA.**

PIA Validation

**Describe in further detail any changes to the system that have occurred since the last PIA.**

Changes to ACF-800 Annual Aggregate Report:

- 1) Child Fatalities - As reauthorized, section 658K(a)(2)(F) of the Child Care and Development Block Grant Act (CCDBG) now requires States to report (for each provider type) the number of fatalities occurring among children while in the care and facility of child care providers serving Child Care and Development Fund (CCDF) children (regardless of whether the child who dies was receiving CCDF).
- 2) Consumer Education - An existing provision of the CCDBG Act, unchanged by reauthorization, requires the ACF-800 to collect information on the manner in which consumer education information was provided to parents and the number of parents to whom such information was provided. In addition, the reauthorization includes a number of new requirements related to consumer education.

Changes to ACF-801 Monthly Case-level Report: Under Child and Family Records:

- 1) Family Homeless Status - As reauthorized, section 658K(a)(1)(B)(xi) of the CCDBG Act now requires States to report whether children receiving assistance under this subchapter are homeless children. To comply with this new requirement, ACF changed to the ACF-801 Child Care Quarterly Case Record Form.
- 2) Child with Disability - Section 658E(c)(3)(B) of the CCDBG Act requires a State's priority for services to include children with special needs. Reauthorization strengthened this provision by requiring ACF to prepare a report annually that contains a determination about whether each State uses CCDF funds in accordance with priority for services requirements, including the priority for children with special needs. While States have flexibility to define "children with special needs" in their CCDF Plans, many States include children with disabilities in their definitions. Therefore, ACF changed the ACF-801 to add a new data element indicating whether or not each child receiving services is a child with a disability. This will provide data to help ACF determine, as required by law, whether States are in compliance with priority for service requirements.
- 3) Military Status - The Administration has taken a number of actions to increase services and supports for members of the military and their families. We added a new data element to the ACF-801 to determine the family's status related to military service.
- 4) Family ZIP Code and Provider ZIP Code - As reauthorized, sections 658E(a)(2)(M) and 658E(a)(2)(Q) of the CCDBG Act now require States to address the needs of certain populations regarding supply and access to high-quality child care services in underserved areas including areas that have significant concentrations of poverty and unemployment. To successfully implement these requirements, it is critical that States and OCC be able to examine the supply of care in particular communities.
- 5) Social Security Numbers - With reauthorization, section 658K(a)(1)(E) of the CCDBG Act now prohibits the ACF-801 report from containing personally identifiable information. As a result, we are proposing to delete Social Security Numbers (SSNs) from the family record (element 3)

For Child Care Provider Records:

- 1) Quality of Child Care Providers - The existing ACF-801 allows States several ways of reporting information on the quality of each child's provider(s)—including: Quality Rating and Improvement System (QRIS) participation and rating, accreditation status, provider is subject to State pre-K standards, and other State-defined quality measure. These elements provide data on provider quality for each child receiving a child care subsidy as reported on the ACF-801.
- 2) Date of Most Recent Inspection - Section 658E(c)(2)(J) of the reauthorized CCDBG Act requires States to monitor both licensed and license-exempt CCDF providers, effective November 19, 2016.

### **Describe the purpose of the system.**

Office of Child Care Information System (OCCIS) collects, stores and reports case level child care data (ACF-801 instrument), aggregate child care data (ACF-800 and ACF-700 instruments), and grantee plan data for administering block grant program (ACF-118). These data are reported by all 50 States, the District of Columbia, and over 260 Federally recognized Tribes, all of which receive Child Care and Development Fund block grants. The Office of Child Care uses these data for the Report to Congress, Government Performance and Results Act (GPRA) reporting, and other departmental reporting purposes.

### **Describe the type of information the system will collect, maintain (store), or share.**

Overall, a wide range of child care data is collected from states, territories, and tribes, such as demographic characteristics of the families and children served, and child care setting information. Data collection forms, definitions and standards can be found on the OCC website as noted below. The OCCIS system collects data related to the following approved Office of Management and Budget (OMB) data reports:

- 1) ACF-118- Additional details on the ACF-118 are available on the OCC website: <http://www.acf.hhs.gov/programs/occ/resource/acf-118-e-submission-site>

Here is a non bulleted list of the type of information in the ACF-118 for the Child Care and Development Fund (CCDF) Plan for State/Territory and covering the following data and topic areas:

Data related to CCDF Leadership and Coordination with Relevant Systems; Promote Family Engagement through Outreach and Consumer Education; Provide Stable Child Care Financial Assistance to Families; Ensure Equal Access to High Quality Child Care for Low-Income Children; Establish Standards and Monitoring Processes to Ensure the Health and Safety of Child Care Settings; Recruit and Retain a Qualified and Effective Child Care Workforce; Support Continuous Quality Improvement; and Ensure Grantee Program Integrity and Accountability, such as: Program Integrity.

2) ACF-700 -Additional details on the ACF-700 are available on the OCC website: <http://www.acf.hhs.gov/occ/resource/acf-700-tribal-annual-report>

Here is a non bulleted list of the ACF-700 Annual Aggregate Reporting and covering the following data points: Total number of families that received child care services this fiscal year, Total number of children receiving services that fall into each age category, Number of children who received child care services, Average number of hours of child care service provided per child per month, Average monthly amount paid for child care service , Number of children served whose family income was at a certain level, Number of children served by payment type this fiscal year, and comments.

3) ACF- 800- Additional details on the ACF-800 are available on the OCC website: <http://www.acf.hhs.gov/programs/occ/resource/acf-800-annual-aggregate-child-care-data-report>

Here is a non bulleted list of the Annual Aggregate Report and covering Number Served such as: Number of Families, Number of Children, Number of Child Fatalities, Kindergarten expenditures on CCDF eligible children to meet the CCDF Match or Maintenance of Effort requirement, CCDF eligible children receiving public pre-Kindergarten services for which CCDF. Payment Methods. Provider Information. Consumer Education, Explanation of Methodology, and Consumer Education Methods. Pooling Factor, Optional Questions.

4) ACF-801 – Additional details on the ACF-801 are available on the OCC website: <http://www.acf.hhs.gov/programs/occ/resource/acf-801-reporting-for-states-and-territories>

Here is a non bulleted list: Monthly Case Record for Head of Family Receiving Assistance which includes:

Reporting Period, Unique State Identifier, Family FIPS Code, State, County, Single Parent, Reason for Receiving Subsidized Child Care, Total Monthly Child Care Co-payment by Family, Month/Year Child Care Assistance to the Family Started, Total Monthly Income, Cash or Other Assistance Provided, Employment, Family Size Used to Determine Eligibility, Family Homeless Status, Family Zip Code, Military Service, Primary Language Spoken at Home. Children Receiving Assistance includes: Race/Ethnicity. Setting Information: Type of Child Care, Total Monthly Amount Paid to Provider, Total Hours of Care Provided in Month, Provider Federal Employment Identification number ( FEIN), Provider Unique State ID. Provider Information: Provider FEIN, Provider Unique State ID, QRIS Participation, QRIS Rating, Accreditation Status, Subject to State Pre-K Standards, Other State defined Quality Measure, Subject to Head Start or Early Head Start Standards, Provider Zip Code, and Inspection.

**Provide an overview of the system and describe the information it will collect, maintain (store), or share, either permanently or temporarily.**

The information is collected in an electronic format, which is transmitted directly to the National Institute of Health's National Information Center. The data are collected from all Child Care and Development Fund (CCDF) lead agencies (as required by Child Care and Development Block Grant Act, 42 U.S.C. 9858 et seq., 45 CFR 98.71(a)(13)) in the states, the District of Columbia, territories (including Puerto Rico, American Samoa, Guam, Northern Mariana Islands, and the US Virgin Islands), and Tribes. The CCDF State/Territory lead agencies are responsible for completing the ACF-801, ACF-800, and ACF-118 forms. The Tribal lead agencies are responsible for completing the ACF-700 form. Consent is not required.

System collects aggregate and case level data on families and children served through the Child Care and Development Fund (CCDF). The data collected includes demographic characteristics of the families, such as income and family size, demographic characteristics of children served, such as age and race/ethnicity, and child care setting information, such as hours, subsidy and type of care.

ACF employees and direct contractors provide their login credentials for local/administrator access to back-end systems.

**Does the system collect, maintain, use or share PII?**

Yes

**Indicate the type of PII that the system will collect or maintain.**

Social Security Number

E-Mail Address

Taxpayer ID

State generated Case IDs

Race and Ethnicity of Child

Month/Year only of Birth - we do not collect Date of Birth.

User credentials

Income; Family Zipcode

**Indicate the categories of individuals about whom PII is collected, maintained or shared.**

Employees

Public Citizens

**How many individuals' PII is in the system?**

1,000,000 or more

**For what primary purpose is the PII used?**

The PII details are only used to conduct Eligibility determination by State and to uniquely identify case records. As noted, the ACF-800 data is provided annually to the Office of Child Care (OCC); the ACF-801 data is provided monthly to the OCC; the ACF-700 data is provided annually to the OCC; and the ACF-118 data is provided every three years with ongoing specific updates based on changes to the CCDF program.

**Describe the secondary uses for which the PII will be used.**

Not Applicable - there are no secondary uses of PII in the system.

**Describe the function of the SSN.**

The SSN is used to track and perform eligibility determination by State and to uniquely identify case records. This function has changed with the Child Care and Development Block Grant (CCDBG) which was reauthorized in November 2014. The collection of the SSN is no longer authorized.

**Cite the legal authority to use the SSN.**

Prior to November 2014, Child Care and Development Block Grant (CCDBG) Act, 42 U.S.C. 9858 et seq., 45 CFR 98.71(a)(13).

After October 2015, under the reauthorized CCDBG, SSN is no longer reported or collected by states. However, the OCCIS system will maintain previous PII details prior to November 2014.

**Identify legal authorities governing information use and disclosure specific to the system and program.**

Child Care and Development Block Grant (CCDBG) Act, 42 U.S.C. 9858 et seq., 45 CFR 98.71(a)(13).

**Are records on the system retrieved by one or more PII data elements?**

Yes

**Identify the number and title of the Privacy Act System of Records Notice (SORN) that is being used to cover the system or identify if a SORN is being developed.**

SORN: 09-80-0371 OCC Federal Child Care Monthly Case Records published in the Federal

**Identify the sources of PII in the system.**

**Government Sources**

Within OpDiv

State/Local/Tribal

Other Federal Entities

**Non-Governmental Sources**

Public

**Identify the OMB information collection approval number and expiration date**

ACF-801: 0970-0167 Expires: 12/31/2018

ACF-118: 0970-0114 expires 12/31/2018

ACF-800: 0970-0150 Expires: 12/31/2018

ACF-700: 0970-0430, Expires: 10/31/2016

**Is the PII shared with other organizations?**

Yes

**Identify with whom the PII is shared or disclosed and for what purpose.**

**Within HHS**

Office of the Assistant Secretary for Planning and Evaluation for research purposes

**Other Federal Agencies**

Census Bureau (Federal Researchers)

**Describe any agreements in place that authorizes the information sharing or disclosure.**

MEMORANDUM OF UNDERSTANDING BETWEEN THE

U.S. CENSUS BUREAU AND U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES,

Agreement No. 0094--013-NFE-003

**Describe the procedures for accounting for disclosures.**

Each disclosure which includes any PII details to federal agencies are tracked via list/log and email communications which includes those staff which have access to the data sets.

**Describe the process in place to notify individuals that their personal information will be collected. If no prior notice is given, explain the reason.**

CCDF lead agency responsibility as the OCCIS system receives information from the CCDF lead agencies, rather than directly from individuals, it is the responsibility of the systems collecting the information directly from individuals to provide prior notice.

System users and administrators provide their user credentials in order to access the system and/or perform administrative duties, a user agreement is in place on login to notify them that their personal information will be collected.

**Is the submission of PII by individuals voluntary or mandatory?**

Voluntary

**Describe the method for individuals to opt-out of the collection or use of their PII. If there is no option to object to the information collection, provide a reason.**

Individuals cannot opt out of the collection of their information because it is the responsibility of the CCDF lead agencies.

System users and administrators provide their user credentials in order to access the system or perform administrative duties, there is no opt-out of the collection or use of their PII. If requested, the user will not be issued a user credential.

**Process to notify and obtain consent from individuals whose PII is in the system when major changes occur to the system.**

OCCIS only receives data collected by the CCDF lead agencies, there is no process in place for notifying individuals or obtaining their consent.

System users and administrators provide their user credentials in order to access the system and/or perform administrative duties, a user agreement is in place on login to notify and obtain consent.

**Describe the process in place to resolve an individual's concerns when they believe their PII has been inappropriately obtained, used, or disclosed, or that the PII is inaccurate.**

OCCIS only receives data collected by the CCDF lead agencies, it is the responsibility of the CCDF lead agencies to resolve an individual's concerns when they believe that their PII has been inappropriately obtained, used, or disclosed. If no process exists within the Office of Child Care (OCC) as these actions would be addressed at the state level.

System users and administrators provide their user credentials in order to access the system and/or perform administrative duties, a user agreement describes the process to be used to process and resolve their concerns.

**Describe the process in place for periodic reviews of PII contained in the system to ensure the data's integrity, availability, accuracy and relevancy.**

Office of Child Care maintains no less than a semi-annual review of the OCCIS to review PII data and ensure the data contained in the systems has integrity and availability precautions in place. This review is conducted with OIS, the System Owner, and the Information System Security Officer to ensure the accuracy and relevance over time.

Overall, National Institute of Health (NIH) and Office of Information Systems (OIS) maintain back-up servers to ensure information is readily available, even if a main server fails, as part the hosting and support for the OCCIS system. Users receive a notice every year requesting that they review their information and ensure that it is accurate and up-to-date. To ensure relevancy, if users provide any updates, system administrators change the individuals' information accordingly based on specific requests. Data Integrity is maintained through user access certification and encryption for data in transit.

**Identify who will have access to the PII in the system and the reason why they require access.**

**Administrators:**

Limited access for Database Operation and Maintenance only

**Developers:**

Limited access for application development under general Operation and Maintenance activities only

**Contractors:**

Direct Contractors for statistical reporting which is part of ongoing Operation and Maintenance only

**Others:**

Limited set of Federal Researchers, i.e., linking data with other Federal Programs/Surveys such as Temporary Assistance for Needy Families (TANF), Survey of Income and Program Participation (SIPP), Current Population Survey (CPS), and the American Community Survey (ACS).

**Describe the procedures in place to determine which system users (administrators, developers, contractors, etc.) may access PII.**

Requirements specifications identify entities with access to PII information. Database access is limited to those individuals responsible for the maintenance of the database through user names and passwords.

**Describe the methods in place to allow those with access to PII to only access the minimum amount of information necessary to perform their job.**

Users cannot access the PII database. Ad-hoc queries are not available. Standard reports provide a summary of the cases by various characteristics generated on a fiscal year basis. Administrators do not have direct access to PII details. All reports are generated as part of Read Only privileges.

**Identify training and awareness provided to personnel (system owners, managers, operators, contractors and/or program managers) using the system to make them aware of their responsibilities for protecting the information being collected and maintained.**

Direct Contractors sign a non-disclosure agreement that states the unauthorized disclosures punishable by pertinent Federal laws; a standard ACF system security notice/banner is in place for all users; security training is provided to contractor staff.

**Describe training system users receive (above and beyond general security and privacy awareness training).**

Federal staff receive general training. Direct Contractors receive general training and an annual training reviewing their responsibilities in assuring the protection of customer data.

**Do contracts include Federal Acquisition Regulation and other appropriate clauses ensuring adherence to privacy provisions and practices?**

Yes

**Describe the process and guidelines in place with regard to the retention and destruction of PII.**

General Records Schedule (GRS) 3.2. Item 010, Disposition Authority: DAA-GRS-2013-0006-0004. Temporary. Destroy 6 years after password is altered or user account is terminated, but longer retention is authorized if required for business use.

PII will be retained in a manner consistent with the implemented security controls for retaining audit logs.

**Describe, briefly but with specificity, how the PII will be secured in the system using administrative, technical, and physical controls.**

Physical security measures instituted by NIH and ACF; physical server controls (data located at NIH; users access it through Virtual Private Network (VPN)); technical controls (such as access through approved VPN users, virus control); user authentication controls.