

Federal Trade Commission  
Privacy Impact Assessment

**Litigation Support System  
(LSS)**

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# 1 System Overview

## 1.1 Describe the project/system and its purpose.

The Federal Trade Commission (FTC or agency) conducts investigations and litigates cases to accomplish its competition and consumer protection missions.<sup>1</sup> For these matters, the FTC obtains a significant amount of electronically stored information from external parties voluntarily, in response to compulsory process, and through the forensic acquisition of data pursuant to court orders in certain cases. This data may contain personally identifiable information (PII) and sensitive business information, among other things. In some instances, the data may contain viruses or malware.

FTC staff use the Litigation Support System (LSS) to extract, process, analyze, and maintain data in a secure, isolated environment. The LSS contains several commercial off-the-shelf software applications that allow FTC staff to perform specialized analysis and processing of the data. These applications include forensic, e-discovery, accounting, and data analysis tools. The LSS contains a firewall that blocks non-security related traffic to the Internet. This protection ensures that staff can analyze and maintain forensically-acquired data in a forensically sound manner. A bridge server connects the LSS to the FTC's production network.<sup>2</sup> Staff may manually transfer data from the LSS to the FTC production network so that it can be loaded into a document review platform or incorporated into a case file. All data from the LSS undergoes anti-virus scanning prior to being loaded onto the FTC's production network.

Although FTC staff primarily use the LSS to process data received from external parties, the LSS also is used to analyze and process data created by agency staff or contractors. This data may be responsive to discovery in FTC law enforcement actions as well as Freedom of Information Act (FOIA) and other requests. The data also may be used in internal investigations or in defense of legal actions brought against the agency.

The Office of the Chief Information Officer (OCIO) serves as the system owner of the LSS, and OCIO staff and contractors manage the system. The LSS is used by authorized staff and contractors in the Bureau of Consumer Protection (BCP), the Bureau of Competition (BC), and the Office of the General Counsel (OGC). Authorized individuals access the LSS either by using a computer that is connected solely to the LSS or through a Citrix connection from the FTC's production network.

<sup>1</sup> For a detailed discussion of the FTC's mission, see About the Federal Trade Commission, <https://www.ftc.gov/about-ftc>.

<sup>2</sup> The FTC production network is a wide area network and is the networking "backbone" of the agency – connecting

**1.2 What specific legal authority allows for the collection, maintenance, or dissemination of information for this project/system?**

The information in this system is collected, maintained, and disseminated pursuant to the Federal Trade Commission Act, 15 U.S.C. §§ 41-58 and [other laws and regulations](#) the FTC enforces.

**2 Data Type, Sources, and Use**

**2.1 Specify in the table below what types of personally identifiable information (PII)<sup>4</sup> may be collected or maintained in the system/project. Check all that apply.**

<i>PII Elements: This is not intended to be an exhaustive list. Specify other categories of PII as needed.</i>		
<input checked="" type="checkbox"/> Full Name	<input checked="" type="checkbox"/> Biometric Identifiers (e.g., fingerprint, voiceprint)	<input checked="" type="checkbox"/> User ID
<input checked="" type="checkbox"/> Date of Birth	<input checked="" type="checkbox"/> Audio Recordings	<input checked="" type="checkbox"/> Internet Cookie Containing PII
<input checked="" type="checkbox"/> Home Address	<input checked="" type="checkbox"/> Photographic Identifiers (e.g., image, x-ray, video)	<input checked="" type="checkbox"/> Employment Status, History, or Information
<input checked="" type="checkbox"/> Phone Number(s)	<input checked="" type="checkbox"/> Certificates (e.g., birth, death, marriage, etc.)	<input checked="" type="checkbox"/> Employee Identification Number (EIN)
<input checked="" type="checkbox"/> Place of Birth	<input checked="" type="checkbox"/> Legal Documents, Records, Notes (e.g., divorce decree, criminal records, etc.)	<input checked="" type="checkbox"/> Salary
<input checked="" type="checkbox"/> Age	<input checked="" type="checkbox"/> Vehicle Identifiers (e.g., license plates)	<input checked="" type="checkbox"/> Military Status/Records/ID Number
<input checked="" type="checkbox"/> Race/ethnicity	<input checked="" type="checkbox"/> Financial Information (e.g., account number, PINs, passwords, credit report, etc.)	<input checked="" type="checkbox"/> IP/MAC Address
<input checked="" type="checkbox"/> Alias	<input checked="" type="checkbox"/> Geolocation Information	<input checked="" type="checkbox"/> Investigation Report or Database
<input checked="" type="checkbox"/> Sex	<input checked="" type="checkbox"/> Passport Number	<input checked="" type="checkbox"/> Driver's License/State ID Number (or foreign country equivalent)
<input checked="" type="checkbox"/> Email Address		<input type="checkbox"/> Other ( <i>Please Specify</i> ): Password
<input checked="" type="checkbox"/> Work Address		
<input checked="" type="checkbox"/> Taxpayer ID		
<input checked="" type="checkbox"/> Credit Card Number		
<input checked="" type="checkbox"/> Facsimile Number		
<input checked="" type="checkbox"/> Medical Information		
<input checked="" type="checkbox"/> Education Records		
<input checked="" type="checkbox"/> Social Security Number		
<input checked="" type="checkbox"/> Mother's Maiden Name		

The LSS may collect or maintain any information the FTC may obtain as part of its law enforcement and other activities. This may include any and all types of PII. The system also collects and maintains the user ID and password of the FTC staff person or contractor logged into the LSS.

**2.2 What types of information other than PII will be collected, disseminated, or maintained by the project/system? Provide a general description below and be sure to include all data elements.**

<sup>4</sup> Per OMB Circular A-130, - A

The LSS



All FTC contractors are required to complete information security and privacy awareness training prior to obtaining access to any systems and on an annual basis, and sign a User Rules of Behavior (ROB) form. FTC contractors also are required to sign nondisclosure agreements.

**3.3 If you answered “yes” to 3.2, describe the privacy incident response plan maintained by the contractor’s organization or third party service provider.**

Authorized FTC contractors who have access to the LSS are subject to the same rules of behavior as FTC employees and also are bound by the FTC’s Breach Notification Response Plan.

## **4 Notice and Consent**

**4.1 How are individuals provided with notice prior to tid nori ni ni ni nw 11.860Tw 0.239 i6o (d)-2 f(ce**



**4.2 Do individuals have the opportunity to decline to provide information or to consent to particular uses of their information (other than required or authorized uses)?**

Individuals who provide the FTC with information on a voluntary basis may choose to decline to provide that information. However, individuals do not have a right to decline to provide information that is required by law or that is required to be provided via compulsory process, and refusal to provide the information may result in legal action by the FTC.

Individuals do not typically have a right to consent to particular uses of their information. Data sources who submit their information in FTC law enforcement investigations and mark their submissions confidential, however, may be afforded prior notice and opportunity to object to further disclosure, to the extent provided under Section 21 of the FTC Act and the FTC's Rules of Practice (see, e.g., 16 C.F.R. 4.10 & 4.11).

**4.3 Are there procedures in place to allow individuals access to their personally identifiable information? Explain.**

Individuals may make a request under the FOIA and Privacy Act for access to information maintained about themselves in the LSS or other FTC record-2 (h ot)-2 ( he)4 (r)3 ( )-10 (F)60-2 (6)-2 (on b)



## **5 Data Accuracy and Security**

### **5.1**

**5.4 Is PII used in the course of system testing, training, or research? If so, what steps**



**8.4 How does the project/system ensure that the information is collected, used, stored, or disseminated in accordance with stated practices in this PIA?**

Although the system does not operate any website that would require the posting of a privacy policy, the collection, use, and disclosure of the information in the system has been reviewed to ensure consistence with the [FTC's Privacy Policy](#) posted on its website.