

Department of Justice
Justice Management Division



Privacy Impact Assessment Addendum
for the
Justice Security Tracking and Adjudication Record System
(JSTARS): COVID Check Module

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EXECUTIVE SUMMARY

The COVID Check module resides within the Justice Security Tracking and Adjudication Record System (JSTARS). COVID Check will allow the Department of Justice (DOJ or the Department) to meet its COVID-19 vaccination requirements mandated by Executive Order 14043, *Requiring Coronavirus Disease 2019 Vaccination for Federal Employees* and the *Safer Federal Workforce Task Force COVID-19 Workplace Safety: Agency Model Safety Principles* issued by the Office of Management and Budget on July 29, 2021 and updated September 13, 2021. The initial JSTARS Privacy Impact Assessment (PIA) was approved on May 2, 2008,¹ and amended on April 14, 2010,² December 17, 2011³ and May 7, 2018.⁴ This PIA Addendum to the JSTARS PIA was prepared because the COVID Check module, which will provide a mechanism for individuals to submit personal medical information in identifiable form into a separate module within JSTARS, constitutes a significant change to the JSTARS information system.⁵

Section 1: JSTARS Background

JSTARS is a secure, web-based application accessible over the DOJ network, which automates the tracking of personnel security investigation activities for the DOJ. JSTARS is used by personnel security staff to process personnel security and medical information and transactions on employees, contractors, and other personnel processed for fitness, suitability, and eligibility for a security clearance, and/or eligibility to occupy a sensitive position.

Personnel security tasks accomplished within JSTARS include, but are not limited to: processing pre-employment waivers of prerequisite investigations; processing reciprocity requests; adjudicating initial background investigations and re-investigations for fitness, suitability and/or eligibility to occupy a sensitive position; and processing National Security Information clearances, Sensitive Compartmented Information access requests, and clearance certifications. JSTARS is currently used by all components of the Department.

¹ The JSTARS PIA can be found at: <https://www.justice.gov/sites/default/files/jmd/legacy/2014/02/24/pia-jstars-05022008.pdf>.

² The April 2010 JSTARS PIA Addendum can be found at: <https://www.justice.gov/sites/default/files/jmd/legacy/2014/07/06/jstars-pia-addendum.pdf>.

³ The December 2011 JSTARS PIA Addendum can be found at: <https://www.justice.gov/sites/default/files/jmd/legacy/2013/09/22/jstars-pia-addendum2.pdf>.

⁴ The May 2018 JSTARS PIA Addendum can be found at: https://www.justice.gov/JSTARS_iReport/download.

⁵ Unless otherwise indicated in this PIA Addendum, the COVID Check module incorporates the documented assessments conducted and published in the JSTARS PIA and its addenda.

Section 2: Description of COVID Check and the Information it Collects

COVID Check is a module within JSTARS that will enable the DOJ workforce to attest to their COVID-19 vaccination status and provide supporting documentation. The COVID Check module resides in the JSTARS infrastructure—a High Risk/unclassified system that is Certified, Accredited, and FISMA compliant.

Individuals who have undergone their prerequisite security vetting to work in the Department will access the COVID Check module through a webpage placed on the intranet sites of their respective DOJ components, as well as through the use of an application deployed to the employee's government-furnished cellular telephone.

Upon clicking on the webpage link, users will be asked to provide their the last five digits of their Social Security Account Number (SSN) and their date of birth. This information is required in order for JSTARS to confirm the identity of the individual and then open a separate COVID Check case file, maintained separately from the employee's personnel security file.

COVID Check may collect, maintain, use, and disseminate personnel medical information as described in the JSTARS PIA and its addenda. Such information may include, but is not limited to: full name; SSN; vaccination status; the nature and dates of vaccinations the individual may have received; location of the health clinic(s) or health professional who administered said vaccination; and COVID-19 test results.

Department personnel will utilize the COVID Check module to submit their COVID-19 vaccination attestation and supporting documentation in a secure centralized location, instead of emailing or otherwise sending the attestation and documentation to their supervisor, thereby avoiding the risks associated with broad distribution of sensitive health information in a variety of components' email systems.

Section 3: How COVID Check Information will be Used and Shared

All Department employees will be required to complete and attest to the accuracy of their answers to a set of questions concerning their COVID-19 vaccination status. Specifically, through the COVID Check module, each user, after submitting their identifying information, and identifying their supervisor, will select one of three options: (1) I have been fully vaccinated, (2) I have started the vaccination process, or (3) I have not been vaccinated.⁶ Each employee will be required to submit supporting documentation as proof of vaccination and attest to the accuracy and truthfulness of the information provided in the form. Prior to submitting any information through the COVID Check module, individual employees must acknowledge that they have read

⁶ Pursuant to the vaccination mandate issued by the President in Executive Order 14043, federal employees no longer have the option to decline to provide information concerning their vaccination status.

the notice provided pursuant to the Privacy Act. Once the information is submitted to COVID Check, it will be maintained in JSTARS and exported to a Sharepoint⁷ site for analysis where it will only be accessible by the designated recipient of COVID-19 vaccination attestations for the specified component and JSTARS or Sharepoint system administrators. The information submitted by the individual will be maintained in an electronic case file which is entirely separate from their personnel security case file within the JSTARS system, with access limited to system administrators and specifically authorized individuals with a need to know an individual's COVID status.

Each individual's vaccination attestation and supporting documentation will be used to determine the required health and safety guidelines that the individual must adhere to when in a Department worksite, and to allow the individual's supervisor to ensure the individual adheres to these guidelines. Pursuant to the vaccination mandate, this information may also be used to determine whether an individual employee is compliant with the requirements and, if not, may be subject to disciplinary actions up to and including removal from Federal service. The vaccination information will be retained in accordance with the Department's System of Record Notices, including, but not limited to, JUSTICE/JMD-025, Personal Public Health Emergency Records System, 86 Fed. Reg. 20739 (4-21-2021).

In addition to the use of this personally identifiable information for supervisory purposes, the data entered by individuals will also be used to generate Department-wide as well as component-specific vaccination statistics that will be used for workforce health and safety planning, oversight and accountability functions, and other policy making activities.

Section 4: Legal Authorities, Policies, or Agreements

- Executive Order No. 14,043, *Requiring Coronavirus Disease 2019 Vaccination for Federal Employees*, issued September 9, 2021.
- Executive Order No. 13,991, *Protecting the Federal Workforce and Requiring Mask-Wearing*, issued January 20, 2020.
- *Safer Federal Workforce Task Force COVID-19 Workplace Safety: Agency Model Safety Principles*, issued July 29, 2021 and updated September 13, 2021.
- Executive Order No. 12,196, *Occupational Safety and Health Programs for Federal Employees*, issued February 26, 1980.
- 5 U.S.C. 7902, *Occupational safety and health programs for Federal employees*.

Section 5: Privacy Impact

JSTARS currently maintains sensitive background investigation information including personally identifiable information on DOJ employees, contractors, volunteers, consultants, and other individuals whose background investigations are adjudicated by DOJ. The integration of

⁷ JMD's use of Sharepoint has been examined under separate privacy documentation.

iReport in 2018 resulted in a new medium of collecting information from individuals regarding their background investigations, and additional information being received and added to the security file of these same individuals. The addition of the COVID Check module will expand the current data collection beyond security information to encompass an individual's medical information, primarily their COVID-19 vaccination information.

The information received in JSTARS will be safeguarded by the same procedures outlined in the existing JSTARS PIA and its addenda. Consistent with the JSTARS PIA and its addenda, in all cases, information will be collected, used, maintained, and disseminated in accordance with the Privacy Act, 5 U.S.C. § 552a (2012). Individuals will be provided with a Privacy Act Statement stating the reasons for collecting information, the consequences of failing to provide the requested information, and explaining how the information is used. In addition, notice is provided to the public of the existence of this system through System of Records Notices, including, but not limited to, JUSTICE/JMD-025, Personal Public Health Emergency Records System, 86 Fed. Reg. 20739 (4-21-2021). Information that is exported to Sharepoint will only be accessible to system administrators and specifically authorized individuals with a need to know the specific medical information of Department personnel.

Prior to choosing to utilize the COVID Check module to collect, retain, and analyze the COVID-19 vaccination status of the Department workforce, a variety of automated options were considered, including commercially available third-party applications. The Justice Management Division evaluated the security, applicability, and potential privacy impact of these options before determining that the COVID Check module provided the most accessible and secure option for collecting and storing this type of personal medical information. The integration of the COVID Check module into JSTARS appears to provide better protections for personal privacy than other available alternatives, such as the uncontrolled distribution of medical information on components' email servers. Furthermore, the statistical information it will make available will allow the Department's leadership to exercise more effective oversight and accountability of this program, and ultimately protect the health and safety of the Department's workforce.