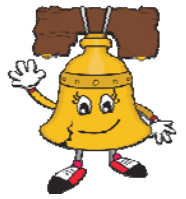




# CIVIL LIBERTIES FREQUENTLY ASKED QUESTIONS



## WHAT ARE CIVIL LIBERTIES?

Civil liberties are fundamental rights and freedoms protected by the Constitution. Many civil liberties are listed in the first ten amendments to the Constitution, the Bill of Rights.

The First Amendment freedoms of speech, assembly, press, and religion are examples of civil liberties we exercise frequently in our daily lives.



## WHAT IS THE DIFFERENCE BETWEEN CIVIL LIBERTIES AND CIVIL RIGHTS?

Civil liberties protect people from undue government interference or action. Civil rights, on the other hand, protect people from discrimination. It is DoD policy to prohibit discrimination based on race, color, religion, sex, national origin, mental or physical disability, or age.

Although civil liberties and civil rights are different, they can overlap, especially with issues involving religion and free speech. For example, a civil rights complaint involving religious discrimination in the workplace could also involve the First Amendment freedom of religion if an employee was wrongly prevented from exercising his or her religion.

## DO SERVICE MEMBERS HAVE CIVIL LIBERTIES?

Yes. Civil liberties protect the fundamental rights and freedoms of service members. However, service members must exercise their civil liberties in a manner consistent with good order and discipline. This means a military commander may lawfully limit the exercise of civil liberties, such as free speech, for service members. For example, there are restrictions on partisan political activities.

## DO DoD CIVILIAN EMPLOYEES HAVE CIVIL LIBERTIES?

Yes. Civil liberties protect the fundamental rights and freedoms of DoD civilian employees, but there are limitations on how they can exercise their civil liberties. For example, as with service members, there are restrictions on federal employees' partisan political activities.

## HOW DO I SUBMIT A COMPLAINT ALLEGING A VIOLATION OF MY CIVIL LIBERTIES?

There are two ways you can submit your complaint: To the appropriate DoD component, or to DPCLD.

To submit a complaint directly to the DoD component where the alleged violation took place, contact that component's Civil Liberties Point of Contact (POC) - the person responsible for implementing the civil liberties program within that component.

To submit a complaint to DPCLD, mail your complaint letter to:

Office of the  
Secretary of Defense  
Office of the Deputy Chief  
Management Officer  
Attn: Chief, Defense Privacy  
and Civil Liberties Division  
9010 Defense Pentagon  
Washington, D.C. 20301-9010



## CAN ANYONE SUBMIT A CIVIL LIBERTIES COMPLAINT, OR DO I HAVE TO BE A DoD EMPLOYEE OR SERVICE MEMBER TO SUBMIT ONE?

Anyone may submit a complaint. It is DoD policy to protect the privacy and civil liberties of DoD employees, service members, and the public to the greatest extent possible, consistent with its operational requirements.



## WHY WAS THE DoD CIVIL LIBERTIES PROGRAM CREATED?

The 9/11 Commission saw the need to make sure that privacy and civil liberties are adequately protected, and included recommendations for doing so in the report. Congress put these recommendations into law, which requires DoD and seven other federal agencies to properly safeguard privacy and civil liberties.

## WHAT ARE THE DUTIES OF THE DoD'S CIVIL LIBERTIES OFFICER?

The duties of the DoD Civil Liberties Officer are to:

1. Assist the Secretary when proposing, developing, or implementing laws, regulations, policies, procedures, or guidelines;
2. Periodically investigate and review policies, procedures, guidelines, and related laws and their implementation to ensure that the Department is adequately considering civil liberties in its actions;
3. Ensure that DoD has adequate procedures to receive, investigate, respond to, and redress complaints from individuals who allege that DoD has violated their civil liberties; and
4. Submit quarterly reports to Congress about the DoD Civil Liberties Program.



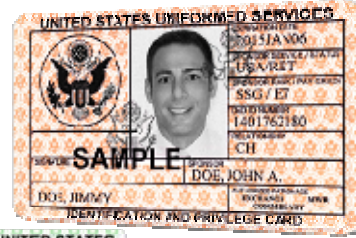


# PRIVACY FREQUENTLY ASKED QUESTIONS



## WHAT ROLE DOES DPCLD PLAY IN PROTECTING PRIVACY RIGHTS?

DPCLD implements the Department's Privacy Program by ensuring DoD's compliance with the Privacy Act and other applicable privacy law and policy. In this role, DPCLD advises DoD's senior leadership on issues impacting privacy, and reviews proposed and existing laws, policies, procedures, and guidelines.



## WHY SHOULD I BE INTERESTED IN THE PRIVACY ACT?

The Privacy Act of 1974 was created in response to concerns about individuals' privacy rights. The Act mandates how Federal agencies, including DoD, collect, maintain, and use PII, i.e., records that are about you. The Act requires government agencies to:

- collect only information that is relevant and necessary to carry out an agency function;
- maintain no secret records on you;
- explain, at the time the information is being collected, why it is needed and how it will be used;
- provide adequate safeguards to protect your records from unauthorized access and disclosure;
- grant you the right to access your records and to amend inaccuracies.

## WHAT IS PERSONALLY IDENTIFIABLE INFORMATION (PII)?

PII is any information that can be used to identify you.

Examples of PII include :

- Social security number (SSN), date of birth, place of birth, mother's maiden name;
- Biometric records such as photographic images (especially of your face or other distinguishing characteristic), fingerprints;
- Driver's license number, telephone number, home address

## WHAT IS A BREACH?

A breach is the actual or possible loss of control, unauthorized disclosure, or unauthorized access of PII where persons other than authorized users gain access or potential access to such information for other than authorized purposes where one or more individuals will be adversely affected.

## WHAT RISKS DO I FACE IF A BREACH OCCURRED THAT INCLUDED MY PII?

- Identity theft
- Loss of livelihood
- Damage to credit
- Improper denial of government benefits
- Blackmail
- Discrimination
- Emotional distress

## HOW DOES DoD INFORM THE PUBLIC ABOUT RECORDS THAT ARE COVERED BY THE PRIVACY ACT?

By publishing system of records notices (SORNs) in the Federal Register. A SORN is a notice to the public that DoD is maintaining a system of records—a group of records from which information is retrieved by a personal identifier, such as your name or SSN. A SORN must be published in the Federal Register for 30 days before collection of records may begin.

## WHO CAN I CONTACT IF I HAVE QUESTIONS ABOUT THE RECORDS THAT DoD MAINTAINS ABOUT ME?

You can contact the Privacy Officer at the DoD Component that maintains your information. A list of DoD Component privacy officers and their contact information can be found on our website: [dpclد.defense.gov](http://dpclد.defense.gov)

## HOW WILL I KNOW IF A BREACH HAS OCCURRED THAT COMPROMISED MY PII?

If DoD suspects your PII has been significantly compromised, you will be notified in writing. The notification will describe the specific data involved, the facts and circumstances surrounding the incident, the protective actions DoD is taking or that you can take to mitigate potential harm, and a point of contact for additional information.

