

*The Federal Trade Commission  
And  
Department of Defense*

*Memorandum of Understanding  
Regarding Soldier Sentinel*

**I. Background**

Members of the Armed Forces and their families are targets of consumer fraud, and face many consumer-related problems. Soldier Sentinel is designed to act as a central collection point for service member complaints from around the globe and a distribution point for consumer education materials geared to their specific needs.

This Memorandum of Understanding (MOU) between the Federal Trade Commission (FTC) and the Department of Defense (DoD) addresses the collection and use of complaints from service members and their families through the Soldier Sentinel system. This data collection has several purposes. First, it will aid the Armed Forces in designing their policies on consumer protection and education, and in making decisions regarding access to military installations for solicitation. Second, the data will be incorporated into Consumer Sentinel, described below, enabling appropriate law enforcement agencies to reduce the impact of consumer fraud and identity theft that targets or affects service members and their families.

Soldier Sentinel is a system operated by the FTC. It is designed to collect consumer complaints entered by service members and their families through an Internet Web site. The public Web site also will provide service members and their families with consumer education materials geared to their specific needs and with links to other consumer sites. FTC staff will process Soldier Sentinel complaints (and then make certain data available to DoD personnel designated pursuant to this agreement, through a restricted Web site).

Complaint data entered into the Soldier Sentinel system will be incorporated into the FTC's central complaint database, the Consumer Information System (CIS). The CIS combines consumer complaints received from a variety of sources including Consumer Sentinel, a joint international law enforcement project between the FTC and various other agencies focusing on telemarketing, Internet, direct mail and consumer fraud, identity theft and other related subjects. Soldier Sentinel fraud complaints will become part of the Consumer Sentinel system. Soldier Sentinel identity theft complaints will become part of the Identity Theft Data Clearinghouse, another component of Consumer Sentinel.

Various domestic and foreign law enforcement agencies, and certain categories of private parties, can access all or part of the Consumer Sentinel system. All Consumer Sentinel

participants sign confidentiality agreements. Participating domestic law enforcement agencies have access to all Consumer Sentinel data, including Identity Theft Data Clearinghouse data. Participating foreign law enforcement agencies have access to all Consumer Sentinel data except Identity Theft Data Clearinghouse data. Finally, certain consumer reporting agencies and other private entities have limited access to some Identity Theft Data Clearinghouse data only.

As participants of Consumer Sentinel, certain DoD personnel will have access to all Consumer Sentinel data, including but not limited to Consumer Sentinel data originally entered through the Soldier Sentinel system. The use of Consumer Sentinel data by such personnel will be governed by the separate Consumer Sentinel agreement. This agreement governs the rights and responsibilities of DoD personnel who obtain access through the Soldier Sentinel, rather than the Consumer Sentinel program.

## **II. Appropriate Use of Data**

1. The FTC and the DoD agree that all data collected through the Soldier Sentinel online complaint forms will be used only for the purposes described in this MOU and the attached Consumer Sentinel confidentiality agreement. The FTC has the same rights and responsibilities for this data that it has for similar data collected through the FTC and Identity Theft online complaint forms, except where specifically changed by this MOU or the attached Consumer Sentinel confidentiality agreement. These rights and responsibilities may include, but are not limited to, the release of statistical data, the release of information to Congress, the release of information to other law enforcement organizations (which may include foreign law enforcement agencies) and the determination of the release of information in compliance with requests under the Freedom of Information Act, 5 U.S.C. § 552 (1994 & Supp. IV 1998). The FTC may share data obtained through the Soldier Sentinel online complaint forms, including personally identifying consumer information, with approved users of Consumer Sentinel.
2. Certain data collected through the Soldier Sentinel online complaint forms will be available to designees approved by the DoD. Designees may include non-law enforcement, military personnel or civilian employees of the DoD.
  - a. All DoD personnel granted access to data collected through the Soldier Sentinel online complaint forms pursuant to this MOU must sign an individual access application consistent with this memorandum and the attached Consumer Sentinel confidentiality agreement.
  - b. Except for personally identifying consumer information (which may include, but is not limited to, the consumer's name, telephone number, street address and social security number), the DoD designees pursuant to this MOU will have

access to all consumer fraud complaint data collected through the Soldier Sentinel General Complaint Forms. Such DoD designees also will have access to regularly updated, statistical reports on the data collected through the Soldier Sentinel Identity Theft Complaint Forms.

- c. All data available to these DoD designees may be used either to aid in determining military consumer education goals and policies or to make decisions regarding companies' access to military installations for solicitation. Information obtained through Soldier Sentinel will not be disclosed to agencies or any third party for any other purpose, except:
- i. as provided in this agreement,
  - ii. by further agreement between the FTC and the DoD,
  - iii. in judicial or administrative proceedings or
  - iv. as required by law.

The DoD will notify the Commission if it receives a request for access to Soldier Sentinel material, should that information become subject to compulsory process, and prior to making any disclosures in judicial or administrative proceedings:

3. The FTC and the DoD will notify each other promptly, in writing, of any known or suspected unauthorized use of the Soldier Sentinel data. These reports may prompt an investigation or audit or both if it is determined that an unauthorized use has occurred.

### **III. Additional Responsibilities of the FTC**

1. The FTC will collect the data entered into the Soldier Sentinel complaint forms and process it, as appropriate, in the same manner as it processes consumer complaints collected through FTC online complaint forms.
2. The FTC will code and sort complaints collected through the Soldier Sentinel online complaint forms in accordance with the branch of service identified by the complainant.
3. The FTC will send a response to the complainant.
4. The FTC will make certain complaint data collected through the Soldier Sentinel online complaint forms accessible to DoD-approved designees who have signed a Soldier Sentinel individual access application.

5. The FTC will make trend and statistical data available, as appropriate, to the DoD-approved designees, for purposes of designing their policies on issues of consumer education and protection, and ensure that these releases meet the requirements of the Privacy Act of 1974, 5 U.S.C. 552a (1994 & Supp. IV 1998).
6. The Associate Director of Planning and Information, Bureau of Consumer Protection, will be the point of contact to resolve issues concerning this MOU.

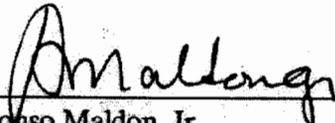
#### **IV. Additional Responsibilities of the Department of Defense**

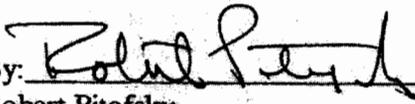
1. The DoD will use its best efforts to make the Soldier Sentinel public Web site available on all military installations either through the local installation's Intranet or via a hyperlink from a "dot mil" military Internet site.
2. The DoD will use its best efforts to make the Soldier Sentinel public Web site easily available through public access computer terminals located at installation libraries, community centers, ready rooms and common areas.
3. The DoD will use its best efforts to publicize the Soldier Sentinel public Web site and its complaint forms as a method to forward consumer complaints to appropriate law enforcement agencies and a source of consumer education material.
4. The DoD, in consultation with the FTC, will create an individual access application governing access by DoD personnel to certain data collected through the Soldier Sentinel online complaint forms. The individual access application will define the approved uses for data collected through the Soldier Sentinel online complaint forms consistent with this MOU, the Consumer Sentinel confidentiality agreement and posted privacy notices.
5. The DoD will designate personnel whom they wish to have access to certain data collected through the Soldier Sentinel online complaint forms. The DoD will ensure that these designees complete and sign a Soldier Sentinel individual access application.
6. The DoD will maintain a list of designees who have signed the Soldier Sentinel individual access application. The DoD will provide an accurate and current edition of the list to the FTC for purposes of granting access to certain data collected through the Soldier Sentinel online complaint forms to those on the list.
7. The Deputy Under Secretary of Defense (Program Integration), Director of Legal Policy Office will be the DoD point of contact to resolve issues concerning this MOU and work with the FTC to ensure that all requirements are met under the Privacy Act of 1974, 5 U.S.C. 552a (1994 & Supp. IV 1998).

The MOU will be in effect upon approval and signature of both parties, and will remain in effect until terminated by written notice from either party. The written notice will be provided at least 60 days before the requested termination.

Department of Defense

Federal Trade Commission

By:   
Alphonso Maldon, Jr.  
Assistant Secretary of Defense  
for Force Management Policy

By:   
Robert Pitofsky  
Chairman  
Federal Trade Commission

Dated: JAN 19 2001

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