

## PRIVACY IMPACT ASSESSMENT (PIA)

**PRESCRIBING AUTHORITY:** DoD Instruction 5400.16, "DoD Privacy Impact Assessment (PIA) Guidance". Complete this form for Department of Defense (DoD) information systems or electronic collections of information (referred to as an "electronic collection" for the purpose of this form) that collect, maintain, use, and/or disseminate personally identifiable information (PII) about members of the public, Federal employees, contractors, or foreign nationals employed at U.S. military facilities internationally. In the case where no PII is collected, the PIA will serve as a conclusive determination that privacy requirements do not apply to system.

**1. DOD INFORMATION SYSTEM/ELECTRONIC COLLECTION NAME:**

Office of General Counsel Office Functional Files

**2. DOD COMPONENT NAME:**

Department of Defense Inspector General

**3. PIA APPROVAL DATE:**

11/28/17

### SECTION 1: PII DESCRIPTION SUMMARY (FOR PUBLIC RELEASE)

**a. The PII is:** (Check one. Note: foreign nationals are included in general public.)

- |  |  |
|--|--|
| <input type="checkbox"/> From members of the general public  | <input type="checkbox"/> From Federal employees and/or Federal contractors |
| <input checked="" type="checkbox"/> From both members of the general public and Federal employees and/or Federal contractors | <input type="checkbox"/> Not Collected (if checked proceed to Section 4)   |

**b. The PII is in a:** (Check one)

- |  |  |
|--|--|
| <input type="checkbox"/> New DoD Information System                    | <input type="checkbox"/> New Electronic Collection                 |
| <input type="checkbox"/> Existing DoD Information System               | <input checked="" type="checkbox"/> Existing Electronic Collection |
| <input type="checkbox"/> Significantly Modified DoD Information System |  |

**c. Describe the purpose of this DoD information system or electronic collection and describe the types of personal information about individuals collected in the system.**

The purpose of General Counsel Office Functional Files is to enable the agency's General Counsel and Associate General Counsels to perform DoD OIG's legal reviews and requirements. These files are necessary to answer, evaluate, adjudicate, defend, prosecute, or settle claims, complaints, lawsuits, and criminal and civil investigations. Types of PII required to complete these tasks may include employment information, home/cell phone, mailing/home address, military records, disability information, law enforcement information, security information, medical information, and Social Security number.

**d. Why is the PII collected and/or what is the intended use of the PII?** (e.g., verification, identification, authentication, data matching, mission-related use, administrative use)

PII is collected by DoD OIG components throughout the course of business, as is required to verify and identify individuals related to a Office of General Counsel review, opinion, or legal action.

**e. Do individuals have the opportunity to object to the collection of their PII?**  Yes  No

(1) If "Yes," describe the method by which individuals can object to the collection of PII.

(2) If "No," state the reason why individuals cannot object to the collection of PII.

Information is collected and maintained in accordance with all applicable rules and regulations as required to carry out the mission of the DoD OIG under the IG Act.

**f. Do individuals have the opportunity to consent to the specific uses of their PII?**  Yes  No

(1) If "Yes," describe the method by which individuals can give or withhold their consent.

(2) If "No," state the reason why individuals cannot give or withhold their consent.

Information is used in accordance with all applicable rules and regulations as required to carry out the mission of the DoD OIG under the IG Act.

**g. When an individual is asked to provide PII, a Privacy Act Statement (PAS) and/or a Privacy Advisory must be provided.** (Check as appropriate and provide the actual wording.)

- Privacy Act Statement       Privacy Advisory       Not Applicable

If appropriate, a Privacy Act Statement or Privacy Advisory is provided at the point of collection, such as DoD OIG Hotline, Administrative Investigations, and Office of Legislative Affairs and Congressional Correspondence. The Office of General Counsel does not collect PII directly but PII may be included in documentation submitted for legal review.

**h. With whom will the PII be shared through data exchange, both within your DoD Component and outside your Component? (Check all that apply)**

Within the DoD Component

Specify.

DoD OIG components that require access for mission requirements.

Other DoD Components

Specify.

All DoD components that require access for mission requirements.

Other Federal Agencies

Specify.

Federal agencies that require access for mission requirements.

State and Local Agencies

Specify.

Contractor (Name of contractor and describe the language in the contract that safeguards PII. Include whether FAR privacy clauses, i.e., 52.224-1, Privacy Act Notification, 52.224-2, Privacy Act, and FAR 39.105 are included in the contract.)

Specify.

Other (e.g., commercial providers, colleges).

Specify.

**i. Source of the PII collected is: (Check all that apply and list all information systems if applicable)**

Individuals

Databases

Existing DoD Information Systems

Commercial Systems

Other Federal Information Systems

**j. How will the information be collected? (Check all that apply and list all Official Form Numbers if applicable)**

E-mail

Official Form (Enter Form Number(s) in the box below)

Face-to-Face Contact

Paper

Fax

Telephone Interview

Information Sharing - System to System

Website/E-Form

Other (If Other, enter the information in the box below)

**k. Does this DoD Information system or electronic collection require a Privacy Act System of Records Notice (SORN)?**

A Privacy Act SORN is required if the information system or electronic collection contains information about U.S. citizens or lawful permanent U.S. residents that is retrieved by name or other unique identifier. PIA and Privacy Act SORN information must be consistent.

Yes  No

If "Yes," enter SORN System Identifier

CIG-24

SORN Identifier, not the Federal Register (FR) Citation. Consult the DoD Component Privacy Office for additional information or <http://dpcltd.defense.gov/Privacy/SORNs/> or

If a SORN has not yet been published in the Federal Register, enter date of submission for approval to Defense Privacy, Civil Liberties, and Transparency Division (DPCLTD). Consult the DoD Component Privacy Office for this date

If "No," explain why the SORN is not required in accordance with DoD Regulation 5400.11-R: Department of Defense Privacy Program.

**l. What is the National Archives and Records Administration (NARA) approved, pending or general records schedule (GRS) disposition authority for the system or for the records maintained in the system?**

(1) NARA Job Number or General Records Schedule Authority.

N1-509-07-1, Item 2

(2) If pending, provide the date the SF-115 was submitted to NARA.

(3) Retention Instructions.

Disposition: Recordkeeping copy (paper): PERMANENT. Cutoff and transfer to WNRC at end of calendar year in which subject matter is no longer needed for current agency business or convenience of reference, whichever is later. Transfer to the National Archives when most recent record is 10 years old.

**m. What is the authority to collect information? A Federal law or Executive Order must authorize the collection and maintenance of a system of records. For PII not collected or maintained in a system of records, the collection or maintenance of the PII must be necessary to discharge the requirements of a statute or Executive Order.**

- (1) If this system has a Privacy Act SORN, the authorities in this PIA and the existing Privacy Act SORN should be similar.
- (2) If a SORN does not apply, cite the authority for this DoD information system or electronic collection to collect, use, maintain and/or disseminate PII. (If multiple authorities are cited, provide all that apply).

(a) Cite the specific provisions of the statute and/or EO that authorizes the operation of the system and the collection of PII.

(b) If direct statutory authority or an Executive Order does not exist, indirect statutory authority may be cited if the authority requires the operation or administration of a program, the execution of which will require the collection and maintenance of a system of records.

(c) If direct or indirect authority does not exist, DoD Components can use their general statutory grants of authority ("internal housekeeping") as the primary authority. The requirement, directive, or instruction implementing the statute within the DoD Component must be identified.

Public Law 95-452 as amended, Inspector General Act of 1978, § 2;

DoD Directive (DoDD) 5106.1, "Inspector General of the Department of Defense (IG DoD)," dated January 4, 2001;

DoDD 5145.4, "Defense Legal Services Agency," dated April 16, 2012.

**n. Does this DoD information system or electronic collection have an active and approved Office of Management and Budget (OMB) Control Number?**

Contact the Component Information Management Control Officer or DoD Clearance Officer for this information. This number indicates OMB approval to collect data from 10 or more members of the public in a 12-month period regardless of form or format.

Yes     No     Pending

- (1) If "Yes," list all applicable OMB Control Numbers, collection titles, and expiration dates.
- (2) If "No," explain why OMB approval is not required in accordance with DoD Manual 8910.01, Volume 2, "DoD Information Collections Manual: Procedures for DoD Public Information Collections."
- (3) If "Pending," provide the date for the 60 and/or 30 day notice and the Federal Register citation.

Awaiting OMB final approval. Collection is listed under Federal Register number 79 FR 34296.