

# 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:**

Restricted Sexual Assault Serial Offender Database (CATCH)

**2. DOD COMPONENT NAME:**

Department of the Navy

**3. PIA APPROVAL DATE:**

10/26/20

DON AA - NCIS

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

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

- From members of the general public  From Federal employees and/or Federal contractors
- From both members of the general public and Federal employees and/or Federal contractors  Not Collected (if checked proceed to Section 4)

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

- New DoD Information System  New Electronic Collection
- Existing DoD Information System  Existing Electronic Collection
- 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 Restricted Sexual Assault Serial Offender database is used to collect and compare law enforcement records of sexual assault, including restricted and unrestricted reports for the purpose of identifying serial assault offenders. The NDAA does not allow the information collected to be used to impinge any right or benefit of any individual while in a restricted status. If the victim requests the report to be released as an unrestricted allegation, the report would be treated as a law enforcement report. 5 U.S.C. § 552a(j)(2) exempts law enforcement agencies from the requirements of 5 U.S.C § 552a(d)(2), "right of amendment."

PII collected: See Section 2, question a.

**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)

Data matching; Mission-related use

**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.

Victims submit available information on the offender into CATCH.

**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.

Victims submit available information on the offender into CATCH. Offenders have no interaction with CATCH.

**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

Authority to collect and manage the system. (Section 543 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for FY 2015 (Public Law 1 13-291).

The CATCH program allows a restricted reporting adult victim to disclose suspect or incident information to law enforcement for the purpose of potentially identifying individuals suspected of perpetrating multiple sexual assaults. Participation in the CATCH program is voluntary for adult sexual assault victims, and victims may decline to participate in the CATCH Program at any stage, even after being informed that there was a potential "match" in the CATCH system. There shall be no adverse consequences to victims if they do not agree to participate or they choose to opt out of the CATCH Program after being contacted with information of a potential "match." Any intimate partner sexual assault cases will be governed by guidance from the Family Advocacy Program. The CATCH entry will remain active for a total of 10 years. Consequently, all Title 10 Sexual Assault Forensic Examination (SAFE) Kits with a Restricted Reporting Case Number must now be retained for at least 10 years, in order to avoid the unintended destruction of a Restricted SAFE Kit corresponding to a CATCH entry.

Once a restricted report becomes unrestricted, there is no option to return the case to a restricted status.

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

- |   |          |   |
|---|----------|---|
| <input checked="" type="checkbox"/> Within the DoD Component  | Specify. | NCIS - Naval Criminal Investigative Service   |
| <input checked="" type="checkbox"/> Other DoD Components  | Specify. | AFOSI - Air Force Office of Special Investigations<br>USACID - U.S. Army Criminal Investigative Division                                    |
| <input type="checkbox"/> Other Federal Agencies   | Specify. |   |
| <input type="checkbox"/> State and Local Agencies   | Specify. |   |
| <input checked="" type="checkbox"/> 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. | NCIS contracting office is working to ensure applicable FAR clauses are being included in all future contract agreements as of 07 Feb 2020. |
| <input checked="" type="checkbox"/> Other (e.g., commercial providers, colleges).   | Specify. | USGC- Investigative Arm of U.S. Coast Guard<br>NGB - Investigative Arm of National Guard Bureau   |

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

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Individuals            | <input type="checkbox"/> Databases          |
| <input type="checkbox"/> Existing DoD Information Systems  | <input type="checkbox"/> Commercial Systems |
| <input type="checkbox"/> Other Federal Information Systems |   |

Victim is the source of offender information.

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

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> E-mail  | <input checked="" type="checkbox"/> Official Form (Enter Form Number(s) in the box below) |
| <input checked="" type="checkbox"/> Face-to-Face Contact                          | <input checked="" type="checkbox"/> Paper   |
| <input type="checkbox"/> Fax  | <input type="checkbox"/> Telephone Interview  |
| <input type="checkbox"/> Information Sharing - System to System                   | <input checked="" type="checkbox"/> Website/E-Form  |
| <input type="checkbox"/> Other (If Other, enter the information in the box below) |   |

Official DD Form for Restricted Sexual Assault Serial Offender Database (CATCH) pending.

**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

SORN Identifier, not the Federal Register (FR) Citation. Consult the DoD Component Privacy Office for additional information or <http://dpcl.d.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.

Draft SORN submitted to DPCLTD May 21, 2019.

**I. 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.

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

(3) Retention Instructions.

Per SORN N05580-2 Restricted files are destroyed after 50 years. Destruction of records will be accomplished by deletion from the system. No other paper or digital records will be created or maintained.

**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.

SORN N05580-2, Restricted Sexual Assault Serial Offender Database (CATCH), authorities:  
Authorized by Section 543 of public law 113-291, the National Defense Authorization Act (NDAA).

**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.

OMB 0703-0069 - INVESTIGATION OF ADULT SEXUAL ASSAULT IN THE DEPARTMENT OF DEFENSE - 08-31-2021