

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



**Electronic Complaints and Tracking System
(eCATS)**

11/05/2018

1 Privacy Point of Contact

Name	Dianne Wood
Title	Information Owner
Phone	202-326-4020, ext. 3307
Email	Wood.Dianne@pbgc.gov

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 externally <i>(please detail in question 9)</i>
iComplaints	iComplaints is a web-based service hosted by a Federal Risk and Authorization Management Program (FedRAMP) provider which facilitates the Equal Employment Opportunity (EEO) complaint process for PBGC.	Yes	EEOC/GOVT-1 SORN	5 U.S.C. 301; 29 U.S.C. 209, 211, 623, 626; 42 U.S.C. 2000e-16c; 44 U.S.C. 3101.	Yes

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)

The purpose of eCATS is to provide an electronic system of records which assists the Office of Equal Employment Opportunity (EEO) in managing and reporting on the overall EEO program. The system is used to track EEO complaints and supporting documentation, providing intake, monitoring, and reporting in an efficient and effective manner for both informal and formal complaints of discrimination. iComplaints aggregates data in order to show trends, whether the information is an aggregate of data, fiscal year data, or benchmark data. The aggregated data is used in Management Directive annual reports and Notification and Federal Employee Antidiscrimination Retaliation Act of 2002 (No-FEAR) quarterly and annual reports to Equal Employment Opportunity Commission (EEOC) and/or Congress and/or posted on PBGC.gov. The eCATS system allows PBGC to report (Annual Form 762,) manage cases and identify trends along with posting quarterly and annual "No-FEAR Act" reports.

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.

The sources from which the system collects PII are from an individual, and/or other federal agency.

The format in which PII is collected are paper/written form, Face-to-face, and via email. See attached forms and Privacy Act Statements.

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.

There are no privacy controls that PBGC inherits from the external provider. An Interconnection Security Agreement (ISA) and Memorandum of Understanding (MOU) is not applicable.

5. For the user roles in the system:

Role Name	Number of Users in that role	Approver	Access Level (Read, Write, etc)	Recertification Date
Informal Processor	2	Dianne Wood	Read	10/2018
Formal Processor	1	Dianne Wood	Read	10/2018
Administrator	1	Dianne Wood	Read	10/2018
Super/Master Administrator	1	Dianne Wood	Read/Write	10/2018

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.

Physical security controls employed to secure the PII in the system include: security guards, identification badges, locked offices and secured facilities.

Technical controls employed to secure the PII in the system include: password protection, network firewalls, unique user identification names, encryption and an intrusion detection system.

Administrative security controls employed to secure the PII in the system include: periodic security audit, annual refresher training for security, privacy and records management, mandatory on-boarding training for security, privacy and records management and methods to ensure that only authorized personnel have access to PII.

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.

The information collected is used to properly administer and adjudicate EEO complaints.

The type and frequency of correspondence is mandated by EEOC regulations, according to *29 CFR 1614*.

Any legal documents that may contain PII are maintained as part of a case file in accordance with EEOC regulations.

iComplaints may also aggregate data in order to show trends, whether the information is an aggregate of data, fiscal year data, or benchmark data.

Without the requested PII, the EEOC would be unable to process the EEO complaint. Additionally, iComplaints may also use the aggregated data to meet regulatory mandates.

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.

1. Within PBGC: Case information is shared with Office of General Counsel (OGC) when they defend the agency in EEO matters. The information is shared via electronic CD.
2. With Federal agencies other agencies: PII can be shared with the EEOC, Merit Systems Protection Board, U.S. Department of Justice, and a court of competent jurisdiction. The information is shared several ways; some recipients may receive a hard copy or electronic via FedEx, files may be sent electronically to the EEOC via the EEOC's secure EFX portal, or files may be sent via encrypted email.
3. With contractors: Contractor investigators are provided necessary documents to prepare for the investigation which may contain PII. Additionally, they collect PII from the complainant and witnesses during the investigation. The information is shared via encrypted email.
4. With other third parties: PII may be shared with outside counsel and the Independent Union of Pension Employees for Democracy and Justice (IUPEDI). When outside counsel or IUPEDI represent a complainant, they would receive the Report of Investigation (ROI) which may contain PII, via hand delivered electronic copy and/or provided via FedEx.

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

- Yes
 No

2.3 Privacy Office Review

Name of Reviewer	STEFAN JUCICH
Date Reviewed	Nov. 21, 2018
Expiration Date	Nov. 20, 2019
Result	<input checked="" type="checkbox"/> Approved without conditions <input type="checkbox"/> Approved with conditions (see below). <input type="checkbox"/> Denied

(For Privacy Office Use Only)

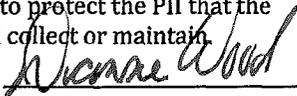
Discuss analysis of risks and compensating controls (or other mitigation steps).

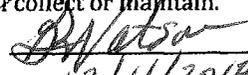
Enter description here.

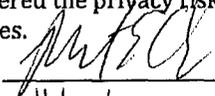
Discuss any conditions on Approval

Enter description here.

2.4 Signatures and Approval

Information System Owner/Information Owner	
Name:	Dianne Wood
Dept/Office:	O EEO
Phone:	202-326-4000 x 3307
Email:	wood.dianne@PBG.kign
I certify that this PIA is an accurate representation of the security and privacy controls in place to protect the PII that the system does/will collect or maintain.	
Signature	
Date signed	12/3/18

Authorizing Official	
Name:	BRENECIA WATSON
Dept/Office:	O EEO
Phone:	202-326-4000 x 6868
Email:	Watson, brenecia@Pbgc.gov
I certify that this PIA is an accurate representation of the security and privacy controls in place to protect the PII that the system does/will collect or maintain.	
Signature	
Date signed	12/4/2018

Chief Privacy Officer	
Name:	Margaret Drake
I certify that I have reviewed this PIA and have fully considered the privacy risks that this system creates.	
Signature	
Date signed	11/21/18

This page is for internal routing purposes of documentation of approvals. Upon final approval, this page must be removed prior to publication of the PIA.



Pension Benefit Guaranty Corporation
1200 K Street, N.W
Washington, DC 20005-4026

Formal Complaint of Discrimination

1. Complainant's Name: _____

Home Address: _____

Home Telephone: _____

2. Department/Division: _____

Office Telephone: _____

3. Basis (es) for Complaint

- a. Race (Specify) _____
- b. Color (Specify) _____
- c. National Origin (Specify) _____
- d. Sex (Specify) _____
- e. Age (Date of Birth) _____
- f. Mental Disability (Specify) _____
- g. Physical Disability (Specify) _____
- h. Religion (Specify) _____
- i. Reprisal (Identify earlier event and/or opposed practice, give date: _____)
- j. Protected Genetic Information _____
- k. Sexual Orientation _____
- l. Other: _____

4. Nature of Alleged Discriminatory Action (i.e., Promotion, Selection, Performance, etc.)

5. Please provide the reasons why you believe discrimination has occurred.
(Continue on a separate sheet if needed.)

6. Representative's Name: _____

Address: _____

Telephone Number: _____

- 7. Have you filed a grievance under a negotiated grievance procedure or an appeal to the Merit Systems Protection Board on the same matter(s) as described in 4 above? Yes: ____ No: ____

Signature of Complainant/Representative

Date

For PBGC Administrative Use Only

Date Complaint received

Date Complaint was received

Title: _____

Privacy Act Statement

AUTHORITY: 42 U.S.C. § 2000e-16; 29 U.S.C. § 1302; 29 C.F.R. § 1614

PURPOSE: To provide counseling, conduct investigations, process and adjudicate complaints of alleged violations of employment discrimination and related appeals brought by applicants and current and former PBGC employees.

ROUTINE USES: PBGC may disclose information to any individual who may be required by regulation, policy, or procedure of the EEOC to provide information in connection with this complaint, including individuals who may be identified as responsible for the alleged acts or events at issue and potential witnesses as appropriate and necessary. PBGC may also disclose this form or information from this form to any individual engaged by PBGC to carry out the agency's responsibilities required by regulation, policy, or procedure of the EEOC. Other disclosures may be: (1) to appropriate federal, state, or local agencies when related to a violation or potential violation of civil or criminal law or regulation; (2) to a federal agency, a court, or a party in litigation before a court, or in an administrative proceeding being conducted by a federal agency, when the U.S. Government is a party to the judicial or administrative proceeding; (3) to a congressional office from the record of an individual in response to an inquiry made at the request of the individual; or (4) in response to a request for discovery or for appearance of a witness when the information is relevant to the subject matter involved in a pending judicial or administrative proceeding.

DISCLOSURES: Providing information on this form is voluntary; however, failure to provide the information may delay or prevent PBGC from processing your complaint.



EEO Counseling Intake Form

Record of Contact with EEO Office and Request for EEO Counseling

Contact Date:

Contact Information

Requested By:

Home Address:

Position Title/Series/Grade:

Phone Numbers:

(H)

(W)

(C)

Division/Department:

E-mail:

Office Address:

Basis of Alleged Discrimination

	Reprisal (list previous EEO activity)
	Race:
	Color:
	Sex:
	Age: DOB
	Religion:
	Nation Origin:
	Mental/Physical Disability:
	Sexual Orientation
	Protected Genetic Information
	Parental Status

Date of Alleged Discriminatory Incident:

Brief Summary of Issues and Remedy Requested:

Do you have a representative at this time?

Representative Name & Address:

Received by:

Date:

EEO COUNSELING REPORT

29 C.F.R. Sections 1614.105

DATE:

TO:

FROM:

SUBJECT:

1. Name, Series, Grade, Job Title, Address and Home Telephone Number of Person Counseled:

2. Counselee's Representative:

3. Organization Designation and Location:

Pension Benefit Guaranty Corporation

1200 K Street NW

Washington, DC 20005

4. Date of First Contact:

5. Date of Initial Interview:

6. Bases of Alleged Discrimination:

7. Date of Alleged Discrimination:

8. Statement of Claims Discussed With Counselor:

9. Corrective Action Requested by Person Counseled:

10. Name and Job Title of Officials Involved:

11. Summary of Fact Findings Efforts:

12. Summary of Informal Resolution Attempts:

a. **Management Official:**

b. **HRD/Other:**

13. Management Response to Corrective Action Requested:

14. Date of Notice of Right to File:

15. Date of Final Interview:

16. Date Report Issued:

17. Documents Reviewed:

18. Listing of Attachments:

19. Chronology

Signature of EEO Counselor

Privacy Act Statement

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