

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



**Legal Technologies Program (LTP)**

**01/31/2025**

# 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 (please detail in question 13) |
|--------------------------------------|--|---------------------------------|---|--|--|
| <b>Legal Management System (LMS)</b> | 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 result | 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).                              |
| <b>ARTIS</b>                         | ARTIS is used by the Appeals Division to track participant appeals from their initial submission to PBGC through appeal research, final determination, and all   | 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)                               |

|  |                                      |  |  |  |  |  |
|--|--------------------------------------|--|--|--|--|--|
|  | correspondence with the participant. |  |  |  |  |  |
|--|--------------------------------------|--|--|--|--|--|

## 2.2 The System as a Whole

1. Please describe the purpose of the system when considered as a whole.

*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. Is this system owned and/or controlled by PBGC or an external party? If so, who owns and/or controls the system?

*This system is owned and controlled by PBGC. The Legal Technology & Administration Division maintains this system.*

4. Is this a new or existing information system? If this is an existing information system, please describe the changes.

*There are no changes to this existing information system at this time.*

5. Does your system collect, process, or maintain any records that describe how any individual exercises their First Amendment rights?

If so, please describe the information it collects and the purpose for the collection. Please describe whether: 1) an express legal authority authorizes the collection, 2) the collection is pertinent to and within scope of an authorized law enforcement activity, or 3) the individual(s) consents to the collection.

(The First Amendment guarantees an individual's right to the exercise of their religious beliefs, their petitioning the government, their exercise of free speech, their right to peaceably assemble, and the freedom of the press.)

*This system does not directly collect, process, or maintain any records that describe how any individual exercises their First Amendment rights.*

*However, records from other systems that collect or process this information may be maintained in case files within LTP/ARTIS or LTP/LMS.*

6. For the PII in the system, discuss the actual/intended uses of the PII; procedures taken to limit the PII collected to the minimum needed; reasons the PII is necessary and relevant; and procedures taken to periodically review the accuracy, relevance, timeliness, and completeness of PII throughout the information life cycle.

*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.*

7. Discuss how your system retrieves PII. Please describe the identifiers used to locate records within a system, such as name, identification number, date of birth, etc.

*ARTIS itself does not require an appellant to provide specific information. Rather, under 29 CFR § 4003.54, an appeal must: (1) be in writing; (2) be clearly designated as an appeal; (3) specifically explain why PBGC's determination is wrong and the result the appellant is seeking; (4) describe the relevant information the appellant believes is known by PBGC and summarize any other information the appellant believes is relevant; (5) state whether the appellant desires to appear in person or through a representative before the Appeals Board; and (6) state whether the appellant desires to present witnesses to testify before the Appeals Board, and if so, state why the presence of witnesses will further the decision-making process.*

*When an appellant files an appeal, the Appeals Division can locate the individual by searching the name in ARTIS (which pulls data from ImageViewer, CMS and Spectrum) and decides if a timely appeal (or request for an extension of time to Appeal) has been filed pursuant to 29 CFR § 4003.52. An appellant may, but is not required to, file an appeal or a request for an extension of time to appeal, using optional PBGC Forms 723 and 724. PBGC Form 723, Request for Additional Time to File an Appeal of a PBGC Determination, requests, among other things, the appellant's identifying and contact information, the appellant's plan information, a narrative of why the appellant needs additional time, the number of additional days requested, and contact information for the appellant's representative (if any). Optional Form 724, Appeal of a PBGC Benefit Determination, requests, among other things, the appellant's identifying and contact information, the appellant's plan information, a narrative of the appellant's position of why the benefit determination is incorrect, supporting documentation, and contact information for the appellant's representative (if any). An SSN is not requested on Form 723 or 724.*

8. Approximately how many individuals' PII is maintained in the system?

*As noted above, ARTIS shares its customer database with Spectrum and also has a smaller table of customers who are unique to ARTIS, i.e. not already listed in Spectrum (for example, spouses or other beneficiaries). As of PIA date, there are about 44,000 ARTIS customers, 4,700 of which are not part of Spectrum and are therefore unique to ARTIS.*

9. Is the submission of PII by individuals voluntary or mandatory? If the submission is voluntary, what is the outcome of an individual not submitting PII.

*The Appeals Board simply needs to be able to accurately identify the appellant or potential appellant. At a minimum, the name of the individual is needed in addition to the information required under 29 CFR § 4003.54, which provides that an appeal must: (1) be in writing; (2) be clearly designated as an appeal; (3) specifically explain why PBGC's determination is wrong and the result the appellant is seeking; (4) describe the relevant information the appellant believes is known by PBGC and summarize any other information the appellant believes is relevant; (5) state whether the appellant desires to appear in person or through a representative before the Appeals Board; and (6) state whether the appellant desires to present witnesses to testify before the Appeals Board, and if so, state why the presence of witnesses will further the decision-making process.*

10. If your system collects, Social Security Numbers (SSNs):

- 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 OGCIInternal (matters tracked by LTP/LMS, appeals tracked by LTP/ARTIS, or documents being reviewed as part of discovery in the LRS). However, none of the subsystems comprising OGCIInternal 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

11. 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.*

12. 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

13. Is the PII shared with external (non-PBGC) organizations? If so, identify with whom the PII is shared and the purpose. 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.*

*No LTP PII is shared with external (non-PBGC) organizations.*

14. For the user roles in the system:

| Role Name              | Number of Users in that role | Approver                                    | Access Level (Read, Write, etc) | Recertification Date |
|------------------------|------------------------------|---|---------------------------------|----------------------|
| ARTIS user             | 14                           | Dan Wheeler<br>James Burns<br>Thom Verratti | Read/write                      | 02/18/2025           |
| ARTIS product support  | 2                            | Dan Wheeler<br>James Burns<br>Thom Verratti | Read/write                      | 02/18/2025           |
| LMS user (Confid data) | 5                            | Dan Wheeler<br>James Burns<br>Thom Verratti | Read/write                      | 02/18/2025           |
| LMS system admin       | 3                            | Dan Wheeler<br>James Burns<br>Thom Verratti | Read/write                      | 02/18/2025           |
|                        |                              |   |                                 |                      |

15. 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.*

16. Please discuss additional training for users, other than the PBGC mandatory annual training, for protecting information in the system.

*The relevant business units (OGC/GLOD/AD for ARTIS and OGC/LTAD for LMS) provide individual training to new users when they onboard.*

17. Does the System leverage the Enterprise Access Controls?

- ☒ Yes  
☐ No

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

- ☒ Yes  
☐ No

19. Discuss the process in place for retention and destruction of PII. Cite the applicable retention schedule(s).

*For ARTIS, virtually all data in Image Viewer (IPS) is stored in Image Viewer and/or Spectrum. The only data unique to ARTIS are internal notes about an appeal. Such data is never destroyed in ARTIS.*

*LMS has been replaced by CLMS-G and is no longer the system of record for OGC/GLOD legal matters. LMS is in the process of being decommissioned and will be fully decommissioned (and all of its data destroyed) by the end of FY2025.*

## 2.3 Privacy Office Review

|                         |  |
|-------------------------|--|
| <b>Name of Reviewer</b> | Bill Black   |
| <b>Date Reviewed</b>    | 2/24/2025  |
| <b>Expiration Date</b>  | 12 months from the date of Privacy Office review   |
| <b>Result</b>           | <input checked="" type="checkbox"/> Approved without conditions<br><input type="checkbox"/> Approved with conditions (see below).<br><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.*