



**UNDER SECRETARY OF STATE
FOR MANAGEMENT
WASHINGTON**

APR 20 2016

Dear Mr. Chairman:

Pursuant to Section 803(f) of the Implementing Recommendations of the 9/11 Commission Act of 2007, Public Law 110-53, codified at 42 U.S.C.A. § 2000ee-1, the Department of State hereby submits the attached report, which includes information on reviews, advice, and compliance management across the privacy spectrum for June 1, 2015 through December 31, 2015.

We hope this information is useful to you. Please do not hesitate to contact us if we can be of further assistance on this or any other matter.

Sincerely,

A handwritten signature in black ink that reads "Patrick F. Kennedy". The signature is fluid and cursive, with the first name "Patrick" being the most prominent.

Patrick F. Kennedy

Enclosures:

As stated.

Mr. Chairman

David Medine,

Privacy & Civil Liberties Oversight Board,

2100 K Street, NW,

Washington, DC 20427.

Department of State
Report on Privacy and Civil Liberties Activities
Section 803 of 9/11 Commission Act of 2007
Reporting Period: June 1, 2015 – December 31, 2015

I. Introduction

In accordance with Section 803 of the Implementing Recommendations of the 9/11 Commission Act of 2007, 42 U.S.C. 2000ee-1 (hereinafter "Section 803"), the Department of State (Department) is herein reporting for the period of June 1, 2015 to December 31, 2015. Section 803 requires periodic reports on the discharge of the functions of the Department's Privacy and Civil Liberties Officer (PCLO), including information on: (1) the number and types of reviews undertaken; (2) the type of advice provided and response given to such advice; (3) the number and nature of complaints received by the department, agency, or element concerned for alleged violations; and (4) a summary of the disposition of such complaints, the reviews and inquiries conducted, and the impact of the activities of the PCLO. *See* 42 U.S.C. 2000ee-1(f). The Under Secretary for Management serves as the Department's PCLO.

II. Privacy Reviews

The Department of State conducts reviews of information technology systems and programs to assess potential privacy risks. The types of reviews conducted during this reporting period include the following:

1. **Privacy Impact Assessments (PIA)** are a requirement of Section 208 of the eGovernment Act of 2002. The PIA is used to identify and assess privacy risks throughout the development lifecycle of a system or program.
2. **Systems of Records Notices (SORN)** are required by the Privacy Act of 1974. *See* 5 U.S.C. 552a(e)(4). The SORN describes the existence and character of a system of records, including the categories of individuals whose records are in the system; the categories of records; and the routine uses of the records.
3. **Privacy Act Statements (PAS)** are required by the Privacy Act of 1974. *See* 5 U.S.C. 552a(e)(3). The PAS, which must be on the form used to collect the information or on a separate form that the individual can retain,

includes the authority for collecting the information; the principal purpose for which the information is intended to be used; the routine uses of the information; and the effects on the individual, if any, of not providing all or any of part of the requested information.

4. **Data Loss Prevention (DLP)** is a tool used by the Department to assess and mitigate actual or suspected breaches. A breach is defined as the loss of control, compromise, unauthorized disclosure, unauthorized acquisition, unauthorized access, or any similar term referring to situations in which persons other than authorized users or authorized persons for an other than authorized purpose, have access or potential access to PII, whether non-cyber or cyber.

Type of Review	Completed Reviews	Pending Reviews
Privacy Impact Assessments	38	12
Systems of Records Notices	5	4
Privacy Act Statements	34	6
Data Loss Prevention Incidents	1,178	0

A. Privacy Impact Assessments - Summary of key PIAs for this reporting period

1. **CLAIMS (August 2015)** The Department of State Office of Transportation's (A/LM/OPS/TTM) Claims application is used to track claims submitted by personnel for damages, theft or loss of personal household effects. The updated PIA reflects that the system no longer requests the SSN. The Transportation Office found it could accomplish its mission without it. The elimination of the SSN contributes to the Department's efforts to reduce the unnecessary collection and use of SSNs.
2. **Consular Consolidated Database (CCD) (July 2015)** This system is an integral part of the Department's consular program. It provides a near real-time aggregate of the consular transaction activity collected domestically and at post databases. CCD is a one-stop access point to consular data and to prevent and track fraud. This PIA was updated as

part of the triennial review and to include the Smart Traveler Enrollment Program (STEP) as an interconnected system:

3. **Diplomatic Clearance Application System (DCAS) (October 2015)**

The Department of State's Political-Military Affairs (PM) bureau created DCAS so foreign embassies could electronically submit applications for clearances specific to their country for diplomats travelling via airplane or ship. The DCAS PIA was updated to provide notice that the system would be collecting personally identifiable information (PII) on U.S. citizens, which was not previously the case.

B. Systems of Records Notices – Summary of key SORNs for this reporting period

1. **State-80, Official Gift Records and Gift Donor Vetting Records (June 2015)**

This new system of records allows the Department of State to collect and maintain records on gifts to the Department of State, including gift donor and recipient information and information about individuals who are points of contact for corporate or foundation donors.

2. **State-81, Office of Foreign Missions Records (December 2015)**

This system of records is used for the Department of State's implementation of the Foreign Missions Act and the operation of foreign missions. The system is also used to record the extension of privileges, exemptions, immunities, benefits, and courtesies to foreign government officials, members/employees and officers of foreign missions and certain international organizations in the United States, their immediate family members, and domestic workers who are in the United States in nonimmigrant A-3 or G-5 visa status. The publication of the SORN and notice of proposed rulemaking (NPRM) allowed this information to be extracted from another SORN, State-36, Security Records.

C. Privacy Act Statements – Summary of key PAS for this reporting period

1. **Foreign Service Institute (FSI).** The Department's Privacy Office has worked with FSI to ensure that all data entry points include an appropriate Privacy Act statement.
2. **U.S. Passport Application** A review of the U.S. Passport Application highlighted that the "Routine Uses" section of the Privacy Act statement was incomplete. The statement now accurately reflects the sharing of the information on the form.

D. Data Loss Prevention

1. The Privacy Division reviewed 1,178 events flagged by the Data Loss Prevention tool for the reporting period; the final statuses are shown in the table below.

Event Category	Number
Events Closed Upon Review by DLP Working Group	469
False Positive/Closed	352
Sender's Own PII data/Closed	284
Reported as an incident	3
Questionnaire Sent/Manager Authorized Closure	70
Total	1,178

III. Training and Awareness

During the reporting period, the Department of State conducted the following privacy training:

Mandatory On-line Training

1. **1,890** Department personnel completed the distance learning training course, PA459 Protecting Personally Identifiable Information. The course is a one-time mandatory course for all employees who handle PII.
2. **73,724** Department personnel (domestic and overseas) completed the distance learning training course, PS800 Cybersecurity Awareness. This course is required annually for all personnel who require access to the Department's network.

Classroom Training (includes ad-hoc instructor-led)

Privacy Awareness Briefings the Privacy Division provided customized privacy awareness briefings to employees and contractors in offices and bureaus throughout the Department. During this reporting period, over 180 personnel were trained on privacy protections that relate to their day-to-day operations and the rules of behavior for safeguarding PII.

IV. Number and Nature of Privacy Complaints

For purposes of this report, a complaint is a written allegation (excluding complaints filed in litigation with the Department) submitted to the PCLO alleging a violation of civil liberties concerning the handling of personal information by the Department in the administration of Department programs and operations.

The Department has no complaints to report.

V. Summary of Disposition of Complaints, Reviews, and Inquiries Conducted, and Impact of the Activities of Privacy and Civil Liberties Officer

The Department has no additional information to report.