



Adapted Privacy Impact Assessment

Ohmsett Customer Relationship Management (CRM) Program

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Contact

Bureau of Safety and Environmental Enforcement
Associate Privacy Officer
45600 Woodland Rd
Sterling VA 20166
privacy@bsee.gov



SECTION 1: Specific Purpose of the Agency's Use of the Third-Party Website or Application

- 1.1 What is the specific purpose of the agency's use of the third-party website or application and how does that use fit with the agency's broader mission?

Ohmsett is the National Oil Spill Response Research and Renewable Energy Test Facility that is located on a naval base, Naval Weapons Station Earle, New Jersey. It is a Government Owned Contractor Operated (GOCO) test facility used by government agencies, private entities, and academia, both domestically and from around the world, to test, train, and improve oil spill response. Many of today's commercially available oil spill response products have been tested at Ohmsett and a considerable body of knowledge, including performance data, has been obtained there. This data is used by manufacturers for product development and validation, and by response planners in reviewing and approving any oil handling or oil-producing facility response and contingency plans.

Title VII of the Oil Pollution Act of 1990 mandates the long-term use of Ohmsett. The Government Performance and Results Act (GPRA) and the GPRA Modernization Act (GPRAMA), require federal agencies to develop performance goals and report on whether they're meeting those goals. Applied Research Associates Inc. [contractor] manages and operates the facility and is required by law to actively market the facility to maximize its use.

The following tools are used to manage the Ohmsett Customer Relationship Management (CRM) Program: ACT!, Constant Contact and LinkedIn. CRM efforts, such as distribution of the biannual Ohmsett Gazette newsletter, involve informing subscribers about testing, research, and training activities at the facility.

ACT! maintains the primary subscriber database. LinkedIn posts current activities at Ohmsett and provides a subscription link on the Ohmsett LinkedIn page; these subscriptions are stored for 90 days in Ohmsett LinkedIn. Administrators of a company's LinkedIn page cannot view this data rather it must be downloaded as an Excel file then imported into its CRM database which, for Ohmsett, is ACT! and Constant Contact. Constant Contact provides a subscription landing page on the Ohmsett website and sends scheduled email campaigns to the oil spill response community and other interested parties. Subscriptions submitted through Constant Contact are exported into ACT!. Additionally, some individuals may send emails directly to the CRM Program to opt-in to receive information.

The Ohmsett Gazette, a biannual newsletter, is sent both electronically via Constant Contact and in hard copy by a print house. Subscribers include individuals, current and potential customers who opt-in to receive the publication and information about Ohmsett.



- 1.2 Is the agency's use of the third-party website or application consistent with all applicable laws, regulations, and policies? What are the legal authorities that authorize the use of the third-party website or application?

Title VII of the Oil Pollution Act of 1990 mandates the long-term use of Ohmsett. The Government Performance and Results Act (GPRA) and the GPRA Modernization Act (GPRAMA), require federal agencies to develop performance goals and report on whether they're meeting those goals. The Ohmsett utilization measure is part of BSEE's GPRAMA reporting. The contractor that manages and operates the facility is required to actively market the facility to maximize its use.

The contractor is responsible for managing the tools for the Customer Relationship Management Program in accordance with applicable laws, regulations, and policies.

SECTION 2: Any PII that is Likely to Become Available to the Agency Through the Use of the Third-Party Website or Application

- 2.1 What PII will be made available to the agency?

While BSEE owns the CRM data, it does not have direct access to the information. Data may be requested by the BSEE Oil Spill Preparedness Division (OSPD) for an authorized purpose on a need-to-know basis.

Access to subscriber data is limited to the contract's Marketing Director and the Ohmsett Program Manager. The information is used to manage CRM activities to maximize utilization of the Ohmsett facility. The business email address is required for subscription services, but subscribers may choose to provide other business contact information (i.e., name, company name, business email and phone number, physical address). Some subscribers may choose to provide personal contact information.

- 2.2 What are the sources of the PII?

Information is collected or sent directly from individuals who wish to be informed of Ohmsett activities. There are domestic and international interests in Ohmsett. Subscribers may be members of the public, industry representatives, non-governmental organization representatives, members of research or educational institutions, or federal, state, local, or tribal officials.

Individuals who do not wish to subscribe can access content on the Ohmsett website.

- 2.3 Will the PII be collected and maintained by the agency?

While BSEE owns the CRM data, it does not have direct access to the information. Data may be requested by OSPD for an authorized purpose on a need-to-know basis.



The PII needed for the Ohmsett CRM Program is collected and maintained in ACT!, Constant Contact, and LinkedIn.

The Ohmsett website contains a Constant Contact landing page where individuals can voluntarily submit their email addresses. When completing the subscription signup process through this method, individuals give Constant Contact permission to share the requested information with Ohmsett CRM. At the bottom of each Ohmsett email, there is a link for subscribers to unsubscribe or update their contact information.

Ohmsett LinkedIn provides a subscription link on its LinkedIn page where individuals can voluntarily submit their name, job title, company, and email address. Subscription information is stored for 90 days in Ohmsett LinkedIn, but the contractor cannot view this data in LinkedIn rather it must be downloaded as an Excel file then imported into ACT! and Constant Contact.

- 2.4 Do the agency's activities trigger the Paperwork Reduction Act (PRA) and, if so, how will the agency comply with the statute?

No. BSEE is not using these CRM tools to survey the public or in any manner that would trigger the requirements of the Paperwork Reduction Act.

SECTION 3: The Agency's Intended or Expected Use of the PII

- 3.1 Generally, how will the agency use the PII described in Section 2.0?

The contractor schedules email campaigns to promote testing, research, and training opportunities available to the oil spill response community and other interested parties. The contractor also publishes and distributes the biannual Ohmsett Gazette; the Gazette is distributed both electronically and in hard copy. Subscribers opt-in to receive publications and information about Ohmsett. Requests to unsubscribe using the link at the bottom of a campaign email are processed immediately; requests that are sent via email directly to the contractor are typically processed the next business day. The contractor researches any bounce backs from inactive emails or undeliverable-as-addressed-mail for errors; if no error then those addresses are archived until the retention period and then disposed.

- 3.2 Provide specific examples of the types of uses to which PII may be subject.

Subscriber contact information is maintained in an ACT! database and Constant Contact. Email campaigns are sent from Constant Contact using only the email addresses but on occasion first names, if available, are included to personalize the message. The contractor can produce email campaign reports: Email open and click rates (by individual subscriber or aggregated data), Universal Opt-out preferences, Emails submitted, Emails sent, Clicks by link, Bounces, Opt-out.



Subscriber data is also used to distribute the Ohmsett Gazette. The Gazette is distributed both electronically via Constant Contact and in hard copy by a print house.

SECTION 4: Sharing or Disclosure of PII

- 4.1 With what entities or persons inside or outside the agency will the PII be shared, and for what purpose will the PII be disclosed?

While BSEE owns the CRM data, it does not have direct access to the information. Data may be requested by OSPD for an authorized purpose on a need-to-know basis.

Information is not shared with other external Federal agencies except in cases where sharing the information is required by law or authorized under the Privacy Act and published routine uses in the INTERIOR/DOI-08, Social Networks SORN, 76 FR 44033 (July 22, 2011); modification published 86 FR 50156 (September 7, 2021), which may be viewed at <https://www.doi.gov/privacy/sorn>.

The information is used for marketing purposes and to process requests to modify or cancel subscription preferences. The contractor shares contact information with its engineers at Ohmsett to follow-up with customers who request testing and research information.

The hard copy newsletter is sent to an external print/mail house vendor. Ohmsett provides a mailing list in an Excel spreadsheet via email to the printer. The mailing house validates the list against the U.S. Postal Service National Change of Address database for accuracy. The list contains name, company, and mailing address. The printer retains the mailing list for fourteen (14) months.

- 4.2 What safeguards will be in place to prevent uses beyond those authorized under law and described in this PIA?

Contractor personnel are required to complete annual security, privacy, and records management training to ensure they understand their responsibilities to protect individual privacy and appropriately manage information for BSEE. Contractor personnel with significant privacy responsibilities are also required to complete role-based privacy training annually.

Access to CRM data is limited to the contractor's Marketing Director who manages the program and the Ohmsett Program Manager. A minimal amount of PII is collected and used to carry out CRM Program responsibilities. For example, email campaigns typically use just an email address but occasionally the first name is added for personalization, while hardcopy mailings of Ohmsett Gazette use name and mailing address.

The print/mail house vendor purchase order contains a link to the GOCO's Terms and Conditions, which includes links to applicable federal acquisition requirements. By



accepting the order, the vendor agrees to the Terms and Conditions, which include confidentiality, disclosure of information, and records retention.

SECTION 5: Maintenance and Retention of PII

5.1 How will the agency maintain the PII, and for how long?

Inquiries from current and potential customers are maintained for no longer than is necessary to facilitate a response related to the use of the Ohmsett facility.

Ohmsett CRM maintains subscriber information using the CRM tools described to manage subscription services. Individuals may unsubscribe at any time. Their information is no longer used in CRM campaigns but is retained in accordance with the prevailing records retention schedule.

5.2 Was the retention period established to minimize privacy risk?

CRM records are retained by the contractor in accordance with DAA-0048-2013-0001-0001 short-term administrative - routine administrative, temporary 3 years. This existing retention schedule meets the Ohmsett CRM business needs and disposal at the end of the retention period helps to minimize risks for records that are no longer needed.

SECTION 6: How the Agency will Secure PII

6.1 Will privacy and security officials coordinate to develop methods of securing PII?

Yes, the contractor coordinated with BSEE Privacy to confirm that their use of the services complies with Federal and DOI privacy requirements. The BSEE APO works with the contractor's Marketing Director, Ohmsett Program Manager, and security personnel, as necessary, to analyze acceptable risks, resolve potential issues and develop methods of securing PII and other information that becomes available through the use of ACT!, Constant Contact, and LinkedIn.

There are mandatory requirements for Ohmsett CRM Program personnel to complete security and privacy awareness and role-based training.

6.2 How will the agency secure PII? Describe how the agency will limit access to PII, and what security controls are in place to protect the PII.

The contractor provides information on a need-to-know basis such as when contact information is provided to Ohmsett engineers to follow-up with customers who have requested testing and research information.

The ACT! Database containing subscriber information is maintained on a secure server with multi-factor authentication (MFA) and role-based access (RBAC) controls in place. Constant Contact is responsible for protecting the security of user data stored on the



Constant Contact platform. Constant Contact has implemented privacy and security controls to protect individual privacy and minimize privacy risks. The security of Constant Contact websites is managed on multiple levels, including Physical, Network, Host, Software, and User Account Security. Constant Contact maintains internal security policies and procedures in support of its ongoing operations. Access to resources is granted only to those who reasonably require access based on their responsibilities. Constant Contact will never use contact lists for any purpose other than those described in the service's Privacy Notice. The Ohmsett CRM Program only collects the minimal information needed to facilitate and manage subscription services. LinkedIn has also implemented privacy and security controls to include encryption of data in transit and, for certain sensitive data like passwords, encryption of data at rest, network protection such as intrusion detection, firewalls, penetration testing, among others.

The mailing list for hardcopy distribution of the Ohmsett Gazette is encrypted and password-protected prior to sending via email to the print/mail house; the password is provided separately.

The contractor must ensure that physical, technical, and administrative safeguards are in place to protect the records in their custody.

SECTION 7: Identification and Mitigation of Other Privacy Risks

7.1 What other privacy risks exist, and how will the agency mitigate those risks?

The contractor is mandated to maximize the usage rate of Ohmsett. It collects and maintains PII to fulfill requests for information about the facility and promote testing, research, and training opportunities. While individuals may choose to provide personal rather than business contact information, there is a relatively low risk of harm to individuals throughout the CRM information lifecycle.

During collection, there is a risk that the information could be entered inaccurately resulting in an unintended party receiving the email or physical mailing. However, individuals input their own data and check it for accuracy when subscribing to information from Ohmsett. Individuals who provide their business cards at industry events will have their data entered by the contractor who checks for accuracy during input.

The use, disclosure and processing of the information may pose risks such as individuals getting information for which they did not opt-in to receive or the printer using the mailing addresses for other than its intended purpose. Individuals may opt-out from receiving specific information or any information from Ohmsett. When the Unsubscribe Link is used in an email, the request is processed immediately; if the unsubscribe request is sent via email to the contractor, the request is processed by the next business day. The data is then archived prior to disposal in accordance with the records retention schedule. Electronic and physical transmissions of newsletters and mail that are undeliverable are checked by the contractor against the database to either update or



archive the information, as appropriate. The contractor has an agreement with the printer to only use the mailing list for its intended purpose. The contractor emails an encrypted, password-protected mailing list to the printer/mailing house for hardcopy newsletters. The vendor validates the mailing addresses against the National Change of Address database from the U.S. Postal Service to ensure accuracy and delivery to the most current address. Access to the information is limited to contractor personnel and is not shared with BSEE who owns the data. The information is maintained on a dedicated Ohmsett server, with multi-factor authentication (MFA) and role-based access controls (RBAC) in place.

Constant Contact and LinkedIn are independently operated third-party services that control access to user data stored within their platforms. Ohmsett encourages subscribers to review the Constant Contact and LinkedIn Privacy Notices to understand how and when they collect, use, and share their information. Both are responsible for protecting the security of user data stored on their platforms. Privacy and security controls are implemented to protect individual privacy and minimize privacy risks using Physical, Network, Host, Software, and User Account Security. They maintain internal security policies and procedures in support of their ongoing operations. Access to resources is granted only to those who reasonably require access based on their responsibilities. Constant Contact and LinkedIn will never use contact lists for any purpose other than those described in the service's Privacy Notice. Ohmsett will collect only the information needed to facilitate and manage subscription services.

The retention and destruction of information may pose risks that records are not maintained and destroyed by the contractor in accordance with its records retention schedule. The program office and Records Office work with the contractor to ensure they are following the appropriate guidance for retaining and handling the records lifecycle.

BSEE employees and contract personnel are required to complete annual Information Management and Technology (IMT) Awareness Training, which includes privacy and security training and affirming the DOI Rules of Behavior. Those with access to PII are required to also complete mandatory role-based privacy training annually.

7.2 Does the agency provide appropriate notice to individuals informing them of privacy risks associated with the use of the third-party website or application?

The contractor ensures, to the extent feasible, that subscribers are aware that Ohmsett is sponsoring the subscription activity. Notice is provided to individuals on the privacy implications with using these CRM tools through this Adapted PIA.

A Privacy Notice is available on the Ohmsett website which also links to the DOI privacy notice. In addition, conference attendees who sign up for subscription services are provided a privacy notice and a link to the DOI privacy policy on the sign-up form.

The email campaigns provide recipients with a link to the Ohmsett official website and the DOI website Privacy Policy.



Emails sent with Constant Contact include the following in the footer: Who the email is sent by (Ohmsett CRM Program), Powered by Constant Contact, Opt-out, Update Profile, and the Constant Contact Data notice.

SECTION 8: Creation or Modification of a System of Records

8.1 Will the agency's activities create or modify a "system of records" under the Privacy Act of 1974?

No. There is already a system of records that covers this collection. It is identified below.

8.2 Provide the name and identifier for the Privacy Act system of records.

INTERIOR/DOI-08, DOI Social Networks - 76 FR 44033 (July 22, 2011); modification published 86 FR 50156 (September 7, 2021).