

**Pension Benefit Guaranty Corporation (PBGC)
Privacy Impact Assessment (PIA)**



Legal Technologies Program (LTP)

12/01/2023

1 Privacy Point of Contact

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TIP!

This point of contact should be the person you want the Privacy Office to work with in completing this PIA. For some systems it might be the Information Owner (IO) or Information System Owner (ISO). Many business units identify this as the Information System Security Officer (ISSO). DO what makes sense for you!

2 Privacy Impact Assessment

A Privacy Impact Assessment (PIA) is an analysis of how information is/will be handled:

- i. To ensure handling conforms to applicable legal, regulatory, and policy requirements regarding privacy,
- ii. To determine risks and effects of collecting, maintaining, and disseminating information in an identifiable form in an electronic information system, and
- iii. To examine and evaluate protections and alternative processes for handling information to mitigate potential privacy risks.

Privacy concerns are highest for systems that contain Personally Identifiable Information (PII). PII is defined as information that can be used to distinguish or trace an individual's identity, either alone or when combined with other information that is linked or linkable to a specific individual. Because there are many types of information that can be used to

distinguish or trace an individual's identity, the term PII is necessarily broad.

TIP!

Information that either alone or when considered with other information that uniquely identifies a person is Personally Identifiable Information (PII). Combining pieces of information whether private or publicly available has powerful implications for uniquely identifying an individual.

For example, consider a person named Mary Jones. There are over 200 million results in an internet search for this name. But if we combine information such as a date of birth, the last four digits of a (or worse, an entire) Social Security Number, or a spouse's name, the number of persons to whom we could be referring begins to narrow quite rapidly. These types of information are considered identifiers. Identifiers that uniquely identify a person are the focus of privacy protection.

2.1 The Components of the System

Name of component	Describe the component (1 or 2 sentences)	Does this component contain PII?	In what system of records (SORN) is this information stored?	What is the Legal Authority for collection of this information?	Does this system share PII internally? <i>(please detail in question 9)</i>
Legal Management System (LMS)	The Legal Management System (LMS) tracks matters (legal cases) for the legal divisions, including document management for all documents related to a matter (both documents which are processed by the File Room and documents which are added directly to the matter), the list of associated personnel, key dates for the matter, case facts, and any discovery results.	Yes	SORN PBGC 19 - OGC Case Management	29 U.S.C. 1302; 44 U.S.C. 3101; 5 U.S.C. 301; 29 U.S.C. ch. 18.; and the Federal Rules of Civil Procedure.	Yes (but not directly; via extraction).
ARTIS	ARTIS is used by the Appeals Division to track participant appeals from their initial submission to PBGC through appeal research, final determination, and all correspondence with the participant.	Yes	SORN PBGC 10 - Administrative Appeals File	29 U.S.C. 1302; 44 U.S.C. 3101; 5 U.S.C. 301; 29 U.S.C. ch. 18.; and specifically, 29 CFR 4003.1(b); 29 CFR 4003.22; and 29 CFR 4003.59.	Yes (both directly and via extraction).

2.2 The System as a Whole

1. Please describe the purpose of the system, when considered as a whole, please include if this is an existing system (either an annual recertification update or a major change)

LTP/ARTIS is used by the OGC GLOD Appeals Division to review, analyze, track, appropriately process, and make determinations for all docketed appeals of PBGC benefit determination.

LTP/LMS is used by the OGC GLOD Legal Divisions (including GLEG, GLE, and GLP) to track legal matters which assist the corporation on a broad range of legal issues.

LTP is an existing system and follows the annual recertification process.

2. What are the Confidentiality, Availability, and Integrity ratings for the system as a whole?

Confidentiality	Moderate
Integrity	Moderate
Availability	Moderate

3. List and discuss the sources from which the system collects PII (for instance, from an individual, another federal agency, etc.); the format in which PII is collected (for instance, via a form, face-to-face, phone, etc.); the notification given at time of collection from an individual regarding the Privacy Act and the ability to opt-out of collection (and the consequences of opting out). Include a copy of all forms and Privacy Act statements used to collect information.

PII in the system includes specifically collected appeal information (LTP/ARTIS) as well as incidental PII that can exist as part of free text in various documents (both LTP/ARTIS and LTP/LMS).

For specific appeal information, the appeals originate as physical documents (PBGC Form 724, Form 723, or letters that are mailed to PBGC). From these forms or letters, LTP/ARTIS intake users create a new appeal record that includes the name and contact information of the appellant. This is the only PII collected by LTP in the traditional sense.

In both LTP/ARTIS and LTP/LMS, once a “case” (appeal for ARTIS, matter for LMS) has been created, the case will include one or more documents. Those documents can come from any outside source, including additional physical documents (scanned and added to the case), records from any other PBGC system (copies of documents which are extracted from another system and added to the case), and new original free-text documents created by the LTP user and added to the case (as with an attorney’s case notes). These case-related documents are not keyed to specific PII values but could contain various forms of PII, including key values from other PBGC systems.

For the appeal letters (the first situation discussed above):

- PII is taken from the appellant letter or form and keyed in by the user.
- The forms contain standard privacy notifications about collection and use (see attachments).

For the additional appeal or matter documents (the second situation above):

- No new PII is collected. Some PII might exist as part of a document either as free-form text and/or as part of another system of record’s collected PII.
- The LTP user does not notify an individual about the use of PII. Since the LTP subsystem needs to work with documents/records from other systems, the information on those documents should *not* be “corrected” or otherwise changed. In fact, the very purpose of the appeal or legal matter might hinge on incorrect PII in the original record.

4. Discuss any privacy controls that PBGC inherits from an external provider (cloud provider, third party provider, another government agency, etc.) If an Interconnection Security Agreement (ISA), Memorandum of Understanding (MOU), or similar document is in place, please summarize the privacy applicable portions of that document.

N/A

5. For the user roles in the system:

Role Name	Number of Users	Approver	Access Level	Recertification Date
ARTIS user	14	Dan Wheeler James Burns Thom Verratti	Read/write	06/21/2023
ARTIS product support	2	Dan Wheeler James Burns Thom Verratti	Read/write	06/21/2023
LMS user (Confid data)	49	Dan Wheeler James Burns Thom Verratti	Read/write	06/21/2023
LMS system admin	4	Dan Wheeler James Burns Thom Verratti	Read/write	06/21/2023

6. Does the System leverage the Enterprise Access Controls?

- Yes
 No

7. Discuss the Physical, Technical, and Administrative controls that are employed to secure the PII in the system.

The physical controls employed to secure the PII in the system include security guards, identification badges, key entry, locked offices, and locked file cabinets.

The technical controls employed to secure the PII in the system include password protection, virtual private network, firewalls, unique user identification names, encryption, intrusion detection, and personal identity verification card access.

Administrative controls employed to secure the PII in the system include periodic security audits, annual refresher training for security, privacy, and records management, encryption of backups containing sensitive data, role-based training, methods to ensure only authorized personnel have access to PII, mandatory onboard training for security, and privacy and record management.

8. For the PII in the system, discuss the actual/intended uses of the PII; the steps taken to limit the PII collected to the minimum needed; and the reasons the PII is necessary and relevant.

As noted in Item 3 above, PII is specifically collected by LTP/ARTIS in order to launch a formal appeal. Information which may contain an appellant's PII is needed by the Appeals Division to research and adjudicate the appeal. A Privacy Act notice is provided to the appellant at time of collection.

All other documents associated with a given case (appeal for LTP/ARTIS or legal matter for LTP/LMS) might contain any type of PII, either as information in a free-form document or within relevant copies of records from other PBGC systems. This PII data was *not* collected by the LTP. These documents, and thus all data within the documents, have been deemed relevant to the appeal or matter by the analysts or attorneys who are assigned to that appeal or matter.

9. Discuss the data flows within the system (include sources of data for data flowing into the system, destinations for data flowing out of the system, and any routine uses applicable to the system). For any information that is shared internally, be sure to discuss whether these data interconnections are noted in CSAM. Be sure to include any MOU, ISA, or Interagency Agreements.

LTP/ARTIS shares OBA's GENESIS database and can view all appeal-related information which is stored there. This data does not technically flow from system to system; it is simply accessible to both systems.

LTP/ARTIS uses Customer Correspondence System (CCS) as a service. These letters are generated inside the system and do not flow externally until they are ultimately printed and mailed to applicants.

There are no other programmatic or direct data flows from or to LTP/ARTIS or LTP/LMS and any other system. When records from one system are needed in another PBGC system – for example, if documents produced in an eDiscovery case (currently a Relativity workspace) are connected to an LTP/LMS matter – those documents are manually uploaded into (or downloaded from) the case. These manual uploads or downloads are not noted explicitly in CSAM.

Routine uses for the two subsystems are listed in SORNs **PBGC-10** (Administrative Appeals File) and **PBGC-19** (OGC Case Management System), which correspond to LTP/ARTIS and LTP/LMS.

10. Does the system leverage the commonly offered control for Accounting of Disclosures?

- Yes
 No

11. If your system collects, Social Security Numbers:

- a. Please provide a justification for the collection, use, maintenance, and disposal of PII in the form of SSN?

SSNs may appear in documents that are associated with cases in the legal management systems that comprise OGCInternal (matters tracked by LTP/LMS, appeals tracked by LTP/ARTIS, or documents being reviewed as part of discovery in the LRSRS). However, none of the subsystems comprising OGCInternal collect SSNs within the purview of this question.

- b. Under which authorized uses, as described in the "Reduction of Use of Social Security Numbers (SSN) in PBGC" policy document?

N/A

- c. If the answer to b., above is “Compelling Business Need,” please provide a plan to reduce the use of SSNs, highlighting activities that can be completed in the next 12 months.

N/A

2.3 Privacy Office Review

Name of Reviewer	Bill Black
Date Reviewed	01/09/2024
Expiration Date	12 months from date of concurrence by Chief Privacy Officer
Result	<input type="checkbox"/> <u>Approved without conditions</u> <input type="checkbox"/> Approved with conditions (see below). <input type="checkbox"/> Denied

(For Privacy Office Use Only)

Discuss analysis of risks and compensating controls (or other mitigation steps).

Enter description here.

Discuss any conditions on Approval

Enter description here.