Bank Secrecy Act Information Technology Modernization (BSA ITMOD)

Privacy Impact Assessment (PIA) Data Collection, Storage, and Dissemination (DCSD)

Version 1.6

April 28, 2015

Revision History

Revision Number	Change Effective Date	Description of Change	Change Entered By
0	11/29/2011	Finalized Previously	Andrea Livero-Scott
1.0	3/11/15	Review and mark entire document for stakeholders to provide timely and accurate updates	Gayle Rucker
1.1	04/14/2015	Reviewed PIA with Privacy Officer and Information System Owner; incorporated comments.	Andrea Livero-Scott
1.2	04/15/2015	Reviewed Information System Owner comments. Further amendments to some technical descriptions as appropriate.	Gayle Rucker
1.3	04/28/2015	Counsel edits to Sections A and B. Document Finalized.	Gayle Rucker

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Privacy Impact Assessment (PIA) for Data Collection, Storage and Dissemination (DCSD) System

Name of Project: Bank Secrecy Act Information Technology Modernization (BSA ITMOD)

Bureau: Financial Crimes Enforcement Network (FinCEN)

Name of the system: DCSD

Unique System Identifier: 015-04-01-12-01-1018-00

A. Contact Information

1) **Who is the person(s) completing this document?** (Name, title, organization and contact information).

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   Name: Andrea Livero-Scott
   Organization: FinCEN
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2) **Who is the system owner?** (Name, organization and contact information).

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   Organization: FinCEN
   Email: Kenneth.O'brien@fincen.gov

3) **Who is the system manager for this system or application?** (Name, organization, and contact information).

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4) **Who is the IT Security Manager who reviewed this document?** (Name, organization, and contact information).

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5) **Who is the Bureau Counsel who reviewed this document?** (Name, organization, and contact information).

   Name: Al Zarate

Organization: FinCEN
Email: Albert.Zarate@fincen.gov

6) **Who is the Bureau Privacy Administrator who reviewed this document?** (Name, organization, and contact information).

Name: Gayle Rucker
Organization: FinCEN
Email: Gayle.Rucker@fincen.gov

7) **Has organizational privacy management information previously been provided with another PIA?**

☒Yes ☐No ☐N/A ☐Enclosed Reference

Details* _______PIA published November 2011

8) **If 'Yes' to Question 7, has any of this information changed since the previous PIA was submitted? If NO, please provide the title & date of the previous PIA and proceed to Section B of the questionnaire.**

☒Yes ☐Partial ☐No ☐N/A ☐Enclosed Reference

Details* ____

9) **Who is the Reviewing Official?**

Name: Amy Taylor, Chief Information Officer (CIO)
Organization: FinCEN
E-mail: Amy.Taylor@fincen.gov

B. System Application/General Information

1) **Does this system contain any information about individuals?** *Individual* - means a citizen of the United States or an alien lawfully admitted for permanent residence.

☒Yes ☐Partial ☐No ☐N/A ☐Enclosed Reference

Details*

DCSD is not a public-facing system; the users of the DCSD system are internal FinCEN users only.

The following PII information will be stored in the DCSD system but not collected directly from the public:

- Name
- Social Security Number (SSN)
- Address
- Phone

- Date of Birth
- Bank Account Number
- Country
- Passport Number
- Driver’s License Identification (ID)
- Financial Institutions
- Employer Identification Number (EIN)
- Individual Tax Identification Number (ITIN)
- Issuer Identification Number (IIN).

a. Is this information identifiable to the individual[1]?

Yes.

b. Is this information about individual members of the public?

Yes

c. Is this information about employees?

No.

2) What is the purpose of the system/application?

DCSD consists of a set of applications with the sole purpose of collecting, storing, and disseminating BSA data obtained through BSA filings. It is the ETL tool or data warehousing solution for FinCEN’s critical BSA data ingestion, storage, and dissemination. DCSD components extract the data from various BSA forms and transforms / formats / standardizes this data into a consistent data structure.

3) What legal authority authorizes the purchase or development of this System/application?

The information contained in BSA databases is collected under the authority of the Bank Secrecy Act (Titles I and II of Public Law 91-508, as amended, and codified at 12 U.S.C. § 1829b, 12 U.S.C. §§ 1951-1959, and 31 U.S.C. §§ 5311-5331). The regulations implementing the authority contained in the Bank Secrecy Act are found at 31 CFR Chapter X. The authority to administer 31 CFR Chapter X has been delegated to FinCEN.

C. DATA IN THE SYSTEM

1) What categories of individuals are covered in the system?

[1] “Identifiable Form” - This means information in an IT system or online collection: (i) that directly identifies an individual (e.g., name, address, social security number or other identifying number or code, telephone number, email address, etc.) or (ii) by which an agency intends to identify specific individuals in conjunction with other data elements, i.e., indirect identification. (These data elements may include a combination of gender, race, birth date, geographic indicator, and other descriptors).

Categories of individuals include any individual who makes U.S. financial transactions which have been reported to FinCEN from BSA forms to be potentially suspicious financial activities.

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

a. Is the source of the information from the individual or is it taken from another source? If not directly from the individual, then what other source?

☒Yes □Partial □No □N/A □Enclosed Reference

Details*

DCSD receives data from FinCEN's existing Major Application (MA), i.e., the BSA E-Filing system, which includes the reports from financial institutions, brokerages, casinos, and money services businesses that are required to file with FinCEN.

b. Are Federal agencies providing data for use in the system?

☒Yes □Partial □No □N/A □Enclosed Reference

Details*

c. Will Tribal, State and local agencies provide data for use in the system?

□Yes □Partial ☒No □N/A □Enclosed Reference

Details*

The data in DCSD is from the BSA E-Filing MA. See 2a above for more details.

d. Will data be collected from other third party sources?

☒Yes □Partial □No □N/A □Enclosed Reference

Details*

Yes, data is collected from the following third part sources, via FinCEN's IRIS GSS –

- Office of Foreign Assets Control (OFAC) provides Specially Designated Nationals (SDN) List
- Social Security Administration (SSA) provides Death Master List
- Department of Defense (DoD) provides list of cleared individuals
- National Counter Terrorism Center (NCTC) List
- Office of Personnel Management (OPM) provides list of cleared individuals obtained from Department of Justice (DOJ); and conviction data obtained from Federal Bureau of Prisons (BOP).

e. What information will be collected from the employee and the public?

The information is collected via BSA forms, which includes name, SSN, birth dates, addresses, bank account numbers, occupation, amount and type of transactions, passport number, country, financial institution where the transaction occurred, and other relevant information regarding the financial transaction that an individual has conducted. This is not an employee information system.

3) Accuracy, Timeliness, and Reliability

The Privacy Act of 1974 requires that agencies only maintain data that is accurate, relevant, timely, and complete about individuals. These requirements are statutory and need to be addressed.

a. How are data collected from sources other than FinCEN records verified for accuracy?

The data coming into the DCSD has already been verified through the BSA E-Filing system. Only authorized and trusted data providers (e.g., financial institutions, brokerages, casinos, and money services businesses) submit this data into BSA E-Filing MA, which is then used by the DCSD system.

b. How will data be checked for completeness?

To ensure the data is complete and accurate, the system has error-checking and form and batch validation functionality.

c. Is the data current? What steps or procedures are taken to ensure the data is current and not out-of-date? Name the document (e.g., data models).

☒Yes ☐Partial ☐No ☐N/A ☐Enclosed Reference

Details*

Any information received is current. The schedule design includes processing more than one batch cycle within 24 hours.

d. Are the data elements described in detail and documented? If yes, what is the name of the document?

☒Yes ☐Partial ☐No ☐N/A ☐Enclosed Reference

Details*

Yes, the data elements are described in detail and documented in DCSD's supporting documentation such as the Design Specification Report (DSR)* and Interface Control Document (ICD)*.

D. Attributes Of The Data

1) **Is the use of the data both relevant and necessary to the purpose for which the system is being designed?**

☒Yes □Partial □No □N/A □Enclosed Reference

Details*

The system is the primary mechanism for the receipt, system of record, and dissemination of BSA data. Data will be received via the BSA E-Filing MA and third-party data sources. DCSD will serve as the system of record for BSA data, and disseminate BSA data to other downstream FinCEN BSA information systems for access and analytical purposes.

2) **Will the system derive new data or create previously unavailable data about an individual through aggregation from the information collected, and how will this be maintained and filed?**

□Yes □Partial ☒No □N/A □Enclosed Reference

Details*

The system does not create any new data nor does it aggregate any previously unavailable data. DCSD collects ***existing*** data from the BSA E-Filing MA. Data fields among systems are resolved but this process does not create any new data.

3) **Will the new data be placed in the individual's record?**

☒Yes □Partial □No □N/A □Enclosed Reference

Details*

As new data on an individual is received through the BSA E-Filing MA and from third party data sources, it will be associated with an individual record in the DCSD System of Record component.

4) **Can the system make determinations about employees / public that would not be possible without the new data?**

□Yes □Partial □No ☒N/A □Enclosed Reference

Details*

DCSD is not specifically used to make determinations about employees/public; however, DCSD collected BSA data from the BSA E-Filing MA and from third party data sources and will disseminate BSA data to downstream applications for analytical purposes and/or to support financial crime investigations.

5) **How will the new data be verified for relevance and accuracy?**

The system does not create any new data nor does it aggregate any previously unavailable data available. DCSD collects ***existing*** data from the BSA E-Filing MA. However, the

Shared Filing Service (SFS) component of DCSD has address validation and forms validation to ensure the accuracy and relevance of the data.

6) **If the data is being consolidated, what controls are in place to protect the data from unauthorized access or use?**

Details*

Only authorized internal users have access to the DCSD system, hence the confidentiality and integrity of the data is protected.

7) **If processes are being consolidated, are the proper controls remaining in place to protect the data and prevent unauthorized access?**

☒Yes ☐Partial ☐No ☐N/A ☐Enclosed Reference

Details*

The DCSD system has identity and authentication management controls, access control, role based security, access auditing, network security and security zones implemented to protect the data and prevent any unauthorized access.

8) **How will the data be retrieved?** Does a personal identifier retrieve the data? If yes, explain and list the identifiers that will be used to retrieve information on the individual.

☐Yes ☐Partial ☐No ☒N/A ☐Enclosed Reference

Details*

Only internal FinCEN system administrators and database administrators will have ***direct*** access to the system for administrative purposes. All external users will ***indirectly*** access the system via the BSA E-Filing MA and the IRIS portal.

9) **What kinds of reports can be produced on individuals? What will be the use of these reports? Who will have access to them?**

There will be internal administrator and end user reports. The end user reports will be accessed by the FinCEN employees (internal users); and the administrator reports are performance and service level agreement (SLA)-based report that will be accessed by FinCEN system administrators (also internal users).

10) **Do individuals have an opportunity and/or right to decline to provide information?**

☐Yes ☐Partial ☐No ☒N/A ☐Enclosed Reference

Details*

Information is not provided directly to the DCSD system from an individual. The information is submitted via FinCEN’s BSA E-Filing system.

11) **Do individuals have an opportunity to consent to particular uses of the information, and if so, what is the procedure by which an individual would provide such consent?**

□Yes □Partial □No ☒N/A □Enclosed Reference

See answer above to #10.

E. MAINTENANCE AND ADMINISTRATIVE CONTROLS

1) **If the system is operated in more than one site, how will consistent use of the system and data will be maintained in all sites?**

N/A; the production instance of DCSD is operated at one location.

2) **What are the retention periods of data in this system?**

Details*

The system complies with the Department of the Treasury Directive (TD) 80-50, *Records and Information Management Manual*. In accordance with TD 80-50, records are not destroyed or otherwise alienated from the system except in accordance with procedures prescribed in 36 CFR, Part 1228.

3) **What are the procedures for disposition of the data at the end of the retention period? How long will the reports produced be kept? Where are the procedures documented?**

Details*

Records retention information for the system, its contents and any reports generated will be approved by the National Archives and Records Administration (NARA) and existing agency file plans will be revised to incorporate records information for the new system. The data will be disposed of in accordance with approved records retention instructions and procedures.

4) **Is the system using technologies in ways that FinCEN has not previously employed (e.g., monitoring software, Smart Cards, Caller-ID)?**

□Yes □Partial ☒No □N/A □Enclosed Reference

5) **How does the use of this technology affect public/employee privacy?**

N/A; the system is not using technologies in ways that the Bureau/Office has not previously employed.

6) **Will this system provide the capability to identify, locate, and monitor individuals? If yes, explain.**

☒Yes □Partial □No □N/A □Enclosed Reference

Details*

FinCEN will use the data to identify and monitor the activities of individuals who have been reported as conducting potential financial crimes.

7) **What kinds of information are collected as a function of the monitoring of individuals?**

The following PII information is collected, stored and disseminated as a function of the monitoring of individuals:

- Name
- SSN
- Address
- Phone
- Date of Birth
- Bank Account Number
- Country
- Passport Number
- Driver's License ID
- Financial Institutions
- EIN
- ITIN
- IIN.

8) **What controls will be used to prevent unauthorized monitoring?**

Only authorized internal users are granted access DCSD. End users of BSA data do not directly access DCSD; rather BSA data is accessed through other upstream and downstream information systems. Only the DCSD system and database administrators have direct access to BSA data contained within DCSD. All access is granted on a least-privilege, need-to-know basis and in accordance with the concept of separation of duties. All communication paths are protected via Federal Information Processing Standards (FIPS) Publication 140-2 encryption mechanisms and certificates are used to prove the authenticity of users. Auditing of access to all BSA data is performed.

9) **Under which Privacy Act systems of records notice does the system operate? Provide number and name.**

Pursuant to the Privacy Act of 1974, 5 U.S.C. § 552a, as amended, records filed through BSA E-Filing are covered by FinCEN's Privacy Act system of records notices Treasury/FinCEN .003-Bank Secrecy Act Reports System--Treasury/FinCEN. A new system of records or further alteration to our existing system of records will not be required for BSA E-Filing.

10) **If the system is being modified, will the Privacy Act system of records notice require amendment or revision? Explain.**

☒Yes ☐Partial ☐No ☐N/A ☐Enclosed Reference

Details*

A new system of records or further alteration to the existing will require another review and possible amendment.

F. ACCESS TO DATA

1) **Who will have access to the data in the system?** (E.g., contractors, users, managers, system administrators, developers, tribes, other)

   Details:

   Only internal FinCEN system administrators and database administrators will have ***direct*** access to the system for administrative purposes. All external users, such as the authorized users of financial institutions and banks, will have access to the data via the BSA E-Filing MA and the IRIS portal.

2) **How is access to the data by a user determined?** Are criteria, procedures, controls, and responsibilities regarding access documented?

   Details:

   DCSD access management, including new access requests, changes to existing access, and removals of access, follows FinCEN and Department of the Treasury access management policy and procedures.

3) **Will users have access to all data on the system or will the user's access be restricted? Explain.**

   Access to records in the system is limited to authorized personnel whose official duties require such access, i.e., on a "need to know" basis. Electronic data is protected through user identification, passwords, database permissions and software controls. Such security measures establish different access levels for different types of users.

4) **What controls are in place to prevent the misuse (e.g., unauthorized browsing) of data by those having access?** (Please list processes and training materials)

   Details:

   Only internal FinCEN system administrators and database administrators will have ***direct*** access to BSA data the system for administrative purposes. End users internal and external to FinCEN will access BSA data maintained in DCSD through other downstream systems available through the Registered User Portal. DCSD is not a public-facing system.

   All new access requests, access modifications, and access removals must follow FinCEN access management policy and procedures and be authorized by designated FinCEN management. All DCSD system and database administrators must be vetted by personnel security prior to gaining access. All system and database administrator access to DCSD is granted based on the concepts of least privilege and separation of duties. All sensitive activities of system and database administrators, including access to BSA data, are recorded in audit logs. All connections to DCSD data, included connections between upstream and downstream applications, and connections to system and database administration sessions are encrypted using FIPS 140-2 compliance cryptographic mechanisms. All employees, including contractors, have requirements for protecting PII information in accordance with the Privacy Act of 1974

5) **Are contractors involved with the design and development of the system and will they be involved with the maintenance of the system**? If yes, were Privacy Act contract clauses inserted in their contracts and other regulatory measures addressed?

☒Yes ☐Partial ☐No ☐N/A ☐Enclosed Reference

Details*

Contractors having system access are required to have appropriate security clearances. Their contracts include non-disclosure agreements and agreements to comply with all applicable FinCEN policies and laws, including the Privacy Act.

6) **Do other systems share data or have access to the data in the system? If yes, explain.**

☒Yes ☐Partial ☐No ☐N/A ☐Enclosed Reference

Details*

The same BSA data will be used by other BSA IT MOD applications to have more robust query capabilities, ability to perform integrated analysis on complete BSA datasets and have improved analytical works.

7) **Who will be responsible for protecting the privacy rights of the public and employees affected by the interface?**

All authorized FinCEN personnel, as well as authorized personnel from designated federal, state, and, local law enforcement, intelligence, and regulatory agencies that have signed a Memorandum of Understanding (MOU) with FinCEN to allow access to the BSA information will be responsible for protecting the data. The information owner and system manager (identified in the Privacy Act System Notice) share overall responsibility for protecting the privacy rights of individuals by developing guidelines and standards which must be followed. The external users will also be responsible for protecting the information that they submit via BSA E-Filing.

8) **Will other agencies share data or have access to the data in this system (Federal, State, Local, Other (e.g., Tribal))?**

Indirect access to the data is via the IRIS GSS to authorized personnel from designated Federal, state and local law enforcement, intelligence, and regulatory agencies.

9) **How will the data be used by the other agencies?**

Data will be used by other agencies for analytical and investigative purposes based on the MOU established with FinCEN.

10) **Who is responsible for assuring proper use of the data?**

Data providers are responsible for assuring proper use of the data through various agreements and statutory mandates [i.e., the Privacy Act]. The individual applicants, as data providers, are responsible to ensure the data entered is correct.

Approval Page

The following Officials have approved this document –

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Information System Security Officer (ISSO), FinCEN

May 2015
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