

Federal Trade Commission
Privacy Impact Assessment

Online Fax Services

July 2019

Reviewed February 2023

1 System Overview

The Federal Trade Commission (FTC, Commission or the agency) is an independent federal government law enforcement and regulatory agency with authority to promote consumer protection and competition through the prevention of unfair, deceptive and competitive business practices; to enhance informed consumer choice and public understanding of the competitive process; and to accomplish these missions without unduly burdening legitimate business activity.

The Online Fax Service provides an effective and efficient alternative to the traditional manual fax method using existing agency fax machines. Particularly for faxes that are being sent to multiple destinations, that contain a high volume of information, or that are transmitting material that is already in electronic format, the Online Fax Service reduces the time, effort, cost, and risks associated with more traditional manual fax methods. Currently, FTC users can use the Online Fax Service to send, but not receive, faxes.

The Online Fax Service permits authorized FTC employees and contractors to use their web

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Recipient Data:

Recipient data is used to allow senders to securely send messages via the Online Fax Service to the correct recipients

2.4. How is the information collected?

Fax Content:

Materials to be transmitted by the Online Fax Service will be securely uploaded from the FTC network by authorized users to the contractor's portal, together with the transmission information for the recipient(s). Documents are encrypted in transit and at rest.

Sender Data:

User IDs created by the FTC System Administrator. Staff enter their own passwords and user preferences directly into the secure system.

Recipient Data:

The PII pertaining to the recipient that is uploaded to the Online Fax System is limited to fax number, name, and business affiliation. The way the agency obtained the fax number or any other recipient PII will depend on the case or circumstance. Sources of this information may include targets of investigations (businesses and individuals) and their lawyers and representatives; companies or organizations not under investigation; consumers, witnesses, and informants; and others (e.g., data acquired by the FTC from commercial, academic or governmental sources); and FTC staff.

2.5 How will the information be checked for accuracy and timeliness (currency)?

Fax Content:

Files are uploaded to the Online Fax Service's secure storage area "as is" without verifying their accuracy or timeliness. Instead, the underlying information that is used by the FTC as part of its law enforcement and other activities is reviewed for accuracy and timeliness as required by, and in the course of, the particular activity.

Sender Data:

System administrators are responsible for adding senders to, or removing senders from, the system. The agency relies on the vendor to maintain accurate user metadata pertaining to the senders.

Recipient Data:

The sender is responsible for ensuring that the recipient data is accurate when entering it into the system. The agency relies on the vendor to maintain accurate user metadata pertaining to the recipients.

2.6 Is the system using technologies in ways that the FTC has not previously employed (e.g., monitoring software, Smart Cards, etc.)? If so, how does the use of this technology affect individuals' privacy?

No.

2.7 What law or regulation permits the collection of this information?

The Federal Trade Commission Act, 15 U.S.C. §§ 41-58, the Commission Rules of Practice, and other statutes and regulations enforced by the agency authorizes the FTC to collect the

4. Notice and Access for Individuals

4.1 How will individuals be informed about what information is collected, and how this information is used and disclosed?

Fax Content

Wherever required, the FTC provides notice to individuals about its policies regarding the use and disclosure of information at the time information is collected (e.g., in voluntary access letters, civil investigatory demands, or agency forms or questionnaires that were originally used to request or collect the information uploaded to the system). On those occasions where the FTC cannot provide notice at the time information is collected (e.g., information collected and maintained by other entities that have then shared such information with the FTC), the FTC provides notice via its privacy policy, its Privacy Act Systems of Records (SORNs), and its PIAs, including this one.

Sender Data:

For the Online Fax Service users, appropriate notice is given at the secure webpage where their user login information is collected. On those occasions where the FTC cannot provide notice at the time information is collected (e.g., information collected and maintained by other organizations that have then shared such information with the FTC), the FTC provides notice via its privacy policy, its Privacy Act Systems of Records (SORNs), and its PIAs, including this one.

Recipient Data:

Wherever required, the FTC provides notice to individuals about its policies regarding the use and disclosure of information at the time information is collected (e.g., in voluntary access letters, civil investigatory demands, or agency forms or questionnaires that were originally used to request or collect the information uploaded to the system). On those occasions where the FTC cannot provide notice at the time information is collected (e.g., information collected and maintained by other entities that have then shared such information with the FTC), the FTC provides notice via its privacy policy, its Privacy Act Systems of Records (SORNs), and its PIAs, including this one.

5. Web Site Privacy Issues

5.1 Describe any tracking technology used by the Web site and whether the technology is persistent or temporary (e.g., session cookie, persistent cookie, Web beacon).

The FTC does not use any persistent tracking technology. The vendor provides users with the option of being remembered for future sessions. If the user chooses this option, then the vendor will utilize a cookie that remembers the particular user on multiple sessions. The vendor does not share this data with the FTC.

6. Security of Information in the System

6.1 Are all IT security requirements and procedures required by federal law being followed to ensure that information is appropriately secured?

The FTC follows all applicable Federal Information Security Management Act (FISMA) requirements with regard to the Online Fax Service.

6.2 Has a Certification & Accreditation been completed for the system or systems supporting the program?
Not applicable.

6.3 Has a risk assessment been conducted on the system?
This PIA serves as the risk assessment for the Online Fax Service.

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

Yes, the Online Fax Service uses the Internet to transmit information from the FTC to the contractor before converting that material into a traditional fax that is transmitted by telephone line. Use of the Internet potentially poses a privacy concern, however, as discussed in section 2.8, the Online Fax Service incorporates a number of measures to minimize the risks. The Online Fax Service uses several layers of authentication to ensure that only authorized recipients (authorized users) can access the information.

7. Data Retention

7.1 For what period of time will data collected by this system be maintained?

After the information is uploaded to the Online Fax Service, the vendor transmits the fax, confirms its receipt by the recipient(s), and notifies the FTC sender that the fax has been received by its intended recipient(s). Once transmission is confirmed, the vendor securely deleted the uploaded material from its system. If transmission cannot be completed for any reason, the uploaded material is deleted after the maximum retry attempts. Therefore, the Online Fax Service never maintains files for a lengthy period of time. Uploaded files are not duplicated or transferred to other storage media during the normal course of transmitting the facsimile(s). Transmission information collected for the purpose of monitoring Online Fax Service usage, including access, system event, and device usage logs do not contain any message content. If a user sends a fax using the Online Fax Service user portal, information about that transmission will be stored in the user portal log for up to a year. If a user uses the Online Fax Service to send a fax from somewhere outside the user portal (i.e. via email), information about that transmission/metadata will be stored for 72 hours/7 days.

7.2 What are the plans for destruction or disposal of the information?

See the response to Question 7.1

7.3 Describe any privacy risks identified in the data retention and disposal of the

9. Privacy Policy

9.1 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 information in this system is consistent with the FTC's Privacy Policy.