

ETA RESPONSE TO DRAFT REPORT

U.S. Department of Labor

Employment and Training Administration
200 Constitution Avenue, N.W.
Washington, D.C. 20210



SEP 30 2008

MEMORANDUM FOR: ELLIOT P. LEWIS
Assistant Inspector General
For Audit

FROM: BRENT R. ORRELL *Brent R. Orrell*
Deputy Assistant Secretary for
Employment and Training

SUBJECT: ETA Needs to Ensure Grantees are Aware of Their
Responsibilities for Reporting the Loss of Personally
Identifiable Information (PII)
Draft Report No. 02-08-205-03-360

Thank you for the opportunity to review and respond to the subject draft report. The following outlines actions ETA has taken or will take in response to the two recommendations identified in the draft report:

1. OIG's Recommendation: Ensure that grantees are aware of their responsibilities for safeguarding PII records and for reporting incidents when PII security has been compromised.

ETA's Response: A Training and Employment Guidance Letter (TEGL) will be sent to grantees to communicate PII requirements. In addition, the Department of Labor's (DOL) PII Notification Policy and Plan will be attached to the TEGL to serve as a reference to the grantees. This TEGL is expected to be issued by December 31, 2008. Further, this subject will be included in all new grantee orientation training conferences.

Because this finding was discovered during the Office of Inspector General's audit of the Senior Community Service Employment Program (SCSEP) operated by the National Able Network, Inc., the Office of Workforce Investment's Older Worker Unit has immediately taken the following actions to address this finding:

- SCSEP grantees were informed on an all-grantee conference call on September 10, 2008, of their affirmative obligation to immediately report any possible breach of PII to the Older Worker National Office. A transcript of that portion of the all-grantee call is attached. There were 92 SCSEP grantees, sub-grantees and Federal Project Officers (FPOs) participating in the conference call.

- SCSEP FPOs and national office staff were informed of this requirement and their responsibility to report the potential breach to the DOL Security Department as part of a regional office/national office staff conference call on September 9, 2008.
- Complete notes of the all-grantee conference call, including the attached PII statement, will be e-mailed to all grantees and FPOs by September 26. Special note will be made of the PII responsibilities.
- For 2009 grants, the Older Worker Unit will add an affirmative obligation to report potential breaches in PII to the list of legally-binding assurances that all grantees make before grants are awarded. Grantees' obligation to protect PII is already a part of those assurances, but the obligation to report any possible breach has not previously been stipulated.

2. **OIG's Recommendation:** Provide training to ETA staff on handling PII security incident reports from grantees.

ETA's Response: On January 28, 2008, ETA posted a training presentation on "Use of Personally Owned Information Systems" which contained information on safeguarding PII data (training material attached). On September 17, 2008, the DOL announced mandatory training for all DOL employees on "Safeguarding All PII." All DOL personnel are required to complete the training which will be provided through LearningLink, the DOL's learning management system. ETA will ensure all its employees complete this training and will leverage it to address this recommendation. These actions are expected to be fully implemented by December 5, 2008.

If you have any questions concerning this response, please contact me (202) 693-3368.

Attachments