



EXCHANGE

PRIVACY IMPACT ASSESSMENT (PIA)

Exchange Legal Management Information System and CLIO

Office of the General Counsel

Questions relative to this document should be directed to the Exchange HQ Information Technology Governance Risk Management or to the Exchange Office of General Counsel, Compliance Division by mail to 3911 S. Walton Walker Blvd., Dallas, TX 75236.

OBJECTIVE: The objective of a PIA is to determine the scope, justification, and Privacy Act applicability for systems collecting, storing, or processing sensitive, personal data that may be concerned to be private. A PIA should be completed prior to development/procuring any new IT system which collects/maintains such information or updated when a significant change is made to the system. The completed PIA should be directed to the system owner, to the IT-Government (IT-G) representative, and to the Office of General Counsel, Compliance Division (OGC-C).

SECTION 1: IS A PIA REQUIRED?

A. Will this Exchange information system or electronic collection of information collect, maintain, use, and/or disseminate Personal Identifiable Information (PII) about members of the public, federal personnel, contractors or foreign nationals employed at U.S. military facilities internationally? (Mark all that apply).

- | | |
|---|--|
| <input checked="" type="checkbox"/> Members of the General Public. | <input checked="" type="checkbox"/> Foreign Nationals |
| <input checked="" type="checkbox"/> Federal Personnel / Exchange Associates | <input checked="" type="checkbox"/> Federal Contractors and/or Vendors |

B. If no items are marked in question A, you may stop here. Have this PIA signed and return it to the system owner. A copy should also be directed to IT-G and to OGC-C.

C. If any item in A is marked, proceed to Section 2.

SECTION 2: PIA SUMMARY INFORMATION

A. Why is this PIA being created or updated? Choose one:

- New Information System
- New Electronic Collection
- Existing Information System
- Existing Electronic Collection
- Significantly Modified Information System

If unsure, consult IT-G or OGC-C.

B. Does this information system or electronic collection require a Privacy Act System of Records Notice (SORN)? [if unknown, please contact OGC-C]

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 should be consistent.

- Yes
- No, a SORN is not required for this system.

If "Yes," enter Privacy Act SORN Identifier

AAFES 0602.04

Date of submission for approval to Defense Privacy Office

Consult the OGC-C for this date.

07/23/2015

C. Does this information system or electronic collection have an Office of Management & Budget (OMB) Control Number? [if unknown, contact OGC-C].

- Yes

Enter OMB Control Number

Enter Expiration Date

EXEMPTED

- No

D. Authority to collect information. Please list the Federal law, Executive Order of the President (EO), or regulation which authorizes the collection and maintenance of a system of records. [if unknown, contact OGC-C]

(1) If this system has a Privacy Act SORN, the authorities in this PIA and the existing Privacy Act SORN should be the same.

(2) Cite the authority for this information system or electronic collection to collect, use, maintain and/or disseminate PII. (If multiple authorities are cited, provide all that apply.) i.e. Title 10 U.S.C. § 3013, "Secretary of the Army".

(a) Whenever possible, cite the specific provisions of the statute and/or EO that authorizes the operation of the system and the collection of PII.

(b) If a specific statute or EO does not exist, determine if an indirect statutory authority can be cited. An indirect 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) The Exchange may use Exchange Operating Procedures, Exchange Standards of Operations, or CEO Guidance as the primary authority. The requirement, directive, or instruction implementing the statute within the Exchange should be identified.

10 U.S.C. 3013, Secretary of the Army; 10 U.S.C. 8013, Secretary of the Air Force; E.O. 11491, Labor-management Relations in the Federal Service, as amended; Army Regulation 60-21, Exchange Service Personnel Policies; Army Regulation 215-1, Military Morale, Welfare, and Recreation Activities and Nonappropriated Fund Instrumentalities; Army Regulation 215-8/AFI 34-211(I), Army and Air Force Exchange Service Operations; and E.O. 9397 (SSN), as amended.

E. Summary of information system or electronic collection. Answers to these questions should be consistent with security guidelines for release of information to the public.

(1) Describe the purpose of this information system or electronic collection.

To review and process charges and claims of unfair labor practices through formal/informal negotiations; to review and process bankruptcy related claims; for managerial and statistical reports; to process other legal complaints against individuals; to initiate litigation as necessary; to investigate other claims and prepare responses; and to defend the Exchange in civil suits filed against it in the Federal Court System. Other legal files may include requests under the Privacy Act of 1974, as amended and the Freedom of Information Act (FOIA), Title 5 U.S.C. 552a and 552.

(2) Briefly describe the types of personal information about individuals collected in this system.

Individual's or claimant's name, address, phone number, AAFES case number, and similar information that could be used as evidence in litigation or to further an investigation, as well as materials and information received from opposing counsel or outside sources involved in a legal matter, e.g. exhibits; individual's or claimant's counsel name, address and phone number. These items may be included in written allegations of unfair labor practice; supporting correspondence, documentation, memoranda, opinions, or other related materials involved in representing the Exchange in unfair labor practice or bankruptcy claims; or individuals involved with the Exchange on other legal matters or proceedings. Personal files are maintained internally in the Office of General Counsel and not in the CLIO electronic system. Information of military star credit card, beneficiaries, OPF, payroll, benefits, SSN and other personal id's and PII may also be collected dependent on the case or the issue at hand.

(3) Briefly describe the privacy risks associated with the PII collected and how these risks are addressed to safeguard privacy.

Privacy risks include unintentional disclosure and leakage. To avoid such a risk, the records are maintained in a controlled facility. Physical entry is restricted by the use of locks, guards, and is accessible only to authorized personnel. Access to records is limited to person(s) with an official need to know who are responsible for servicing the record in performance of their official duties. Persons are properly screened and cleared for access. Access to computerized data is role-based and further restricted by passwords, which are changed periodically. In addition, integrity of automated data is ensured by internal audit procedures, data base access accounting reports and controls to preclude unauthorized disclosure.

F. With whom will the PII maintained in this system be shared? (i.e., other DoD Components, Federal Agencies)? Indicate all that apply. Questions should be coordinated with OGC-C.

Within the Exchange.

Specify.

Other DoD Components.

Specify.

Other Federal Agencies.

Specify.

State and Local Agencies.

Specify.

Contractor (Enter name and describe the language in the contract that safeguards PII.)

Specify.

Other (e.g., commercial providers, colleges).

Specify.

G. Do individuals have the opportunity to object to the collection of their PII (opt-out)?

Yes No

(1) If "Yes," describe method by which individuals can object to the collection of PII.

n/a

(2) If "No," state the reason why individuals cannot object.

In regards to CLIO, name, address, and issue collected only for contact purposes. Other issues may allow the individual a right to provide objections to the collection of PII. FOIA regulations offers no right of privacy regarding an individuals name other than that associated with request for documents regarding oneself.

H. 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.

n/a

(2) If "No," state the reason why individuals cannot give or withhold their consent.

In regards to CLIO, name, address and issue collected for contact purposes. Other PII may be disclosed pursuant to applicable statute or regulations.

I. What information is provided to an individual when asked to provide PII data? Indicate all that apply.

Privacy Act Statement Privacy Advisory

Exchange Privacy Policy

None

Other

Describe each applicable format listed above.

The PAS is posted on collection instruments (i.e. HIPAA release form and Authorization of Release). These are not kept within the CLIO system but maintained in physical or other electronic secured OGC legal files. The Office of General Counsel Legal files (hard copy and electronic format) are exempted from the requirements of OMB approval. (DoDI 8910.01 Volume 2). No PII is maintained in CLIO.

NOTE:

Sections 1 and 2 above will be posted to the Exchange's Web site. Posting of these Sections indicates that the PIA has been reviewed to ensure that appropriate safeguards are in place to protect privacy.

The Exchange may restrict the publication of Sections 1 and/or 2 if they contain information that would reveal sensitive information or raise security concerns.