

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:

Case Management Tracking Analysis & Reporting System (CMTARS)

2. DOD COMPONENT NAME:

United States Air Force

3. PIA APPROVAL DATE:

02/16/21

The Secretary of the Air Force is the designated Executive Agent for two boards of SAF/MRB. (Civilian/Military Service Review Board (C/MSRB) & the Physical Disability Board of Review (PDBR)

SECTION 1: PII DESCRIPTION SUMMARY (FOR PUBLIC RELEASE)

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

- | | |
|--|--|
| <input type="checkbox"/> From members of the general public | <input type="checkbox"/> From Federal employees and/or Federal contractors |
| <input checked="" type="checkbox"/> From both members of the general public and Federal employees and/or Federal contractors | <input type="checkbox"/> Not Collected (if checked proceed to Section 4) |

b. The PII is in a: (Check one)

- | | |
|--|---|
| <input checked="" type="checkbox"/> New DoD Information System | <input type="checkbox"/> New Electronic Collection |
| <input 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.

CMTARS is a web-based application that tracks cases, generates and stores documents, prepares reports and has advanced searching and lookup features. The entire Air Force Review Boards Agency (AFRBA) portfolio of approximately 15,000 cases per year is processed in the application. CMTARS allows SAF/MRB to comply with Congressionally mandated timeliness standards, identify and document systemic issues, track AFRBA cases within and outside of our portfolio, standardize work-flows and decisional documents and prepare reports to provide statistical data.

Types of PII Collection: Individual's name, address, telephone number, email, fax number, social security number (SSN), date of birth, place of birth, photos, DOD ID number, branch of service, rank, position/title, citizenship, gender, race/ethnicity, legal status, marital status, employment information, education information, financial information, law enforcement information, security information, child information, medical information, disability information, Protected Health Information (PHI), religious preference, date of discharge, type of discharge, relevant information pertaining to discharge or military corrective action, documentary evidence, personnel records and medical records pertinent to action requested, testimony, hearing transcripts when appropriate, briefs/arguments, advisory opinions, findings, conclusions and decisional documents of the Board.

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)

Documents are collected and maintained to aid the Air Force Review Boards Agency (AFRBA) in rendering decisions on military and civilian personnel matters. The AFRBA reports directly to the Assistant Secretary of the Air Force for Manpower and Reserve Affairs (SAF/MR). The files are used to support the AF Discharge Review Board, AF Decoration Board, AF Personnel Board, AF Board for Correction of Military Records, AF Personnel Security Appeal Board, AF Clemency & Parole Board, AF Remissions Board, DoD Physical Disability Board of Review, and the DoD Civilian/Military Service Review Board. In addition, the documents support the AF Civilian Appellate Review Office in making final decisions for complaints arising under the Equal Employment Opportunity and the AF Military Equal Opportunity Program.

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 requester must provide a notarized statement or an unsworn declaration made in accordance with 28 U.S.C 1746. This statement must provide the individual's full name, SSN, signature and/or any details which may assist in locating records. If the member refuses to provide PII, request to review case files will not be conducted.

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.

For Department of Defense Physical Disability Board of Review, the Air Force Board for Correction of Military Records, and the Air Force Discharge Review Board, disclosure is voluntary. The individual submits a request to the Agency using DD Forms (DD149, DD293 & DD294). The remaining Air Force Review Boards receive requests from recommending authorities (MAJCOMs, NAFs, Wings, Group etc.) to process actions on an individual's record. If the member refuse to provide PII, request to review case files will not be conducted.

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. 1034, Protected Communications – Prohibition of Retaliatory Personnel Actions; 10 U.S.C. 1552, Correction of Military Records – Claims Incident Thereto; 10 U.S.C 1553, Review of discharge or dismissal; 10 U.S.C 1554a; Review of separation with disability rating of 20 percent disabled or less; 10 U.S.C. 1557, Timeliness standards for disposition of applications before Corrections Boards; 10 U.S.C. 1559, Personnel Limitation; 10 U.S.C. Chapter 48, Military Correctional Facilities; 10 U.S.C. Chapter 937, Decorations and Awards; 10 U.S.C. Chapter 1130, Consideration of Proposals for Decorations Not Previously Submitted in Timely Fashion; 10 U.S.C. 9013, Secretary of the Air Force, 10 U.S.C. 9837, Settlement of accounts: remission or cancellation of indebtedness of members; DoD Directive 1325.04, Confinement of Military Prisoners and Administration of Military Correctional Programs and Facilities; DoD Directive 1332.41, Boards for Correction of Military Records and Discharge Review Boards; DoD Instruction 1325.07, Administration of Military Correctional Facilities and Clemency and Parole Authority; DoD Instruction 1332.28, Discharge Review Board Procedures and Standards; DoD Instruction 1348.33, DoD Military Decorations and Awards Program; DoD Instruction 5200.2-R, Personnel Security Program; DoD Instruction 6040.44, Physical Disability Board of Review; AFI 31-205, The Air Force Corrections System; AFI 31-501, Personnel Security Program Management; AFI 36-1004, The Air Force Civilian Recognition Program; AFI 36-2023, The Secretary of the Air Force Personnel Council and the Air Force Personnel Board; AFI 36-2603, Air Force Board for Correction of Military Records; AFI 36-2706, Equal Opportunity Program Military and Civilian; AFI 36-2803, The Air Force Military Awards and Decorations Program; AFI 36-3035, Physical Disability Board of Review; AFI 36-3203, Service Retirements; AFD 36-28, Awards and Decorations Programs; HOI 36-28, Medal of Honor—Processing Nominations and Organizing Ceremonies; HAFMD 1-24, Assistant Secretary of the Air Force (Manpower and Reserve Affairs); E.O. 9397, (SSN), as amended..

ROUTINE USE:

- a. To the appropriate Federal, State, local, territorial, tribal, foreign, or international law enforcement authority or other appropriate entity where a record, either alone or in conjunction with other information, indicates a violation or potential violation of law, whether criminal, civil, or regulatory in nature.
- b. To any component of the Department of Justice for the purpose of representing the DoD, or its components, officers, employees, or members in pending or potential litigation to which the record is pertinent.
- c. In an appropriate proceeding before a court, grand jury, or administrative or adjudicative body or official, when the DoD or other Agency representing the DoD determines that the records are relevant and necessary to the proceeding; or in an appropriate proceeding before an administrative or adjudicative body when the adjudicator determines the records to be relevant to the proceeding.
- d. To the National Archives and Records Administration for the purpose of records management inspections conducted under the authority of 44 U.S.C. §§ 2904 and 2906.
- e. To a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of, and at the request of, the individual who is the subject of the record.
- f. To appropriate agencies, entities, and persons when (1) the DoD suspects or has confirmed that there has been a breach of the system of records; (2) the DoD has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, the DoD (including its information systems, programs, and operations), the Federal Government, or national security; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the DoD's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.
- g. To another Federal agency or Federal entity, when the DoD determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach or (2) preventing, minimizing, or remedying the risk of harm to individuals, the recipient agency or entity (including its information systems, programs and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.
- h. To the Department of Veterans Affairs (DVA) and the Department of Justice for the determination of rights and entitlement of the individuals concerned and for use in the enforcement of criminal or civil law.
- i. To contractors, grantees, experts, consultants, students, and others performing or working on a contract, service, grant, cooperative agreement, or other assignment for the federal government when necessary to accomplish an agency function related to this system of records.
- j. To designated officers and employees of Federal, State, local, territorial or tribal, international, or foreign agencies maintaining civil, criminal, enforcement, or other pertinent information, such as current licenses, if necessary to obtain information relevant and necessary to a DoD Component decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.
- k. To any component of the Department of Justice for the purpose of representing the DoD, or its components, officers, employees, or

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.

CMTARS System Users. Approximately 550 users primarily at JB Andrews and Randolph AFB. Some additional users have limited access for Remissions cases (Ellsworth AFB) and several members of the General Council. Air Force National Guard

Other DoD Components

Specify.

Department of Army, Department of Navy & Marine Corps, Coast Guard, DoD Consolidated Adjudications Facility (CAF), Defense Office of Hearings and Appeals (DOHA), Office of the Secretary of Defense (OSD) organizations - Limited to personnel involved in case adjudication

Other Federal Agencies

Specify.

Department of Veterans Affairs (DVA), Department of Justice, National Archives and Records Administration (NARA)

State and Local Agencies

Specify.

OpenText Public Sector Services (OTPSS) and JYG

52.224-1 Privacy Act Notification.

As prescribed in 24.104, insert the following clause in solicitations and contracts, when the design, development, or operation of a system of records on individuals is required to accomplish an agency function:

Privacy Act Notification (Apr 1984)

The Contractor will be required to design, develop, or operate a system of records on individuals, to accomplish an agency function subject to the Privacy Act of 1974, Public Law 93-579, December 31, 1974 (5 U.S.C. 552a) and applicable agency regulations. Violation of the Act may involve the imposition of criminal penalties.

(End of clause)

52.224-2 Privacy Act.

As prescribed in 24.104, insert the following clause in solicitations and contracts, when the design, development, or operation of a system of records on individuals is required to accomplish an agency function:

Privacy Act (Apr 1984)

(a) The Contractor agrees to—

(1) Comply with the Privacy Act of 1974 (the Act) and the agency rules and regulations issued under the Act in the design, development, or operation of any system of records on individuals to accomplish an agency function when the contract specifically identifies—

(i) The systems of records; and

(ii) The design, development, or operation work that the contractor is to perform;

(2) Include the Privacy Act notification contained in this contract in every solicitation and resulting subcontract and in every subcontract awarded without a solicitation, when the work statement in the proposed subcontract requires the redesign, development, or operation of a system of records on individuals that is subject to the Act; and

(3) Include this clause, including this paragraph (3), in all subcontracts awarded under this contract which requires the design, development, or operation of such a system of records.

(b) In the event of violations of the Act, a civil action may be brought against the agency involved when the violation concerns the design, development, or operation of a system of records on individuals to accomplish an agency function,

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.)

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

Individual and legal counsel.

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)

DD Form 149, Application for Correction of Military Record Under the Provisions of Title 10, U.S. Code, Section 1552
DD Form 293, Application for the Review of Discharge from the Armed Forces of the United States
DD Form 294, Application for a Review by the Physical Disability Board of Review

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.

SORN modification in progress: F001 MRB A DoD is being modified; F036 SAFCB A and F036 SAFPC A will potentially be combined in the future to reduce regulatory burden and redundancy.

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.

Table and Rule: T 36 - 12 R 01.02 Air Force Discharge Review Board (Final Action) & Cassette Tapes of Hearing, AFBCMR Case File-- Destroy after 75 years.

NOTE: Sections 1 above is to be posted to the Component'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. A Component may restrict the publication of Sections 1 if they contain information that would reveal sensitive information or raise security concerns.