

## 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:**

Washington Headquarters Service

**3. PIA APPROVAL DATE:**

02/07/23

ESD/FOID

### 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  
 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.)

- 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 report, track, and process Freedom Of Information Act (FOIA) requests and administrative appeals under the FOIA.  
B. To participate in and support litigation that may arise from a FOIA and/or Privacy Act access request, or administrative appeal.  
C. To assist DoD in carrying out any other responsibilities under the FOIA or the Privacy Act.

Types of personal information collected includes: Requester's name, mailing address, FOIA case number, date, and subject of the request, some additional information, such as telephone numbers, and email addresses, responses to such requests, and administrative appeals; all related memoranda, correspondence, notes, and other related, or supporting documentation; and copies of requested records, and records under administrative appeal.

**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)

mission-related use to be able to respond to individuals who submit a FOIA request, see item g below

**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.

If PII is not provided the FOIA request cannot be processed

**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.

receive information by Fax, mail, email, public access link where they have to create an account, and we receive information per the national FOIA portal (FOIA.gov)

**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:** 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 part 286, DoD Freedom of Information Act (FOIA) Program; 32 CFR part 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 Administrative Instruction 108, Office of the Secretary of Defense and Joint Staff (JS) Freedom of information Act (FOIA) Program.

PURPOSE: Information is being collected and maintained for the purpose of processing FOIA requests and administrative appeals; for participating in litigation regarding agency action on such requests and appeals; and for assisting the DoD in carrying out any other responsibilities under the FOIA.

ROUTINE USES: In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act of 1974, as amended, the records contained herein may specifically be disclosed outside the DoD as a routine use pursuant to 5 U.S.C. 552a(b)(3) as listed in the applicable system of records notice located at: <https://www.federalregister.gov/documents/2021/12/22/2021-27710/privacy-act-of-1974-system-of-records>

DISCLOSURE: Voluntary; however, failure to provide the requested information may result in FOIA request being denied.

**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. | DISA/Joint Service Provider |
| <input type="checkbox"/> Other DoD Components (i.e. Army, Navy, Air Force)   | Specify. |                             |
| <input checked="" type="checkbox"/> Other Federal Agencies (i.e. Veteran's Affairs, Energy, State)   | Specify. | Department of Justice       |
| <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 |   |

other Federal IT includes FOIA.gov.

**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 checked="" type="checkbox"/> Other (If Other, enter the information in the box below) |  |

Information sharing is through FOIA.gov. Paper requests are received from prisoners or other individuals. Form is a website form only (PAL-Public Access Link).

**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.

[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 part 286, DoD Freedom of Information Act (FOIA) Program; 32 CFR part 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 Administrative Instruction 108, Office of the Secretary of Defense and Joint Staff (JS) Freedom of information Act (FOIA) Program.

**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.

name, email, phone numbers, address,