



**Privacy Impact Assessment
for
Commission and Staff Letters (CSL)**

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System/Business Owner

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I. SYSTEM OVERVIEW

1) Describe the purpose of the system/collection:

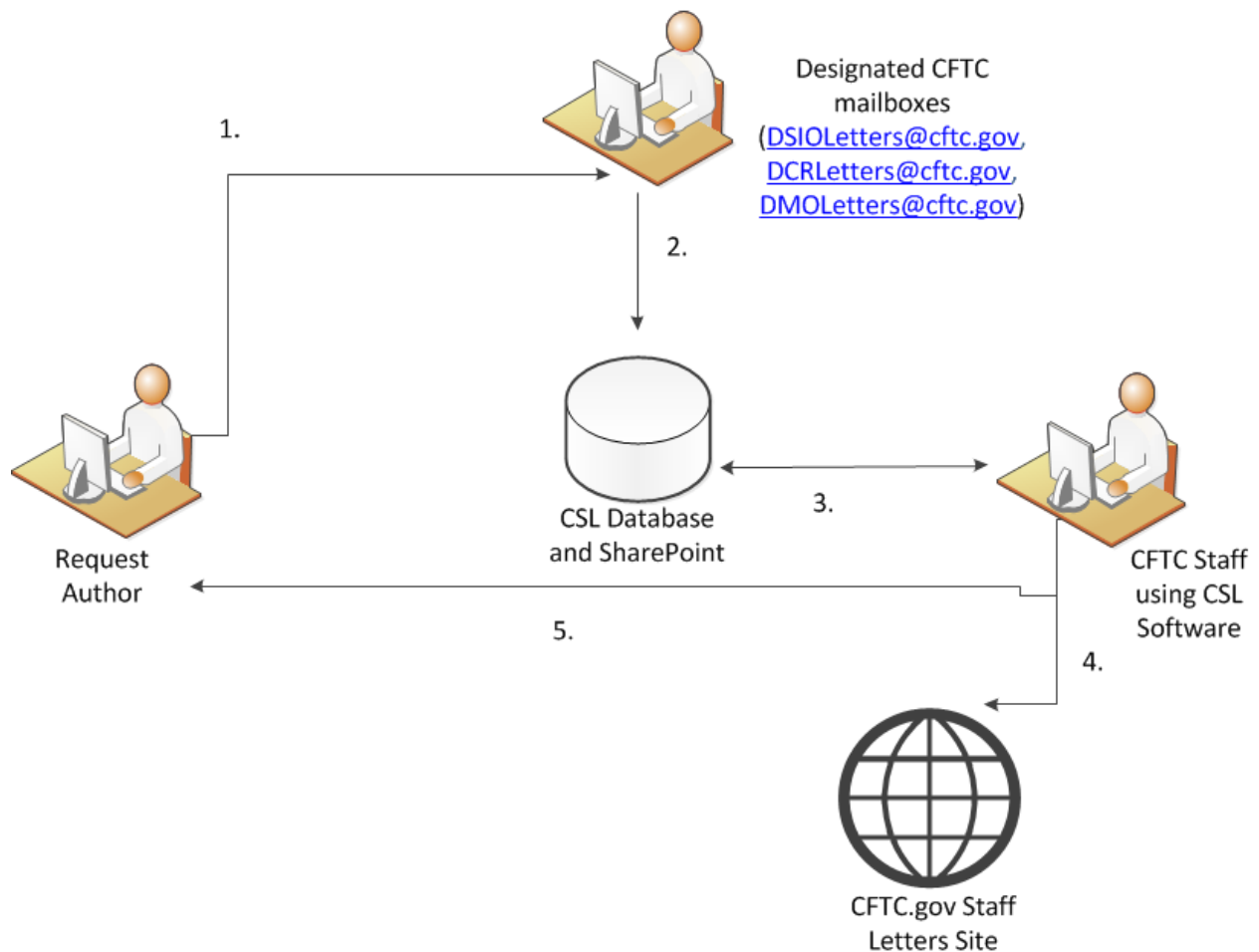
Commission and Staff Letters (“CSL”) has been developed to receive, manage, report, and publish requests for No-Action, Exemption, Interpretation, Advisory, and other written communications (“Request Letters”) and responses by the CFTC (“Response Letters”).

CSL is used by multiple divisions across the Commission. While the Division of Swap Dealer and Intermediary Oversight (“DSIO”), Division of Clearing and Risk (DCR), and Division of Market Oversight (“DMO”) receive the majority of Request Letters and develop the majority of Response Letters, the Office of General Counsel (“OGC”), Office of Executive Director (“OED”), Chairman and Commissioners (“COM”), Office of Data and Technology (“ODT”) and other divisions use information contained in CSL for purposes of research and metrics creation.

CSL is comprised of software, a database, and a SharePoint site that CFTC staff use jointly to manage Request Letters and Response Letters. The CSL software is used to enter and track information relating to Request Letters and Response Letters. The SharePoint site is used to store the original Request Letters and completed Response Letters. All information entered into or generated by usage of the CSL software (except the original Request Letters and Response Letters) is stored in the database.

CSL stores limited amounts and types of personal information. Personal information collected includes the name, employment information, and contact details of individuals submitting Request Letters, and the name of CFTC staff handling individual Request Letters.

- 2) Provide a data map or model illustrating how information is structured or is processed by the system throughout its life cycle.



1. Request author sends a Request Letter to one of the CFTC email addresses specified in 17 CFR § 140.99.
2. CFTC Staff enters relevant data using the CSL software; original Request Letters are uploaded via the CSL software and stored in the CSL SharePoint site.
3. Assigned CFTC staff track request progress and develop Response Letters, which are also stored in the CSL SharePoint site.
4. Upon completion, CFTC staff use CSL to transmit Request Letters, Response Letters and additional regulatory data to the Office of Public Affairs (“OPA”) for publication to the CFTC Staff Letters page on CFTC.gov. CFTC staff may also decide of their own initiative to publish interpretive guidance on CFTC.gov. Request Letters and Response Letters made public may be redacted for a maximum of 120 days, after which complete versions (except for any material which remains redacted in accordance with 7 USC § 12) will be published on CFTC.gov.
5. CFTC Staff send the Response Letter to the Request Letter author directly via the email address provided.

II. AUTHORITY AND PURPOSE

1) What is the legal authority to collect, use, maintain, and share information in the system?

17 CFR § 140.98-99 permits the submission of Requests and publication of Letters.

III. INFORMATION TYPES

1) What information will be collected, maintained, used, and/or disseminated?

Identifying Numbers	
<input type="checkbox"/> Social Security Number	<input type="checkbox"/> Truncated or Partial Social Security Number
<input type="checkbox"/> Driver's License Number	<input type="checkbox"/> License Plate Number
<input type="checkbox"/> Patient ID Number	<input type="checkbox"/> File/Case ID Number
<input type="checkbox"/> Student ID Number	<input type="checkbox"/> Health Plan Beneficiary Number
<input type="checkbox"/> Passport Number	<input type="checkbox"/> Federal Student Aid Number
<input type="checkbox"/> Employee Identification Number	<input type="checkbox"/> Taxpayer Identification Number
<input type="checkbox"/> Professional License Number	<input type="checkbox"/> Legal Entity Identifier
<input type="checkbox"/> Credit/Debit Card Number	<input type="checkbox"/> National Futures Association ID
<input type="checkbox"/> Personal Bank Account Number	<input type="checkbox"/> Other ID if it can be traced back to an individual
<input type="checkbox"/> Personal Device Identifiers or Serial Numbers	
Contact Information	
<input type="checkbox"/> Personal Mobile Number	<input checked="" type="checkbox"/> Business Phone Number
<input type="checkbox"/> Personal E-mail Address	<input checked="" type="checkbox"/> Business E-mail Address
<input type="checkbox"/> Home Phone Number	<input checked="" type="checkbox"/> Personal or Business Fax Number
<input type="checkbox"/> Home Mailing Address	<input checked="" type="checkbox"/> Business Mailing Address
Sole Proprietors	
<input type="checkbox"/> Business Taxpayer Identification Number	<input checked="" type="checkbox"/> Business Mailing Address
<input type="checkbox"/> Business Credit Card Number	<input checked="" type="checkbox"/> Business Phone or Fax Number
<input type="checkbox"/> Business Bank Account Number	<input checked="" type="checkbox"/> Business Mobile Numbers
<input type="checkbox"/> Business Device identifiers or Serial Numbers	<input checked="" type="checkbox"/> Business E-mail Address
Biographical Information	
<input checked="" type="checkbox"/> Name	<input type="checkbox"/> Gender
<input type="checkbox"/> Date of Birth	<input type="checkbox"/> City or County of Birth
<input type="checkbox"/> Country of Birth	<input type="checkbox"/> Zip Code
<input type="checkbox"/> Citizenship	<input type="checkbox"/> Military Service Information
<input type="checkbox"/> Spouse Information	<input type="checkbox"/> Academic Transcript
<input type="checkbox"/> Group/Org. Membership	<input type="checkbox"/> Resume or Curriculum Vitae
<input type="checkbox"/> Location Data (e.g., GPS)	<input type="checkbox"/> Nationality
<input checked="" type="checkbox"/> Employment Information	<input type="checkbox"/> Marital Status
<input type="checkbox"/> Mother's Maiden Name	<input type="checkbox"/> Children Information
Biometrics/Distinguishing Features/Characteristics	
<input type="checkbox"/> Fingerprints	<input type="checkbox"/> Height

<input type="checkbox"/> Retina/Iris Scans	<input type="checkbox"/> Voice/Audio Recording
<input type="checkbox"/> Hair Color	<input type="checkbox"/> Eye Color
<input type="checkbox"/> Video Recording	<input type="checkbox"/> Photos
<input type="checkbox"/> Weight	<input type="checkbox"/> Signatures
Active Directory/Device Information	
<input type="checkbox"/> IP Address	<input type="checkbox"/> MAC Address
<input type="checkbox"/> CFTC Asset Number	<input type="checkbox"/> Device Identifiers or Serial Numbers
<input type="checkbox"/> User Name	

IV. COLLECTING INFORMATION

- 1) How is the information in this system collected?

Per 17 CFR § 140.99, Requests must be in writing, signed, and sent to one of three CFTC business email addresses (dmoletters@cftc.gov, dcrletters@cftc.gov, and dsioletters@cftc.gov). Access to these inboxes is determined by the respective director or deputy director(s) of DMO, DCR, and DISO. On occasion CFTC staff will receive Requests directly to their work email, and forward such Requests to the appropriate account. CFTC staff upload the Request document and enter pertinent information, such as Request author, date, status, subject, and relevant CFTC rule, into the CSL software. Accompanying emails from entities submitting Requests are not entered into CSL.

Each Request and Response in CSL is associated with one or more CFTC staff responsible for the case file, meaning that information about staff is generated as they use CSL.

V. INFORMATION USE

- 1) Will information in the system be retrieved using one or more of the data elements listed in Section III?

Information in CSL is retrieved by multiple elements, such as date, completion status, Request type, Letter type, responsible CFTC division, and Request author. The Request author is usually a legal entity; however if an individual submits a Request in his or her own name it is possible that the Request could be retrieved using that element of personal information. Requests can also be filtered by associated staff.

- 2) If the information in the system is retrieved using one or more of the identifiers, what CFTC System of Records Notice (SORN) covers the information?

Retrieval of information relating to Request authors is covered by CFTC-15, *Enterprise Surveillance, Oversight & Risk Monitoring System*. Retrieval of information relating to CFTC staff is covered by CFTC-35, *General Information Technology Records*.

VI. ACCESS AND SHARING

- 1) With which internal CFTC Offices or Divisions is the information shared? For each Office or Division, what information is shared and for what purpose?

Users across 9 divisions (DCR, DMO, DSIO, ODT, OED, OGC, COM, ENF, and Office of International Affairs (“OIA”)) have some form of access to the CSL software. Increasing levels of access (read, contribute, manage) are granted to staff with a business need to review Requests, prepare Letters, and maintain CSL records, depending on their particular role. Access to the CSL software and SharePoint site is granted simultaneously to new users and managed by ODT. Ownership access to the CSL database is restricted to a small number of staff within ODT.

- 2) How is the information shared internally?

Documents uploaded to CSL and case status information are viewable by CFTC staff with access to the CSL software. Request Letters and draft Response Letters may also be shared internally via email in the context of obtaining final review and approval. When the Request Letter and Response Letter are ready for publication, CSL has a built-in feature that sends them and additional metadata to OPA for publication on CFTC.gov.

- 3) With which external organization(s) is the information shared?

Information is not shared directly with other federal, state, or local government agencies, law enforcement, international regulator or agency, self-regulatory organizations, or private entities. Request Letters and Response Letters are published by OPA on CFTC.gov and available to the public. The primary staff person responsible for drafting the Response Letter also generally sends it directly via email to the Request Letter author, but this task may on occasion also be delegated to administrative staff.

- 4) How is the information shared externally?

Unless otherwise requested, unredacted Request Letters and Response Letters are published on CFTC.gov.

VII. TRANSPARENCY

- 1) How are individuals notified as to how their information will be collected, used, and/or shared within this system?

Individuals understand that they are providing personal information to the CFTC when they submit a Request Letter to CFTC. In addition, to ensure Request Letter authors understand how the CFTC uses and protects their information, CFTC has conducted and published this

PIA on the CFTC.gov privacy program page and included a link to the PIA on the Staff Letters page.

- 2) Is a SORN required? If so, explain how the use of the information in this system is limited to the use specified in the SORN?

Yes. CFTC-15, *Enterprise Surveillance, Oversight & Risk Monitoring System* covers exchanges of correspondence between individuals and the CFTC relating to official business concerning the covered individual. CFTC-35, *General Information Technology Records* covers creation of logs relating to activity by CFTC staff on CFTC IT systems.

VIII. INDIVIDUAL PARTICIPATION

- 1) Is the information collected directly from the individual?

Yes, information is collected directly from the individual submitting the Request Letter, unless the person who signs the Request Letter is not the same person who submits it to the CFTC. This might be the case, for example, where an attorney files the Request Letter on behalf of his or her client.

- 2) Is the collection mandatory or voluntary? If voluntary, what opportunities do the individuals have to decline to provide information?

The collection is voluntary. There is no obligation to seek any type of regulatory relief through submission of a Request Letter.

- 3) Do individuals have an opportunity to consent to a particular use of the information? If so, how do they provide consent for a particular use?

Publication of Response Letters on the CFTC website is mandatory; however, individuals may request that their Request Letter and Response Letter be given confidential treatment for a maximum of 120 days in accordance with 17 CFR § 140.98 , after which complete versions (except for any material which remains redacted in accordance with 7 USC § 12) will be published.

IX. DATA MINIMIZATION

- 1) What steps were taken to minimize the collection of PII in the system?

CFTC requires individuals to provide the minimum amount of contact information necessary when submitting a Request Letter. In addition, CFTC staff only enter personal information that is directly relevant to a request into CSL.

X. DATA QUALITY AND INTEGRITY

- 1) How is data quality ensured throughout the information lifecycle and business processes associated with the use of the information?
- Cross referencing data entries with other systems
 - Third party data verification
 - Data taken directly from individuals
 - Character limits on text submissions
 - Numerical restrictions in text boxes
 - Other:

XI. RETENTION

- 1) What are the retention periods for the information?

CFTC is revising the records disposition schedule for CSL records. All CFTC records retention schedules are available on CFTC.gov.

XII. SECURITY

- 1) What types of administrative safeguards protect the information?
- Contingency Plan
 - User manuals for the system
 - Rules of Behavior
 - Non-Disclosure or other contractual agreement
 - Other:
- 2) What types of physical safeguards protect the information?
- Guards
 - Identification Badges
 - Biometric
 - Cameras
 - Physically secured space with need to know access
 - Other:

3) What types of technical safeguards protect the information?

- User Identification
- Firewall
- Virtual Private Network (VPN)
- Multi-factor Authentication (MFA)
- Passwords
- Encryption
- De-Identification
- Anonymization
- Other: [Click here to enter text.](#)

4) What monitoring, recording, and auditing safeguards are in place to prevent or detect unauthorized access or inappropriate use of the information?

Scans of the machines housing the database and the software are performed on a regular basis. Logs are maintained regarding which CFTC users have accessed the database and when, but not actions taken. These logs are visible to system administrators only.

XIII. TRAINING

1) What privacy training is provided to users of the system?

CFTC staff receives training before gaining access to CSL for the first time in order to ensure that all information resides in approved locations. In addition, annual privacy and cybersecurity training is mandatory for all CFTC staff.