

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:

04/04/24

Office of the Assistant Secretary of Defense for Manpower and Reserve Affairs

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.)

- | | |
|---|--|
| <input type="checkbox"/> From members of the general public | <input type="checkbox"/> From Federal employees |
| <input checked="" type="checkbox"/> from both members of the general public and Federal employees | <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 checked="" type="checkbox"/> Existing DoD Information System | <input 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 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, include: Name, complaint case ID, DoD Identification (DoD ID) number, pay grade, address, 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 for mission-related use in order to facilitate execution of the DoD voluntary education services programs and policies, as well as compliance with Executive Order 13607.

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 contact information and other PII, however, the complaint can not be submitted without this information.

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.

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): Disclosure of records are generally permitted under 5 U.S.C. 522a(b) of the Privacy Act of 1974, as amended. 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. To schools listed in a complaint to aid in the resolution of a case.

Additional routine uses are listed in the applicable System of Records Notice DPR 44 DoD, DoD Postsecondary Education Complaint System (PECS), at: <https://dpcl.dod.mil/Portals/49/Documents/Privacy/SORNs/OSDJS/DPR-44-DoD.pdf>

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/system exchange, both within your DoD Component and outside your Component? (Check all that apply)

- | | | |
|---|----------|---|
| <input checked="" type="checkbox"/> Within the DoD Component | Specify. | My Career Advancement Account (MyCAA) |
| <input checked="" type="checkbox"/> Other DoD Components (i.e. Army, Navy, Air Force) | Specify. | Air Force, Army, Marines, and Navy |
| <input checked="" type="checkbox"/> Other Federal Agencies (i.e. Veteran's Affairs, Energy, State) | Specify. | Federal Trade Commission Consumer Sentinel Network for access by the Departments of Veterans Affairs, Education, Justice, and the 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 checked="" type="checkbox"/> Other (e.g., commercial providers, colleges). | Specify. | Schools listed in the complaint |

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 | |

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

- | | |
|---|--|
| <input type="checkbox"/> E-mail | <input type="checkbox"/> Official Form (Enter Form Number(s) in the box below) |
| <input type="checkbox"/> In-Person Contact | <input 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) | |

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.

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.

System records are destroyed 3 years after the resolution of the case. Copies of closed complaint cases are transferred to the Federal Trade Commission Consumer Sentinel System.

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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