Federal Communications Commission

Office of the Managing Director

Privacy Threshold Analysis (PTA)[1]
Legislative Management Tracking System (LMTS)

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FCC Bureau/Office: Office of Legislative Affairs (OLA)

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The *Privacy Act of 1974*, as amended, 5 U.S.C. 552a, requires Federal agencies to take special measures to protect personal information about individuals when the agencies collect, maintain, and use such personal information.

[1] This form is used to determine whether this information system requires a Privacy Impact Assessment.

The E-Government Act of 2002 defines an information technology and/or system by reference to the definition sections of Titles 40 and 44 of the United States Code (U.S.C.). The following summarize these definitions:

- "Information Technology" means any equipment or interconnected system or subsystem of equipment, used in the automatic acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information. *See* 40 U.S.C. 11101(6).

- "Information System" means a discrete set of information recourses organized for the collection, processing, maintenance, use, sharing, dissemination, or disposition of information. *See* 44 U.S.C. 3502(8).

It is important, therefore, that when the FCC develops or makes changes to its information systems, the FCC should analyze what information the system will collect and maintain to determine whether there are any privacy issues.

The purpose of the **Privacy Threshold Analysis (PTA)** is to help the FCC's bureaus/offices evaluate the information/data in the system and make the appropriate determination about how to treat the information/data, as required by the Privacy Act's regulations.

Thus, the Privacy Threshold Analysis helps the bureaus and offices to determine if the data in the information system include information about individuals, *e.g.*, personally identifiable information (PII), which will require a **Privacy Impact Analysis** to be conducted.

Section 1.0 Information System's Status:

1.1 Status of the Information System:

☐ New information system—Implementation date:
☒ Revised or upgraded information system—Revision or upgrade date: May, 2007

If this system is being revised—what will be done with the newly derived information:

☒ Placed in existing information system—Implementation Date: January 2009
☐ Placed in new auxiliary /ancillary information system—Date:
☐ Other use(s)—Implementation Date:

Please explain your response:

Please see Question 1.2 below.

If this is a new information system, please skip to Question 1.6.

1.2 Has this information system existed under another name, or has the name been changed or modified?

☒ Yes
☐ No

Please explain your response:

This system has existed in automated form since 1999, at which time it was known as the Automated Correspondence Management System (ACMS). In 2006, OLA took advantage of

new programming technologies and reprogrammed this information system, which OLA renamed as the Legislative Management Tracking System (LMTS), a new system built on the foundation (database) of the old information system. In 2009, the reporting capabilities of LMTS were moved to Business Objects software.

1.3 Has this information system existed previously or been operated under any other software program, information system medium, *i.e.*, electronic database or paper files, and/or other format?

☒ Yes
☐ No

Please explain your response:

Please see Question 1.2 above.

1.4 Has this information system existed under a system of records notice (SORN) by itself, or was it ever part or component of another SORN?

☐ Yes
☒ No

Please explain your response:

The LMTS information system has not had a system of records previously since, the Commission has only just determined that the LMTS information system contains personally identifiable information (PII). The PII exists primarily in the attachments found in the database.

1.5 Is this information system being changed or upgraded, and if so, what are the purposes for changing or upgrading the information system, and/or will any changes now include personally identifiable information (PII):

☒ Yes
☐ No

Please explain your response:

The system is being upgraded to take advantages of new technologies, but these changes to the media, *e.g.*, new programming techniques, will have do effects on the PII within the system.

1.6 Why is the information being collected, *e.g.*, what are the information system's purposes, intended uses, and/or functions:

LMTS was designed to store and track correspondence from Congress, including information requests included as attachments (often with PII included) from their constituents.

1.7 What information is the system collecting, analyzing, managing, storing, transferring, *etc*:

Information about FCC Employees:

☐ No FCC employee(s) data
☒ FCC employee's name
☐ Other names used, *i.e.*, maiden name, *etc*.
☐ FCC badge number (employee ID)
☒ SSN
☐ US Citizenship
☐ Non-US Citizenship
☐ Race/ethnicity
☐ Gender

☐ Biometric data
  ☐ Fingerprints
  ☐ Voice prints
  ☐ Retina scan/prints
  ☐ Photographs
  ☐ Other physical information, *i.e.*, hair color, eye color, identifying marks, *etc*.
☒ Birth date/age
☒ Place of birth
☐ Medical data
☐ Marital status
☐ Spousal information
☐ Miscellaneous family information
☒ Home address
☐ Home address history
☒ Home telephone number(s)
☐ Personal cell phone number(s)
☐ Personal fax number(s)
☐ Personal e-mail address(es)
☐ Emergency contact data
☐ Credit card number(s)
☐ Driver's license
☐ Bank account(s)
☒ FCC personal employment records
☐ Military records
☐ Financial history
☐ Foreign countries visited
☐ Law enforcement data
☐ Background investigation history
☐ National security data
☐ Communications protected by legal privileges
☐ Digital signature
☒ Other personal/background information:

- The system accepts correspondence from FCC employees and parties, *i.e.*, individuals, business, and other entities, *etc*., outside the FCC as attachments to Congressional correspondence.
- The attachments, which are currently scanned into the database, may have any or all of the PII data categories listed above, or it may have no PII as it is "free-form text" on any subject(s) the constituents may wish to discuss with their Senator and/or Congressional representative.
- No specific information is requested of submitters, they include what information they feel they need or want to submit.
- Personal information about FCC full-time employees (FTEs) would come as part of a Congressional enquiry, most often concerning Commission personnel actions or complaints. These data are treated as sensitive.
- Current OLA policy is to redact date of birth and social security number before scanning the correspondence into the database. The paper files are then stored in file cabinets in the OLA office suite.

Information about FCC Contractors:

☒ No FCC contractor information

- ☐ Contractor's name
- ☐ Other names used, *i.e.*, maiden name, *etc*.
- ☐ FCC Contractor badge number (Contractor ID)
- ☐ SSN
- ☐ US Citizenship
- ☐ Non-US Citizenship
- ☐ Biometric data
  - ☐ Fingerprints
  - ☐ Voice prints
  - ☐ Retina scan/prints
  - ☐ Photographs
  - ☐ Other physical information, *i.e.*, hair color, eye color, identifying marks, *etc*.
- ☐ Birth date/age
- ☐ Place of birth
- ☐ Medical data
- ☐ Marital status
- ☐ Spousal information
- ☐ Miscellaneous family information
- ☐ Home address
- ☐ Home address history
- ☐ Home telephone number(s)
- ☐ Personal cell phone number(s)
- ☐ Personal fax number(s)
- ☐ Personal e-mail address(es)
- ☐ Emergency contact data
- ☐ Credit card number(s)
- ☐ Driver's license number(s)
- ☐ Bank account(s)
- ☐ Non-FCC personal employment records
- ☐ Military records
- ☐ Financial history
- ☐ Foreign countries visited
- ☐ Law enforcement data
- ☐ Background investigation history
- ☐ National security data
- ☐ Communications protected by legal privileges
- ☐ Digital signature
- ☐ Other personal/background information:

Information about FCC Volunteers, Visitors, Customers, and other Individuals:

- ☐ Not applicable
- ☒ Individual's name:
- ☐ Other name(s) used, *i.e.*, maiden name, *etc*.
- ☐ FCC badge number (employee ID)
- ☒ SSN:
- ☐ Race/Ethnicity
- ☐ Gender
- ☐ Citizenship
- ☐ Non-U.S. Citizenship
- ☐ Biometric data

- ☐ Fingerprints
- ☐ Voiceprints
- ☐ Retina scans/prints
- ☐ Photographs
- ☐ Other physical information, *i.e.*, hair color, eye color, identifying marks, *etc*.

☒ Birth date/Age
☐ Place of birth
☐ Medical data
☐ Marital status
☐ Spousal information
☐ Miscellaneous family information
☒ Home address
☐ Home address history
☒ Home telephone number(s)
☒ Personal cell phone number(s)
☒ Personal fax number(s)
☒ Personal e-mail address(es)
☐ Emergency contact data:
☐ Credit card number(s)
☐ Driver's license number(s)
☐ Bank account(s)
☐ Non-FCC personal employment records
☐ Military records
☐ Financial history
☐ Foreign countries visited
☐ Law enforcement data
☐ Background investigation history
☐ National security data
☐ Communications protected by legal privileges
☐ Digital signature
☒ Other information:

- The system accepts correspondence from the general public, i.e., individuals, business, and other entities, etc., as attachments to Congressional correspondence. This correspondence could include customers of the FCC.
- The attachments, which are currently scanned into the database, may have any or all of the PII data categories listed above, or it may have no PII at all as it is "free-form text" on any subject(s) the constituents may wish to discuss with their Senators and/or Congressional representative.
- No specific information is requested of submitters, they include what information they feel they need or want to submit.
- Personal information about telecommunications company customers would come as part of a Congressional enquiry, most often concerning carrier billing or service complaints. These data could include information such as phone records and account numbers
- No specific information is requested of submitters, they include what information they feel they need or want to submit.
- Current OLA policy is to redact date of birth and social security number before scanning the correspondence into the database. The paper files are then stored in file cabinets in the OLA office suite.

Information about Business Customers (usually not considered "personal information"):

☐ Not applicable
☒ Name of business contact/firm representative
☐ Race/Ethnicity
☐ Gender
☐ Full or partial SSN:
☐ Business/corporate purpose(s)
☐ Other business/employment/job description(s)
☐ Professional affiliations
☐ Business/office address
☐ Intra-business office address (office or cubical number)
☐ Business telephone number(s)
☐ Business cell phone number(s)
☐ Business fax number(s)
☐ Business pager number(s)
☐ Business e-mail address(es)
☐ Bill payee name
☐ Bank routing number(s)
☐ Income/Assets
☐ Web navigation habits
☐ Commercially obtained credit history data
☐ Commercially obtained buying habits
☐ Personal clubs and affiliations
☐ Credit card number(s)
☐ Bank account(s)
☒ Other information, please specify:

- The system accepts correspondence from the general public i.e., individuals, business, and other entities, *etc*., as attachments to Congressional correspondence.
- The attachments, which are currently scanned into the database, may have any or all of the PII data categories listed above, or the attachments may have none at all, as it is "free-form text" on any subject(s) the constituents may wish to discuss with their Senators and/or Congressional representative..
- No specific information is requested of submitters, they include what information they feel they need or want to submit.
- PII about business customers would come as part of the Congressional enquiry, most often telecommunications company customers complaints concerning service actions or complaints. These data could include information such as phone records and account numbers.
- Current OLA policy is to redact date of birth and social security number before scanning the correspondence into the database. The paper files are then stored in unlocked file cabinets in an unlocked room

"Non-personal" information obtained from FCC sources:

☒ Not applicable
☐ Economic data
☐ Engineering/scientific data
☐ Accounting/financial data
☐ Legal/regulatory/policy data
☐ Other information, please specify:

Miscellaneous Business, Technology, or Other Information:

☒ Not applicable
☐ Not publicly available business or technology data, *i.e.*, trade or propriety information
☐ Other information, please specify:

1.8 What are the sources for the information that you are collecting:

☒ Personal information from FCC employees:
☐ Personal information from FCC contractors:
☒ Personal information from non-FCC Individuals and/or households:
☒ Non-personal information from businesses and other for-profit entities:
☒ Non-personal information from institutions and other non-profit entities:
☐ Non-personal information from farms:
☐ Non-personal information from Federal Government agencies:
☒ Non-personal information from state, local, or tribal governments:
☒ Other sources, please specify:

- Correspondence in the system may come from any source, including FCC employees and contractors. However, any such communication would not be considered related to any duties performed in an FCC capacity. [you say above that FCC employees may contact their Congress person per an unfavorable personnel action]
- The system accepts correspondence from the general public as attachments to Congressional correspondence.
- The attachments, which are currently scanned into the database, may have any or all of the above PII data types , or it may have no PII at all, as it is "free-form text" on any subject(s) the constituents may wish to discuss with their Senators and/or Congressional representative..
- No specific information is requested of submitters, they include what information they feel they need or want to submit.
- Current OLA policy is to redact date of birth and social security number before scanning the correspondence into the database. The paper files are then stored in unlocked file cabinets in an unlocked room

1.9 Will the information system obtain, use, store, analyze, *etc*. information about individuals, *e.g*, personally identifiable information (PII), from other information systems, including both FCC and non-FCC information systems?

☐ Yes
☒ No

Please explain your response:

LMTS is a stand alone system. It has no links to other FCC or non-FCC information systems.

If this information system is a “stand alone” information system, *e.g.*, it does not use information from another system, and/or it is not linked to another information system, please skip to Question 1.13.

1.10 If the system uses information, including information about individuals (PII), from other information systems, what information will be used?

Information system name(s):
☐ Individual’s name

- ☐ Other names, *i.e.*, maiden name, *etc*.
- ☐ SSN:
- ☐ Race/Ethnicity
- ☐ Gender
- ☐ U.S. Citizenship
- ☐ Non-U.S. Citizenship
- ☐ Biometric data
  - ☐ Finger prints
  - ☐ Voice prints
  - ☐ Retina scan/prints
  - ☐ Photographs
  - ☐ Other physical information, *i.e.*, hair color, eye color, identifying marks, *etc*.
- ☐ Birth date/Age
- ☐ Place of birth
- ☐ Medical data
- ☐ Marital status
- ☐ Spousal information
- ☐ Miscellaneous family information
- ☐ Home address
- ☐ Home address history
- ☐ Home telephone number(s)
- ☐ Personal cell phone number(s)
- ☐ Personal fax number(s)
- ☐ Personal e-mail address(es)
- ☐ Emergency contact data
- ☐ Credit card number(s)
- ☐ Driver's license number(s)
- ☐ Bank account(s)
- ☐ Non-FCC personal employment records
- ☐ Non-FCC government badge or employee ID number(s), *e.g*., contractor's badge number.
- ☐ Law enforcement data
- ☐ Background investigation history
- ☐ Military history
- ☐ National security data
- ☐ Foreign countries visited
- ☐ Other information, please specify:

Information about Business Customers and others (usually not considered "personal information"):

- ☐ Not applicable
- ☐ Name of business contact/firm representative, customer, or others
- ☐ Business/corporate purpose(s)
- ☐ Other business/employment/job description(s)
- ☐ Professional/Personal clubs and/or affiliations
- ☐ Full or partial SSN:
- ☐ Intra-business office address (office or workstation)
- ☐ Business/office address
- ☐ Business telephone number(s)
- ☐ Business cell phone number(s)
- ☐ Business fax number(s)

☐ Business pager number(s)
☐ Business e-mail address(es)
☐ Race/Ethnicity
☐ Customers' gender(s)
☐ Bill payee name
☐ Bank routing number(s)
☐ Income/Assets
☐ Web navigation habits
☐ Commercially obtained credit history data
☐ Commercially obtained buying habits
☐ Credit card number(s)
☐ Bank account(s)
☐ Credit report(s)
☐ Other information, please specify:

Miscellaneous Business Information:

☐ Not applicable
☐ Not publicly available business data, i.e., trade or propriety information
☐ Other information, please specify:

"Non-personal" information:

☐ Not applicable
☐ Economic data
☐ Engineering/scientific data
☐ Accounting/financial data
☐ Legal/regulatory/policy data
☐ Other information, please specify:

1.11 What are the sources for the information from the other information system(s) that you are collecting:

☐ Personal information from FCC employees:
☐ Personal information from FCC contractors:
☐ Personal information from non-FCC individuals and/or households:
☐ Non-personal information from businesses and other for-profit entities:
☐ Non-personal information from institutions and other non-profit entities:
☐ Non-personal information from farms:
☐ Non-personal information from Federal Government agencies:
☐ Non-personal information from state, local, or tribal governments:
☐ Other sources:

1.12 Will the information system derive new information or create previously unavailable information through aggregation or consolidation from the information that will now be collected, including information that is being shared or transferred from another information system?

☐ Yes
☐ No

Please explain your response:

1.13 Can the information, whether it is: (a) in the information system; (b) in a linked information system; and/or (c) transferred from another system, be retrieved by a name or a "unique identifier" linked to an individual, *e.g.*, SSN, name, home telephone number, fingerprint, voice print, *etc*.?

☐ Yes
☒ No

Please explain your response:

Any PII information in the LMTS information system is contained in a free-form communication that has been converted to a searchable PDF, so that while a search may be done on a specific known piece of information, a general search on home addresses, for example, cannot be performed.

1.14 Will the new information include personal information about individuals, *e.g*., personally identifiable information (PII), which is to be included in the individual's records or to be used to make a determination about an individual?

☐ Yes
☒ No

Please explain your response:

All personal data within the LMTS attachments have been freely submitted by those people seeking help or information from their Senator or Congressman. The information given may be used to address a specific problem posed by the correspondent, but it is not used to "make a determination about an individual".

If the information system does not contain information about individuals, please skip to Question 1.16.

1.15 What is the potential impact or "security risk" on individuals on whom the information is maintained in the information system(s) if unauthorized disclosure or misuse of information occurs?
(check one)

☐ Results in little or no harm, embarrassment, inconvenience, or unfairness to the individual.
☐ Results in moderate harm, embarrassment, inconvenience, or unfairness to the individual.
☒ Results in significant harm, embarrassment, inconvenient, or unfairness to the individual.

Please explain your response:

- The level of effect on the individual in question depends entirely on the personally identifiable information (PII) he/she has elected to provide to the Senator and/or Congressional representative as part of their complaint or enquiry.
- The most sensitive PII is likely to concern PII about FCC employees per Commission personnnel actions, etc.
- Although redacted, SSN and date of birth might the included in the (original) attachment accompanying the Congressional enquiry.

1.16. What is the potential impact or "security risk" for the information that is maintained in the information system if an unauthorized disclosure or misuse of information occurs?
(check one) [maybe I confused you, but 1.15 and 1.16 were supposed to be an "either/or" response—if the information system has PII, complete 1.15, if non, complete 1.16]

☐ Results in little or no harm, embarrassment, inconvenience, or unfairness.
☐ Results in moderate harm, embarrassment, inconvenience, or unfairness.
☐ Results in significant harm, embarrassment, inconvenient, or unfairness.

Please explain your response:

1.17 Is this impact level consistent with the guidelines as determined by the FIPS 199 assessment?

☒ Yes
☐ No

Please explain your response:

The LMTS information system is a "non major" information system, and as such, it is exempt for the FIPS 199 assessment guidelines.

1.18 When was “Certification and Accreditation” (C&A) last completed?

The latest C&A package was signed off in December, 2008.

1.19 Has the Chief Information Officer (CIO) and/or the Chief Security Officer designated this information system as requiring an

☐ Independent risk assessment
☐ Independent security test and evaluation
☐ Other risk assessment and/or security testing procedure, *etc*.
☒ Not applicable.

Please explain your response:

LMTS is not classified as a major information system; and therefore, LMTS requires no consideration other than a C&A.

1.20 Based on the information that you have provided thus far, if:

☐ The information you are collecting does not includes information about individuals if you answered **NO** to questions 1.5, 1.7, 1.8, 1.9, 1.10, 1.11, 1.13, 1.14 and/or 1.16, then:

The information system (IT application or paper files) does not contain information about individuals nor does it have shared links with other information systems that may also contain information about individuals that could constitute a privacy issue.

A Privacy Impact Assessment is **not required**.

☒ The information you are collecting does include information about individuals, and you answered **YES** to questions 1.5, 1.7, 1.8, 1.9, 1.10, 1.11, 1.13, 1.14, and /or1.15, then:

The information system (IT application or paper files) does contain information about individuals, or it does have shared links with other information systems that may also contain information about individuals that could constitute a privacy issue.

The information system **requires** a Privacy Impact Assessment (PIA).