
U.S. Nuclear Regulatory Commission



**Privacy Impact Assessment
Entellitrak Equal Employment Opportunity (ETK-EEO)
Case Management System**

**Office of Small Business and Civil Rights (SBCR)
Office of the Chief Information Officer (OCIO)**

**Version 1.0
12/01/2023**

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Privacy Impact Assessment	12/01/2023

Document Revision History

Date	Version	PIA Name/Description	Author
12/01/2023	1.0	Entellitrak Equal Employment Opportunity (ETK-EEO) Case Management System	OCIO/SBCR Oasis Systems, LLC
11/29/2023	DRAFT	Entellitrak Equal Employment Opportunity (ETK-EEO) Case Management System - DRAFT Release	OCIO/SBCR Oasis Systems, LLC

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The agency is subject to the requirements of the E-Government Act and is committed to identifying and addressing privacy risks whenever it develops or makes changes to its information systems. The questions below help determine any privacy risks related to the E-Government Act or later guidance by the Office of Management and Budget (OMB) and the National Institute of Standards and Technology (NIST).

Name/System/Subsystem/Service Name: Entellitrak Equal Employment Opportunity (ETK-EEO) Case Management System.

Data Storage Location (i.e., Database Server, SharePoint, Cloud, Other Government Agency, Power Platform): ETK-EEO is hosted in a Government Community Cloud by Tyler Federal, a Cloud Service Provider (CSP).

Date Submitted for review/approval: December 1, 2023.

1 Description

1.1 Provide the description of the system/subsystem, technology (i.e., Microsoft Products), program, or other data collections (hereinafter referred to as “project”). Explain the reason the project is being created.

ETK-EEO is a case management system provided to the Nuclear Regulatory Commission (NRC) as a Software as a Service (SaaS) cloud solution by Tyler Federal, LLC. ETK-EEO is delivered via the Tyler Federal Product Suite (formerly MicroPact Product Suite) cloud platform authorized by the Federal Risk and Authorization Management Program (FedRAMP).

The NRC’s Office of Small Business and Civil Rights (SBCR) uses ETK-EEO to manage Equal Employment Opportunity (EEO) complaints for all individuals who file informal and formal EEO complaints against the NRC and to comply with the Equal Employment Opportunity Commission’s (EEOC)’s regulations as set forth in the Code of Federal Regulations (CFR) governing Federal Sector EEO complaint processing (29 CFR Part 1614 - Federal Sector Equal Employment Opportunity) and the Notification and Federal Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), as amended by the Elijah E. Cummings Federal Employee Antidiscrimination Act of 2020.

NRC employees (current and former) and job applicants can use the EEO eFile Portal website to initiate a request for EEO counseling, submit information about their informal EEO complaint, and view the status of their EEO case(s).

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Please mark appropriate response below if your project/system will involve the following:

<input type="checkbox"/> PowerApps	<input type="checkbox"/> Public Website
<input type="checkbox"/> Dashboard	<input type="checkbox"/> Internal Website
<input type="checkbox"/> SharePoint	<input type="checkbox"/> None
<input checked="" type="checkbox"/> Other: Cloud solution	

1.2 Does this privacy impact assessment (PIA) support a proposed new project, proposed modification to an existing project, or other situation? Select options that best apply in table below.

Mark appropriate response.

Status Options	
<input type="checkbox"/>	New system/project
<input type="checkbox"/>	Modification to an existing system/project. <i>If modifying or making other updates to an existing system/project, provide the ADAMS ML of the existing PIA and describe the modification.</i>
<input checked="" type="checkbox"/>	Annual Review <i>If making minor edits to an existing system/project, briefly describe the changes below.</i> The PIA has been transferred into the latest template.
<input type="checkbox"/>	Other (explain)

1.3 Points of Contact:

	Project Manager	System Owner /Data Owner /Steward	ISSO	Business Project Manager	Technical Project Manager	Executive Sponsor
Name	Stephen Smith	Vonna Ordaz	Natalya Bobryakova	Meredith Neubauer	Nandini Sharma	Vonna Ordaz
Office /Division /Branch	Office of Small Business & Civil Rights (SBCR)/ Civil Rights Program (CRP)	Office of Small Business & Civil Rights (SBCR)	Office of the Chief Information Officer (OCIO) /Cyber and Infrastructure Security Division (CISD)	Office of Small Business & Civil Rights (SBCR) /Civil Rights Program (CRP)	Office of the Chief Information Officer (OCIO) /Data, Information Management and Enterprise Governance (DIME)	Office of Small Business & Civil Rights (SBCR)
Telephone	301-415-0192	301-415-7380	301-287-0671	301-415-0587	301-415-1586	301-415-7380

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2 Authorities and Other Requirements

2.1 What specific legal authorities and/or agreements permit the collection of information for the project?

Provide all statutory and regulatory authorities for operating the project, including the authority to collect the information; NRC internal policy is not a legal authority. Please mark appropriate response in table below.

Mark with an "X" on all that apply.	Authority	Citation/Reference
<input checked="" type="checkbox"/>	Statute	Notification and Federal Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), as amended by the Elijah E. Cummings Federal Employee Antidiscrimination Act of 2020
<input type="checkbox"/>	Executive Order	
<input checked="" type="checkbox"/>	Federal Regulation	29 CFR Part 1614, "Federal Sector Equal Employment Opportunity"
<input type="checkbox"/>	Memorandum of Understanding/Agreement	
<input type="checkbox"/>	Other (summarize and provide a copy of relevant portion)	

2.2 Explain how the information will be used under the authority listed above (i.e., enroll employees in a subsidies program to provide subsidy payment).

SBCR staff use ETK-EEO and the data that is collected to:

- manage and track informal and formal EEO complaints
- review the status of open cases
- analyze trends with EEO activity
- prepare and submit annual reports to Congress and to the EEOC

If the project collects Social Security numbers, state why this is necessary and how it will be used.

N/A.

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3 Characterization of the Information

In the table below, mark the categories of individuals for whom information is collected.

Category of individual	
<input checked="" type="checkbox"/>	Federal employees
<input checked="" type="checkbox"/>	Contractors
<input checked="" type="checkbox"/>	Members of the Public (any individual other than a Federal employee, consultant, or contractor)
<input type="checkbox"/>	Licensees
<input type="checkbox"/>	Other

In the table below, is a list of the most common types of PII collected. Mark all PII that is collected and stored by the project/system. If there is additional PII not defined in the table below, a comprehensive listing of PII is provided for further reference in ADAMS at the following link: [PII Reference Table 2023](#).

Categories of Information			
<input checked="" type="checkbox"/>	Name	<input type="checkbox"/>	Resume or curriculum vitae
<input checked="" type="checkbox"/>	Date of Birth	<input type="checkbox"/>	Driver's License Number
<input type="checkbox"/>	Country of Birth	<input type="checkbox"/>	License Plate Number
<input type="checkbox"/>	Citizenship	<input type="checkbox"/>	Passport number
<input type="checkbox"/>	Nationality	<input type="checkbox"/>	Relatives Information
<input checked="" type="checkbox"/>	Race	<input type="checkbox"/>	Taxpayer Identification Number
<input checked="" type="checkbox"/>	Home Address	<input type="checkbox"/>	Credit/Debit Card Number
<input type="checkbox"/>	Social Security number (Truncated or Partial)	<input type="checkbox"/>	Medical/health information
<input type="checkbox"/>	Gender	<input type="checkbox"/>	Alien Registration Number
<input type="checkbox"/>	Ethnicity	<input type="checkbox"/>	Professional/personal references
<input type="checkbox"/>	Spouse Information	<input type="checkbox"/>	Criminal History
<input type="checkbox"/>	Personal e-mail address	<input type="checkbox"/>	Biometric identifiers (facial images, fingerprints, iris scans)
<input type="checkbox"/>	Personal Bank Account Number	<input type="checkbox"/>	Emergency contact e.g., a third party to contact in case of an emergency
<input checked="" type="checkbox"/>	Personal Mobile Number	<input checked="" type="checkbox"/>	Accommodation/disabilities information
<input type="checkbox"/>	Marital Status	<input checked="" type="checkbox"/>	Other grade/step/series/salary, religion, national origin, gender identity and expressions, including transgendered
<input type="checkbox"/>	Children Information		

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Categories of Information	
<input type="checkbox"/>	Mother's Maiden Name
	status, sexual orientation, age, disability, including identifying physical or mental impairments.

3.1 Describe how the data is collected for the project. (i.e., NRC Form, survey, questionnaire, existing NRC files/ databases, response to a background check).

Information is collected directly from an individual. The subject individual can submit an informal complaint through the ETK-EEO eFile Portal website or contact a SBCR counselor to file the complaint.

3.2 If using a form to collect the information, provide the form number, title and/or a link.

N/A.

3.3 Who provides the information? Is it provided directly from the individual or a third party.

The information is self-reported by the subject individual.

3.4 Explain how the accuracy of the data collection is validated. If the project does not check for accuracy, please explain why.

The information is self-reported by the subject individual; therefore, SBCR does not question the accuracy of the data unless there is a reason to do so.

3.5 Will PII data be used in a test environment? If so, explain the rationale.

N/A.

3.6 What procedures are in place to allow the subject individual to correct inaccurate or erroneous information?

Individuals can use eFile to correct inaccurate or erroneous information within their EEO cases that they created with eFile.

4 Data Security

4.1 Describe who has access to the data in the project (i.e., internal NRC, system administrators, external agencies, contractors, public).

Only SBCR Civil Rights Program staff and onsite support contractor(s), if any, have access to the data in ETK-EEO.

The complainants who used eFile to submit complaints have access only to their own EEO

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case(s) in eFile.

4.2 If the project/system shares information with any other NRC systems, identify the system, what information is being shared and the method of sharing.

N/A.

4.3 If the project/system connects, receives, or shares information with any external non-NRC partners or systems, identify what is being shared.

Yes, the project/system connects, receives, or shares information with the following external non-NRC partners or systems.

- EEOC - The EEOC Office of Federal Operations (OFO) is provided with the agency's Annual Federal Equal Employment Opportunity Statistical Report of Discrimination Complaints (EEOC Form 462) that outlines the EEO complaint activities carried out during that reporting period to ensure compliance with this requirement. In addition, the EEOC is provided with the Reports of Investigation (ROI) supporting each complaint when the request for a hearing or an appeal is filed by the complainant and/or their attorney. The EEOC Form 462 Report is a summary of statistical data pertaining to formal complaints and does not contain PII. ROIs include compiled data from the investigation and do contain PII.

The data provided in the EEOC Form 462 Report contain:

- the number of cases at different stages of the investigation process
 - the EEO bases involved in each case
 - the status of the cases, including findings of discrimination or no discrimination, for each case
 - the costs associated with processing the cases, including settlements, investigations, or other miscellaneous costs
 - data related to processing times (e.g., how long a case was in the informal complaint stage or how long an investigation took to complete)
- Congress, other Federal agencies, and the public - Congress, EEOC, Department of Justice (DOJ), Merit Systems Protection Board (MSPB), Office of Special Counsel (OSC), Office of Personnel Management (OPM), and members of the public may have access to view redacted information pertaining to EEO complaint activities of the NRC on a need-to-know basis.
 - Complainants and/or their attorneys - Complainants and/or their attorneys may obtain a copy of the ROI, but they will not have direct access to ETK-EEO.
 - SBCR shares the EEO complaint information with Mind Your Business, Inc., a small business company that provides non-personnel services to assist SBCR staff with the investigation and resolution of EEO complaints.

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Identify what agreements are in place with the external non-NRC partner or system in the table below.

Agreement Type	
<input checked="" type="checkbox"/>	Contract Provide Contract Number: 31310022C0009
<input type="checkbox"/>	License Provide License Information:
<input type="checkbox"/>	Memorandum of Understanding Provide ADAMS ML number for MOU:
<input type="checkbox"/>	Other
<input type="checkbox"/>	None

4.4 Describe how the data is accessed and describe the access control mechanisms that prevent misuse.

SBCR staff access ETK-EEO by utilizing a multi-factor authentication mechanism provided by the agency’s Identity, Credential, and Access Management (ICAM) Authentication Gateway. NRC users must use their NRC-issued PIV cards or One-Time Password (OTP) credentials to authenticate to ETK-EEO via the ICAM Authentication Gateway. ICAM ensures that individuals who access NRC computer systems and services have been appropriately vetted for access.

For the eFile system, access control mechanisms are implemented by Tyler Federal. The eFile users must complete eFile registration to create their accounts in eFile. The eFile users authenticate to eFile using their self-created Username and Password.

4.5 Explain how the data is transmitted and how confidentiality is protected (i.e., encrypting the communication or by encrypting the information before it is transmitted).

The ETK-EEO and eFile web applications allow only secure web connections via the Hypertext Transfer Protocol Secure (HTTPS) that uses encryption for secure communication over the Internet.

4.6 Describe where the data is being stored (i.e., NRC, Cloud, Contractor Site).

ETK-EEO is hosted by Tyler Federal in a FedRAMP authorized cloud environments that include the alternate processing site and the alternate storage site for the production application data.

4.7 Explain if the project can be accessed or operated at more than one location.

N/A.

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4.8 Can the project be accessed by a contractor? If so, do they possess an NRC badge?

Yes. Tyler Federal is an external service provider and is responsible for the development and maintenance of ETK-EEO. The Tyler Federal staff that access NRC data in ETK-EEO are not NRC badged.

4.9 Explain the auditing measures and technical safeguards in place to prevent misuse of data.

SBCR relies on Tyler Federal to employ auditing measures and technical safeguards to prevent misuse of data. The Tyler Federal Information Technology (IT) Operations and Maintenance Team reviews/analyzes audit records for indications of inappropriate or unusual network activity on a weekly basis. At the application level, the SBCR administrator reviews auditable events, audit logs, and audit reporting records for indications of inappropriate or unusual activity at least daily.

4.10 Describe if the project has the capability to identify, locate, and monitor (i.e., trace/track/observe) individuals.

N/A.

4.11 Define which FISMA boundary this project is part of.

ETK-EEO is a subsystem of the NRC’s Third-Party System (TPS).

4.12 Is there an Authority to Operate (ATO) associated with this project/system?

Authorization Status	
<input type="checkbox"/>	Unknown
<input type="checkbox"/>	No <i>If no, please note that the authorization status must be reported to the Chief Information Security Officer (CISO) and Computer Security Organization (CSO’s) Point of Contact (POC) via e-mail quarterly to ensure the authorization remains on track.</i>
<input type="checkbox"/>	In Progress provide the estimated date to receive an ATO. Estimated date:
<input checked="" type="checkbox"/>	Yes Indicate the data impact levels (Low, Moderate, High, Undefined) approved by the CISO Confidentiality- Moderate Integrity- Moderate Availability- Moderate

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4.13 Provide the NRC system Enterprise Architecture (EA)/Inventory number. If unknown, contact [EA Service Desk](#) to get the EA/Inventory number.

ETK-EEO is a subsystem of TPS. The EA number for TPS is 20180002.

5 Privacy Act Determination

5.1 Is the data collected retrieved by a personal identifier?

Mark the appropriate response.

Response	
<input checked="" type="checkbox"/>	Yes, the PII is retrieved by a personal identifier (i.e., individual's name, address, SSN, etc.)
<input checked="" type="checkbox"/>	List the identifiers that will be used to retrieve the information on the individual. The information is retrieved by individual's name and NRC case number.
<input type="checkbox"/>	No, the PII is not retrieved by a personal identifier. If no, explain how the data is retrieved from the project.

5.2 For all collections where the information is retrieved by a personal identifier, the Privacy Act requires that the agency publish a System of Record Notice (SORN) in the Federal Register. As per the Privacy Act of 1974, "the term 'system of records' means a group of any records under the control of any agency from which information is retrieved by the name of the individual or by some other personal identifier assigned to the individual.

Mark the appropriate response in the table below.

Response	
<input checked="" type="checkbox"/>	Yes, this system is covered by an existing SORN. (See existing SORNs: https://www.nrc.gov/reading-rm/foia/privacy-systems.html) Provide the SORN name, number, (List all SORNs that apply): Government-wide SORN: EEOC/GOVT-1 (Equal Employment Opportunity in the Federal Government Complaint and Appeal records)
<input type="checkbox"/>	SORN is in progress
<input type="checkbox"/>	SORN needs to be created
<input type="checkbox"/>	Unaware of an existing SORN
<input type="checkbox"/>	No, this system is not a system of records and a SORN is not applicable.

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5.3 When an individual is asked to provide personal data (i.e., form, webpage, survey), is a Privacy Act Statement (PAS) provided?

A Privacy Act Statement is a disclosure statement required to appear on documents used by agencies when an individual is asked to provide personal data. It is required for any forms, surveys, or other documents, including electronic forms, used to solicit personal information from individuals that will be maintained in a system of records.

Mark the appropriate response.

Options	
<input checked="" type="checkbox"/>	Privacy Act Statement: Privacy Act Statement is provided on the eFile login page.
<input type="checkbox"/>	Not Applicable
<input type="checkbox"/>	Unknown

5.4 Is providing the PII mandatory or voluntary? What is the effect on the individual by not providing the information?

N/A.

6 Records and Information Management-Retention and Disposal

The National Archives and Records Administration (NARA), in collaboration with Federal agencies, approves whether records are **Temporary** (eligible at some point for destruction/deletion because they no longer have business value) or **Permanent** (eligible at some point to be transferred to the National Archives because of historical or evidential significance). Records/data and information with historical value, identified as having a “permanent” disposition, are transferred to the National Archives of the United States at the end of their retention period. All other records identified as having a “temporary” disposition are destroyed at the end of their retention period in accordance with the NARA Records Schedule or the General Records Schedule.

These determinations are made through records retention schedules and NARA statutes (44 United States Code (U.S.C.), 36 CFR). Under 36 CFR, agencies are required to establish procedures for addressing Records and Information Management (RIM) requirements. This includes strategies for establishing and managing recordkeeping requirements and disposition instructions before approving new electronic information systems or enhancements to existing systems.

The following questions are intended to determine whether the records/data and information in the system have approved records retention schedules and disposition instructions, whether the

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system incorporates RIM strategies including support for [NARA's Universal Electronic Records Management \(ERM\) requirements](#), and if a mitigation strategy is needed to ensure compliance.

If the project/system:

- Does not have an approved records retention schedule and/or
- Does not have an *automated* RIM functionality,
- Involves a cloud solution,
- And/or if there are additional questions regarding Records and Information Management - Retention and Disposal, please contact the NRC Records staff at ITIMPolicy.Resource@nrc.gov for further guidance.

If the project/system has a record retention schedule or an automated RIM functionality, please complete the questions below.

6.1 Does this project map to an applicable retention schedule in NRC's Comprehensive Records Disposition Schedule (NUREG-0910), or NARA's General Records Schedules?

<input type="checkbox"/>	NUREG-0910, "NRC Comprehensive Records Disposition Schedule"
<input checked="" type="checkbox"/>	NARA's General Records Schedules
<input type="checkbox"/>	Unscheduled

6.2 If so, cite the schedule number, approved disposition, and describe how this is accomplished.

System Name (include sub-systems, platforms, or other locations where the same data resides)	ETK-EEO
Records Retention Schedule Number(s)	GRS 2.3 item 110 , EEO discrimination complaint case files. Informal process. GRS 2.3 item 111 , EEO discrimination complaint case files. Formal process.
Approved Disposition Instructions	Item 110 - Disposition instruction: Temporary. Destroy 3 years after resolution of case, but longer retention is authorized if required for business use. Item 111 - Disposition instruction: Temporary. Destroy 7 years after resolution of case, but longer retention is authorized if required for business use.
Is there a current automated functionality or a manual process to support RIM	

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requirements? This includes the ability to apply records retention and disposition policies in the system(s) to support records accessibility, reliability, integrity, and disposition.	
Disposition of Temporary Records Will the records/data or a composite be automatically or manually deleted once they reach their approved retention?	Manually
Disposition of Permanent Records Will the records be exported to an approved format and transferred to the National Archives based on approved retention and disposition instructions? If so, what formats will be used? NRC Transfer Guidance (Information and Records Management Guideline - IRMG)	N/A

7 Paperwork Reduction Act

The Paperwork Reduction Act (PRA) of 1995 requires that agencies obtain an OMB approval in the form of a "control number"—before promulgating a paper form, website, surveys, questionnaires, or electronic submission from 10 or more members of the public. If the data collection is from Federal employees regarding work-related duties, then a PRA clearance is not necessary.

7.1 Will the project be collecting any information from 10 or more persons who are not Federal employees?

Yes, the project will collect information from 10 or more persons who are not Federal employees.

7.2 Is there any collection of information addressed to all or a substantial majority of an industry (i.e., Fuel Fabrication Facilities or Fuel Cycle Facilities)?

N/A.

7.3 Is the collection of information required by a rule of general applicability?

No.

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Note: For information collection (OMB clearances) questions: contact the NRC's Clearance Officer. Additional guidance can be found on the NRC's internal Information Collections Web page at: <https://intranet.nrc.gov/ocio/33456>.

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8 Privacy Act Determination

Project/System Name: Entellitrak Equal Employment Opportunity (ETK-EEO) Case Management System.

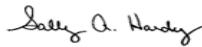
Submitting Office: Office of Small Business and Civil Rights (SBCR).

Privacy Officer Review

Review Results		Action Items
<input type="checkbox"/>	This project/system does not contain PII.	No further action is necessary for Privacy.
<input type="checkbox"/>	This project/system does contain PII ; the Privacy Act does NOT apply, since information is NOT retrieved by a personal identifier.	Must be protected with restricted access to those with a valid need-to-know.
<input checked="" type="checkbox"/>	This project/system does contain PII ; the Privacy Act does apply.	SORN is required- Information is retrieved by a personal identifier.

Comments:

Covered by Government-wide System of Records: EEOC/GOVT-1 (Equal Employment Opportunity in the Federal Government Complaint and Appeal records)

Reviewer's Name	Title
 Signed by Hardy, Sally on 12/27/23	Privacy Officer


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9 OMB Clearance Determination

NRC Clearance Officer Review

Review Results	
<input type="checkbox"/>	No OMB clearance is needed.
<input type="checkbox"/>	OMB clearance is needed.
<input checked="" type="checkbox"/>	Currently has OMB Clearance. Clearance No. 3150-0259

Comments:

Reviewer's Name	Title
 Signed by Cullison, David on 12/15/23	Agency Clearance Officer


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10 Records Retention and Disposal Schedule Determination

Records Information Management Review

Review Results	
<input type="checkbox"/>	No record schedule required.
<input type="checkbox"/>	Additional information is needed to complete assessment.
<input type="checkbox"/>	Needs to be scheduled.
<input checked="" type="checkbox"/>	Existing records retention and disposition schedule covers the system - no modifications needed.

Comments:

Reviewer's Name	Title
 Signed by Dove, Marna on 12/18/23	Sr. Program Analyst, Electronic Records Manager

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11 Branch Chief Review and Concurrence

Review Results	
<input type="checkbox"/>	This project/system does not collect, maintain, or disseminate information in identifiable form.
<input checked="" type="checkbox"/>	This project/system does collect, maintain, or disseminate information in identifiable form.

I concur with the Privacy Act, Information Collections, and Records Management reviews.



Signed by Feibus, Jonathan
on 12/27/23

Chief Information Security Officer
Chief Information Security Division
Office of the Chief Information Officer

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ADDITIONAL ACTION ITEMS/CONCERNS

Name of Project/System: Entellitrak Equal Employment Opportunity (ETK-EEO) Case Management System	
Date CISD received PIA for review:	Date CISD completed PIA review:
December 1, 2023	December 21, 2023
Action Items/Concerns: 	
<p><i>Copies of this PIA will be provided to:</i></p> <p><i>Caroline Carusone</i> <i>Director</i> <i>IT Services Development and Operations Division</i> <i>Office of the Chief Information Officer</i></p> <p><i>Garo Nalabandian</i> <i>Deputy</i> <i>Chief Information Security Officer (CISO)</i> <i>Office of the Chief Information Officer</i></p>	