

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:

FOIAXpress

2. DOD COMPONENT NAME:

Department of Defense Inspector General

3. PIA APPROVAL DATE:

06/15/23

SECTION 1: PII DESCRIPTION SUMMARY (FOR PUBLIC RELEASE)

a. The PII is: (Check one. Note: Federal contractors, military family members, and foreign nationals are included in general public.)

- From members of the general public
From Federal employees
[X] from both members of the general public and Federal employees
Not Collected (if checked proceed to Section 4)

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

- [X] 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.

DoD OIG will use FOIAXpress to manage, track, and process Freedom of Information Act (FOIA) requests and appeals of FOIA responses.

Personal information collected from requesters will include name, address, email address, phone number, and personal information included in the descriptions of the records sought. FOIAXpress collects information directly from individual requesters as submitted to the DoD OIG via Public Access Link (PAL), the National FOIA Portal (FOIA.gov), email, fax, or postal mail.

Information submitted directly by requesters via PAL and the National FOIA Portal is automatically uploaded into FOIAXpress. Information submitted via email, fax, or postal mail is entered into FOIAXpress by FOIA staff.

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)

DoD OIG collects requesters' PII in order to properly search for and respond to requests for records. Names and other PII are necessary for locating records and verifying requester identity.

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.

A name and email or physical mailing address are required in order to process and respond to requests for records.

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.

All FOIA requests originate with the requester and are voluntarily submitted. If a requester is unwilling to provide the minimum information necessary to process a FOIA request, they can decline to provide information, but doing so may impact the processing of their request.

FOIA requesters sometimes voluntarily provide other PII and personal documents with their FOIA requests. This voluntary information can include personal records that contain taxpayer ID number; Social Security Number; driver's license/state identification number; passport, U.S. permanent resident card, or other government-issued identification; legal documents (e.g., subpoenas, court orders, Letters of Administration, Letters of Representation, declarations, affidavits); and vital documents (e.g., birth certificate, death certificate, marriage

license, divorce decree).

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: 5 USC 552, The Freedom of Information Act, as amended and 5 USC 552a, The Privacy Act of 1974, as amended.

PURPOSE: This information is requested in order to properly search for and respond to requests for records. Names and other PII are necessary for locating records and verifying requester identity.

ROUTINE USE: Information may be disclosed for any of the reasons listed in the System of Records Notice DoD-0008, Freedom of Information Act and Privacy Act Records (FOIA/PA Records), published in the Federal Register at 86 FR 72586.

DISCLOSURE: Voluntary; however, failure to provide the information may result in our inability to grant access to the requested records.

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

- |  |          |  |
|--|----------|--|
| <input checked="" type="checkbox"/> Within the DoD Component   | Specify. | In order to search for responsive records, all DoD OIG Components with an official need-to-know may receive PII.   |
| <input checked="" type="checkbox"/> Other DoD Components (i.e. Army, Navy, Air Force)  | Specify. | In order to coordinate a comprehensive response, all DoD Components with an official need-to-know may receive PII. |
| <input checked="" type="checkbox"/> Other Federal Agencies (i.e. Veteran's Affairs, Energy, State)   | Specify. | All Federal agencies with an official need-to-know may receive PII.  |
| <input type="checkbox"/> State and Local Agencies  | Specify. |  |
| <input 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. |  |
| <input type="checkbox"/> 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)

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

FOIA requesters can provide PII via a PAL in FOIAXpress when filing a request. Requesters may also provide PII via the National FOIA Portal, and the information will be automatically uploaded into FOIAXpress via an application programming interface. Requesters may also email, fax, or postal mail requests to the DoD OIG. This information will be entered into FOIAXpress by FOIA staff in order to process the FOIA request.

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 type="checkbox"/> Official Form (Enter Form Number(s) in the box below) |
| <input type="checkbox"/> In-Person Contact  | <input checked="" type="checkbox"/> Paper                                      |
| <input checked="" type="checkbox"/> Fax   | <input type="checkbox"/> Telephone Interview                                   |
| <input checked="" 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) |  |

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      DoD-0008.

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.

[Empty rectangular box for explanation]

**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.

Temporary. Cut off and destroy 6 years after final agency action or 3 years after final adjudication by the courts, whichever is later.

**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. 113, Secretary of Defense  
5 U.S.C. 552, Freedom of Information Act, as amended  
5 U.S.C. 552a, Privacy Act of 1974, as amended  
32 CFR 286, DoD Freedom of Information Act (FOIA) Program  
32 CFR 310, Protection of Privacy and Access and Amendment of Individual Records Under the Privacy Act of 1974  
DoD Directive, 5400.07, DoD Freedom of Information Act (FOIA) Program  
DoD Instruction 5400.11, DoD Privacy and Civil Liberties Programs  
DoD Manual 5400.07, DoD Freedom of Information Act (FOIA) Program  
DoD 5400.11-R, DoD Privacy Program, and  
Executive Order 9397 (SSN), as amended.

**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.

The online request page will not constitute an information collection under the Paperwork Reduction Act. The request page will state that a requester may submit a request using the FOIAXpress PAL or in any manner that conforms to DoD FOIA regulations, and this will enable the requester to provide only their name, contact information, and a description of the records sought.