

## 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:**

Micropact iComplaints

**2. DOD COMPONENT NAME:**

Washington Headquarters Service

**3. PIA APPROVAL DATE:**

8/4/2023

EEOP

### 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.**

Micropact iComplaints is an enterprise level web-based application that provides for the tracking and managing EEO Complaints for WHS/ Office of Equal Employment Opportunity Programs. The DITPR id for this system is 41759. iComplaints is an enterprise level COTS product that provides all of the functionality required to collect, track, manage, process and report on information regarding EEO contacts, informal, and formal complaints.

The Micropact iComplaints system collects the following personal information about individuals:

- Name
- Gender
- Race/Ethnicity
- Birth Date
- Personal Cell Telephone Number
- Home Telephone Number
- Personal Email Address
- Work Email Address
- Mailing/Home Address
- Religious Preference
- Medical Information
- Disability Information
- Employment Information
- Official Duty Address; Official Duty Phone Number; Position/Title; Rank/Grade; and Protected Health Information (PHI)-PHI is not required, however, some people voluntarily provide PHI

**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)

PII is collected within the iComplaints system for verification, identification, authentication, processing, corresponding, and reconciliation of individual(s) and the EEO complaints that are being filed or have been filed. PII is intended for Administrative use--Complaints processing.

**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.

Personnel within the EEO Office need to be able to reach the individual(s) that file the complaint(s), and correspond with them, in regards to

concerns, status, and any decisions concerning their case.

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.

II PII is needed for correspondence (See Section 1.e.2)

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; 10 U.S.C. 136; Under Secretary of Defense for Personnel and Readiness; 29 USC 209 "Attendance of Witnesses;" 29 U.S.C. 211, Collection of Data; 29 U.S.C. 623, Prohibition of Age Discrimination; 29 U.S.C. 626, Recordkeeping, Investigation and Enforcement; 29 U.S.C. 791. Employment of individuals with disabilities; 29 U.S.C. 792, Architectural and Transportation Barriers Compliance Board; 29 U.S.C. 793. Employment under Federal contracts; DoD Directive 1440.1, The DoD Civilian Equal Employment Opportunity (EEO) Program; E.O. 12106, Transfer of certain equal employment enforcement functions; Director of Administration and Management; DoD Directive 5110.4 Washington Headquarters Services.

**PRINCIPAL PURPOSE(S):** To establish case records and document the counseling, investigation, and adjudication of complaints of employment discrimination brought by applicants and current and former DoD employees against the DoD. To enforce the prohibitions against employment discrimination contained in the Age Discrimination in Employment Act, the Equal Pay Act and section 304 of the Government Employees Rights Act of 1991.

**ROUTINE USE(S):** Records may be provided to EEO officials, hearing examiners, investigators and arbitrators, or by representatives of the Equal Employment Opportunity Commission and the courts concerning the complaint and appeal. 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/2016/11/17/2016-27702/privacy-act-of-1974-publication-of-notice-of-systems-of-records-and-proposed-new-systems-of-records> and <https://www.federalregister.gov/documents/2023/04/26/2023-08752/privacy-act-of-1974-system-of-records>

**DISCLOSURE:** Voluntary; however, if the individual does not furnish the information requested, processing the complaint may be delayed or impaired.

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)

- Within the DoD Component Specify.
- Other DoD Components (i.e. Army, Navy, Air Force) Specify.
- Other Federal Agencies (i.e. Veteran's Affairs, Energy, State) Specify.
- State and Local Agencies Specify.
- 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.
- 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)

- Individuals  Databases
- Existing DoD Information Systems  Commercial Systems
- Other Federal Information Systems

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 checked="" type="checkbox"/> In-Person Contact                             | <input checked="" type="checkbox"/> Paper                                      |
| <input checked="" type="checkbox"/> Fax   | <input checked="" 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) |  |

Website/E-Form completed-DD Form 2655 "Complaint of Discrimination in the Federal Government"

**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.

In accordance with the OSD Records Disposition Schedule File Number 202-77, Administrative, Grievance, Performance based and Adverse Action Files. Temporary cut off after the case is closed or final settlement of appeal, as appropriate. Destroy 7 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.

10 U.S.C. 113, Secretary of Defense; 10 U.S.C. 136; Under Secretary of Defense for Personnel and Readiness; 29 USC 209 "Attendance of Witnesses;" 29 U.S.C. 211, Collection of Data; 29 U.S.C. 623, Prohibition of Age Discrimination; 29 U.S.C. 626, Recordkeeping, Investigation and Enforcement; 29 U.S.C. 791. Employment of individuals with disabilities; 29 U.S.C. 792, Architectural and Transportation Barriers Compliance Board; 29 U.S.C. 793. Employment under Federal contracts; DoD Directive 1440.1, The DoD Civilian Equal Employment Opportunity (EEO) Program; E.O. 12106, Transfer of certain equal employment enforcement functions; Director of Administration and Management; DoD Directive 5110.4 Washington Headquarters Services.

**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.

This does not constitute a collection requirement and was determined by OIM not to need clearance under the PRA. There are only 10 or less people using the system. Per DoDI 8910.01 Vol 2, an exemption called the Rule of 10 states any information collected from 10 people or less doesn't constitute a collection.