

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.

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:

Disciplinary Case Management System (DCMS)

2. DOD COMPONENT NAME:

United States Air Force

3. PIA APPROVAL DATE:

06/01/21

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 Disciplinary Case Management System (DCMS) is a web-based system used to process and track the handling of disciplinary cases within the Air Force. The system provides case detail and statistical reports for all levels of command within the Air Force Judge Advocate General's Corps (AFJAGC) as well as in response to requests for disciplinary data from the Secretary of the Air Force, Secretary of Defense, Congress and the White House. The system and supporting functions address the processing, timeliness, standardization, and reporting on the adjudication of violations of the Uniform Code of Military Justice (UCMJ) and non-UCMJ disciplinary misconduct. Additionally, it includes the tracking of events and witness data. The system reduces processing errors by standardizing processes, producing the primary forms and enforcing data validation consistent with applicable Air Force Instructions and policies. Use of the system and supporting functions is mandatory within AFJAGC for the processing of UCMJ and non-UCMJ disciplinary cases. The system and supporting functions standardize the processing of disciplinary cases and provides access to reporting and query capabilities essential to monitoring the overall health of discipline at all levels. Additionally the standardized processing of cases reduces the time and resources necessary to train newly assigned personnel by eliminating locally established processes. DCMS imports, via a flat file, personnel data from the Military Personnel Data System (MILPDS) which is used to populate personnel data as cases are created. Without this import DCMS users would be required to manually enter in excess of 60 distinct data points for each new case. Legal offices at the base and HAF level, as well as NAF and MAJCOM legal offices, use DCMS and supporting functions. Currently, there are 194 different offices using the system and supporting functions; this includes active duty offices, Air National Guard offices, and Category A Reserve offices. The Legal Directorate of Legal Information Services (DAF/JAS) manages day-to-day operations, maintaining the code and system and DCMS is hosted in a JAG Corps Contracted Government Cloud using the Appian Platform in a PaaS solution.

Personal information collected: Name, Social Security Number (SSN), citizenship, Drivers License, Employment Information, Home/Cell Phone Number, Mailing/Home Address, Military Records, Official Duty Address, Place of Birth, Race/Ethnicity, Work E-mail Address, Birth Date, Education Information, Financial Information, Law Enforcement Information, Marital Status, Official Duty Telephone Number, Personal E-mail Address, Position/Title, Rank/Grade, Security Information, DOD ID number, Gender/Gender Identification, Legal Status, protected health information, and Medical Information.

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 to verify the identity of Air Force personnel and to manage criminal cases in federal courts. Collection is also used for mission-related and administrative use.

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.

PII is contained in law enforcement reports and other disciplinary reports that require PII to properly identify individuals.

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.

Use of PII in military justice is mandatory for the accurate identification of individuals and to associate them with the correct legal case information during prosecution or adjudication.

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. 9013, Secretary of the Air Force: Powers and duties; delegation by; 10 U.S.C. 8037, Judge Advocate General, Deputy Judge Advocate General: Appointment and duties; 10 U.S.C. 815(g), Commanding officer's nonjudicial punishment; 10 U.S.C. 854, 10 U.S.C. 801-946, Uniform Code of Military Justice; Manual for Courts-Martial, United States (2016 Edition); Record of Trial; 10 U.S.C. 865, Disposition of records; 10 U.S.C. 938, Complaints of wrongs; 18 U.S.C. 3401, Misdemeanors; application of probation laws; DoDD 1030.01, Victim and Witness Assistance; DoDI 1030.2, Victim and Witness Assistance Procedures; DoDI 1438.06, DoD Workplace Violence Prevention and Response Policy; DoDI 2200.01, Combating Trafficking in Persons (CTIP); DoDI 5505.02, Criminal Investigations of Fraud Offenses; DoDI 5505.03, Initiation of Investigations by Defense Criminal Investigative Organizations; DoDI 5505.07, Titling and Indexing Subjects of Criminal Investigations in the Department of Defense; DoDI 5505.08, Military Criminal Investigative Organizations (MCIO) and Other DoD Law Enforcement Organizations Investigations of Adult, Private, Consensual Sexual Misconduct; DoDI 5505.11, Fingerprint Card and Final Disposition Report Submission Requirements; DoDI 5505.14, Deoxyribonucleic Acid (DNA) Collection Requirements for Criminal Investigations, Law Enforcement, Corrections, and Commanders; DoDI 5505.16, Investigations by DoD Components; DoDI 5505.17, Collection, Maintenance, Use, and Dissemination of Personally Identifiable Information and Law Enforcement Information by DoD Law Enforcement Activities; DoDI 5505.18, Investigation of Adult Sexual Assault in the Department of Defense; DoDI 5505.19, Establishment of Special Victim Investigation and Prosecution (SVIP) Capability Within the Military Criminal Investigative Organizations (MCIOS); DoDI 5525.20, Registered Sex Offender (RSO) Management in DoD; DoDI 6400.06, Domestic Abuse Involving DoD Military and Certain Affiliated Personnel; DoDI 6400.07, Standards for Victim Assistance Services in the Military Community; DoDI 6495.02 Volume 1, Sexual Assault Prevention and Response (SAPR) Program Procedures; DoDI 7730.47, Defense Incident-Based Reporting System (DIBRS); DoDD 1030.01, Victim and Witness Assistance; DoDD 1325.04, Confinement of Military Prisoners and Administration of Military Correctional Programs and Facilities; DoDD 1332.41, Boards for Correction of Military Records (BCMRS) and Discharge Review Boards (DRBS); DoDD 5160.64E, Legal Information Technology; DoDD 5500.07, Standards of Conduct; DoDI 7650.01, Government Accountability Office (GAO) and Comptroller General Requests for Access to Records; AFD 51-2, Administration of Military Justice; AFI36-2909 Professional And Unprofessional Relationships and Conduct; AFI 36-3802 Force Support Readiness Programs; AFI36-2921 Combating Trafficking In Persons (CTIP); AFI36-3012 Military Entitlements; AFI36-704 Discipline And Adverse Actions; AFD36-29 Military Standards; AFI51-110 Professional Responsibility Program; AFI 51-201, Administration of Military Justice; AFI 51-202, Nonjudicial Punishment; AFI 51-206, Use of Magistrate Judges for Trial of Misdemeanors Committed by Civilians; AFMAN51-203 Records of Trial; AFMAN51-204 United States Air Force Judiciary And Air Force Trial Judiciary; and E.O. 9397 (SSN), as amended.

Purpose: DCMS is used to track the handling of disciplinary cases within the Air Force and provide case detail and statistical reports for all levels of command within the Air Force Judge Advocate General's Corps.

Routine Uses: In addition to those disclosures generally permitted under 5 U.S.C. 552a (b) of the Privacy Act of 1974, as amended, these records contained therein may specifically be disclosed outside the DoD as a routine use pursuant to 5 U.S.C. 552a (b) (3) as follows:

- a. 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.
- b. 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.
- c. To any component of the Department of Justice for the purpose of representing the United States, the DoD, or its components, officers, employees, or members in pending or potential litigation to which the record is pertinent.
- d. 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.
- e. To the Department of Justice (including Offices of the United States Attorneys) or other federal agency conducting litigation or in proceedings before any court, adjudicative, or administrative body, when necessary to assist in the development of the DoD or such agency's legal and/or policy position.

- f. 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.
 - g. 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.
 - h. To appropriate agencies, entities, and persons when (1) the DoD suspects or confirms a breach of the system of records; (2) the DoD determines 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.
 - i. 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.
 - j. To such recipients and under such circumstances and procedures as are mandated by Federal statute or treaty.
 - k. To a Federal, state, local, tribal, foreign, or international agency, where such agency has requested information relevant or necessary for the hiring or retention of an individual, or the issuance of a security clearance, license, contract, grant, or other benefit, or if necessary to obtain information relevant to a DoD decision concerning the hiring or retention of an individual, the issuance of a security clearance, license, contract, grant, or other benefit.
 - l. To a public or professional licensing authority, organization, board, agency or society (to include a medical or legal professional society, organization, or licensing authority), if such information is needed to perform functions related to licensing or professional standards monitoring or compliance, or when the information indicates, either by itself or in combination with other information, a violation or potential violation of professional standards, or reflects on the moral, educational, or professional qualifications of an individual who is licensed or who is seeking to become licensed.
 - m. To foreign or international law enforcement, security, or investigatory authorities to comply with requirements imposed by, or to claim rights conferred in, international agreements and arrangements, including those regulating the stationing and status in foreign countries of DoD military and civilian personnel.
 - n. To the Department of State when it requires information to consider and/or provide an informed response to a request for information from a foreign, international, or intergovernmental agency, authority, or organization about a pending legal action or prosecution with transnational implications.
 - o. To unions recognized as exclusive bargaining representatives under the Civil Service Reform Act of 1978, 5 U.S.C. §§ 7111 and 7114, the Merit Systems Protection Board, arbitrators, the Federal Labor Relations Authority, and other parties responsible for the administration of the Federal labor-management program for the purpose of processing any corrective actions, or grievances, or conducting administrative hearings or appeals.
 - p. To the Merit Systems Protection Board and the Office of the Special Counsel for the purpose of litigation, including administrative proceedings, appeals, special studies of the civil service and other merit systems; review of Office of Personnel Management or component rules and regulations; investigation of alleged or possible prohibited personnel practices, including administrative proceedings involving any individual subject of a DoD investigation.
 - q. To state and local taxing authorities with which the Secretary of the Treasury has entered into agreements under 5 U.S.C. §§ 5516, 5517, or 5520 and only to those state and local taxing authorities for which an employee or Service member is or was subject to tax, regardless of whether tax is or was withheld. The information to be disclosed is information normally contained in Internal Revenue Service (IRS) Form W-27.
 - r. To the Office of Personnel Management (OPM) for the purpose of addressing civilian pay and leave, benefits, retirement deduction, and any other information necessary for the OPM to carry out its legally authorized government-wide personnel management functions and studies.
 - s. To the general public in order to provide access to docket information, filings, and records in compliance with Article 140a, UCMJ or other Federal statutes, and corresponding DoD or Service implementing guidance, regulations, or policies.
 - t. To a confinement facility or prison, if confinement is adjudged, and the facility is outside the jurisdiction of the DoD.
 - u. To the U.S. Department of Veterans Affairs (VA) to assist the Department in determining the individual's entitlement to benefits administered by the VA.
 - v. To other Federal, State, tribal, and local government law enforcement and regulatory agencies and foreign governments, individuals and organizations during the course of an investigation or the processing of a matter, or during a proceeding within the purview of the local, state, federal or host-country specific laws, to elicit information required by the Department to carry out its functions and statutory mandates.
- Disclosure: Voluntary
 SORN: "Military Justice and Civilian Criminal Case Records," DoD 0008

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. Other Federal agencies as required

State and Local Agencies

Specify. State and local law enforcement agencies as required

Appian, Smartronics, Booze Allen Hamilton
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, and criminal penalties may be imposed upon the officers or employees of the agency when the violation concerns the operation of a system of records on individuals to accomplish an agency function. For purposes of the Act, when the contract is for the operation of a system of records on individuals to accomplish an agency function, the Contractor is considered to be an employee of the agency.

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