

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:

Department of Defense Postsecondary Education Complaint System

2. DOD COMPONENT NAME:

Under Secretary of Defense for Personnel and Readiness

3. PIA APPROVAL DATE:

Office of the Assistant Secretary of Defense

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 DoD Postsecondary Education Complaint System (PECS) provides Uniformed Service Members, spouses, and other family members, and members of the U.S. Coast Guard the opportunity to file formal complaints when educational institutions fail to follow the Principles of Excellence outlined in Executive Order 13607 and the DoD Voluntary Education Partnership MOU. The PECS serves as a collaborative environment that permits DoD personnel the ability to track, manage and process submitted complaints in order to meet the requirements of the executive order and the DoD Voluntary Education Partnership MOU and the Department of Defense Instruction 1322.25, which also establishes the need for PECS and instructs the Services on handling PECS complaints. The PECS data may also be used to perform statistical and program analysis.

PII elements collected:

Name, complaint case ID, DoD Identification (DoD ID) number, pay grade, address, street address, city, state, zip code, country, phone number, age range, email address, service affiliation (service member, spouse or family member, veteran), service branch, service status, sponsor information (service status, service branch, and pay grade), type of education benefits used, school name and , school mailing address, level of study, amount of out-of-pocket tuition or government tuition credit paid (academic year), education center name, education center mailing address, complaint description and resolution, name and contact information of person submitting complaint on behalf of a covered individual.

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)

The information is collected to facilitate execution of the DoD voluntary education services programs, policy and compliance with Executive Order 13607 to file and resolve formal complaints when institutions fail to follow the Principles of Excellence and the DoD Voluntary Education Partnership MOU that is included in the DoD Instruction 1322.25.

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.

The individual can choose to not enter their PII; however, no further action will be taken in order to submit a complaint.

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.

Upon accessing the system, the Privacy Act Statement is displayed which provides information to the complaint filer on how his/her information will be used and/or shared should the complaint be submitted. The individual must then take action by either clicking a button in order to proceed into the collection process, or by simply canceling and exiting the system (if they do not consent to sharing their information). Without specific information pertaining to a complaint, the DoD cannot follow up with a school and if the school cannot identify a particular incident it cannot review for corrections if required. Federal enforcement agencies cannot investigate incidents that may have occurred that warrant further investigation without specific information.

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

PRIVACY ACT STATEMENT

AUTHORITY: E.O. 13607, Establishing Principles of Excellence for Educational Institutions Serving Service Members, Veterans, Spouses, and Other Family Members; and DoD Instruction 1322.25, Voluntary Education Programs.

PURPOSE: To provide Uniformed Service Members, spouses, and other family members the opportunity to file formal complaints when educational institutions fail to follow the Principles of Excellence outlined in E.O. 13607 and DoD Instruction 1322.25 DoD Voluntary Education Partnership MOU.

ROUTINE USE(S): To the Federal Trade Commission Consumer Sentinel Network for access by the Departments of Veterans Affairs, Education, Justice, and the Consumer Financial Protection Bureau for compliance with Executive Order 13607 and potential enforcement efforts. Information may be shared with schools listed in a complaint to aid in the resolution of a case. Applicable Routine Use(s) are: Law Enforcement Routine Use, Congressional Inquiries Disclosure Routine Use, Disclosure When Requesting Information Routine Use, Disclosure of Requested Information 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.

For a complete list of routine uses, please see the Privacy Act System of Records Notice DPR 44 DoD, DoD Postsecondary Education Complaint System (PECS), found at <https://dpcl.d.defense.gov/Privacy/SORNsIndex/DOD-Component-Noties/OSDJS-Article-List/>.

DISCLOSURE: Voluntary. However, failure to provide the information requested may result in a delay in processing your complaint or the inability of Federal agencies to address your complaint.

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.	OASD(READINESS)/FORCE EDUCATION & TRAINING/VOLUNTARY EDUCATION
<input checked="" type="checkbox"/> Other DoD Components	Specify.	Air Force, Army, Marines, Navy, and My Career Advancement Account (MyCAA)
<input checked="" type="checkbox"/> Other Federal Agencies	Specify.	US Coast Guard, Federal Trade Commission, Department of Justice, Department of Veteran Affairs, Department of Education, and Consumer Financial Protection Bureau
<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.	BAM Technologies, in performance of contract duties. Contract requires baseline IA controls be implemented to ensure PII is safeguarded. Non-disclosures are in place for all BAM employees working the PECS.
<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 checked="" type="checkbox"/> Existing DoD Information Systems	<input type="checkbox"/> Commercial Systems
<input type="checkbox"/> Other Federal Information Systems	

Data gathered from the individual submitting a complaint

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

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.

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.

Cut off upon resolution of the case. Record is to be transferred via copy of closed cases to the Federal Trade Commission's Consumer Sentinel System. Records retention period: destroy 3 years after cut off

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.

E.O. 13607, Establishing Principles of Excellence for Educational Institutions Serving Service Members, Veterans, Spouses, and Other Family Members; and DoD Instruction 1322.25, Voluntary Education Programs.

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.

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