

U.S. Securities and Exchange Commission

**Perceptive Content (ImageNow) ACES
PRIVACY IMPACT ASSESSMENT (PIA)**



March 6, 2025

Office of Financial Management

Publication History

Revision	Date	Changes Made
Initial	1/1/2015	Original Document
1	7/20/2023	Review and Update
2	3/27/2024	Review and Update
3	3/6/2025	Updated for compliance with E.O. 14168

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Section I: System Overview

1.1 Name of Project or System

Perceptive Content (ImageNow) Amazon Web Services (AWS) Cloud Environment at the SEC (ACES)

1.2 Is the system internally or externally hosted?

- Internally Hosted
- Externally hosted (Contractor or other agency/organization):

1.3 Reason for completing PIA

- New project or system
 - This is an existing system undergoing an update
- First developed: 1/1/2015
Last updated: 3/27/2024
Description of update: Updated for compliance with E.O. 14168

1.4 Does the system or program employ any of the following technologies?

- Electronic Data Warehouse (EDW)
- Social Media
- Mobile Application (or GPS)
- Cloud Computing Services
- www.sec.gov Web Portal
- None of the Above

Section 2: Authority and Purpose of Collection

2.1 Describe the project and its purpose or function in the SEC's IT environment

Perceptive Content (ImageNow) ACES is a Commercial off-the-shelf (COTS) product used by the Office of Financial Management (OFM) and Division of Enforcement Office of Distributions (ENF/OD). The application maintains historical records pertaining to Disgorgement and Penalty accounts receivable and related adjustments; cash collections; and delinquent debt referrals which are processed in the SEC Disgorgement Penalty System (DPS). Perceptive Content also includes historical records for non-disgorgement accounts receivables and collections which are processed directly in Delphi. Information maintained in Perceptive Content (ImageNow) ACES includes supporting documentation related to payments, collections, and receivables such as purchase orders, vouchers, invoices, contracts, payment spreadsheets, reports, Internal Revenue Service (IRS) Form W8-BEN, "Certificate of Foreign Status of Beneficial Owner for U.S. Tax Withholding", and W-9 "Request for Taxpayer, Identification Number and Certification". In addition, the application allows users to scan, file, retrieve, print, email/share documents and manage document workflow.

2.2 What specific legal authorities, arrangements, and/or agreements allow the information to be collected?

15 U.S.C. 77h-1, 77t, 77x, 78u, 78ff, 79z-3, 80a-9, 80a-41, 80a-48, 80b-3, and 80b-9.

2.3 Does the project use or collect Social Security numbers (SSNs)? *This includes truncated SSNs.*

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- No
- Yes
- If yes, provide the purpose of collection: The SSN is primarily used to confirm the identity of debtors, whistleblowers, and harmed investors. The SSN is also used to identify individuals included on the U.S. Treasury Do Not Pay (DNP) list.
- If yes, provide the legal authority: Where the employee identification number is the SSN, collection of this information is authorized by Executive Order 9397.

2.4 Do you retrieve data in the system by using a personal identifier?

- No
- Yes, a SORN is in progress
- Yes, there is an existing SORN
- [SEC-06 "Financial and Acquisition Management System"](#)
85 FR 85440 (January 27, 2021)

2.5 Is the information covered by the Paperwork Reduction Act of 1995 (PRA)?

- No
- Yes

2.6 Considering the purpose of the collection, what privacy risks were identified and how were those risks mitigated?

The primary privacy risks are that personal information may be collected without clear purpose or the information provided for one purpose may be used inappropriately. The risks are mitigated by clearly stating the authorized purpose for the collection in System of Records Notice (SORN) SEC-06 "Financial and Acquisition Management System" 85 FR 85440 limiting the information collected to only what is authorized and using collected information in accordance with the routine uses identified in the SORN.

Section 3: Data Collection, Minimization, and Retention

3.1 What information is collected, maintained, used, or disseminated about individuals? *Check all that apply.*

- The system does not collect, maintain, use, or disseminate information about individuals.

Identifying Numbers

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Social Security Number | <input type="checkbox"/> Alien Registration | <input checked="" type="checkbox"/> Financial Accounts |
| <input checked="" type="checkbox"/> Taxpayer ID | <input type="checkbox"/> Driver's License Number | <input checked="" type="checkbox"/> Financial Transactions |
| <input type="checkbox"/> Employee ID | <input type="checkbox"/> Passport Information | <input type="checkbox"/> Vehicle Identifiers |
| <input checked="" type="checkbox"/> File/Case ID | <input type="checkbox"/> Credit Card Number | <input type="checkbox"/> Employer ID |
| <input checked="" type="checkbox"/> Other: Action Number, Docket Number | | |

General Personal Data

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Name | <input checked="" type="checkbox"/> Date of Birth | <input type="checkbox"/> Marriage Records |
| <input type="checkbox"/> Maiden Name | <input type="checkbox"/> Place of Birth | <input checked="" type="checkbox"/> Financial Information |
| <input type="checkbox"/> Alias | <input checked="" type="checkbox"/> Home Address | <input type="checkbox"/> Medical Information |
| <input checked="" type="checkbox"/> Sex | <input checked="" type="checkbox"/> Telephone Number | <input type="checkbox"/> Military Service |
| <input checked="" type="checkbox"/> Age | <input checked="" type="checkbox"/> Email Address | <input type="checkbox"/> Mother's Maiden Name |
| <input type="checkbox"/> Race/Ethnicity | <input type="checkbox"/> Education Records | <input type="checkbox"/> Health Plan Numbers |
| <input type="checkbox"/> Civil or Criminal History | <input checked="" type="checkbox"/> Zip Code | |

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Other: Information pertaining to related enforcement actions

Work-Related Data

<input type="checkbox"/> Occupation	<input checked="" type="checkbox"/> Telephone Number	<input type="checkbox"/> Salary
<input type="checkbox"/> Job Title	<input checked="" type="checkbox"/> Email Address	<input type="checkbox"/> Work History
<input checked="" type="checkbox"/> Work Address	<input type="checkbox"/> Certificate/License Number	<input type="checkbox"/> Business Associates
<input type="checkbox"/> PIV Card Information	<input type="checkbox"/> Fax Number	
<input type="checkbox"/> Other:	Company/Agency Name	

Distinguishing Features/Biometrics

<input type="checkbox"/> Fingerprints	<input type="checkbox"/> Photographs	<input type="checkbox"/> Genetic Information
<input type="checkbox"/> Voice Recording/Signature	<input type="checkbox"/> Video Recordings	
<input type="checkbox"/> Other:		

System Administration/Audit Data

<input checked="" type="checkbox"/> User ID	<input checked="" type="checkbox"/> Date/Time of Access	<input checked="" type="checkbox"/> ID Files Accessed
<input checked="" type="checkbox"/> IP Address	<input type="checkbox"/> Queries Run	<input type="checkbox"/> Contents of Files
<input type="checkbox"/> Other:		

3.2 Why is the PII listed in Question 3.1 collected, used, shared, or maintained by the system or project?

PII is captured to issue payments to harmed investors and whistleblowers.

3.3 Whose information may be collected, used, shared, or maintained by the system?

<input type="checkbox"/> SEC Employees	
Purpose:	
<input type="checkbox"/> SEC Federal Contractors	
Purpose:	
<input type="checkbox"/> Interns	
Purpose:	
<input checked="" type="checkbox"/> Members of the Public	
Purpose:	The information identified in 3.1 is collected, maintained and shared for payments to whistleblowers award or harmed investors.
<input type="checkbox"/> Employee Family Members	
Purpose:	
<input type="checkbox"/> Former Employees	
Purpose:	
<input type="checkbox"/> Job Applicants	
Purpose:	
<input checked="" type="checkbox"/> Vendors	
Purpose:	The information identified in 3.1 is collected, maintained, and shared, or maintained to pay taxes and fees associated with distribution funds stemming from Enforcement Actions.
<input type="checkbox"/> Other:	
Purpose:	

3.4 What mechanisms are in place to minimize the use of PII for testing, training, and research efforts?

PII is not used for testing, training, or research efforts.

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3.5 Has a retention schedule been established by the National Archives and Records Administration (NARA)?

No.

Yes.

[DAA-0266-2017-0009](#), [Office of Financial Management: Disgorgement Records](#).

3.6 What are the procedures for identification and disposition at the end of the retention period?

At the end of the ten-year retention period, Office of Records Management Services (ORMS) conducts a review to determine if an existing litigation/preservation hold prevents records from being destroyed. If there is a litigation/preservation hold on the records, ORMS notifies the Records Liaison (RL) and offsite-storage center that records are not authorized for destruction. If no hold exists, ORMS sends the notice of eligibility to the RL. If there are no open Freedom of Information Act (FOIA) cases, the RL approves the destruction of the Federal records and ORMS notifies the offsite-storage center that destruction of the records is authorized.

3.7 Will the system monitor members of the public, employees, and/or contractors?

N/A

Members of the Public

Purpose:

Employees

Purpose:

Contractors

Purpose:

3.8 Considering the type of information collected, what privacy risks were identified and how were those risks mitigated?

There is risk of inadvertent and unauthorized disclosure of PII. The risks are minimized by limiting access to only authorized users with a need to know. Role based access control and data encryption is also implemented.

Section 4: Openness and Transparency

4.1 What forms of privacy notice were provided to the individuals prior to collection of data? *Check all that apply.*

Privacy Act Statement

A Privacy Act Statement is provided on IRS Tax Form W8-BEN and W-9. These forms are requested when processing claimant or recipient payment distributions.

System of Records Notice

SEC-06 "Financial and Acquisition Management System" 85 FR 85440 (January 27,2021)

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Date of Last Update:

Web Privacy Policy

Other notice:

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For internal distributions, ENF OD provides a copy of Commission Form 1662 “Supplemental Information for Persons Requested to Supply Information Voluntarily or Directed to Supply Information Pursuant to a Commission Subpoena” which includes a Privacy Act Notice under “Routine Uses of Information.”

- Notice was not provided.

4.2 Considering the method(s) of notice provided, what privacy risks were identified regarding adequate notice and how were these risks mitigated?

Privacy risk is minimal because adequate notice is provided as identified in section 4.1.

Section 5: Limits on Uses and Sharing of Information

5.1 What types of methods are used to analyze the data?

Perceptive Content (ImageNow) ACES does not analyze data collected.

5.2 Will internal organizations have access to the data?

- No
 Yes

Organizations: OFM/Enforcement Audit and Data Integrity (EADI), OFM/Enforcement Treasury Operation Branch (ETOB), OFM/Systems and Data Management Branch (SDMB), Enforcement (ENF)/Office of Distribution (OD), Office of Information Technology (OIT) and the DOT ESC Delphi system, to facilitate disbursements to harmed investors and whistleblowers.

5.3 Describe the risk to privacy from internal sharing and describe how the risks are mitigated.

There is minimal privacy risk from internal sharing because information sharing is limited to the SEC divisions/offices identified in section 5.2. and to those in the identified divisions/offices with a need-to-know.

5.4 Will external organizations have access to the data?

- No
 Yes

Organizations:

5.5 Describe the risk to privacy from external sharing and describe how the risks are mitigated.

There is no privacy risk from external sharing because information is not shared with external organizations.

Section 6: Data Quality and Integrity

6.1 Is the information collected directly from the individual or from another source?

- Directly from the individual.
 Other source(s): Credit reports, information software products such as LexisNexis.

6.2 What methods will be used to collect the data?

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Harmed investors and whistleblower award recipients complete forms IRS Tax Form W8-BEN and W-9 and submit them to the SEC via e-mail. The SSN/Taxpayer Identification Number (TIN) is collected from the forms and then manually entered on Perceptive Content (ImageNow) ACES payment forms to facilitate payment.

6.3 How will the data collected from individuals, or derived by the system, be checked for accuracy and completeness?

Authorized Perceptive Content (ImageNow) ACES users review supporting documentation to ensure completeness of the information provided and processed for payment.

6.4 Does the project or system process, or access, PII in any other SEC system?

- No
 - Yes.
- System(s):

6.5 Consider the sources of the data and methods of collection and discuss the privacy risk for this system related to data quality and integrity? How are these risks mitigated?

There is a risk that the SEC may receive outdated or inaccurate information. This risk is minimized because harmed investors and whistleblower award recipients must complete and sign the IRS Tax Form W8-BEN or W-9 which ensures data quality and integrity.

Section 7: Individual Participation

7.1 What opportunities are available for individuals to consent to uses, decline to provide information, or opt out of the project? If no opportunities are available to consent, decline or opt out, please explain.

For individuals to receive payment, they must provide their SSN. If individuals decline to provide the required information, payment will not be processed.

7.2 What procedures will allow individuals to access their information?

Individuals wishing to obtain information on the procedures for gaining access to their information in the system may contact the FOIA/Privacy Act Officer, Securities and Exchange Commission, 100 F Street, N.E., Washington, D.C. 20549-2736.

7.3 Can individuals amend information about themselves in the system? If so, how?

Individuals do not have an opportunity to directly amend their information in the system. However, they may submit a request to amend information to FOIA/Privacy Act Officer, Securities and Exchange Commission, 100 F Street, N.E., Washington, D.C. 20549-2736. Data may be exempt from access and correction provisions under the Privacy Act and, therefore, access to such records will be restricted.

7.4 Discuss the privacy risks related to individual participation and redress? How were these risks mitigated?

Given that individuals are not permitted to access or correct available records about themselves in Perceptive Content (ImageNow) ACES, there is risk that inaccurate information about individuals could be used by SEC personnel. This risk is minimized by authorized users reviewing information for accuracy and completeness as

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described in section 6.3 and individuals may submit a written request to amend information about themselves as described in 7.3 above.

Section 8: Security

8.1 Can the system be accessed outside of a connected SEC network?

- No
 Yes
- If yes, is secured authentication required? No Yes Not Applicable
Is the session encrypted? No Yes Not Applicable

8.2 Does the project or system involve online collection of personal data?

- No
 Yes
Public URL:

8.3 Does the site have a posted privacy notice?

- No
 Yes
 N/A

Section 9: Accountability and Auditing

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

All SEC staff and contractors receive initial and annual privacy awareness training, which outlines roles and responsibilities for proper handling and protection of PII. SEC Rules of the Road ensure that employees and contractors are aware of their security responsibilities and how to fulfill them.

9.2 Does the system generate reports that contain information on individuals?

- No
 Yes

9.3 Do contracts for the system include Federal Acquisition Regulation (FAR) and other applicable clauses ensuring adherence to the privacy provisions and practices?

- No
 Yes
 This is not a contractor operated system

9.4 Does the system employ audit logging or event logging?

- No
 Yes

9.5 Given the sensitivity of the PII in the system, manner of use, and established safeguards, describe the expected residual risk related to access.

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Residual risk related to access is minimal because access to Perceptive Content (ImageNow) ACES employs secure authentication, role-based access control, encryption, and audit logging to minimize risk. In addition, access to Perceptive Content from outside the SEC network is prohibited.