PRIVACY IMPACT ASSESSMENT:
EHSS – Foreign Access Central Tracking System (FACTS)
PIA Template Version 5 – August 2017

Affects Members Of the Public? X

Department of Energy

Privacy Impact Assessment (PIA)

MODULE I – PRIVACY NEEDS ASSESSMENT		
Date	February 9, 2024	
Departmental Element & Site	Office of Environment, Health, Safety and Security Office of Resource Management Office of Information Management Germantown, MD	
Name of Information System or IT Project	Foreign Access Central Tracking System (FACTS)	
Exhibit Project UID	019-10-01-22-01-7013-00	
New PIA ☐ **Update** X	This is a periodic updated PIA for the FACTS system. No material changes to the system. New vendor.	
	Name, Title	**Contact Information Phone, Email**
System Owner	Michelle Ho Office of Information Management, EHSS-72	301-903-0521 Michelle.Ho@hq.doe.gov
Local Privacy Act Officer	Raymond Holmer, Director EHSS Authorizing Official (AO) Director, Office of Information Management (EHSS-72)	301-903-7325 Raymond.Holmer@hq.doe.gov

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Cyber Security Expert reviewing this document (e.g. ISSM, CSSM, ISSO, etc.)	Krystal Harne EHSS Cyber Security Point of Contact EHSS -72	301-903-8283 Krystal.Harne@hq.doe.gov
Person Completing this Document	Shawn Pastor Contractor to the DOE, EHSS-72 Edgewater Federal Solutions	202-735-7320 Shawn.Pastor@hq.doe.gov

Purpose of Information System or IT Project

The FACTS system documents and tracks access control records of international visits, assignments, and employment at Department of Energy (DOE) facilities and contractor sites. FACTS was developed and implemented in June 2000 in response to Presidential Decision Directive (PDD) 61, U.S. Department of Energy Counterintelligence Program, which required DOE to develop procedures and practices, through the Office of Foreign Visits and Assignments, to meet the needs to DOE's vital national security programs while providing protection from foreign threats. In addition, PDD 61 required DOE to provide department-wide tracking of foreign national access.

FACTS collects PII to assist in identification, tracking and analysis in furtherance of its counter-terrorism security directive.

FACTS PII Table

Application	PII	PII Type	Usage	How PII is retrieved	Why is PII retrieved
FACTS - Foreign Access Central Tracking System	YES	Sensitive	Social Security, DOB, Place of Birth, Name, Address, Phone Number	Access request records containing PII are downloaded, or pulled, from FACTS to media, and then introduced into a controlled environment.	Counter-terrorism identification, tracking, and analysis as part of **Homeland Security Presidential Directive** (HSPD-2), Combating Terrorism Through Immigration Policies.

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Type of Information Collected or Maintained by the System:	☒ SSN ☐ Medical & Health Information ☐ Financial Information ☐ Clearance Information ☐ Biometric Information ☐ Mother's Maiden Name ☒ DoB, Place of Birth ☒ Employment Information ☐ Criminal History ☒ Name, Phone, Address ☒ Other – A detailed list of additional types of information is included in Section 18.
Has there been any attempt to verify PII does not exist on the system? **DOE Order 206.1, *Department of Energy Privacy Program,* defines PII as** *any information collected or maintained by the Department about an individual, including but not limited to, education, financial transactions, medical history and criminal or employment history, and information that can be used to distinguish or trace an individual's identity, such as his/her name, Social Security number, date and place of birth, mother's maiden name, biometric data, and including any other personal information that is linked or linkable to a specific individual.*	N/A – PII does exist on the system. Please see question 4.
If "Yes," what method was used to verify the system did not contain PII? (e.g. system scan)	N/A

Threshold Questions

MODULE I – PRIVACY NEEDS ASSESSMENT

1. Does the system contain (collect and/or maintain), or plan to contain any information about individuals?	YES
2. Is the information in identifiable form?	YES
3. Is the information about individual Members of the Public?	YES
4. Is the information about DOE or contractor employees?	YES ☒ Federal Employees ☒ Contractor Employees

END OF PRIVACY NEEDS ASSESSMENT

MODULE II – PII SYSTEMS & PROJECTS

AUTHORITY, IMPACT & NOTICE

1. AUTHORITY **What specific authorities authorize this system or project, and the associated collection, use, and/or retention of personal information?**	Specifically, the system was developed, and implemented in June 2000, in response to Presidential Decision Directive (PDD) 61, U.S. Department of Energy Counterintelligence Program, which required the Department to develop procedures and practices, through the then newly established Office of Foreign Visits and Assignments, to meet the needs to DOE's vital national security programs while providing protection from foreign threats, and specifically required DOE to provide Department-wide tracking of foreign national access. The legal authority for the system includes: • 42 U.S.C. 7101 et seq. • 50 U.S.C. 2401 et seq. • Presidential Decision Directive (PDD) 61

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2. CONSENT **What opportunities do individuals have to decline to provide information (e.g. where providing information is voluntary) or to consent only to particular uses of the information (other than required or authorized uses)?**	The FACTS application supports DOE personnel who are responsible for requesting and approving Foreign visits and assignments to exchange and access information securely in support of the Office of Environment, Health, Safety and Security (EHSS) mission. Should the requesting individual decline to provide their personal information, the FACTS request will be canceled, and no further action is required from both the requester and the DOE personnel processing the visit request. Personal information is gathered on a voluntary basis however, if the individual does not wish to provide their information, an access request is not processed for that individual.
3. CONTRACTS **Are contractors involved with the design, development and maintenance of the system? If yes, was the Privacy Order CRD or Privacy Act clauses included in their contracts?**	ASSYST contractors are responsible for the design, development, and maintenance of the FACTS system with oversight and approval from the EHSS AO, EHSS Cyber team, and System/Data owner. Privacy Act clauses were included in the current contract and Statement of Work.
4. IMPACT ANALYSIS: **How does this project or information system impact privacy?**	DOE has assessed FACTS as a moderate-risk system according to the criteria set forth in Federal Information Processing Standard 199, established by the National Institute of Standards and Technology (NIST). The risk rating is used to determine the effect to the agency should the system's confidentiality, integrity, or availability be compromised. The unauthorized disclosure of information is expected to have adverse effect on organizational operations, organizational assets, or individuals. Disclosure of PII may impact individual's privacy by exposing employment, visit location, and contact information. Should sensitive PII, e.g., SSN, be compromised, it could result in significant harm to individuals potentially including professional harm, personal harm, financial harm, and embarrassment. DOE has taken measures in contemplation of the Fair Information Practice Principles (FIPPs) to safeguard information in the system. Role based controls limit access and secure data in furtherance of security, data quality, and use limitation. Data in the system is not accessible to the public or to DOE employees or contractors who do not have a need to know. Data is used exclusively for authorized business purposes in furtherance of purpose specification.

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5. SORNs **How will the data be retrieved? Can PII be retrieved by an identifier (e.g. name, unique number or symbol)?** **If yes, explain, and list the identifiers that will be used to retrieve information on the individual.**	Records may be retrieved by name and other personal identifiers including visitor number and request number.
6. SORNs **Has a Privacy Act System of Records Notice (SORN) been published in the *Federal Register*?** **If "Yes," provide name of SORN and location in the *Federal Register*.**	DOE-52: Access Control Records of International Visits, Assignments, and Employment at DOE Facilities and Contractor Sites. 74 FR 1055, January 9, 2009.
7. SORNs **If the information system is being modified, will the SORN(s) require amendment or revision?**	N/A
DATA SOURCES	
8. What are the sources of information about individuals in the information system or project?	Information about individuals is obtained directly from the foreign nationals requesting access to DOE/NNSA facilities.
9. Will the information system derive new or meta data about an individual from the information collected?	No.

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10. Are the data elements described in detail and documented?	Yes. See System Security Plan.
DATA USE	
11. How will the PII be used?	PII is used to protect DOE/NNSA facilities and personnel. Access requests by foreign nationals to DOE/NNSA sites trigger the vetting of information by authorized subject matter experts (SMEs) and then approved by the appropriate authority. Visit/assignment information is submitted to the FBI as required by HSPD-12, Combating Terrorism through Immigration Policies. This information is downloaded by the authorized FBI official, but there is no direct connection to another system. No information is received from the FBI.
12. If the system derives meta data, how will the new or meta data be used? **Will the new or meta data be part of an individual's record?**	N/A
13. With what other agencies or entities will an individual's information be shared?	There is a Memorandum of Understanding (MOU) with the Federal Bureau of Investigation (FBI) agreeing to FBI personnel accessing FACTS data as required. Possible additional disclosures are reflected in DOE-52.
REPORTS	
14. What kinds of reports are produced about individuals or contain an individual's data?	Reports of foreign national visits and assignments to DOE/NNSA sites are produced.
15. What will be the use of these reports?	The FACTS database is designed to effectively automate the processing and approvals of foreign nationals invited to participate in unclassified visits and assignments to DOE facilities. Reports are used to provide secure collaboration and tracking tools to authenticated users who are tasked with monitoring these visits.

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16. Who will have access to these reports?	These reports can only be produced by users with system rights for the specific site, are marked Controlled Unclassified Information (CUI), and cannot be further distributed without permission from site management and the FACTS system manager.
MONITORING	
17. Will this information system provide the capability to identify, locate, and monitor individuals?	This system identifies and vets foreign nationals for site visitation/assignments. It does not actively monitor individuals in real time.

18. What kinds of information are collected as a function of the monitoring of individuals?	**Personal Data:** Full name (including Also Known As (A.K.A.'s), visitor request number, gender, place of birth, city and country, date of birth, country(ies) of citizenship, date of last visit to country of citizenship, social security, passport number and passport expiration date, immigration status, type of visa and expiration date, country of current residence and how long at current residence, language interpretation needs, work phone, e-mail and fax, name of current employer, place of work, street, city, zip code, country; position title or description of requester's duties. **Visit/Assignment Request Information:** Date of request, purpose of request (including subjects to be discussed or researched and specific activities involved); requestor's current whereabouts (i.e., is proposed visitor currently in the United States), specific visa status and purpose (i.e., exchange visitor (J-1) Visa), time duration of proposed visit, assignment or activity (desired start and end dates), identification of specific international agreement(s) or delegations related to the proposed requests, name, organization, telephone number of DOE contact, name of financial sponsor, cost if sponsor is other than DOE. **Visit/Assignment Facility Information:** Name, location, and room number of facility or organization to be accessed during visit/assignment, name of the host responsible for the visit/assignment, host's telephone number, building and room numbers, number of days on site, visit/assignment relationship to program, subject codes, subjects to be discussed or statement of research, determination of computer access, and sensitive subject designation. **Visit/Assignment Program Information and Remarks:** Designation of high-level protocol visit, cost to DOE, visit or assignment purpose code, purpose or justification of visit/assignment including benefits to DOE program(s) and certification of DOE mission advancement, technology transfer determination, name of requesting official or contractor, title and organization of requesting official or contractor, date signed, name of site manager and local headquarters approving official, signature(s) of field site, headquarters approving official, date signed and remarks, the kind of business or organization of visitor/assignee's employer (e.g., government, company, laboratory, university), education background of requestor including college or university training with degrees and dates conferred, field of research, and family members who will accompany or join the applicant later.

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	Management Reviews and Approvals: Level, type or topic of review, name of reviewer and/or approval authority(ies), the date of the review approval, and remarks.
19. Are controls implemented to prevent unauthorized monitoring of individuals?	Role-based access controls are implemented to prevent unauthorized use of data. Use of system data is allowed only for purposes supporting the DOE Unclassified Foreign Visits and Assignments Program. In addition, data for visits/assignments to specific sites can only be accessed by those individuals who have Unclassified Foreign Visits and Assignments Program responsibilities for those sites. See question 25 for detailed information on controls.
DATA MANAGEMENT & MAINTENANCE	
20. How will records about individuals be kept current and verified for accuracy, relevance and completeness? Include PII data collected from sources other than DOE records.	The system records, when used to create new visit/assignment requests, must be reviewed by the hosting entity to ensure currency/correctness of information. Site self-assessments and field office assessments, and inspections and audits by independent DOE entities also review data for completeness. Information is verified with the foreign national upon start of visit/assignment. The system records, when used to create new visit/assignment requests, must be reviewed by the hosting entity to ensure currency/correctness of information. The system will not allow submission of access requests without population of all required fields. Site/Headquarters program elements hosting visits and assignments are responsible for ensuring provision of adequate data to conduct informed access approval determinations. Site self-assessments, field office assessments, and inspections and audits by independent DOE entities also review data for completeness.
21. If the information system is operated in more than one site, how will consistent use of the information be ensured at all sites?	FACTS is the departmental system for unclassified foreign national visits and assignments. The system is web-based and available to all DOE/NNSA sites. Requirements for use of the system in support of the DOE Unclassified Foreign Visits and Assignments Program are detailed in DOE Order 142.3. Compliance with policy, and with requirements for use of the system and data, is determined through site and field office assessments. Line management is ultimately responsible for compliance by their sites and Headquarters program elements, and for ensuring that issues identified in assessments are corrected. FACTS access requires electronic acceptance of the system Rules of Behavior, which details use of the system and data, and continued access requires annual re-acceptance.

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RECORDS MANAGEMENT	
22. Identify the record(s).	DOE Administrative Records Schedule N1-434-98-21 DEPARTMENT OF ENERGY ADMINISTRATIVE RECORDS SCHEDULE 18: SECURITY, EMERGENCY PLANNING, AND SAFETY RECORDS.
23. Identify the specific disposition authority(ies) that correspond to the record(s) noted in no. 22.	Check appropriately and cite as required. ☐Unscheduled ☒Scheduled (cite NARA authority(ies) below) Data retention procedures are in accordance with DOE Administrative Records Schedule N1-434-98-21 "Security, Emergency Planning and Safety Records." This information can be obtained at http://cio.energy.gov/recordsmanagement/adminrs.htm.
24. Records Contact	Baldev Dhillon 301-903-0990 Baldev.Dhillon@hq.doe.gov
ACCESS, SAFEGUARDS & SECURITY	
25. What controls are in place to protect the data from unauthorized access, modification or use?	Technical controls including identification and authentication, logical access controls, public access controls, and audit trails are in-place and operational for the service. These controls are detailed in the Access Controls section of the FACTS 2024 Security Plan. Cybersecurity controls including authentication, authorization, auditing, malicious code removal, continuity of service, encryption, web application security, secure messaging and CUI marking are in-place, operational by the service, and are detailed in the FACTS 2024 Security Plan.

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26. Who will have access to PII data?	DOE/NNSA site and headquarters program element federal and contractor staff with responsibilities related to the DOE Unclassified Foreign Visits and Assignments Program, FACTS system administrators and FACTS Help Desk staff, and Office of the DOE Inspector General and Office of Environment, Health, Safety and Security (EHSS) personnel who have responsibilities for independent oversight of the program have access to the system. Access to the system must be approved by site/program office management and the FACTS program manager. Access control to FACTS data is included in the FACTS System Security Plan, dated January 2024. Access to FACTS data is based on a need-to-know basis relative to the responsibilities of the individual, and as those responsibilities relate to the DOE Unclassified Foreign Visits and Assignments Program or to international visits and assignments. Additionally, there is a Memorandum of Understanding (MOU) with the Federal Bureau of Investigation (FBI) agreeing to FBI individuals accessing the data as required.
27. How is access to PII data determined?	User access to data must be approved by the user's site or Headquarters program element management, to include the identification of system-based rights in line with the user's responsibilities. Access is limited to the DOE/NNSA site(s) for which the user has responsibilities related to foreign visits and assignments.
28. Do other information systems share data or have access to the data in the system? If yes, explain.	No
29. For connecting information systems, is there an Interconnection Security Agreement (ISA) or other agreement between System Owners to ensure the privacy of individuals is protected?	N/A
30. Who is responsible for ensuring the authorized use of personal information?	**Jennifer Emanuelson** Supervisory Security Specialist (301) 903-3071 jennifer.emanuelson@hq.doe.gov

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END OF MODULE II

SIGNATURE PAGE		
	Signature	**Date**
System Owner	**Michelle Ho** (Print Name) (Signature)	
Local Privacy Act Officer	**Raymond Holmer** (Print Name) (Signature)	
Ken Hunt **Chief Privacy Officer**	(Print Name) William K. Hunt Digitally signed by William K. Hunt Date: 2024.05.01 10:04:33 -04'00' (Signature)	