# The Museum System (TMS)

## *Privacy Impact Assessment (PIA)*

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POINT *of* CONTACT

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# Instructions for GSA employees and contractors:

This template is designed to help GSA employees and contractors comply with the E-Government Act of 2002, Section 208. GSA conducts privacy impact assessments (PIAs) for electronic information systems and collections in accordance with CIO 1878.3 Developing and Maintaining Privacy Threshold Assessments, Privacy Impact Assessments, Privacy Act Notices, and System of Records Notices. The template is designed to align with GSA business processes and can cover all of the systems, applications, or projects logically necessary to conduct that business.

The document is designed to guide GSA Program Managers, System Owners, System Managers, and Developers as they assess potential privacy risks during the early stages of development and throughout the system, application, or project's life cycle.

The completed PIA shows how GSA builds privacy protections into technology from the start. Completed PIAs are available to the public at gsa.gov/pia.

Each section of the template begins with a statement of GSA's commitment to the Fair Information Practice Principles (FIPPs), a set of eight precepts that are codified in the Privacy Act of 1974.

**Please complete all sections in italicized brackets and then delete the bracketed guidance, leaving only your response.** Please note the instructions, signatory page, and document revision history table will be removed prior to posting the final PIA to GSA's website. **Please send any completed PIAs or questions to gsa.privacyact@gsa.gov.**

# Stakeholders

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Name & Email of System Owner:

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# Signature Page

Signed:

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Chief Privacy Officer (CPO) - Under the direction of the Senior Agency Official for Privacy (SAOP), the CPO is responsible for evaluating the PIA and ensuring the program manager/system owner has provided complete privacy-related information.

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## Document purpose

This document contains important details about The Museum System (TMS) information system. To accomplish its mission the Office of the Chief Architect must, in the course of the Art in Architecture/Fine Arts Program and Design Excellence Program collect personally identifiable information (PII) about artists and participants in the Design Excellence Peer Program. PII is any information[1] that can be used to distinguish or trace an individual's identity like a name, address, or place and date of birth.

GSA uses Privacy Impact Assessments (PIAs) to explain how it collects, maintains, disseminates, uses, secures, and destroys information in ways that protect privacy. This PIA comprises sections that reflect GSA's privacy policy and program goals. The sections also align to the Fair Information Practice Principles (FIPPs), a set of eight precepts codified in the Privacy Act of 1974.[2]

## A. System, Application, or Project Name:

The Museum System (TMS)

## B. System, application, or project includes information about:

Data in the TMS system originates/will originate from a variety of sources.

- Migrated from legacy systems
- Submitted by individuals
- Submitted by a third party on behalf of individuals
- Entered on behalf of individuals from information gathered from public sources
- Information from GSA staff directories

## C. For the categories listed above, how many records are there for each?

As of 2020 the system contains records on the following individuals, individuals may fall into more than one category.

- 1808 individuals in GSA's National Artist's Registry

## D. System, application, or project includes these data elements:

For some, but not all, individuals the following information will be collected:

- Name
- Date of birth (day, month, year)

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- Place of birth
- Current and past address(es) – street address, city, state, zip code, international addresses
- Email addresses
- Website addresses
- Home/mobile telephone number(s)
- Office/studio street address(es) – street address, city, state, zip code, international addresses
- Fax number(s)
- Contact information for gallery or other artist's representative
- Confirmation of U.S. Citizenship or permanent resident status (no records kept if artist is not a U.S. Citizen or permanent resident)

# Overview

The system will be used to track all details pertaining to the full life cycle of Art in Architecture projects, manage the National Artist Registry in support of the Art in Architecture program and manage the Design Excellence Peer Review Program. The system also supports the Fine Arts Program in managing the Fine Arts Collection.

The system data includes descriptive information on artworks and detailed information on artists and other program related people (e.g. panelists who review artist submissions; tenants of the building; construction project team members (architects); etc.

The system also contains contact information for government employees who support the program.

The system maintains names and other unique identifiers in conjunction with other data elements such as birth date, geographic indicators, personal email addresses, home addresses, home phone numbers and similar personal information.

*[The overview is a short description of the system, application, or project. At a minimum, the overview must include:*

*● Descriptions of its purpose(s) – why this system, application, technology, pilot, program, or other collection (project) is being completed; what legislation authorizes it; and how it relates to the GSA's mission of providing the best value for government and the American people;*

*● Descriptions of what PII is collected, its maintenance, use, or its dissemination and who or what it is collected from; and,*

*● Descriptions of how the system, application, or project collects and uses PII, including an example that illustrates what happens to the PII from the time it is collected until it is destroyed.*

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*If applicable, reference any associated system of records notice ([SORNs) by Federal Register citation](#) ([XX FR XXXX](#), Date) in the overview. You may later reference associated SORNs by GSA name and number only.]*

## SECTION 1.0 PURPOSE OF COLLECTION

*GSA states its purpose and legal authority before collecting PII.*

### 1.1 What legal authority and/or agreements allow GSA to collect, maintain, use, or disseminate the information?

No law mandates that a percentage of federal construction budgets be spent for fine art. The Art in Architecture Program is the result of a policy decision made in January 1963 by GSA administrator Bernard L. Boudin, who had served on the Ad Hoc Committee on Federal Office Space in 1961-62. The committee's report to President Kennedy, included "Guiding Principles for Federal Architecture," which detailed a new quality conscious federal attitude toward architecture. One point, which was omitted from the report because Boudin implemented it prior to the policy's publication, was:

"A modest portion of the cost of each new Federal office building, not to exceed one percent of the total expense, shall be allocated for the purchase of fine arts to be incorporated in the general design. Emphasis should be placed on the work of living American artists, representing all trends of contemporary art, but this practice should not preclude the purchase of works of earlier periods where this would be appropriate. In commissioning the work of living artists, competitions should be encouraged."

Boudin approved a policy of commissioning works of art in public buildings under GSA's jurisdiction, at a cost not to exceed one half of one percent of the construction cost.

The requirement to commission artworks for federal buildings can be found in Chapter 102-77 of the Federal Management Regulations (41 CFR 102-77).

The program has been modified over the years, most recently in 2010 when a requirement was instituted that all artists who want to be considered for any potential GSA commission must be included on the National Artists Registry, which serves as the qualified list of eligible artists; the program continues to commission works of art from living American artists. One half of one percent of the estimated construction cost of new or substantially renovated Federal buildings and U.S. courthouses are allocated\ for commissioning works of art.

The Art in Architecture Program actively seeks to commission works from the full spectrum of American artists, and strives to promote new media and inventive solutions for public art. GSA has awarded over 400 commissions both to artists with established careers, as well as to artists of local and regional prominence. In support of the program's goal to commission the most talented contemporary American artists to create works for the nation's important new civic buildings, it is necessary to identify those artists. The National Artist Registry offers the opportunity for artists across the country to participate and to be considered for commissions.

The Design Excellence Peer Program is how GSA fulfills the Brooks Act (Public Law 92-582), also known as Qualifications Based Selection (QBS) by appointing private practitioners to participate in the selection of architects and engineers. FMR §102-76.10 governs basic design and construction policies for Federal agencies, and requires "the highest quality services for designing and constructing new Federal facilities".

### 1.2 Is the information searchable by a personal identifier, for example a name or Social Security Number? If so, what System of Records Notice(s) apply/applies to the information?

Yes, TMS is searchable by personal identifiers. TMS is registered on the Office of the Federal Register (link). Its an OMB System of Record; System Name: GSA/PBS-7 (The Museum System – TMS); Document Citation Number: 75 FR 28253

### 1.3 Has an Information Collection Request (ICR) been submitted to or approved by the Office of Management and Budget (OMB)? If yes, provide the relevant names, OMB control numbers, and expiration dates.

Yes, the Art in Architecture National Artist Registry Form has been approved by OMB. Its OMB Control Number is 3090-0274 and expiration date is 10/31/2022.

### 1.4 Has a records retention schedule been approved by the National Archives and Records Administration (NARA)? Explain how long and for what reason the information is retained.

Majority of data will be kept indefinitely, inactive Artist's Registry records may be deleted in accordance with GSA regulations, per GSA Policy 1820.1 CIO Records Maintenance and Disposition System.

*121.1/040 – Significant Art Inventory Records - legal citation: (DAA-121-2015-0001-0007) This series contains records used in identifying items within the building that are removable or replaceable, or have a significant historical and/or architectural value. For art associated with*

*a building (such as statuary, paintings, and architectural features), records such as inventories, case files, art maintenance records, art appraisals and art restoration documents and related materials are included.*

*Permanent. Cut off at the end of the fiscal year when the case file is closed, the artifact is destroyed, transferred, or otherwise de-accessioned. Transfer to NARA 15 years after cutoff*

## SECTION 2.0 OPENNESS AND TRANSPARENCY

*GSA is open and transparent. It notifies individuals of the PII it collects, maintains, uses or disseminates as well as how it protects and shares it. It provides straightforward ways for individuals to learn how GSA handles PII.*

### 2.1 Will individuals be given notice before the collection, maintenance, use or dissemination of personal information about themselves? If not, please explain.

GSA form 7437 is available electronically at www.gsa.gov/artinarchitecture. Artists may, but are not required to submit the form electronically. Most artists send the form and supporting information via e-mail but some provide the information on a compact disc. Once received, the information from the form, as well as from the artist's resume, is entered into an electronic database to provide quick and thorough response to questions regarding artists and art works and to permit the compilation of the competitive field of artists to be considered for a particular commission.

Design Excellence Peer information is collected directly via informal communication with the implication it will be recorded. This information is not disseminated in any way and used only by the program manager to correspond with the Peers.

## SECTION 3.0 DATA MINIMIZATION

*GSA limits PII collection only to what is needed to accomplish the stated purpose for its collection. GSA keeps PII only as long as needed to fulfill that purpose.*

### 3.1 Why is the collection and use of the PII necessary to the system, application, or project?

Data will provide descriptive information on artworks and detailed information on artists and other program related people.

Privacy data about artists will be used to identify potential artists for upcoming commissions and

to provide programmatic information on previously awarded commissions, for example in response to Congressional inquiries.

Privacy data about Peers is used to identify and contact Peers regarding participation in projects and to arrange for travel and participation in meetings.

### 3.2 Will the system, application, or project create or aggregate new data about the individual? If so, how will this data be maintained and used?

No - the system allows users to generate ad hoc reports but does not create any new information about the constituents. TMS users who have access to their fields in the system have the ability to print it out.

### 3.3 What protections exist to protect the consolidated data and prevent unauthorized access?

The general TMS user only has read-only access to the eMuseum website, via the internal GSA PBS Portal. The TMS administrators have the ability to delete and update the records, via a separate access point to the TMS data. System auditing has been enabled to track the data changes. All access to the PII data is audited and records tracked in the system. The system has been hardened according to the GSA policies and IT standards.

Only selected fields can be updated, no PII is in eMuseum.

### 3.4 Will the system monitor the public, GSA employees, or contractors?

No.

### 3.5 What kinds of report(s) can be produced on individuals?

### 3.6 Will the data included in any report(s) be de-identified? If so, what process(es) will be used to aggregate or de-identify the data?

No.

## SECTION 4.0 LIMITS ON USING AND SHARING INFORMATION

*GSA publishes a notice about how it plans to use and share any PII it collects. GSA only shares PII in ways that are compatible with the notice or as stated in the Privacy Act.*

### 4.1 Is the information in the system, application, or project limited to only the information that is needed to carry out the purpose of the collection?

Yes. The system only maintains information necessary to confirm an artist is eligible to participate in the program and/or receive a commission and to enable Peers to participate in the Peer program.

## 4.2 Will GSA share any of the information with other individuals, federal and/or state agencies, or private-sector organizations? If so, how will GSA share the information?

The data is not exchanged with other agencies. The public website on gsa.gov only provides publicly available information. All PII data within TMS is maintained internal to the GSA network.

1)  The system allows anonymous access to the public via a public internet access point to query specific information from the web-enabled (via TMS) objects.  This service is performed by the **eMuseum API** accessed through the GSA.gov website.

Direct Access to the eMuseum web server is available for general **GSA user** access, using the PBS Portal with SSO access for all PBS Portal users. These users are then able to look at the subset of the TMS presented collection, or all records marked "Web Access" (Web accessible).

The eMuseum API runs on the eMuseum Web Server and answers database queries to Web Access records for information and images to display to the **Public** on the GSA.gov server.

*[Discuss any external sharing of information, e.g., from GSA to OMB or to third-party tools or website service providers. Identify the name or names of other federal, state, and local agencies, and private-sector organizations with which GSA may share information.]*

## 4.3 Is the information collected directly from the individual or is it taken from another source? If so, what is the other source(s)?

Data in the system originates/will originate from a variety of sources.
● Migrated from legacy systems
● Submitted by individuals
● Submitted by a third party on behalf of individuals
● Entered on behalf of individuals from information gathered from public sources
● Information from GSA staff directories
● Legacy Fine Arts Application and Art in Architecture database files and GSA staff directory.
● GSA/GOVT-9 System for Award Management (SAM)

**4.4 Will the system, application, or project interact with other systems, applications, or projects, either within or outside of GSA? If so, who and how? Is a formal agreement(s) in place?**

No.

## SECTION 5.0 DATA QUALITY AND INTEGRITY

*GSA makes reasonable efforts to ensure that all PII it maintains is accurate, relevant, timely, and complete.*

**5.1 How will the information collected, maintained, used, or disseminated be verified for accuracy and completeness?**

Data in the system originates/will originate from a variety of sources.
● Migrated from legacy systems
● Submitted by individuals
● Submitted by a third party on behalf of individuals
● Entered on behalf of individuals from information gathered from public sources
● Information from GSA staff directories
● Legacy Fine Arts Application and Art in Architecture database files and GSA staff directory.
● Artist representatives may submit information on behalf of their clients.

The Art in Architecture program personnel coordinate with Artist Representatives and verify along Getty's Union List of Artists' Names or Who's Who in American Art for the completeness of the data on an ongoing basis.

## SECTION 6.0 SECURITY

*GSA protects PII from loss, unauthorized access or use, destruction, modification, or unintended or inappropriate disclosure.*

**6.1 Who or what will have access to the data in the system, application, or project? What is the authorization process to gain access?**

The access to the data will follow the GSA policies and procedures. GSA employees who are allowed access to the PBS portal will be allowed read only-access non-privacy data, GSA employees hired as part of the Fine Arts or Art in Architecture program in Central Office will be allowed access to privacy data. Only current employees/contractors of the Fine Arts Program and the Art in Architecture program in Central Office will have access to the privacy data. All TMS

administrator's remote access is approved and documented by the TMS PM and ISSO, following the TMS Remote Access procedures.

The Denver Federal Center Museum (DFC Museum) uses TMS to catalog their collection and will occasionally use the TMS constituent module to record information on manufacturers or donors. Their records contain addresses and other contact information; they do not have access to the telephone numbers or email addresses in other records.

## 6.2 Has GSA completed a System Security Plan (SSP) for the information system(s) or application?

The Museum System (TMS) is classified as a minor application (sub-system), within the Information TechOps Technology (TechOps) General Support System (GSS) security boundary. The TechOps GSS was issued a GSA ISCM Ongoing Authorization on 4/7/2017.

## 6.3 How will the system or application be secured from a physical, technical, and managerial perspective?

The TMS information system is maintained within GSA internal Wide Area Network (WAN) and within thePublic Buildings Information Technology Services (PB-ITS) Information Technology (TechOps) General Support System (GSS) Security boundary. The PB-ITS Project Manager (PM) and TechOps Information System Security Officer (ISSO) ensure all GSA IT Security Policies are followed and/or performed by the supporting information system's operational personnel.

## 6.4 Are there mechanisms in place to identify and respond to suspected or confirmed security incidents and breaches of PII? If so, what are they?

All PMO and TechOps staff members follow the policies and procedures defined by the GSA IT Security Procedural Guide: Handling IT Security Incidents CIO-IT Security-01-02 document. Per those procedures, TechOps will submit an Incident Reporting Ticket and/or Form to the appropriate parties and will work with GSA OCISO to investigate and resolve/remediate the issue. Additional information related to the policies and procedures for incident response can be found in the TechOps SSP documentation.

Employment of automated mechanisms for security incident reporting will be accomplished by reporting of incidents through the GSA IT Service Desk (helpdesk) ticketing system and subsequent reporting by the OCISO to the US-CERT through their Security Operations Center (SOC) portal.

All further incident reporting procedures between Agencies are detailed through interagency agreements (MOU or Communications Plan) and ongoing operational need to meet incident response.

TMS implements IR-6 controls for TMS users and vendors in conjunction with TechOps standing controls.

## SECTION 7.0 INDIVIDUAL PARTICIPATION

*GSA provides individuals the ability to access their PII and to correct or amend it if it is inaccurate. If GSA exempts a system or program from access, amendment and other provisions of the Privacy Act, it notifies the public of that exemption.*

### 7.1 What opportunities do individuals have to consent or decline to provide information? Can they opt-in or opt-out? If there are no opportunities to consent, decline, opt in, or opt out, please explain.

The Artist representatives may submit information on behalf of their clients and the Art in Architecture commission personnel rely on them to provide accurate information.

The Art in Architecture program personnel will coordinate with the Artist and/or the Artist Representatives and verify along Getty's Union List of Artists Names or Who's Who in American Art for the completeness of the data on an ongoing basis. The date the data is entered/collected will remain associated with the data and updated accordingly.

Individuals will be contacted periodically to update/verify their information. If there is no response their record may be marked inactive or deleted.

### 7.2 What procedures allow individuals to access their information?

TMS does not allow for individuals to access the PII data within the information system directly. However, the Artist and/or the Artist representatives may submit information on behalf of their clients and the Art in Architecture commission personnel rely on them to provide accurate information.

Individuals will be contacted periodically to update/verify their information. If there is no response their record may be marked inactive or deleted.

The Art in Architecture commission personnel will coordinate with the Artist and/or the Artist Representatives and verify along Getty's Union List of Artists' Names or Who's Who in American Art for the completeness of the data on an ongoing basis. The date the data is

entered/collected will remain associated with the data and updated accordingly.

Individuals will be contacted periodically to update/verify their information. If there is no response their record will be marked inactive or deleted.

TMS is registered on the Office of the Federal Register, for addressing the Privacy Act request process.

## SECTION 8.0 AWARENESS AND TRAINING

*GSA trains its personnel to handle and protect PII properly.*

### 8.1 Describe what privacy training is provided to users, either generally or specifically relevant to the system, application, or project.

GSA requires all staff to complete privacy and security training. Specific training on information handling procedures and sensitivity of information may also be offered. All TMS personnel are GSA or contractor employees that are required to certify GSA PII training requirements annually.

## SECTION 9.0 ACCOUNTABILITY AND AUDITING

*GSA's Privacy Program is designed to make the agency accountable for complying with the Fair Information Practice Principles. GSA regularly checks that it is meeting the requirements and takes appropriate action if it is not.*

### 9.1 How does the system owner ensure that the information is used only according to the stated practices in this PIA?

The TMS information system provides audit information based on NIST 800-52R4 AC and AU security controls. As part of TMS's Statement of Work (SOW) with the system's developer, a Non Disclosure Agreement (NDA) is in-place with the vendor. As part of the PB-ITS TechOps SOW with the GSS O&M vendor, an NDA is in-place with the vendor. Annually the PB-ITS PM performs a Remote Access audit of the TMS privileged users, to ensure their Need to Know/Need to Access is required. Annually the PB-ITS TechOps GSS performs a Remote Access audit and ensures all identified OS System Administrators access is required

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[1]OMB Memorandum *Preparing for and Responding to the Breach of Personally Identifiable Information* (OMB M-17-12) defines PII as: "information that can be used to distinguish or trace an individual's identity, either alone or when combined with

other information that is linked or linkable to a specific individual." The memorandum notes that "because there are many different types of information that can be used to distinguish or trace an individual's identity, the term PII is necessarily broad."

[2] Privacy Act of 1974, 5 U.S.C. § 552a, as amended.

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