

**The Office of the General Counsel**  
**Legal Management System**  
**(LMS)**

**Privacy Impact Assessment (PIA) Executive Summary**

**I. BACKGROUND**

Federal agencies are required to ensure the protection of the personally identifiable information (PII) they collect, store, and transmit. The Pension Benefit Guaranty Corporation (PBGC) is responsible for ensuring proper protections of the information contained within its information systems, including PII. To that end, PBGC developed a Privacy Impact Assessment (PIA) to evaluate whether a system that contains PII meets legal privacy requirements.

**II. PURPOSE AND SCOPE**

- Purpose

PBGC is responsible for ensuring the confidentiality, integrity, and availability of the information contained within the Office of the General Counsel Legal Management System, (LMS). A PIA is used to evaluate privacy vulnerabilities and risks and their implications on LMS. The PIA provides a number of benefits to PBGC; including enhancing policy decision-making and system design, anticipating the public's possible privacy concerns, and generating confidence that privacy objectives are addressed in the development and implementation of LMS. The PIA Questionnaire provides a framework by which agencies can ensure that they have complied with all relevant privacy policies, regulations, and guidance, both internal and external to PBGC.

- Scope

A Privacy Impact Assessment was conducted on the LMS system. LMS is a set of commercial- off-the-shelf (COTS) products, which together contain management information regarding OGC's legal matters. LMS is completely internal to PBGC and used only by authorized personnel of the Office of the General Counsel. The LMS system is located at 1200 K Street NW, Washington, DC and Wilmington, DE, and is accessed by both PBGC and its support contractors in the course of their jobs. LMS is listed as a Major Application on the PBGC FISMA Information Systems Inventory and its security needs are consistent with those of PBGC.

**III. PIA APPROACH**

A questionnaire was developed in accordance with the FIPS 199 - Standards for Security Categorization of Federal Information and Information Systems, Office of Management and Budget (OMB) requirements, Section 208 of the E-Government Act of 2002, The National Institute of Standard and Technology (NIST) recommendations, and the Federal Enterprise Architecture Business Reference Model (BRM). The questionnaire was developed in order to identify any PII.

The questionnaire was given to the Information System Owner (ISO) and Information System Security Officer (ISSO) of LMS for their response. An Information Security Analyst from PBGC's Enterprise Information Security Office (EISO) along with a member of the PBGC Privacy Office reviewed the ISO

and ISSO responses to the questionnaire. Responses from the ISO and the ISSO of LMS were used to fill in the final PIA and analysis.

#### **IV. SYSTEM CHARACTERIZATION**

The Office of the General Counsel Legal Management System (LMS) is an internal legal management system for the Office of the General Counsel (OGC). Case management information stored in LMS is used only by authorized personnel in OGC. All information stored within the LMS has been gathered by attorneys in order to conduct the practice of law in the matters to which they have been associated. Because of the very nature of the matters which OGC may have open, there are a wide variety of sources of the PII or other sensitive information that may have been collected. Generally, the PII comes from the subject individual, and other departments, vendors/contractors, and plan sponsors.

In addition to the immediate office of the General Counsel, the Legal Division consists of four sub-groups, who perform different legal functions for PBGC:

- Procurement, which deals with all legal matters that arise from the Procurement Division or other agency procurements;
- Ethics, which handles all personnel matters, FOIA appeals, as well as privacy and ethics across all PBGC departments;
- Litigation and Employment, which handles internal labor and personnel issues, including Equal Employment Opportunity matters; and
- ERISA Counseling, which offers legal opinion and guidance on ERISA.

#### **V. PIA RESULTS**

The PIA evaluation revealed that LMS contains PII within the free text of its documents. Only those who use LMS are authorized to access these components and any data residing thereon.

The primary privacy risk identified is a potential data breach and subsequent loss or unauthorized disclosure of PII. The risk of a data breach is mitigated by security controls implemented and documented for LMS. These controls are in accordance with those recommended by the National Institute of Standards and Technology (NIST) Special Publication (SP) 800-53 for a moderate risk system in accordance with Federal Information Processing Standards (FIPS) 199 evaluation. Based on the analysis performed here, no discrepancies have been discovered.