



OFFICE OF THE CHIEF MANAGEMENT OFFICER
9010 DEFENSE PENTAGON
WASHINGTON, DC 20301-9010

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: Transition of the Office of the Secretary of Defense and Joint Staff (OSD/JS) Privacy and Civil Liberties Programs

The purpose of this memorandum is to alert you to a recent change to privacy and civil liberties support for OSD/JS organizations and to request that you designate a Senior Component Official for Privacy (SCOP) and Privacy and Civil Liberties Officer (PCLO) for your organization, if one has not already been designated.

Historically, your organizations received privacy and civil liberties support from Washington Headquarters Services (WHS), Executive Services Directorate (ESD), Records, Privacy, and Declassification Division (RPDD). RPDD carried out many of the privacy and civil liberties functions described in DoDI 5400.11, "DoD Privacy and Civil Liberties Programs," with or on behalf of your organizations. RPDD provided support for activities such as OSD/JS Privacy Impact Assessments (PIAs) and System of Records Notices (SORNs), and entered OSD/JS personally identifiable information (PII) data breaches into the DoD Compliance and Reporting Tool (CART). RPDD also served as the primary conduit for your communications with the Defense Privacy, Civil Liberties, and Transparency Division (DPCLTD) within my office, the Directorate for Oversight and Compliance.

Going forward, DPCLTD will work directly with your organizations on privacy and civil liberties-related matters instead of RPDD. In accordance with a memorandum signed by the Chief Management Officer, RPDD is working to transfer all pending work and records to DPCLTD by July 31, 2020. DPCLTD is also updating DoDI 5400.11 to reflect these changes and align the OSD/JS organizations' privacy and civil liberties responsibilities to be equivalent to other DoD components.

The result of this change is that your organizations will function like other DoD components in how you carry out your privacy and civil liberties responsibilities and interactions. During the transition period, DPCLTD will provide your SCOPs and PCLOs with additional support, guidance, and training to assist your organizations in building the internal privacy and civil liberties expertise you will require.

Your responses to all future privacy and civil liberties reporting requirements will be submitted directly to DPCLTD. This includes submitting data for the upcoming Federal Information Security Modernization Act (FISMA) report, and input for the semiannual Defense Privacy and Civil Liberties Officer Report (Section 803 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110-53)).

In addition, please submit PII breach reports, using the DD 2959, to DPCLTD via email to DPCLTD's correspondence mailbox (osd.ncr.ocmo.mbx.dpcltd-correspondence@mail.mil). DPCLTD will enter those reports into CART on your behalf. All other breach-reporting

requirements remain unchanged, in accordance with the DoDI 5400.11 and the DoD Breach Response Plan.

A list of all OSD/JS SCOPs and PCLOs is attached. Several OSD/JS organizations do not yet have a designated SCOP or PCLO, and should appoint one as soon as practicable. Please review the list and provide appropriate updates to DPCLTD by August 14, 2020. In late August, I will host a virtual meeting of OSD/JS SCOPs and PCLOs to discuss the new organizational roles and address questions and concerns.

I appreciate your support and look forward to working with you to strengthen the DoD privacy and civil liberties program. Questions regarding this transition or the designation of a SCOP or PCLO for your organization should be directed to Ms. Lyn Kirby, Chief, DPCLTD, Directorate for Oversight and Compliance, Office of the CMO, at Lyn.M.Kirby.civ@mail.mil.

Joo Y. Chung
Director
DoD Senior Agency Official for Privacy

Attachment:
As stated

cc:
WHS Senior Component Official for Privacy
WHS Privacy and Civil Liberties Officer

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