

US Department of Health and Human Services

Privacy Impact Assessment

Date Signed:

02/28/2022

OPDIV:

ACF

Name:

Debtor File

PIA Unique Identifier:

P-7284550-654452

The subject of this PIA is which of the following?

Major Application

Identify the Enterprise Performance Lifecycle Phase of the system.

Operations and Maintenance

Is this a FISMA-Reportable system?

Yes

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

No

Identify the operator.

Agency

Is this a new or existing system?

Existing

Does the system have Security Authorization (SA)?

Yes

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.

No change has been made to the system since the last PIA approval.

Describe the purpose of the system.

The Debtor File (DF) is a repository of past-due child support debts information. State child support agencies submit the individuals' debts data to OCSE. This data repository is used to provide information to Department of Treasury for Federal Income Tax Refund Offset and Administrative Offset programs, to Department of State for the Passport Denial program, to multi-state financial institutions for matching of financial accounts and to insurance providers for matching of insurance claim information. Debtor File consist of three minor applications: Federal Offset (tax and administrative offset and passport denial), Multi-state Financial Institution Data Match (MSFIDM) and the Insurance Match.

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

The information DF collects from state Child Support Enforcement (CSE) agencies pertains to past-due child support owed by noncustodial parents including Personally Identifiable Information (PII) such as the name and Social Security Number of such individual, date of birth, place of birth, mailing address, taxpayer ID, the amount of past-due child support owed by the individual, adjustments to such amount, information on each enforcement remedy applicable to the individual to whom the record pertains, as indicated by a state child support agency; the amount of past-due support collected as a result of offset collections; and a history of updates by the State agency to the records.

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

The information DF collects from state Child Support Enforcement (CSE) agencies pertains to past-due child support owed by noncustodial parents including PII such as the name and Social Security Number of such individual, date of birth, place of birth, mailing address, taxpayer ID, the amount of past-due child support owed by the individual, adjustments to such amount, information on each enforcement remedy applicable to the individual to whom the record pertains, as indicated by a State IV-D child support agency; the amount of past-due support collected as a result of each such remedy; and a history of updates by the State agency to the records. This information is compared against information pertaining to Federal tax refunds, Federal administrative payments, and U.S. passports to collect past-due support. Information collected from state CSE agencies on individuals with past-due child support is also compared with information maintained by insurers (or their agents) and state Workers Compensation agencies concerning insurance claims, settlements, awards, and payments to collect child support. The data collected is mandatory. Federal law requires the collection of information for child support and other authorized purposes.

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

Date of Birth

Name

Mailing Address

Financial Accounts Info

Passport Number

Taxpayer ID

Child support arrearages and payment updates

Place of birth

Enforcement remedy applicable to the individual

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

Public Citizens

How many individuals' PII is in the system?

1,000,000 or more

For what primary purpose is the PII used?

The primary purpose of the PII is to assist State Child Support Enforcement Agencies in collecting and enforcing Past-Due Support.

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

The secondary uses for PII includes Disclosure for Law Enforcement Purpose and Disclosure in the Event of a Breach.

Describe the function of the SSN.

Primary individual identifier and tax payer identification

Cite the legal authority to use the SSN.

42 U.S.C. §§ 652(a)(7), (9), Duties of Secretary - Establishment of separate organizational unit; duties, and § 652(b), Certification of child support obligations to Secretary of Treasury for collection
42 U.S.C. § 653, Federal Parent Locator Service
42 U.S.C. § 664, Collection of past-due support from Federal tax refunds 42 U.S.C. § 666, Requirement of statutorily prescribed procedures to improve effectiveness of child support enforcement
26 U.S.C. § 6103, Confidentiality and disclosure of returns and return information

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

42 U.S.C. § 652(k), Duties of Secretary - Denial of passports for nonpayment of child support, § 652 (l), Facilitation of agreements between State agencies and financial institutions, and § 652(m), Comparisons with insurance information
42 U.S.C. § 653(a)(2), Federal Parent Locator Service - Establishment; purpose, § 653(l), Restriction on disclosure and use, and § 653(m), Information integrity and security
42 U.S.C. § 654(26), State plan for child and spousal support
42 U.S.C. § 664, Collection of past-due support from Federal tax refunds

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.

OCSE Debtor File, HHS/ACF/OCSE, 09-80-0383, published in the Federal Register at 80 FR 17909

Identify the sources of PII in the system.

Government Sources

State/Local/Tribal

Other Federal Entities

Non-Governmental Sources

Private Sector

Identify the OMB information collection approval number and expiration date

Federal Tax Offset, Administrative Offset, and Passport Denial Programs,

OMB Control Number: 0970-0161, expires June 30, 2022

Is the PII shared with other organizations?

Yes

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

Other Federal Agencies

Department of Treasury/Bureau of Fiscal Service (DoT/BFS), Social Security Administration (SSA), and Internal Revenue Service (IRS) for refund and administrative offset and State Department for passport denial.

State or Local Agencies

State Child support agencies Assistance in Collecting Past-Due Support

Private Sector

Financial and insurance institutions for withholding and assistance in collecting past-due support payments.

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

There are Memorandum of Understandings (MOUs) in place with the Department of Treasury, financial institutions, and general agreements with the states. Additionally, security agreements are in place with participating insurers.

Describe the procedures for accounting for disclosures.

Data is accessed by authorized case workers, and disclosures are tracked. Disclosures are only for agreed upon timeframes and purpose. Continuous review of agencies with disclosed information is done through audit logs and also annually as part of an internal security inspection.

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

Prior notice is not given. Information collected is mandatory under federal statutes

Is the submission of PII by individuals voluntary or mandatory?

Mandatory

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.

There is no opt out option, as information collection is mandatory under federal statutes.

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

There is no process in place for notifying or obtaining consent from individuals whose PII is in the system when major changes occur to the system. Consent is not required because the information collected is mandated by federal statute. Please reference the Systems of Records Notice (SORN) in the Federal Register for details on the federal statute.

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.

The Debtor File system does not have a process in place for individuals to resolve concerns regarding inaccuracies in their PII. These concerns need to be addressed at the collection point, which in this case are the state child support agencies.

If individuals believe that their information has been inappropriately obtained, used, or disclosed as a result of Debtor File system activity they may submit a notification directly to the Office of Child Support Enforcement. The notification must specify what information was believed to have been obtained inappropriately.

Given there is no direct interaction with Debtor File by the individual's whose information is stored here, the individual would need to refer to the System of Records Notice (SORN) in the Federal Register in order to obtain the address to which a notification can be sent.

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

Data is reconciled with states annually, continually updated and replaced. The reconciliation is performed using input files from the states and records comparison pertaining to individuals owing past-due child support and information maintained by the Secretary of the Treasury concerning the following amounts payable to such individuals: Refunds of federal taxes; salary, wage and retirement benefits; income and benefits information. There are checks and balances from the federal to state level hence, this process helps to improve the integrity, accuracy, and relevancy of the system data.

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

Users:

Users: State Child Support Enforcement Agencies (child support enforcement) and Social Security Administration (eligibility for disability verification). Data is sent to these users via secure file transfers from the Debtor File. Authorized child support portal users can query PII stored in the Debtor File.

Administrators:

Enhancements and maintenance, Production Support: operations and technical support. OCSE used contractors for all administrator staff. Direct contractor have access to the PII due to their mainframe administrator duties. Procedures are in place that prohibit access to stored PII unless authorized by leadership.

Contractors:

Direct contractors: Provide support to program initiatives. Direct contractor has access to the PII due to their mainframe administrator duties. Procedures are in place that prohibit access to stored PII unless authorized by leadership.

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

Authorized users are the only ones allowed to access PII; administrators, developers and contractors (not providing support to program initiatives) do not have access to PII.

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.

User roles are in place which restrict users to the authorized data accesses.

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.

New hire orientation and annual security awareness training is required for all. Training is provided by HHS, ACF and by OCSE.

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

Annual training includes Internal Revenue Service (IRS) regulations, Federal statutes, HHS and ACF regulations, and refresher training. OCSE provides additional annual training based on employee role and job function within the operating division (OpDiv).

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.

Records maintained in the Debtor File are retained until the IV-D child support case is in deleted status and there has been no activity on the case for seven years and are then deleted. Records resulting from a comparison between the Debtor File and both records maintained by a financial institution doing business in two or more states and records maintained by an insurer (or its agent) concerning insurance claims, settlements, awards and payments, are retained for one year and are then deleted; provided, however, that after removal of personal identifiers, the results of a comparison may be retained for such period necessary to conduct analyses for the purpose of estimating potential collections of past-due support by state child support agencies and are then deleted. If an extract from the Debtor File is disclosed for a routine use to an authorized user, including the Secretary of the Treasury for the purpose of withholding past-due support from amounts payable as refunds of federal taxes or specified payments, a copy of the extract is retained for one year and is then deleted.

A National Archives and Records Administration (NARA) record schedule is DAA-0292-2021-0005.

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

The information is secured in accordance with a system classified as "moderate" according to FIPS 199. The security controls are specified in an up-to-date system security plan (SSP). This SSP restricts access and disclosure to persons as authorized in the statute, provides administrative, physical, and technical system controls.

Technical controls include access controls with strong passwords, tokens, PIV cards, encryption of data in transmission and at rest, Role Based Access Controls, separation of duties, auditing tools and logs, monitoring and scanning for vulnerabilities. Intrusion detection systems, firewalls, Virtual Private Networks, and demilitarized zones (DMZs) are implemented. Physical controls include restricted access to facilities, secured system locations, and continued audits to ensure robust security posture. Employees must use government issued IDs, and visitors are vetted and escorted at all times. Cameras are strategically located at entry and exit points.

The system requires monitored access and OCSE promotes security training.

All personnel with access to the system are required to sign the HHS and OCSE Rules of Behavior and sign a non-disclosure oath upon completing security awareness training as a new hire and then annually.