

.1 What information is to be collected, used, disseminated, or maintained?

A survey may be used to collect any type of information, including PII, that the agency determines is necessary, appropriate, and within its authority to collect in support of the agency's law enforcement and regulatory mission. See 2.7 below. Since surveys are used by FTC staff to perform the Commission's law enforcement and other authorized activities, the PII to be collected and maintained will depend on the survey's specific law enforcement or other purpose.

Information collected from or about survey respondents may include their personal contact information (e.g., name, postal address, e-mail address, phone number). In some cases, surveys may collect contact information for other individuals (e.g., home or e-mail address of an individual operating a small business or sole proprietorship with whom the consumer being surveyed has dealt). Survey responses may also include

.2 What are the sources of the information in the system?

The FTC may obtain consumer contact information for its surveys from consumer complaints previously

.8 Considering the type of information collected and sources of collection, what privacy risks were identified and how were these risks mitigated?

If the FTC provides contractors or subcontractors with consumer contact information, the FTC requires that they agree to treat it as nonpublic and handle it appropriately to safeguard against unauthorized use, loss, or disclosure. For example, the FTC requires

3 Use and Access to Data in the System

The following questions are intended to clearly describe how the information in the system will be used, and who will use it.

.1 Describe how information in the system will or may be used.

See above sections 1, 2.3. The FTC or its contractors or subcontractors will use contact information to solicit participation in these surveys, and will use survey responses to generate analyses, reports, and summaries. The survey responses and other data delivered to the FTC by its contractors typically will not include identifying information about the respondents, nor will the analyses, reports, and summaries generated from these responses. Reports and analyses may be redacted accordingly to protect consumer information.

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survey when they are contacted to solicit their participation. Participation is always voluntary; if individuals choose to participate, the survey form, questionnaire or other instrument or survey method (e.g., in person interview) will explain, as applicable and to the extent possible, how their information is to be used and/or disclosed. In some cases the nature or purpose of a survey including its sponsorship by the FTC may be disclosed at the end of the survey because disclosure before the survey is administered may inadvertently create bias in the consumers' responses. This would affect the accuracy and validity of the information collected and effectively nullify the survey. In such cases, participants are given the opportunity to have their survey responses deleted and to withdraw their participation.

Before records are maintained by the FTC or on its behalf in a system of records under the Privacy Act of 1974, notice in accordance with that Act will be provided to survey participants (i.e., Privacy Act statement under 5 U.S.C. 552a(e)). In other cases, survey contractor or subcontractor may not collect and maintain survey records by name or other personally assigned identifiers. In such cases, a Privacy Act statement is not required, but the FTC will work with the contractor or subcontractor to ensure that consumers receive appropriate notice of the survey's purpose and the use and disclosure of their data.

.2 Do individuals have the opportunity and/or right to decline to provide information?

Yes. All such surveys are completely voluntary.

.3 Do individuals have the right to consent to particular uses of the information? If so, how would an individual exercise this right?

No, except by declining to participate in the survey.

.4 What

- .5 Discuss the privacy risks associated with the process of providing individuals access to their own records and how those risks are mitigated.

Not applicable. In performing these surveys, the FTC and its contractors or subcontractors do not maintain or operate any online or other system for providing individuals with access to their data, even if survey responses may, in some cases, be collected by online methods.

5 Web Site Privacy Issues

Complete this section only if the new system or project creates or modifies an FTC Web site, page, or online form accessible through the Internet.

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.4 Explain how the public will be notified of the Privacy Policy.

If the FTC is conducting the survey itself, the FTC's privacy policy is posted on the FTC's web site, www.ftc.gov.

.3 Has a risk assessment been conducted on the system?

The Office of the Chief Privacy Officer has performed a risk analysis for FTC survey activities. When applicable and necessary, the FTC will ensure appropriate security controls are identified to minimize the risk associated with conduct of these surveys and that such controls have been implemented.

.4 Does the project employ technology that may raise privacy concerns? If so, please discuss its implementation.

See above sec. 2.8.

.5 What procedures are in place to determine which users may access the system and are they documented?

The FTC bureau or office initiating the survey determines access roles and privileges based on the user's job requirement. In accordance with FTC's established guidelines and practices, procedures are documented and administrative access is limited to authorized FTC and contractor/subcontractor personnel who require that level of access in the course of their job duties.

.6 Describe what privacy training is provided to users either generally or specifically relevant to the program or system.

All FTC employees and contractors with FTC network access are required to complete computer security training and privacy awareness training on an annual basis. The Federal Acquisitions Regulation (FAR) also requires privacy training for all contractors handling PII.

.7 What auditing measures and technical safeguards are in place to prevent the misuse of data?

When applicable and necessary, auditing measures and technical safeguards may be enacted to ensure that FTC's contractors/subcontractors comply with all practical rules and

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7 Data Retention

This section addresses for how long data is maintained, and how and when it is disposed of.

- .1 For what period of time will data collected by this system be maintained?

Typically, data is maintained for as long as necessary to conduct the survey and perform analysis of information, subject to applicable agency records disposition schedules. Any survey data retained by the FTC for further analysis will not normally include personal identifiers.

- .2 What are the plans for destruction or disposal of the information?

See section 7.1 above.

- .3 Describe any privacy risks identified in the data retention and disposal of the information, and describe how these risks have been mitigated.

There may be risks associated with collecting personal information and retaining that information for lengthy periods of time. These risks are mitigated by scrubbing the data collected of any personal identifiers and by limiting the use of data for the purpose for which it was collected, and ensuring that it is deleted or disposed of when no longer necessary.

8 Privacy Act

This section addresses the applicability of the Privacy Act of 1974 to the system, and whether or not the system is covered by a System of Records Notice (mandated for some systems by the Privacy Act of 1974).

- .1 Will the data in the system be retrieved by a personal identifier?

Normally, no. As explained earlier, the FTC itself will receive information from its survey contractors in de-identified form, with no records directly identifiable by participant name or other personally assigned identifier. Thus, the FTC normally will not retrieve any survey records or data by name or other personal identifiers. In some cases, however, if the FTC collects survey data directly from participants, or contractors collect data in identifiable form, the FTC or contractor may maintain and retrieve, or be able to retrieve, survey records or data by name or other personal identifier assigned to the individual survey respondent (e.g., tracking or other code number).

- .2 Is the system covered by an existing Privacy Act System of Records notice?

methods to conduct surveys, resulting in the collection of login IDs, passphrases, or responses to challenge questions, that administrative user information would be covered by the FTC's SORN that applies to computer user identification and access records.⁶ All of the FTC's SORNs are available on the FTC's public Website, www.ftc.gov.⁷

9 Privacy Policy

This section confirms that the information handling practices of the system are consistent with the FTC's privacy policy.

- .1 Confirm that the collection, use, and disclosure of the information in this system has been reviewed to ensure consistency with the FTC's privacy policy.

The collection, use, and disclosure of the information in this system has been reviewed to ensure consistency with the FTC's privacy policy.

⁵ See FTCI-1.

⁶ See FTC VII-3.

⁷ See <https://www.ftc.gov/about-ftc/foia/foia-readingrooms/privacyact-systems>.