



## Privacy Office Contact Information

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## Document Purpose

This document contains important details about a GSA managed System, Application, or Project (identified below by the Authorization Package name). To accomplish its mission the GSA Office it supports must, in the course of business operations, collect personally identifiable information (PII) about the people who use such products and services. 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]

[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.

## General Information

PIA Identifier: 387  
System Name: GSA Implementation of Exterro Platform (EXPLAT)  
CPO Approval Date: 8/4/2022  
PIA Expiration Date: 8/3/2025

## Information System Security Manager (ISSM) Approval

Nathaniel Ciano

## System Owner/Program Manager Approval

Chris McFerren

## Chief Privacy Officer (CPO) Approval

Laura Gerhardt

## PIA Overview

**A:** System, Application, or Project Name:  
GSA Implementation of Exterro Platform (EXPLAT)

**B:** System, application, or project includes information about:  
Exterro is used to collect, search and analyze information related to Agency litigation. The system also allows for identification of personnel for litigation purposes and for the issuance of relevant litigation holds. Additionally, the

FOIA office will be using the system to further search, collect, and organize FOIA relevant documents. All data contained in Exterro is information that is collected/derived from OGC records pertaining to claims and litigation matters for which OGC represents the agency. Some information included in Exterro may be that which was provided by opposing counsel during the discovery phase of litigation as well. Exterro allows role- and project-based access to OGC attorneys who litigate and staff who assist the attorneys. Role- and project-based access is also available to FOIA personnel, all via a secure structure for gaining access and searching data.

**C:** For the categories listed above, how many records are there for each?

There is not a specifically identifiable number of records, given that Exterro collects records related to GSA litigation matters. Records vary depending on the subject matter and/or context of the litigation or administrative proceeding.

**D:** System, application, or project includes these data elements:

Interagency and Intra Agency electronic records which may contain correspondence from outside vendors and/or contractors associated with current or pending agency administrative dispute/manner or litigation. Data elements can include the following: names, dates of birth, mailing address, telephone number, social security numbers, e-mail addresses, zip codes, facsimile numbers, mother's maiden name, medical record numbers, bank account numbers, health plan beneficiary numbers, any other account numbers, certificate/license number, vehicle identifier including license plate, marriage record, civil or criminal history information, medical records, device identifiers and serial numbers, education record, biometric identifiers, photographic facial image, or any other unique identifying number or characteristic.

## Overview:

The Exterro Platform (EXT-PLAT) is a unified e-discovery enterprise software system in which all phases of the EDRM (Electronic Discovery Reference Model) are integrated; Exterro Platform [EXTPLAT] that is the subject of this System Security Plan (SSP), includes enterprise software to manage legal hold communication, e-discovery assessment, collection, and productions.

### 1.0 Purpose of Collection

**1.1:** What legal authority and/or agreements allow GSA to collect, maintain, use, or disseminate the information?  
41 CFR's 105-53.138 and 41 CFR 's 105-60.

**1.2:** Is the information searchable by a personal identifier, for example a name or Social Security number?  
Yes

**1.2a:** If so, what Privacy Act System of Records Notice(s) (SORN(s)) applies to the information being collected?  
Existing SORN applicable

**1.2: System of Records Notice(s) (Legacy Text):** What System of Records Notice(s) apply/applies to the information?  
GSA/OGC-1 System of Records Notice GSA's Office of General Counsel Case Tracking and eDiscovery System, GSA/ OGC-1, which was published in the Federal Register on October 2, 2017 (82 FR 45850

**1.2b:** Explain why a SORN is not required.

**1.3:** Has an information collection request (ICR) been submitted to or approved by the Office of Management and Budget (OMB)?

**1.3: Information Collection Request:** Provide the relevant names, OMB control numbers, and expiration dates.

**1.4:** What is the records retention schedule for the information systems(s)? Explain how long and for what reason the information is kept.

OGC retains records pursuant to the retention schedule promulgated by NARA. Information is retained indefinitely as is necessary for retaining the documentary records of OGC's continuous representation of the Agency. The system stores and organizes key data points regarding every claim and litigation matter handled by OGC. FOIA records are maintained for 6 years in accordance with the retention schedule promulgated by NARA.

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## 2.0 Openness and Transparency

**2.1:** Will individuals be given notice before the collection, maintenance, use or dissemination and/or sharing of personal information about them? No

**2.1 Explain:** If not, please explain.

Because Exterro is not a primary information collection system. Therefore, any opportunity to consent or decline to provide information occurs at the point of original collection from the individual and is described in the relevant PIA and SORN for that system, from which the data are gathered. Because the litigation discovery process is compulsory, OGC may have little or no discretion to control how records about individuals are disclosed, and may only request that the court limit public disclosure of information by placing the information under seal or obligating the other parties to not further disclose it without court permission.

## 3.0 Data Minimization

**3.1:** Why is the collection and use of the PII necessary to the project or system?

The collection of PII in Exterro is necessary as the records contained therein are used by the Office of General Counsel (OGC) staff in the collection, review and preparation of documents and materials as required by during the discovery phase of litigation/or an agency administrative hearing. Furthermore, Exterro does not collect any additional PII that is not already maintained in OGC's system of records for purposes of litigation.

**3.2:** Will the system, application, or project create or aggregate new data about the individual?

No

**3.2 Explained:** If so, how will this data be maintained and used?

Exterro does not create nor aggregate new data about any individuals.

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

All data contained in Exterro is information that is collected/ derived from OGC records pertaining to claims and litigation matters for which OGC represents the agency. Some information included in Exterro may be that which was provided by opposing counsel during the discovery phase of litigation as well. Exterro allows role- and project-based access to OGC attorneys who litigate and staff who assist the attorneys. Role- and project-based access is also available to FOIA personnel, all via a secure structure for gaining access and searching data. Assigned authorizations for controlling access are enforced through setup profiles and permission sets. Exterro users are also provided training to ensure the information contained therein is used appropriately and not disseminated where not appropriate. This system also provides for a SSO (Single Sign On) in order to prevent those without proper credentials from gaining access to the system.

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

None

**3.4 Explain:** Please elaborate as needed.

N/A. The system is not a monitoring tool.

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

N/A. No report can be produced on an individual.

**3.6** Will the data included in any report(s) be de-identified?

No

**3.6 Explain:** If so, what process(es) will be used to aggregate or de-identify the data?

**3.6 Why Not:** Why will the data not be de-identified?

N/A.

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#### **4.0 Limits on Using and Sharing Information**

**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

**4.2:** Will GSA share any of the information with other individuals, federal and/or state agencies, or private-sector organizations?

Federal Agencies

**4.2How:** If so, how will GSA share the information?

GSA will also share information from Exterro in response to a FOIA request when such responsive records are located in Exterro.

**4.3:** Is the information collected:

Directly from the Individual

**4.3Other Source:** What is the other source(s)?

All data in the system is derived from OGC records pertaining to claim and litigation matters for which OGC represents the agency. The users and/or the GSA Google Mail team collect the data and provide it to OGC for upload into the system for review. Additionally, any other type of information (e.g. handwritten notes) will be collected by OGC staff and uploaded into the system for review.

**4.4:** Will the system, application, or project interact with other systems, applications, or projects, either within or outside of GSA?

No

**4.4WhoHow:** If so, who and how?

**4.4Formal Agreement:** Is a formal agreement(s) in place?

No

**4.4NoAgreement:** Why is there not a formal agreement in place?

N/A. There are no interconnected systems for the Exterro Platform.

#### **5.0 Data Quality and Integrity**

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

All data in the system is derived from OGC records pertaining to claim and litigation matters for which OGC represents the agency. The users and/or the GSA Google Mail team collect the data and provide it to OGC for upload into the system for review. Additionally, any other type of information (e.g. handwritten notes) will be collected by OGC staff and uploaded into the system for review.

#### **6.0 Security**

**6.1a:** Who or what will have access to the data in the system, application, or project?

OGC attorneys who conduct litigation matters and administrative proceedings on behalf of the agency and support staff.

**6.1b:** What is the authorization process to gain access?

Exterro is only accessible to a limited number of OGC personnel, which is only accessible through GSA's Single Sign On (SSO) system through GSA's Virtual Private Network.

**6.2:** Has a System Security Plan (SSP) been completed for the Information System(s) supporting the project?

Yes

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**6.2a:** Enter the actual or expected ATO date from the associated authorization package.  
3/25/2023

**6.3:** How will the system or application be secured from a physical, technical, and managerial perspective?  
Exterro is only accessible to a limited number of OGC personnel, which is only accessible through GSA's Single Sign On (SSO) system through GSA's Virtual Private Network.

**6.4:** Are there mechanisms in place to identify and respond to suspected or confirmed security incidents and breaches of PII?  
Yes

**6.4What:** What are they?

In the event that any OGC Staff with an Exterro license suggests that there's been unauthorized access/ improper dissemination of PII, OGC staff have received instruction and training to call and refer any such incident to GSA's Privacy Office for further action.

## **7.0 Individual Participation**

**7.1:** What opportunities do individuals have to consent or decline to provide information?

There are none. While Exterro is used to store information related to litigation matters /or administrative proceedings which may include PII, its purpose is not to store and collect information about individuals using PII as that of other record keeping systems in the agency.

**7.1Opt:** Can they opt-in or opt-out?

No

**7.1Explain:** If there are no opportunities to consent, decline, opt in, or opt out, please explain.

**No opportunity exist to consent, decline or opt out. Information is collected directly from employees who handle litigation matters /or administrative proceedings on behalf of GSA.**

**7.2:** What are the procedures that allow individuals to access their information?

There are none since Exterro is not a system of record collection, but a system to organize OGC case files which can include PII.

**7.3:** Can individuals amend information about themselves?

No

**7.3How:** How do individuals amend information about themselves?

## **8.0 Awareness and Training**

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

Exterro is an application used to cull OGC records related to litigation /or administrative proceedings that GSA is involved with. All application users take an annual required Privacy Act training related to maintenance, storage and use of PII. All application users are requested report any suspected breach of PII to the GSA IR team and the GSA IT Help desk.

## **9.0 Accountability and Auditing**

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

Only employees who handle litigation matters /or administrative proceedings for GSA use Exterro- and the information contained in Exterro is that which the employees have previously gathered from their own files and records in the process of litigation /or agency administrative proceedings. All GSA employees receive Privacy Act training and thus they protect the records transferred into Exterro per Privacy Act requirements.

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