

U.S. Securities and Exchange Commission

**Testimony Tracking System (TTS) - Historical Data (HD)
PRIVACY IMPACT ASSESSMENT (PIA)**



July 2, 2021

Division of Enforcement

Privacy Impact Assessment

TTS-HD

Section 1: System Overview

1.1 Name of Project or System

Testimony Tracking System (TTS) - Historical Data (HD)

1.2 Is the system internally or externally hosted?

- Internally Hosted (SEC) Division of Enforcement (ENF)
- Externally Hosted
(Contractor or other agency/organization)

1.3 Reason for completing PIA

- New project or system
- This is an existing system undergoing an update
- First developed:
Last updated:
Description of update:

1.4 Does the system or program employ any of the following technologies?

- Enterprise Data Warehouse (EDW)
- Social Media
- Mobile Application (or GPS)
- Cloud Computing Services
- Web Portal
- None of the Above

Section 2: Authority and Purpose of Collection

2.1 Describe the project and its purpose or function in the SEC's IT environment

Testimony Tracking System (TTS) data that could not be migrated to the Evidence Tracking System (ETS) is retained in a database referred to as TTS - Historical Data (HD). The database preserves ENF historical testimony transcript metadata (dates of transcripts and names) and session information (e.g., transmittal request, vendor process reporting) but does not contain actual transcript content. TTS-HD allows users to view and query TTS historical data using Microsoft Access. Users can search/filter transcript metadata and generate historical summary reports about the transmittal payment and invoice information. TTS-HD will remain operational until the cases associated with the data are closed and removed from the database, at which point TTS-HD will be retired.

2.2 What specific legal authorities, arrangements, and/or agreements allow the information to be collected?

Sections 19 and 20 of the Securities Act of 1933; Section 21 of the Securities Exchange Act of 1934; Section 321 of the Trust Indenture Act of 1939; Section 42 of the Investment Company Act of 1940; Section 209 of the Investment Advisers Act of 1940; and 17 CFR 202.5–*Enforcement Activities*. SORN SEC-17 authorities are 15 U.S.C. 77s, 77t, 78u, 77uuu, 80a-41, and 80b-9.

2.3 Does the project use, collect, or maintain Social Security numbers (SSNs)? This includes truncated SSNs.

- No
- Yes

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If yes, provide the purpose of collection:

If yes, provide the legal authority:

2.4 Do you retrieve data in the system by using a personal identifier?

- No
- Yes, a SORN is in progress
- Yes, there is an existing SORN
SEC-17 *Enforcement Files*

2.5 Is the information covered by the Paperwork Reduction Act of 1995 (PRA)?

- No
- Yes

2.6 Considering the purpose of the collection, what privacy risks were identified and how were those risks mitigated?

There is a potential risk that information collected may be used for an unauthorized purpose. The risk is mitigated because only information collected for purposes identified in SORN SEC-17 is contained in TTS-HD and accessed only by personnel with a legitimate business need.

Section 3: Data Collection, Minimization, and Retention

3.1 What information is collected, maintained, used, or disseminated about individuals? *Check all that apply.*

- The system does not collect, maintain, use, or disseminate information about individuals.

Identifying Numbers

- | | | |
|---|--|---|
| <input type="checkbox"/> Social Security Number | <input type="checkbox"/> Alien Registration | <input type="checkbox"/> Financial Accounts |
| <input type="checkbox"/> Taxpayer ID | <input type="checkbox"/> Driver's License Number | <input type="checkbox"/> Financial Transactions |
| <input type="checkbox"/> Employee ID | <input type="checkbox"/> Passport Information | <input type="checkbox"/> Vehicle Identifiers |
| <input type="checkbox"/> File/Case ID | <input type="checkbox"/> Credit Card Number | <input type="checkbox"/> Employer ID |
| <input type="checkbox"/> Other: | | |

General Personal Data

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Name | <input type="checkbox"/> Date of Birth | <input type="checkbox"/> Marriage Records |
| <input type="checkbox"/> Maiden Name | <input type="checkbox"/> Place of Birth | <input type="checkbox"/> Financial Information |
| <input type="checkbox"/> Alias | <input type="checkbox"/> Home Address | <input type="checkbox"/> Medical Information |
| <input type="checkbox"/> Gender | <input type="checkbox"/> Telephone Number | <input type="checkbox"/> Military Service |
| <input type="checkbox"/> Age | <input type="checkbox"/> Email Address | <input type="checkbox"/> Mother's Maiden Name |
| <input type="checkbox"/> Race/Ethnicity | <input type="checkbox"/> Education Records | <input type="checkbox"/> Health Plan Numbers |
| <input type="checkbox"/> Civil or Criminal History | <input type="checkbox"/> Zip Code | |
| <input type="checkbox"/> Other: | | |

Work-Related Data

- | | | |
|---|---|--|
| <input type="checkbox"/> Occupation | <input type="checkbox"/> Telephone Number | <input type="checkbox"/> Salary |
| <input type="checkbox"/> Job Title | <input checked="" type="checkbox"/> Email Address | <input type="checkbox"/> Work History |
| <input type="checkbox"/> Work Address | <input type="checkbox"/> Certificate/License Number | <input type="checkbox"/> Business Associates |
| <input type="checkbox"/> PIV Card Information | <input type="checkbox"/> Fax Number | |
| <input type="checkbox"/> Other: | | |

Distinguishing Features/Biometrics

- | | | |
|---------------------------------------|--------------------------------------|--|
| <input type="checkbox"/> Fingerprints | <input type="checkbox"/> Photographs | <input type="checkbox"/> Genetic Information |
|---------------------------------------|--------------------------------------|--|

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- | | | |
|--|---|--|
| <input type="checkbox"/> Voice Recording | <input type="checkbox"/> Video Recordings | <input type="checkbox"/> Voice Signature |
| <input type="checkbox"/> Other: | | |

System Administration/Audit Data

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> User ID | <input type="checkbox"/> Date/Time of Access | <input type="checkbox"/> ID Files Accessed |
| <input type="checkbox"/> IP Address | <input type="checkbox"/> Queries Ran | <input type="checkbox"/> Contents of Files |
| <input checked="" type="checkbox"/> Other: Testimony transcript metadata and session information such as transmittal requests and vendor process reporting. | | |

3.2 Why is the PII listed in Question 3.1 collected, used, shared, or maintained by the system or project?

PII, contained in information from historical testimony sessions is maintained in TTS-HD for future access and reporting purposes.

3.3 Whose information may be collected, used, shared, or maintained by the system?

- SEC Employees
Purpose: Names of SEC staff who schedule or conduct testimony sessions and referenced for reporting on past testimony sessions.
- SEC Federal Contractors
Purpose: Names of contractors that provide testimony transcribing services and reference for reporting on transcribed testimony sessions.
- Interns
Purpose:
- Members of the Public
Purpose: Names of witness required to schedule testimony and referenced for reporting on past testimony sessions.
- Employee Family Members
Purpose:
- Former Employees
Purpose: Names of former SEC staff who scheduled or conducted testimony sessions and referenced for reporting on past testimony sessions.
- Job Applicants
Purpose:
- Vendors
Purpose: .
- Other:
Purpose:

3.4 Describe the PII minimizing mechanisms and if the PII from the system is being used for testing, training, and/or research efforts.

PII contained in the system is not used for testing, training, or research purposes.

3.5 Has a retention schedule been established by the National Archives and Records Administration (NARA)?

- No.

TTS-HD data is not considered records and are managed as part of the official case file.

- Yes.

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3.6 What are the procedures for identification and disposition at the end of the retention period?

Information is retained in TTS-HD until a case is closed, and then the information is transferred with the case to off-site storage for an additional 10-year retention.

3.7 Will the system monitor members of the public, employees, and/or contractors?

- N/A
- Members of the Public
Purpose:
- Employees
Purpose:
- Contractors
Purpose:

3.8 Considering the type of information collected, what privacy risks were identified and how were those risks mitigated?

The privacy risk related to testimony tracking information collection is that non-public information could be made publicly available if accessed by unauthorized users. This risk is mitigated by limiting access to only personnel who require access to the data as part of official duties.

Section 4: Openness and Transparency

4.1 What forms of privacy notice were provided to the individuals prior to collection of data? *Check all that apply.*

- Privacy Act Statement
- System of Records Notice
SEC-17 *Enforcement Files*
- Privacy Impact Assessment
Date of Last Update:
- Web Privacy Policy
- Other notice: SEC Website Privacy and Security [Policy](#)
- Notice was not provided.

4.2 Considering the method(s) of notice provided, what privacy risks were identified regarding adequate notice and how were those risks mitigated?

No risks related to inadequate notice were identified. No mitigation actions is recommended.

Section 5: Limits on Uses and Sharing of Information

5.1 What methods are used to analyze the data?

Data stored in TTS-HD is not subjected to analysis. Data is stored in a database and is used to query on the records to retrieve and display the data.

5.2 Will internal organizations have access to the data?

- No

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- Yes
Organizations:

5.3 Describe the risk to privacy from internal sharing and describe how the risks are mitigated.

No risks related to internal sharing were identified. No mitigation actions are recommended.

5.4 Will external organizations have access to the data?

- No
 Yes
Organizations:

5.5 Describe the risk to privacy from external sharing and describe how the risks are mitigated.

Data is not shared externally. No risks related to external sharing were identified. No mitigation actions are recommended.

Section 6: Data Quality and Integrity

6.1 Is the information collected directly from the individual or from another source?

- Directly from the individual.
 Other source(s): System contains legacy data from the TTS system.

6.2 What methods will be used to collect the data?

The TTS-HD system contains legacy data transferred from the TTS system. No new data will be added to TTS-HD.

6.3 How will the data collected from individuals, or derived by the system, be checked for accuracy and completeness?

Data in TTS-HD is not collected directly from individuals and is not checked for accuracy and completeness. The data was transferred from the TTS system and previously checked for accuracy when collected in TTS.

6.4 Does the project or system process, or access, PII in any other SEC system?

- No
 Yes.
System(s):

6.5 Consider the sources of the data and methods of collection and discuss the privacy risk for this system related to data quality and integrity? How are these risks mitigated?

The risk related to data quality is extremely low, because all data is verified in TTS prior to being downloaded into TTS-HD. There is a potential risk that the data originating in TTS is incorrect. SEC personnel manually verifying the data in TTS and the transcripts following testimony sessions mitigates this risk.

Section 7: Individual Participation

7.1 What opportunities are available for individuals to consent to uses, decline to provide information, or opt out of the project? If no opportunities are available to consent, decline or opt out, please explain.

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Data in TTS-HD is legacy data from TTS. As an extract from TTS, there is no additional opportunity for individuals to decline or consent to uses of their information.

7.2 What procedures are in place to allow individuals to access their information?

TTS-HD is an extract of legacy information from TTS. There are no procedures in place for individuals to access this information.

7.3 Can individuals amend information about themselves in the system? If so, how?

Individuals cannot amend information about themselves that is stored in TTS-HD.

7.4 Discuss the privacy risks related to individual participation and redress. How were these risks mitigated?

The potential privacy risk is that inaccurate data pertaining to an individual may be stored in the system and the individual may not be able to access or amend this legacy data. This risk is mitigated, as the system only contains legacy information on testimony previously scheduled with the division and does not contain actual transcripts.

Section 8: Security

8.1 Does the project or system involve an online collection of personal data?

- No
 - Yes
- Public
URL:

8.2 Does the site have a posted privacy notice?

- No
- Yes
- N/A

8.3 Does the project or system use web measurement and/or customization technologies?

- No
- Yes, but they do not collect PII
- Yes, and they collect PII

Section 9: Accountability and Auditing

9.1 Describe what privacy training is provided to users, either general or specific to the system or project.

All SEC staff and contractors receive initial and annual privacy and security awareness training, which outlines roles and responsibilities for proper handling and protection of PII and includes the SEC Rules of the Road.

9.2 Does the system generate reports that contain information on individuals?

- No
- Yes

Reports containing aggregated data (which may contain witness names) may be generated for SEC Office of Acquisitions (OA) for court reporting contract renewal purposes.

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9.3 Do contracts for the system include Federal Acquisition Regulation (FAR) and other applicable clauses ensuring adherence to the privacy provisions and practices?

- No
- Yes
- This is not a contractor operated system

9.4 Does the system employ audit logging or event logging?

- No
- Yes

9.5 Given the sensitivity of the PII in the system, manner of use, and established safeguards, describe the expected residual risk related to access.

Although access to this system is limited only to authorized SEC staff, the expected residual risk related to access can include the inadvertent handling or misuse of data. To mitigate this risk, user accounts for employees are synched with SEC's Active Directory and system privileges are granted based on defined roles.