

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



PBGC.gov

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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>
Employers & Practitioners: Pending Proposed Rules	This page displays comments on the proposed regulations sent to PBGC Office of the General Counsel (OGC).	Yes – Rulemaking comments submitted by individuals may contain name, contact information, or other PII.	PBGC-25: PBGC.gov Comment Management System	The Administrative Procedure Act (5 USC §551 et seq. (1946))	No
About PBGC	Content provided on PBGC.gov about the mission of the agency and its operations and how to contact the agency.	No	N/A	N/A	No
Workers and Retirees	Content provided on PBGC.gov about how to apply for a pension benefit, a list of insured plans, and details about trustee pensions plans	No	N/A	N/A	No
News & Policy	This component provides information about Press Releases, and information about Congressional	No	N/A	N/A	No

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	Testimony by PBGC personnel				
PBGC.gov Search	This component allows site visitors to search the content on PBGC.gov.	No	N/A	N/A	No

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).

This PIA is updated in preparation for the PBGC.gov upgrade from Drupal 7 to Drupal 9.

PBGC.gov uses Acquia Cloud, a Platform as a Service (PaaS) provided by the Certified Cloud Service Provider (CSP), Acquia. Acquia Cloud received the Federal Risk and Authorization Management Program (FedRAMP) authorization on 04/13/2016. The FedRAMP-authorized Acquia Cloud product included both Drupal 7 and Drupal 9. PBGC.gov is upgrading to Drupal 9 with the target data migration date scheduled for the second week of September 2021. There are no privacy impacts from the Drupal 9 upgrade.

PBGC.gov is an official government website that disseminates information to the public. PBGC's mission is to enhance retirement security by preserving and encouraging the continuation of private pension plans and by protecting the benefits of workers and retirees in traditional pension plans. PBGC.gov plays a vital role in accomplishing that mission. PBGC.gov's visitors include workers and retirees, employers and pension practitioners, policymakers, and the general public. The website contains information about PBGC's mission, pension benefits, and premium filings, along with press releases and a variety of other content. Visitors can access resources like PBGC's contact information, details about trusteed pension plans, and lists of which pension plans PBGC insures.

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.

PBGC.gov may collect PII from the sources listed below:

1. Individuals
2. OGC

The PBGC Office of the General Counsel (OGC) provides comments collected from <https://www.reginfo.gov> or submitted directly to OGC on proposed regulations to the Communications, Outreach & Legislative affairs Department (COLAD) for display on PBGC.gov. Since PII is not collected from the individual within this boundary, the Privacy Act Statement is not applicable to PBGC.gov.

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.

PBGC does not inherit privacy controls from Acquia, and no ISA is required since there is no dedicated or persistent connection between PBGC and Acquia.

5. For the user roles in the system:

Number of users and roles will remain the same after the Drupal 9 upgrade. The user roles were certified on 04/08/2021

Role Name	Number of Users in that role	Approver	Access Level (Read, Write, etc)
Administrator	8	Mike Rucki	Read/Write/Approve/Publish
Editor	6	Mike Rucki	Read/Write/Approve
Author	6	Mike Rucki	Read/Write
Requestor	2	Mike Rucki	Read

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 included: security guards, key entry, secured facility, closed circuit television, identification badges and locked offices.

Technical controls employed to secure the PII in the system included: IP address restrictions, firewalls, unique user identification names, passwords, encryption, and intrusion detection system.

Administrative controls employed to secure the PII in the system included: periodic security audits, regular monitoring of user activities, annual refresher training for security, privacy and records management, backups secured offsite, role-based training, methods to ensure that only authorized personnel have access to PII, and mandatory on-boarding training for security, privacy, and records 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.

The PBGC Office of the General Counsel (OGC) provides comments collected from <https://www.reginfo.gov> or submitted directly to OGC on proposed regulations to COLAD for display on PBGC.gov. Before submitting comments, individuals are warned by notice on reginfo.gov and/or by notice posted in the federal register of the public nature of rulemaking comments.

The E-Government Act of 2002, The Administrative Procedure Act (APA), Freedom of Information Act (FOIA), and the Government in the Sunshine Act all require transparency during rulemaking procedures. The E-government Act states: “agencies shall ensure that a publicly accessible Federal Government website contains electronic dockets for rule makings under section 553 of title 5, United States Code.” Pub. L. No. 107-37 § 206(d)(1), 116 Stat. at 2916.”

The APA 5 USC §551 et seq. (1946) requires agencies provide the general public with an “opportunity to participate in the rule making through submission of written data, views, or arguments.” Essentially, for certain rulemakings, agencies must publish proposed versions of regulations in the Federal Register and allow members of the public to comment on them. While PBGC is not required to publish comments received in response to proposed rulemaking, it does so in the interest of open government, so that the public is aware of the arguments and information that it considered.

Additionally, SCOTUS has weighed in on the matter of public disclosure stating there is a “strong presumption in favor of disclosure [that] places the burden on the agency to justify the withholding of any requested documents. *Department of State v. Ray*, 502 U.S. 164, 173 (1991).

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.

The PBGC Office of the General Counsel (OGC) emails comments collected from <https://www.reginfo.gov> or submitted directly to OGC on proposed regulations to COLAD for display on PBGC.gov. OGC reviews comments received before forwarding to COLAD. Once the information is posted on PBGC.gov, it is publicly available.

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

- Yes
 No

2.3 Privacy Office Review

Name of Reviewer	Drew Kuchinski, General Attorney (Privacy)
Date Reviewed	04/28/2021
Expiration Date	04/28/2022
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.