

U.S. Securities and Exchange Commission

**Agency Correspondence Tracking System+ (ACTS+)
PRIVACY IMPACT ASSESSMENT (PIA)**



September 9, 2013

Privacy Impact Assessment
Agency Correspondence Tracking System+ (ACTS+)

General Information

1. Name of Project or System.
Agency Correspondence Tracking System+ (ACTS+)
2. Describe the project and its purpose or function in the SEC's IT environment.

ACTS+ is owned by the Office of Investor Education and Advocacy (OIEA). ACTS was substantially replaced by the externally hosted Investor Response Information System (IRIS) application, and has been maintained in a read-only mode since November 2009. OIEA used ACTS to track public and Congressional correspondence relating to companies that deal in securities exchanges (the required filings submitted to the SEC), enforcement cases, matters under inquiry, investor complaints and securities violations, and public access to information. The application provided a means to track the life cycle of contacts with the SEC and allowed web-based forms to be submitted by external users.

As of November 16, 2009, ACTS+ became a repository system for documents dated prior to November 16, 2009. Since that date, OIEA has tracked investor correspondence, analysis, and disposition information regarding complaints and inquiries from the public using the Investor Response Information System (IRIS).

3. Requested Operational Date?
This system is currently operational in read-only mode. This PIA is being conducted to assess the current privacy risks and vulnerabilities of the data collected.
4. System of Records Notice (SORN) number?
SEC-29, Agency Correspondence Tracking System.)
5. Is this an Exhibit 300 project or system? No Yes
6. What specific legal authorities, arrangements, and/or agreements allow the collection of this information?
Authority for maintenance of the system : 15 U.S.C. 77a et seq., 77aaa, et seq., 78a etseq., 80a-1 et seq., and 80b-1 et seq., 17cfr 200.24a

Specific Questions

SECTION I - Data in the System

1. What data about individuals could be collected, generated, or retained?

The table below lists the primary information stored in ACTS+. The information is not updated; it is maintained only for archival searches.

Investor fields	Definition	Type
Salutation	Salutation of Contact	picklist
First Name	First Name of Contact	string
Last Name	Last Name of Contact	string

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Full Name	Full Name of Contact (First and Last Name)	string
Title	Title of Contact	string
Mailing City	Mailing City (Address)	string
Mailing Country	Mailing County (Address)	string
Mailing State/Province	Mailing State/Province (Address)	string
Mailing Street	Mailing Street (Address)	textarea
Mailing Zip/Postal Code	Mailing Zip/Postal Code (Address)	string
Other City	Other City (Address)	string
Other Country	Other Country (Address)	string
Other Phone	Other Phone Number of Contact	phone
Other State/Province	Other State/Province (Address)	string
Other Street	Other Street (Address)	textarea
Other Zip/Postal Code	Other Zip/Postal Code (Address)	string
Mobile Phone	Mobile Phone of Contact	phone
Business Fax	Fax Number for Contact	phone
Business Phone	Phone of Contact	phone
Home Phone	Home Phone of Contact	phone
Email	Email Address of Contact	email
Correspondence ID	Oracle ID	string
Entity fields	Definition	Type
Account Fax	Fax Number for Business	phone
Account Name	Business Name	string
Account Number	External Account ID	string
Account Phone	Business Phone	phone
Account Type	Account Type	picklist
Last Activity	Date of last activity on record	date
Owner ID	User who owns record	reference (User)
Billing City	Billing City (Address)	string
Billing Country	Billing Country (Address)	string
Billing State/Province	Billing State (Address)	string
Billing Street	Billing Street (Address)	textarea
Billing Zip/Postal Code	Billing Zip/Postal Code (Address)	string
Shipping City	Shipping City (Address)	string
Shipping Country	Shipping Country (Address)	string
Shipping State/Province	Shipping State/Province (Address)	string
Shipping Street	Shipping Street (Address)	textarea
Shipping Zip/Postal Code	Shipping Zip/Postal Code (Address)	string

2. Does the project/system use or collect the social security number (SSN)? (This includes truncated SSNs)

No.

Yes. If yes, provide the function of the SSN and the legal authority to collect.

3. What are the sources of the data?

The sources of the information are the original incoming correspondence and any related correspondence generated by an assigned responder. Sources include, but are not limited to,

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investors and members of the public, private businesses, Congressional offices, and other public agencies. The system also uses information collected previously by OIEA or other SEC offices and databases.

4. Why is the data being collected?
The data was collected to facilitate the processing of correspondence from investors and members of the public, including complaints, questions, and requests for information. OIEA utilized ACTS+ to maintain a record of investor or other contacts, enable follow-up correspondence, and forward correspondence internally. The collections of PII facilitated OIEA's ability to process correspondence and uniquely identify action items.
5. What technologies will be used to collect the data?
No new information is being collected in ACTS+.

SECTION II - Attributes of the Data (use and accuracy)

1. Describe the uses of the data.
No new data is being collected in ACTS+. Data was previously collected to facilitate the processing of correspondence from investors and members of the public, including complaints, questions, and requests for information. The collections of PII facilitated OIEA's ability to process correspondence and uniquely identify action items.
2. Does the system analyze data to assist users in identifying previously unknown areas of note, concern or pattern? No Yes If yes, please explain:
3. How will the data collected from individuals or derived by the system be checked for accuracy?
No new data is being collected in ACTS+. While in operation, ACTS+ allowed for the collection of unstructured email, telephony and facsimile communication. OIEA's Investor Specialists were responsible for reviewing the information, which was frequently inadequately formatted, and categorize the complaint appropriately.

SECTION III - Sharing Practices

1. Will the data be shared with any internal organizations?
 No Yes If yes, please list organization(s): The data may be shared with other offices and divisions within the Commission.
2. Will the data be shared with any external organizations?
 No Yes If yes, please list organizations(s): The data may be shared with self-regulatory organizations and Federal and state regulatory authorities pursuant to a published routine use.

How is the data transmitted or disclosed to external organization(s)?
The information would be transmitted in the form of a printed paper report, an Excel file placed on a restricted shared drive, or encrypted email.
3. How is the shared data secured by external recipients?

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Data would be shared with external recipients only pursuant to a published routine use. The sharing of PII is compatible with the original collection and covered by routine uses in the currently published SORN.

4. Does the project/system process or access PII in any other SEC system?
 No
 Yes. If yes, list system(s).

SECTION IV - Notice to Individuals to Decline/Consent Use

1. What privacy notice was provided to the different individuals prior to collection of data?
(Check all that apply)
 Privacy Act Statement System of Records Notice Privacy Impact Assessment
 Web Privacy Policy Notice was not provided to individuals prior to collection
2. Do individuals have the opportunity and/or right to decline to provide data?
 Yes No N/A
Please explain: This system is a repository of archived documents. Information is not collected from individuals.
3. Do individuals have the right to consent to particular uses of the data?
 Yes No N/A
Please explain: This system is a repository of archived documents. Information is not collected from individuals.

SECTION V - Access to Data (administrative and technological controls)

1. Has the retention schedule been established by the National Archives and Records Administration (NARA)?
 No If no, please explain:
 Yes If yes, list retention period:
These records will be maintained until they become inactive, at which time they will be retired or destroyed in accordance with records schedules of the U.S. Securities and Exchange Commission and as approved by the National Archives and Records Administration.
2. Describe the privacy training provided to users, either generally or specifically relevant to the program or system?
Privacy training is covered under the umbrella of annual OIT training requirements. To access the system, users need to complete Annual Privacy Training. If positive acknowledgement of completion of the training is not received, accounts may be disabled. In addition, all users of SEC information systems are expected to adhere to Implementing Instruction "Personally Identifiable Information (PII)" and "Rules of the Road."
3. Has a system security plan been completed for the information system(s) supporting the project?
 Yes If yes, please provide date C&A was completed: 9/22/11

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No If the project does not trigger the C&A requirement, state that along with an explanation

4. Is the system exposed to the Internet without going through VPN?

No

Yes If yes, Is secure authentication required? No Yes; and
Is the session encrypted? No Yes

5. Are there regular (ie. periodic, recurring, etc.) PII data extractions from the system?

No

Yes If yes, please explain:

6. Which user group(s) will have access to the system?

SEC employees or contractors who require the ability to search ACTS+ historical data.

7. How is access to the data by a user determined?

Access to the legacy information in ACTS+ is granted using ITSM. Requests for access are routed to OIEA IT Specialists who validate the need for access. Once validated, accounts are created by OIT.

Are procedures documented? Yes No

8. How are the actual assignments of roles and rules verified.

The database is marked READ-ONLY. There are no active roles in use. All ACTS+ accounts have the same READ-ONLY role.

9. What auditing measures/controls and technical safeguards are in place to prevent misuse (e.g., unauthorized browsing) of data?

- To gain access to ACTS+, a user must have access to the SEC network. This means that the user must have an approved device (SEC issued hardware) and a working Active Directory login. If a potential user is unable to access the network, they will not be able to use ACTS+.
- With respect to an SEC/OIEA employee whose function changes and access to the system is no longer needed, it is the responsibility of the Branch Chiefs and the Assistant Director to notify the System Administrators.
- Finally, working with OIT, OIEA performs an annual user review and deactivates inactive accounts.

SECTION VI - Privacy Analysis

Given the amount and type of data being collected, discuss what privacy risks were identified and how they were mitigated.

Understanding that ACTS+ is an archival system and currently READ-ONLY, a risk would be the exposure of PII contained with ACTS+. OIT minimizes this risk by restricting network access to the use of an approved SEC device and an Active Directory login. In addition to the hardware and active network account, a user requires an ACTS+ account.