



Privacy Impact Assessment
for the

9/11 Heroes Stamp Act of 2001 File System

July 26, 2005

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INTRODUCTION

Program Overview

The Heroes Stamp Act, Public Law 107-67, directed the United States Postal Service (USPS) to issue a “semipostal” stamp and distribute the proceeds through the Federal Emergency Management Agency (FEMA) to the families of emergency relief personnel killed or permanently disabled while serving in the line of duty in connection with the terrorist attacks against the United States on September 11, 2001.

A semipostal stamp is a type of postage that is sold for a value greater than that of a regular first class stamp. The proceeds of the price differential fund the awards provided for in the Act, after an appropriate deduction for the reasonable costs of producing and distributing the semipostal stamps. The USPS issued the Heroes semipostal stamp in June 2002, and discontinued selling it on December 31, 2004.

FEMA has established a program to distribute the funds raised from the sale of the Heroes semipostal stamp to benefit eligible emergency relief personnel killed or permanently disabled in the line of duty and to their families. In order to distribute the funds, it is necessary for FEMA to collect and maintain in its Access database, which is used to track agency activities, the following types of personal information from either the victims or their personal representatives.

Section 1 - Questions about the Data and its purposes:

1. What information is to be collected (e.g., nature and source)?

FEMA will collect information to determine eligibility for awards under the Heroes Stamp Act first from the disabled emergency relief personnel or, in the event the emergency relief personnel are deceased, from their personal representative. FEMA will also ask the emergency relief personnel’s employer or voluntary organization to provide certain information. FEMA Form 75-14, OMB No. 1660-0091, will be used to collect personal information from the disabled emergency relief personnel or personal representative. This form requires the following information:

- Personally identifying information about the emergency relief personnel
- Name (Last, First, Middle)
- Date of Birth
- Social Security Number
- Address (if applicable)
- Telephone – Day and Evening if applicable
- Department of Justice (DOJ) September 11th Victim Compensation Fund of 2001 Claim Number, if applicable¹

¹ If the emergency relief personnel submitted an application to the Department of Justice under the



Information substantiating official capacity of the emergency relief personnel:

- Indicate whether the individual was acting in his or her official capacity at the time of injury or death.
- Indicate the official capacity of the emergency relief personnel at the time of his/her injury or death (see form attached)
- Employer's Name, Address, Phone Number, Supervisor's Name
- Time started work in official capacity on date of injury/death (date and time)
- Location at time of injury or death
- Indicate whether killed in connection with terrorist attacks on September 11, 2001
- Type of permanent disability sustained - physical or psychological
- Attach copy of official determination of disability by appropriate private entity, Federal, State or local jurisdiction

Certifications and Authorizations:

- Authorization for Release of information
- Certification of accuracy of information submitted
- Accounting of necessary documentation
- Copy of the death certificate or [other official documentation].

The following information will be collected from the personal representative of the emergency relief personnel:

Personally identifying information about the personal representative

- Name (Last, First, Middle)
- Date of Birth
- Social Security Number
- Address
- Telephone – Day and Evening

September 11th Victim Compensation Fund of 2001, FEMA requests the claim number in order to verify consistency of the Hero Stamp Act application with information previously provided to the Government.



Information regarding status as personal representative:

- whether appointment of the decedent's personal representative is subject to pending litigation or other dispute
- whether the applicant was appointed to serve as the decedent's personal representative
- how the applicant was appointed to serve as the decedent's personal representative
 - by a court of competent jurisdiction
 - as the executor or administrator of the decedent's will or estate
 - by the Special Master of the September 11th Victim Compensation Fund of 2001

Information regarding other possible personal representatives:

If someone other than the applicant was appointed to serve as the decedent's personal representative, information about the other individual:

- Name (Last, First, Middle)
- Date of Birth
- Address
- Telephone – Day and Evening
- How they were appointed as the decedent's personal representative
 - by a court of competent jurisdiction
 - as the executor or administrator of the decedents will or estate
 - by the Special Master of the September 11th Victim Compensation Fund of 2001
- whether the applicant is seeking to be recognized as the decedent's personal representative by the 9/11 Heroes Stamp Act of 2001 instead of otherwise designated personal representative

The following information is collected from their employer/voluntary organization in order to verify official capacity of the emergency relief personnel killed or permanently disabled:

- Type of position the emergency relief personnel served in at the time of injury/death
- Beginning date of employment with organization
- Organization's Federal Identification Number
- Name of Workers' Compensation Carrier
- Whether permanent disability has been assigned



- Whether individual was acting in an official capacity at time/date of injury/death
- Location of emergency relief personnel at time of injury/death
- Whether killed in connection with terrorist attacks on September 11, 2001
- Date and time of death
- Type of permanent disability sustained-physical or psychological
- Certification of accuracy of information

Standard Form (SF) 1199A

In disbursing funds, FEMA will ask all eligible claimants to complete Standard Form (SF) 1199A, which will be used to make electronic fund transfers. Section 1 of the SF 1199A is to be completed by payee and requests: the name of the payee, payee's address, telephone number, name of the person(s) entitled to payment, claim or payroll ID number, type of depositor account, depositor account number, type of payment and an allotment of payment box. Section 2 of the SF 1199A is to be completed by the payee or financial institution and asks the Government agency's name and address. Section 3 of the SF 1199A, is to be completed by the financial institution and asks the following: the name and address of the financial institution; routing number, depositor account title; and a financial institution certification.

2. Why is the information being collected? Is it relevant and necessary to the purpose for which the system is being designed?

The information is being collected in order to determine each applicant's eligibility to receive a portion of the proceeds from the sale of the Heroes Stamp. FEMA has determined that the information to be collected is relevant and necessary for it to make this eligibility determination and to coordinate documentation from various sources obtained for purposes of verifying information submitted to it by emergency personnel or their personal representatives. The Office of Management and Budget has approved use of FEMA Form 75-14, OMB No. 1660-0091, for this purpose. The information collected will be maintained in the Access database, which will assist FEMA in administering the Heroes Program.

Applicants will be asked to sign a certification accepting the following authorization:

I understand that the Federal Emergency Management Agency may need to share information from my application under the 9/11 Heroes Stamp Act including but not limited to my social security number in order to determine my eligibility for benefits under this program. I authorize release to FEMA of relevant information about me from Federal, State or local agencies or private organizations, such as the Social Security Administration, Internal Revenue Service, Office of Vital Statistics, the Department of Justice Civil Division (which administered the September 11th Victims Compensation Fund of 2001), a court, employers or volunteer organizations with which I was or am associated, and insurance companies.

This following is the Privacy Act Statement for the Heroes Stamp Act:

The Federal Emergency Management Agency (FEMA) is authorized to collect this information by the 9/11 Heroes Stamp Act of 2001, which is section 652 of Public Law 107-67. The information you submit in your claim including your social security number is for official use only by FEMA for purposes of determining your eligibility for benefits under the 9/11 Heroes Stamp Act and for other administrative



purposes that are detailed below. FEMA may need to share your information including your social security number with other agencies at the Federal, State and local levels and with private entities, such as employers, in order to obtain information from them to rule on your application for benefits.

The information you submit may routinely be made available to entities outside FEMA for auditing purposes, to respond to an inquiry from a Member of Congress who submits a request on your behalf, to contractors and other engaged by FEMA to accomplish an agency function related to the 9/11 Heroes Stamp Act, to the National Archives and Records Administration (NARA) for records management purposes, to the Department of Justice or an adjudicative body for litigation purposes if a suit is filed, and to appropriate agencies for debt collection purposes where circumstances warrant. The only other routine use that will be made of this information is a referral to law enforcement in the unlikely event that the information you provide reveals a potential violation of law, either criminal, civil or regulatory.

Providing the requested information is voluntary on your part. Your failure to provide the information, however, may result in a delay in processing or a denial of your claim.

3. What is the intended use of the information?

The information in the Access database will be used to determine eligibility for benefits under the Heroes Stamp Act.

4. What are the sources of the information in the system? Where and how are you acquiring the information?

The information will come from the individual applicants and/or their personal representative, if applicable, and their employer or volunteer organization. Account information will be collected from eligible claimants in order to transfer funds directly to their financial institutions. Information may also be obtained from federal, state or local administrative bodies or private insurers that have made relevant determinations regarding disability or death.

5. How will the information be checked for accuracy?

In the first instance, the applicant is required to check the information for accuracy. Using claim numbers assigned by the September 11th Victim Compensation Fund of 2001, if applicable, FEMA will routinely check applications against information maintained in the September 11th Victim Compensation Fund database. FEMA personnel also may make additional checks. For example, FEMA may call an employer to confirm the submitted information. A manual crosscheck of information in the database and pertinent forms or documents will be performed on each entry.

If discrepancies occur, then FEMA employees, contractors, experts, or consultants will contact the emergency relief personnel or their personal representatives to try and resolve any discrepancies. Or, FEMA may have to contact an appropriate private entity, Federal, State, local agency to resolve the discrepancy.



- 6. Will the system derive new data or create previously unavailable data about an individual through aggregation from the information collected?**

No, the system will not derive new data or create previously unavailable data about an individual through aggregation from the information collected.

- 7. Will the newly derived data be placed on the individual's record?**

Not applicable see #6.

- 8. Can the system make new determinations about an individual that would not be possible without the new data?**

The database is being established especially to maintain information necessary to make determinations about eligibility for proceeds from the Heroes Stamp Act. This determination would not be possible without the data.

- 9. How will the newly derived data be verified for relevance and accuracy?**

Not applicable see #6.

- 10. Are the data elements described in detail and documented? If yes, what is the name of the document?**

FEMA Form 75-14, OMB No. 1660-0091.

Section 2 - Questions about redress:

- 1. What opportunities do individuals have to decline to provide information?**

The provision of information for this program is voluntary. Failure to provide complete information may result in a delay in processing or a denial of an individual's claim for benefits.

- 2. What opportunities do individuals have to consent to particular uses of the information?**

FEMA will not process an individual's application without his/her authorization to specified third parties and entities to release to FEMA information necessary in determining eligibility for benefits. FEMA Form 75-14, OMB No. 1660-0091, requests the individual's or personal representative's signature under [Part V(a), "Authorization for the Release of Information"]. Individuals receive notice of FEMA's routine



uses of application information through a System of Records Notice published in the Federal Register and through a Privacy Act statement included on the application form.

3. How do individuals grant consent concerning how their information will be used or shared?

By voluntarily signing the application form, applicants acknowledge that FEMA may use their information as outlined in the Privacy Act Statement and associated Privacy Act System of Records Notice (DHS/FEMA/USFA-1). By signing the Authorization for the Release of Information, applicants provide third parties/entities affirmative consent to release relevant information to FEMA.

4. What are the procedures for individuals to gain access to their own information?

The procedures for individuals to gain access to their own information are listed both in FEMA's and the DHS's Privacy Act regulations, 44 CFR Part 6 and 6 CFR Part 5. Requests for Privacy Act protected information must be made in writing, and clearly marked as a "Privacy Act Request." The name of the requester, the nature of the record sought, and the required verification of identity must be clearly indicated. Requests should be sent to: Privacy Act Officer, DHS/FEMA, Office of General Counsel (GL), Room 840, 500 C Street, SW., Washington, DC 20472.

5. What are the procedures for correcting erroneous information?

See question 4 above.

Section 3-Questions about access to data:

1. Who will have access to the data in the system (Users, Managers, System Administrators, Developers, Others) and is it documented?

All access to the personal information/data is managed via a password protected access control system to ensure that only authorized FEMA employees, contractors, experts, and consultants have access to the data for "official internal use" only. Each authorized FEMA employee or contractor, expert or consultant working on this project will have access to only that information pertinent to his/her function as it relates to determining eligibility. Authorized information technology (IT) contractors who handle the operations and maintenance of the system will have limited access to the system to support the troubleshooting of technical system issues encountered on a day-to-day basis. Additionally, the DHS Office of the Inspector General may request and be given access to the data, and the DHS/FEMA Office of General Counsel's Litigation Division may request and be given access to the data to represent DHS/FEMA in litigation matters. The described access by FEMA OIG and FEMA OGC is authorized by section (b)(1) of the Privacy Act.



2. How will access to the data by a user be determined?

With the exception of Database Administrators, all other FEMA user access is managed via automated role-based access controls for official use only that includes only authorized FEMA employees, contractors, experts, and consultants. The user's access into the system is restricted by the official roles assigned to that user by virtue of his or her organizational position within FEMA.

3. Are criteria, procedures, controls, and responsibilities regarding access documented?

Yes, each position and all roles assigned to the position as well as the definition of each role is documented, managed, and an audit trail is maintained in the automated access control system.

4. Will users have role-based access to data on the system limiting them to some but not all of the data?

Yes, all internal users are assigned official role-based access based on their official position in FEMA. The role-based assignment is enforced through automation based on each FEMA employee's, contractor's, expert's, or consultant's organizational responsibilities. Authorized FEMA users will have access only to that information necessary for them to perform their function as it relates to this program.

5. What controls are in place to prevent the misuse (e.g. browsing, expired privileges, etc.) of data by those having access?

For users who must process and administer the data in the system (e.g. FEMA employees, contractors, experts, or consultants), a complete security and access control system is in place which complies with DHS Security guidelines and which includes automatic revocation of access upon expiration of privileges, role-based access controls that prevent browsing, etc.

FEMA employs software programs that monitor host and network traffic to identify unauthorized attempts to upload or change information or otherwise cause damage by individuals or group of individuals. Unauthorized attempts to upload information or change information are prohibited and may be punishable under the Computer Fraud and Abuse Act of 1986 and the National Information Infrastructure Protection Act.

The system has an audit trail of the changes made to the application and the user information associated with that change. Hence, the ability to monitor unauthorized access is provided.

A time-out feature will drop the connection after a designated idle period to protect against users leaving their computers unattended for extended periods of time.

Managers are responsible for removing access to their respective systems when an individual leaves employment with FEMA.

Access to the system is role-based; therefore, FEMA users have access only to the portion of the data required to perform their official duties.



The Access database is an internal working system within the FEMA intranet and is protected by a firewall. No external access is possible on this system.

- 6. Do other systems share data or have access to data in this system? If yes, explain. Include a discussion of who will be responsible for protecting the privacy rights of individuals affected by the interface?**

No.

- 7. Will other agencies share data or have access to data in this system (International, Federal, State, Local, Other)?**

Other agencies will have access to this data only to the extent it is disclosed pursuant to an appropriate routine use identified in the System of Records Notice.

- 8. How will the data be used by these other agencies?**

As identified in the routine use.

- 9. Who is responsible for assuring proper use of the data by other agencies?**

Rena Y. Kim, FEMA, Office of General Counsel.

- 10. How will the system ensure that other agencies only get the information they are entitled to?**

The FEMA Office of General Counsel will review requests to ensure that other agencies get the information to which they are entitled under either a routine use or by a signed consent of the individual or personal representative to whom the record pertains.



Section 4-Questions about maintenance of administrative controls:

1. Are the data secured consistent with agency requirements under the Federal Information Security Management Act (FISMA)?
Specifically:

- a. **Affirm that the agency is following IT security requirements and procedures required by federal law and policy to ensure that information is appropriately secured;**

FEMA procedures are consistent with the requirements of FISMA. FEMA is committed to protecting information and information systems from unauthorized access, use, disclosure, disruption, modification, and destruction in order to provide integrity, confidentiality, and availability of the information.

- b. **Acknowledge that the agency has conducted a risk assessment, identified appropriate security controls to protect against the risk, and implemented those controls;**

FEMA has conducted a risk assessment and no critical vulnerabilities have been identified. A System Certification and Accreditation was completed on September 28, 2004 on NEMIS, which is the domain under which the Access database is maintained.

- c. **Describe the monitoring/testing/evaluating on a regular basis to ensure that controls continue to work properly, safeguarding the information, and**

The Access database functions primarily as a tracking tool to be used internally by a small number of FEMA employees, contractors, experts, or consultants granted password protected access to the database. FEMA's established password protected system will ensure that only authorized FEMA employees, contractors, experts, or consultants have access to the system. National Institute of Standards and Technology compliant strong passwords will be used. This system will be behind the FEMA firewall.

2. **If the system is operated in more than one site, how will consistent use of the system and data be maintained in all sites?**

The database will be operated at FEMA's facility located at the U.S. Fire Administration, National Emergency Training Center, 16825 South Seton Avenue, Emmitsburg, MD 21727 and it will be operational from FEMA Headquarters at 500 C Street, SW; Room 832, Washington, DC 20472. FEMA Headquarters manages data use at all locations. FEMA has a configuration management process that is used to deploy the application in a consistent manner throughout the enterprise.



3. What are the retention periods of data in the system?

The paper copy of the application and supporting materials, which is completed by the individual, constitutes the official record copy. The database is kept in support of the paper copy. FEMA will treat the disposition of these records -- hard copies of the application and supporting documentation as well as any data that is stored in any electronic database -- in the same way. The data in the system are considered permanent Federal Government records as 9/11 records are permanent records. This means that NARA will not destroy them once FEMA retires the records to NARA. FEMA's disposition schedule, which is pending NARA approval under job number N1-311-04-05, would retire records to NARA 1 year and 6 months after the closure of the file.

4. What are the procedures for expunging the data at the end of the retention period and are these procedures documented?

The records retention period for this data is 1 year and 6 months from the close of the file, after which, the records will be transferred to NARA. Because all "9/11" records are permanent records, they will be archived permanently.

5. Will the system provide the capability to monitor individuals or groups of individuals? If yes, explain.

No. The database is used only to track applications for the Heroes fund.

6. What controls are in place to prevent unauthorized monitoring of individuals or groups of individuals?

Not applicable. See question 5.

7. Under which Systems of Record Notice (SORN) does the system operate? Provide Number and Name.

9/11 Heroes Stamp Act of 2001 File System; DHS/FEMA/USFA-1

Section 5-Decision Analysis:

1. Did you evaluate competing technologies on their privacy handling capabilities? If yes, explain.

No, FEMA has not evaluated competing technologies on their privacy-handling capabilities because of several factors: a) this system is used primarily as a repository; b) the limited access (by authorized internal FEMA users only) to the system; and c) no electronic collections (data is obtained directly from the applicants in hard copy form).



- 2. Were any choice changes made to system architectures, hardware, software, or implementation plans as a result of doing a PIA? If yes, explain.**

No changes were made to system architectures, hardware, software, or implementation plans because of a privacy impact assessment. Security and privacy requirements have always driven the FEMA architecture, applications, and operations.

For questions or comments, please contact:

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