

## 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:**

Non-Field Work System (NFW)

**2. DOD COMPONENT NAME:**

DoD Business Enterprise

**3. PIA APPROVAL DATE:**

09/13/22

DCSA

### SECTION 1: PII DESCRIPTION SUMMARY (FOR PUBLIC RELEASE)

**a. The PII is:** (Check one. Note: foreign nationals are included in general public.)

- From members of the general public  From Federal employees and/or Federal contractors  
 From both members of the general public and Federal employees and/or Federal contractors  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.**

The NFW system is a backend system that automatically brokers data exchanges between Personnel Investigations Processing System (PIPS) and external agencies or vendors to process NACs (investigation record checks). The system only administers the passing of the information from one system to another (internally and external). Information brokered through NFW is ultimately passed to customer agencies for adjudication decisions regarding an individual's suitability and/or fitness for Federal employment, a position of trust with the Federal government, and/or for eligibility and access determinations.

The information that the NFW system collects, uses, and disseminates information varies according to the NAC check, but can include the following information about the subject of the investigation as well as others associated with the subject's investigation: name, date of birth (DOB), place of birth (POB), address, Social Security number (SSN), other information relevant to identify the person being queried, and information obtained from the various vendors and agencies about the person being queried.

**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 NFW system acts as an automated batch or real-time data exchange broker between PIPS and external agencies and vendors. Identifying information about the subject of the NAC query is obtained, first, from PIPS through a system to system interface. The NFW system then sends that information to the appropriate NAC agency or vendor and receives information back related to the particular query about the individual. Those agencies and vendors include but are not limited to: FBI, the Department of Defense (Defense Central Investigative Index (DCII)), Selective Service System, U.S. Citizenship and Immigration Services, Financial Crimes Enforcement Network (FINCEN), consumer reporting agencies (credit reports), Bureau of Vital Statistics (BVS), National Crime Information Center (NCIC), International Police (INTERPOL), and Social Security Administration (SSA).

**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 NFW is not accessible by individual members of the public and, therefore, does not provide direct notice of its collection of information to individuals. However, subjects of investigations are provide notice, in the form of Privacy Act statements, at various points on information collection during the investigative process.

**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.

Individuals do not have the ability to consent to the collection and use of their information in NFW. However, individuals who are the subject of an investigation are notified at the point of collection, at the beginning of an in person interview, and on various consent forms about why their information is being collected and the purposes for which it will be used.

**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

While individuals are not provided with notice specifically about NFW, this risk is mitigated by the provision of Privacy Act Statements at various points of information collection throughout the investigative process. The Privacy Act Statement informs the individual on the uses of the information. While that statement does not explain the system specifically, it does provide information concerning how their information will be used. In addition, notification specifically about this system is provided through publication of this PIA.

**h. With whom will the PII be shared through data exchange, both within your DoD Component and outside your Component?** (Check all that apply)

- Within the DoD Component      Specify.
- Other DoD Components      Specify.
- Other Federal Agencies      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)

- 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.

**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.

The data sets created by the NFW system from information in the PIPS database are stored for up to 30 days to facilitate reprocessing the NACs if necessary. The information obtained from the NAC agencies and vendors are also stored up to 30 days for troubleshooting, as necessary. After 30 days all information including NFW generated reports are deleted from the system.

Records collected through NFW are transitory [General Records Schedule 5.2]. Ultimately the records are transferred to, validated, and stored in the investigative record (in another IT system); and in that system, the record is covered by the applicable Schedules noted above.

**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. 137, Under Secretary of Defense for Intelligence; 10 U.S.C. 504, Persons Not Qualified; 10 U.S.C. 505, Regular components: Qualifications, term, grade; Atomic Energy Act of 1954, 60 Stat. 755; Public Law 108-458, The Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 401 note); Public Law 114-92, Section 1086, National Defense Authorization Act (NDAA) for Fiscal Year (FY) 2016, Reform and Improvement of Personnel Security, Insider Threat Detection and Prevention, and Physical Security (10 U.S.C. 1564 note); Public Law 114-328, Section 951 (NDAA for FY2017), Enhanced Security Programs for Department Defense Personnel and Innovation Initiatives (10 U.S.C. 1564 note); Public Law 115-91, Section 925, (NDAA for FY2018) Background and Security Investigations for Department of Defense Personnel (10 U.S.C. 1564 note); 5 U.S.C. 9101, Access to Criminal History Records for National Security and Other Purposes; Executive Order (E.O.) 13549, as amended, Classified National Security Information Program for State, Local, Tribal, and Private Sector Entities; E.O. 12333, as amended, United States Intelligence Activities; E.O. 12829, as amended, National Industrial Security Program; E.O. 10865, as amended, Safeguarding Classified Information Within Industry; E.O. 13467, as amended, Reforming Processes Related to Suitability for Government Employment, Fitness for Contractor Employees, and Eligibility for Access to Classified National Security Information; E.O. 12968, as amended, Access to Classified Information; E.O. 13470, Further Amendments to Executive Order 12333; E.O. 13488, as amended, Granting Reciprocity on Excepted Service and Federal Contractor Employee Fitness and Reinvestigating Individuals in Positions of Public Trust; E.O. 13526, Classified National Security Information; E.O. 13741, Amending Executive Order 13467, To Establish the Roles and Responsibilities of the National Background Investigations Bureau and Related Matters; E.O. 13764, Amending the Civil Service Rules; DoD Manual 5200.02, Procedures for the DoD Personnel Security Program (PSP); DoD Instruction (DoDI) 1400.25, Volume 731, DoD Civilian Personnel Management System: Suitability and Fitness Adjudication for Civilian Employees; DoDI 5200.46, DoD Investigative and Adjudicative Guidance for Issuing the Common Access Card (CAC); Homeland Security Presidential Directive (HSPD) 12: Policy for a Common Identification Standard for Federal Employees and Contractors; Federal Information Processing Standard (FIPS) 201-2, Personal Identity Verification (PIV) of Federal Employees and Contractors; and E.O. 9397 (SSN), as amended.

**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.

OMB approval is not required for NFW because NFW does not collect data from a form, UI or members of the public. NFW is automated processes that serve as a broker for data from various federal and commercial agencies and the PIPS system through automated means without the use of human intervention.