

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:

Victim-Related Inquiry Tracking Files

2. DOD COMPONENT NAME:

Under Secretary of Defense for Personnel and Readiness

3. PIA APPROVAL DATE:

09/04/20

Sexual Assault Prevention and Response Office (SAPRO)

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.

To track victim-related inquiries (VRI) received by the Sexual Assault Prevention and Response Office (SAPRO) via e-mail, SAPR.mil, DoD Safe Helpline, phone, or mail. Once received, inquiries are referred to the appropriate agency POC and/or to the DoD IG for any complaints concerning the Military Criminal Investigative Organization in order to address the issue(s) raised and facilitate a resolution; to track and facilitate Unrestricted and anonymous reports of sexual abuse and harassment in Military Correctional Facilities, in accordance with the Prison Rape Elimination Act (PREA).

SAPRO collects the following, for inquiries, feedback, or support requests, where applicable: inquirer's name, telephone number, email address, home address, relationship to the victim, and victim inquiry number; how the inquiry was received (written, email, telephone), type of inquiry (e.g. Army, Navy, Air Force, legal, command, law enforcement, inspector general, medical, Safe Helpline, report of sexual assault, training, etc.), and category of inquiry (e.g. general complaint, criticism of SAPR Personnel program, general information request, raising a policy issue, report of misconduct, request for Service referral, report of retaliation, praise of SAPR personnel or program); victim's name, Service affiliation, status/position, and installation; date of incident, year assault was reported, if command and/or a Military Criminal Investigation Office was involved, and case synopsis; name and title of office or official about which the inquirer is commenting; documents that inquirer submits to SAPRO; permission for SAPRO to follow up on the inquiry; agency to which the inquiry was referred, agency action officer name, documents sent to or received from relevant agency in support of the inquiry, suspense date, and case synopsis sent to the agency; dates that final status was sent to requester and date the inquiry was closed; comments and dates tracking communication between SAPRO, agencies, and inquirer. This information may be provided by utilizing the DD Form 2985.

SAPRO collects the following for PREA notifications (information as provided): type of notification (e.g., anonymous report via SAPRO, Unrestricted report via SARC, Unrestricted report via SAPRO, etc.); date and time of notification; location and date/time of the incident; victim's full name (for unrestricted reports); caller's full name (for unrestricted reports); caller's contact information (as applicable); caller's relationship to the victim (self or third party); permission from prisoner for SAPRO to forward the notification for investigation; SARC location and phone number (unrestricted reports only) and details provided by the caller about the nature of the incident (not including PII for all anonymous reports).

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)

Identification and verification; mission-related and administrative 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.

Voluntary; however, failure to provide information may limit SAPRO's ability to provide requested assistance.

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.

The individual must provide consent to have their PII and complaint forwarded to the appropriate agency for action and/or assistance.

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

DD Form 2985-

Authority: 10 U.S.C. 1561 note, Improved Sexual Assault Prevention and Response in the Armed Forces; DoD 6495.01, Sexual Assault Prevention and Response (SAPR) Program; DoD Instruction 6495.02, Sexual Assault Prevention and Response (SAPR) Program Procedures

Principal Purpose(s): To track victim-related inquiries received by the Sexual Assault Prevention and response Office (SAPRO) via e-mail, SAPR.mil, the DoD Safe Helpline, phone, or postal service. Once received, inquiries are referred to the appropriate agency POC and/or to the DoD IG in order to address the issue(s) raised and facilitate a resolution. This form does not constitute a report of a sexual assault.

Routine Use(s): Disclosure of records are generally permitted under 5 U.S.C. 552a(b) of the Privacy Act of 1974, as amended.

Applicable Blanket Routine Uses(s) are: Law Enforcement Routine Use, Congressional Inquiries Disclosure Routine Use, Disclosure to the Department of Justice for Litigation Routine Use, Disclosure of Information to the National Archives and Records Administration Routine Use, and Data Breach Remediation Purposes Routine Use. The complete list of DoD Blanket Routine Uses can be found online at <http://dpcl.d.defense.gov/Privacy/SORNsIndex/BlanketRoutineUses.aspx>. The applicable system of Records Notice is DHRA 18, DoD Sexual Assault Prevention and Response Office Victim Assistance Data Systems at: <http://dpcl.d.defense.gov/Privacy/SORNsIndex/DOD-Component-Notices/OSDJS-Article-List/>

The applicable system of Records Notices is DHRA 18 DoD Sexual Assault Prevention and Response Office Victim Assistance Data Systems at: <http://dpcl.d.defense.gov/Privacy/SORNsIndex/DOD-Component-Notices/OSDJS-Article-List/>

Disclosure: The completion of this form is voluntary. However, failure to provide information may result in the inability to provide requested services.

PREA notifications-

Authority: 10 U.S.C. 136, Under Secretary of Defense for Personnel and Readiness; 28 CFR 115, Prison Rape Elimination Act National Standards

Principal Purpose(s): To track and facilitate Unrestricted and anonymous reports of sexual abuse and harassment in Military Correctional Facilities, in accordance with the Prison Rape Elimination Act (PREA).

Routine Use(s): Disclosure of records are generally permitted under 5 U.S.C. 552a(b) of the Privacy Act of 1974, as amended.

Applicable Blanket Routine Uses(s) are: Law Enforcement Routine Use, Congressional Inquiries Disclosure Routine Use, Disclosure to the Department of Justice for Litigation Routine Use, Disclosure of Information to the National Archives and Records Administration Routine Use, and Data Breach Remediation Purposes Routine Use. The complete list of DoD Blanket Routine Uses can be found online at <http://dpcl.d.defense.gov/Privacy/SORNsIndex/BlanketRoutineUses.aspx>. The applicable system of Records Notice is DHRA 18, DoD Sexual Assault Prevention and Response Office Victim Assistance Data Systems at: <http://dpcl.d.defense.gov/Privacy/SORNsIndex/DOD-Component-Notices/OSDJS-Article-List/>

The applicable system of Records Notices is DHRA 18 DoD Sexual Assault Prevention and Response Office Victim Assistance Data Systems at: <http://dpcl.d.defense.gov/Privacy/SORNsIndex/DOD-Component-Notices/OSDJS-Article-List/>

Disclosure: The completion of this form is voluntary. However, failure to provide information may result in the inability to provide requested services.

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.

☒ Other DoD Components

Specify.

☒ Other Federal Agencies

Specify.

☐ 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)

Letters received via postal service

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

DHRA 18 DoD

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.

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

(3) Retention Instructions.

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.

10 U.S.C. 136, Under Secretary of Defense for Personnel and Readiness; 28 CFR 115, Prison Rape Elimination Act National Standards; DoD Directive 6495.01, Sexual Assault Prevention and Response (SAPR) Program; DoD Instruction 6495.02, Sexual Assault Prevention and Response (SAPR) Program Procedures.

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.