

US Department of Health and Human Services

Privacy Impact Assessment

Date Signed:

09/01/2017

OPDIV:

ACF

Name:

Adoption and Foster Care Analysis and Reporting System

PIA Unique Identifier:

P-3771345-038254

The subject of this PIA is which of the following?

Minor Application (stand-alone)

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 changes have been made to the data collection regulations or database.

Describe the purpose of the system.

The mission of the U.S. Department of Health and Human Services (HHS) is to enhance the health and well-being of Americans by providing for effective health and human services and by fostering sound, sustained advances in the sciences underlying medicine, public health, and social services. As an Operating Division (OPDIV) of HHS, the mission of the Administration for Children and Families (ACF) is to promote the economic and social well-being of children, youth, families, and communities, focusing particular attention on vulnerable populations such as children in low-income families, refugees, and Native Americans. ACF directly supports HHS' Strategic Goal 3: Advance the Health, Safety and Well-Being of the American People, further supporting the three Secretary's Priorities: 1) Put Children and Youth on the Path for Successful Futures, 2) Promote Early Childhood Health and Development, and 3) Ensure Program Integrity, Accountability and Transparency.

The Children's Bureau (CB), as a Program Office within ACF, partners with federal, state, tribal and local agencies to improve the overall health and well-being of our nation's children and families. With an annual budget of almost \$8 billion, the Children's Bureau provides support and guidance to programs that focus on: strengthening families and preventing child abuse and neglect; protecting children when abuse or neglect has occurred; and ensuring that every child and youth has a permanent family or family connection.

The Adoption and Foster Care Analysis and Reporting System (AFCARS) supports the statutory requirement (section 479 of the Social Security Act (the Act)) that state and tribal agencies administering titles IV-B and E of the Act collect and report information to the Department on children in foster care and children who have been adopted with title IV-E involvement. The data submitted by the child welfare agencies is used for program management, policy development, and monitoring of child welfare programs in all 50 states, the District of Columbia, Puerto Rico, and Tribes administering a title IV-E plan.

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

AFCARS collects Community and Social Services data as it relates to foster care and Program Monitoring Information Type data. These data types were properly vetted using the FIPS 199 process and the NIST Publication 800-60. Title IV-E agencies (state and tribal child welfare agencies) report AFCARS on information about children in foster care and children who have been adopted with title IV-E involvement. Title IV-E agencies collect this information in individual case records maintained by the child welfare agency. Agencies provide information on basic demographics, history of foster care removal episodes, information on the current removal episode, foster and adoptive parent information (as applicable), reasons for the child's entry into foster care, and whether certain federal financial programs are used to support the child. The basic demographic information includes an encrypted record number, date of birth, race, and sex. The IV-E agency AFCARS files do not include names, addresses, social security number, or any other personal information.

The AFCARS does not collect information directly from individuals, all information is collected by public agencies and in their systems. None of the data received or stored can be used to distinguish or trace an individuals' identity as it is received de-identified. The information reported by the agencies is through direct file transfer using secure transfer software. Connections between IV-E agencies and federal computers meet Federal Information Security Management Act (FISMA) standards for secure file transfer. There is no web access to the system nor are there external system users. Federal staff and direct contractors must use government furnished equipment that requires a Personal Identity Verification (PIV) card in order to login to the machine. No user credentials are stored in AFCARS.

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

The Social Security Act (the Act) mandates the data items listed in the above question. Based on the Act and federal regulations at CFR 1355.40, state and tribal child welfare agencies must submit demographic characteristics of adoptive and foster children and their caretaker(s), adoptive and/or foster parents, foster care removal episodes (date of removal, number of removals), placement information (type of setting, number of placement moves), reasons contributing to why the child was removed from his/her home, their case plan goal, and the extent and nature of assistance provided by Federal, State, and local adoption and foster care programs. The public child welfare agencies submit case-level data files that include this information on each child in foster care as of the end of the six-month report period. Demographic information (e.g. gender, date of birth, and race) is collected in order to analyze children based on these and other variables. In addition to being mandated by law, ACF uses the data to inform its policies and program rules, audits of states, and to conduct analysis of a children's experience with the public foster care system. The data are maintained in the database in order to conduct analyses of individual states performance as well as analyzing over time the experiences of children in foster care and after they have left foster care.

To do this, the data must be permanently stored. Federal staff and direct contractors must use government furnished equipment that requires a Personal Identity Verification (PIV) card in order to login to the machine. No user credentials are stored in AFCARS.

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

Yes

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

Date of Birth

Gender

Race

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

Public Citizens

ACF does not collect information directly from individuals but from public agency systems.

How many individuals' PII is in the system?

100,000-999,999

For what primary purpose is the PII used?

The AFCARS regulation implements the statute requiring states to collect and report information on children in public foster care and who were adopted with IV-E agency involvement. Agencies that do not comply with this requirement are found to be out-of-compliance with their funding (title IV-E) plans. The administrative data helps to identify why children enter foster care, the characteristics of children in foster care, and their experience while in foster care. Identifying this information supports the Department's measuring of the performance of states. Doing so also serves the mission of the Department to enhance and protect the health and well-being of all Americans.

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

As noted in the previous question the primary purpose of AFCARS data reporting is to meet statutory requirements to assess public child welfare agencies performance in meeting the permanency goals of children in foster care. Additional uses include: analysis of AFCARS data in conjunction with other case-level information collected on the same children from our two other reporting systems - the National Child Abuse and Neglect Data System (NCANDS) and the National Youth in Transition Database (NYTD) - to understand a child's entry into and movement through foster care.

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

Section 479 of the Social Security Act and 45 CFR 1355.40

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

No

Identify the sources of PII in the system.

Government Sources

State/Local/Tribal

Identify the OMB information collection approval number and expiration date

0970-0422, 2/28/2018

Is the PII shared with other organizations?

No

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

AFCARS does not provide prior notice since the data is sourced at the state, local and tribal levels. The information collected by state/tribal child welfare agencies is on their clients and part of the work conducted by the state/tribal agency.

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.

ACF does not collect information directly from individuals, rather all information is received from state/tribal child welfare agencies. These agencies are not able to opt out of reporting AFCARS data because it is required by law. States that fail to submit an AFCARS file are found to be out-of-compliance with their title IV-E plan.

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

ACF does not receive this information directly from individuals. If there are major changes to the application, these notices are distributed by the Children's Bureau (CB) Deputy Associate Commissioner or the AFCARS program lead to Child Welfare Directors and identified Program Managers at the state/tribal level.

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.

ACF does not collect information directly from individuals and therefore does not have a process in place to address individual concerns. Data is transmitted by a state and/or tribal agency. Any individual concerns would be addressed at the state level, according to state guidelines.

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

AFCARS PII is not subject to periodic reviews since it is information received from state/tribal child welfare agencies. Data accuracy is a responsibility of the state/tribal agency prior to transmitting the data to ACF. ACF maintains confidentiality of the AFCARS files by not requiring personal identifiable information (PII) beyond a date of birth. Furthermore, ACF ensures confidentiality and integrity of the files by meeting requirements for Federal Information Processing Standards (FIPS) 199 (as a "low" system) and all other cybersecurity requirements necessary to maintain its Authority to Operate (ATO). The AFCARS has received its current ATO July, 2016.

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

Users:

Federal users require access to the PII data in order to conduct their work

Administrators:

System administrators for maintenance and updates to the system

Contractors:

Direct contractors make up the Administrators pool of personnel

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

Federal users require access to the PII data in order to conduct their work; determine state compliance, provide feedback on identified errors, and conduct data analysis for reports, program feedback, etc.

Access to the AFCARS application is limited to the technical administrators (under contract to the Children's Bureau) who are privileged users and are responsible for maintenance support of the AFCARS application. Only those contractors who have been through a DHHS background clearance and are subject to the confidentiality clauses of the contract may 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 access is limited to the functions and information which is essential to complete their job functions. Role based access ensures that the levels of access are restricted to job function. All requests for a user access is reviewed by the AFCARS program lead and, if granted, the user is assigned the appropriate role. Ex: The system user with a primary role of "system administrator" can access all aspects of the AFCARS application.

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.

AFCARS receives information from public agencies that have their own policies regarding training and system access. Federal staff and contract support staff are required to take annual security training. The training includes sensitivity to PII. Contract support staff are required to sign an additional confidentiality agreement that prohibits them from discussing CB business activities with their parent organization.

In addition, all Department users (including federal employees and contractors) must review and sign an acknowledge statement of the HHS Rules of Behavior (RoB). This acknowledgment must be completed annually thereafter, which may be done as part of annual HHS Computer Security Awareness Training. All users of Privileged User accounts for Department information technology resources must read these standards and sign the accompanying acknowledgment form in addition to the HHS RoB before accessing Department data/information, systems, and/or networks in a privileged role. Staff are required to complete the following: Annual HHS Computer Security Awareness Training; Annual HHS Privacy Training; and Reading the Rules of Behavior for Use of HHS Information Resources and signing the accompanying acknowledgment.

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

There is no additional training provided to system users.

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.

AFCARS records retention schedule is set based on National Archives and Records Administration (NARA) Transmittal 24, General Records Schedule (GRS) 4.3, Item 020, Disposition Authority DAA-GRS-2013-0001-0004. As noted in the transmittal the disposition of files is at the discretion of the agency if longer retention is required for business use. CB retains all data files transmitted by state child welfare agencies due to need for analysis of data over time. To do this, the data must be permanently stored.

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

Administrative controls, including but not limited to:

System security plan (SSP)

File backup/archive conducted by the hosting site, National Institutes of Health Center for Information Technology (NIHCIT)

User manuals

Contractor Agreements

Technical Controls:

User Identification and Authorization

Passwords

Firewalls at hosting site and Department firewall for federal staff computers

Monitoring and Control scans provided by hosting agency

PIV cards for local laptop

Physical controls:

The AFCARS application is hosted in a secure data center and can be physically accessed only the authorized infrastructure staff from HHS/NIH. Enforcement of established physical security capabilities (management walk-throughs and assessment of security locks, doors, desks, storage materials, Security Guards employing access controls to individuals requesting facility access: Physical access is strictly controlled both at the perimeter and at building ingress points by professional security staff utilizing video surveillance, intrusion detection systems, and other electronic means. Authorized staff must pass two-factor authentication a minimum of two times to access data center floors. All visitors and contractors are required to present identification and are signed in and continually escorted by authorized staff. All physical access to data centers by employees is logged and audited routinely.

Physical containment and isolation of Systems, Data bases, and Storage assets that collection, maintain, store, and share PII Secured and limited access facilities: data center access and information to employees and contractors who have a legitimate business need for such privileges. When an employee no longer has a business need for these privileges, his or her access is immediately revoked, even if they continue to be an employee. Compartmentalization and physical separation of system components (servers, cables, storage access, off-site backup facilities and storage) Employment of Locks, Fences, Geographic Isolation of physical system assets.