



DEPARTMENT OF THE NAVY
UNITED STATES NAVAL ACADEMY
ANNAPOLIS, MARYLAND 21402-5000

USNAINST 5211.3
4/AO
27 July 1988

USNA INSTRUCTION 5211.3

From: Superintendent

Subj: PERSONAL PRIVACY AND RIGHTS OF INDIVIDUALS REGARDING RECORDS PERTAINING TO THEMSELVES

Ref: (a) SECNAVINST 5211.5C
(b) SECNAVINST 5720.42D
(c) OPNAVNOTE 5211, Current Privacy Act Issuances, as published in the Federal Register
(d) 5 USC 552a, Privacy Act

Encl: (1) U.S. Naval Academy (USNA) Forms requiring a Privacy Act Statement
(2) List of Systems of Records maintained at the Naval Academy and Naval Academy Systems Custodians
(3) Privacy Act Request and Response (OPNAV 5211/8) (6-80)
(4) Record of Disclosure (OPNAV 5211/9 (6-80))
(5) Midshipman Performance Jacket Record of Disclosure (NDW-USNA-BBA-5210/11 (4-83))
(6) Index of Current Department of the Navy and Office of Personnel Management Systems of Records

1. Purpose. To carry out the provisions of the Privacy Act as implemented by reference (a).

2. Background

a. Reference (a) implements the Privacy Act throughout the Department of the Navy and:

(1) Delineates revised policies, conditions, and procedures which govern collecting personal information, and safeguarding, maintaining, using, accessing, amending, and disseminating personal information kept by the Department of the Navy in systems of records from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual (i.e., social security number, alpha code, etc).

(2) Prescribes:

(a) Procedures whereby individuals can be notified if any system of records contains a record pertaining to them.

(b) Requirements for verifying the identity of individuals who request their records before the records are made available to them.

(c) Procedures for granting access to individuals upon request for their records.

(d) Procedures for reviewing a request from individuals who wish to amend their records, for making determinations on those requests, and for appealing adverse determinations.

(e) Procedures for notifying the public of the existence and character of each system of records.

(f) Procedures for disclosing personal information to third parties.

(g) Procedures for exempting systems of records from certain requirements of the Privacy Act.

(h) Procedures for safeguarding personal information.

(i) Privacy Act rules of conduct for the Department of the Navy Personnel who may be subjected to criminal penalties for noncompliance with the Privacy Act.

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b. Reference (b) implements the Freedom of Information Act through the Department of the Navy and prescribes policies and procedures for response to requests for access to records other than those records pertaining to the requestor (considered a Freedom of Information Act request).

3. Applicability

a. Reference (a) applies throughout the Department of the Navy, the Naval Academy, and to any contractor maintaining a system of records to accomplish a Department of the Navy mission. This instruction applies to all systems of records maintained at the Naval Academy and from which information is retrieved by the name of the individual or by some other identifying particular assigned to the individual and to all requests for notification concerning, access to, or amendment of records within such systems.

b. Freedom of Information Act requests will be processed per reference (b).

4. Policy, responsibilities, and authority

a. Policy. Subject to the provisions of reference (a) and this instruction, Naval Academy policy is to:

(1) Protect the privacy of individuals from unwarranted invasions by making sure that all personnel comply fully with reference (a) and this instruction.

(2) Collect, maintain, and use only that personal information needed to support a Naval Academy function or program as authorized by law or Executive Order, and to disclose this information only as authorized by reference (a) and this instruction.

(3) Keep only personal information which is timely, accurate, complete, and relevant to the purpose for which it was collected.

(4) Permit individuals to access or to obtain certain copies of any or all portions of their records, subject to exemption procedures authorized by law and this instruction.

(5) Permit individuals the opportunity to request amendment of their records when discrepancies proven to be erroneous, or untimely, incomplete, or irrelevant, are noted.

(6) Permit individuals an opportunity to request an administrative review of decisions which deny them access to, or which refuse to amend their records.

(7) Make sure adequate safeguards are enforced to prevent the misuse, unauthorized disclosure, alteration, or destruction of personal information in records.

(8) Maintain no records which describe how an individual exercises rights guaranteed by the First Amendment (freedom of religion, speech, and press; peaceful assemblage; and petition for redress of grievances).

(9) Maintain only systems of records which have been published in the Federal Register.

b. Responsibilities:

(1) Privacy Act Coordinator. The Administrative Officer is designated as the Privacy Act Coordinator (PAC) for the Naval Academy. On the occasion of the PAC's relief, this designation is to be a part of any turnover. The PAC will:

(a) Serve as the principal point of contact on all Privacy Act matters.

(a). (b) Provide training for activity/command personnel in the provisions of reference

(c) Issue implementing instructions.

(d) Review internal directives, practices, and procedures, including those for forms and records, for conformity with reference (a) and this instruction. Enclosure (1) lists USNA forms which require a Privacy Act Statement.

(e) Compile and submit input for the annual report and record systems notices.

(f) Maintain liaison with records management officials for maintenance and disposal procedures and standards, forms, and reports.

(2) Denial Authorities. Per paragraph 4c of reference (a), the Superintendent is designated as a denial authority and is authorized to deny requests for notification, access, and amendment when the records relate to matters within his area of command, technical, or administrative responsibility, as appropriate. The Deputy for Operations is authorized to act by direction of the Superintendent in this regard. The PAC is also authorized to act as a denial authority and to sign "By direction" correspondence relating to routine Privacy Act matters.

(3) Granting Authority. The Superintendent is the System Manager for all systems of records maintained at the Naval Academy and, as such, is responsible for granting the notification, access, and amendment requests governed by reference (a). The Deputy for Operations and the PAC are hereby authorized to act by direction of the Superintendent in this regard. A request governed by reference (a) and this instruction may be granted only by the Superintendent, Deputy for Operations, or PAC.

(4) Systems Custodians. Systems Custodians and systems of records maintained at USNA are listed in enclosure (2). Report additions or deletions to the PAC. Systems Custodians will:

(a) Make sure all personnel who in any way have access to the system of records or who are engaged in the development of procedures or handling records be informed of the requirements of reference (a) and this instruction and any unique safeguarding or maintenance procedures peculiar to that system.

(b) Determine the content of and setting rules for operating the system of records, and establish rules applicable to requests for access or amendment of records within each system. The rules should contain the information shown in paragraph 6a(2) and enclosures (4) and (5) of reference (a). Enclosure (3) is a sample form which may be used by individuals to request access to systems of records pertaining to themselves that are maintained by the Department of the Navy and the Naval Academy.

(c) Make sure the system has been published in the Federal Register and any additions or significant changes are prepublished in the Federal Register per paragraph 8 of reference (a). Maintaining an unpublished record system constitutes a criminal violation under subsection i(2) of 5 U.S.C. 552a and paragraph 15 of reference (a).

(d) Keep accountability records of disclosures and make sure a Record of Disclosure (OPNAV 5211/9), enclosure (4), is placed in every record for proper accountability. Enclosure (5) is used by the Commandant of Midshipmen in the Midshipman Performance Jacket.

(e) Evaluate information proposed for each system of records for relevance and necessity. Annually compare the system of records with the records system notice published in reference (c) for accuracy and compliance.

(f) Keep the PAC informed of nonroutine Privacy Act requests.

(g) Review enclosure (6) and report any systems of records being maintained at USNA which are is not listed in enclosures (1) or (6) to the PAC.

(5) Each employee of the Naval Academy has certain responsibilities for safeguarding the rights of others. Employees will:

(a) Not disclose any information contained in a system of records by any means of communication to any person, or agency, except as authorized in reference (a).

(b) Not maintain unpublished official files which would fall under the provisions of reference (a).

(c) Safeguard the privacy of individuals and confidentiality of personal information contained in a system of records.

(d) Familiarize themselves with the Rules of Conduct published in reference (a), enclosure (2).

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(6) Automatic Data Processing (ADP) Security. The Director, Computer Services, is designated as the Naval Academy ADP Systems Security Officer and is responsible for securing, monitoring, and controlling the accessing of computerized files containing personal information.

5. Action

a. General

(1) All requests from individuals for notification concerning, access to, or amendment of records pertaining to themselves will be processed per reference (a) and this instruction. These requests will be so processed even though the individuals specify the requests are made under the Freedom of Information Act or other authority.

(2) The time requirements of reference (a) requiring written acknowledgement of a request within 10 working days of receipt will be strictly observed.

(3) All requests governed by reference (a) and this instruction, regardless of where or how received within the command, will be forwarded immediately (hand carried) to the PAC, located in the Administration Building, Room 110. All routing of correspondence in connection with the Privacy Act will be hand carried. (DON'T USE THE YARD MAIL SYSTEM.)

b. PAC. Upon receipt of a Privacy Act request, the PAC will:

(1) Prepare an Unclassified Route Slip (NDW-USNA-DMB-5216/17 (3-84)) to route the request to the proper System Custodian.

(2) Assist the System Custodian as necessary in responding to the request.

(3) Make sure all requests are acted upon within the 10-day time frame.

(4) Provide copies of systems notices from the Federal Register to Systems Custodians to make sure records are maintained per the systems notice.

(5) Conduct an annual review of all systems of records to make sure of compliance with current regulations.

c. System Custodian: Within seven working days of receiving a Privacy Act request for action from the PAC, the System Custodian will:

(1) Review the request and the records concerned; make an initial determination whether the request should be granted or denied in whole or in part, and prepare a proposed response.

(2) Forward the proposed response in a double-spaced rough, with appropriate enclosures, to the PAC for approval and release.

(3) Determine whether fees are to be charged as outlined in paragraph 6c of reference (a), and, if so, how much.

(4) Judicial Sanctions. Subsection (i)(1) of reference (d) prescribes criminal penalties for violation of Privacy Act provisions. Any member or employee of the Department of the Navy may be found guilty of a misdemeanor and fined not more than \$5,000 for willfully:

(a) Maintaining a system of records without first meeting the public notice requirements (see paragraph 8 of reference (a)).

(b) Disclosing information protected under the Privacy Act to any unauthorized person/agency.

(c) Obtaining or disclosing information about an individual under false pretenses.


B. A. SPOFFORD
Deputy for Operations

Distribution:
AA
S
All Systems Custodians

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FORMS REQUIRING PRIVACY ACT STATEMENT

<u>*FORM NUMBER</u>	<u>TITLE</u>
AAD-1734/01 (04-88)	Informed Consent/Application of Special Procedures
AAD-1734/02 (04-88)	Authorization for Release of Information
AAD-1734/04 (04-88)	Authorization for Release of Confidential Information
AAD-1734/05 (04-88)	Progress Notes
AAD-1734/06 (04-88)	Client Intake
AAD-1734/07 (04-88)	Pre counseling Statement
AAD-1734/08 (04-88)	Privacy Act Statement
BBA-1320/05 (02-87)	USNA Midshipmen Travel Orders
BBA-5710/11 (04-83)	Midshipmen Performance Jacket
BBA-1531/13 (04-83)	Plebe Sponsor Program Enrollment
BBA-1050/16 (06-83)	Leave Address Record
BBA-5230/18 (06-83)	Midshipmen Information System (MIS) Data Elements User Agreement Privacy Act Warning
BBA-1610/21 (07-83)	Conduct Report
BBA-1900/29 (04-84)	Midshipmen Separation Status Record
BBA-4650/41 (12-87)	Transportation Request
BBE-1730/03 (04-88)	Midshipmen Religious Information Record
CCA-5314/08 (09-84)	Faculty Activity Record
CCA-1531/14 (04-88)	Mathematics Questionnaire
CCD-1531/09 (07-84)	Transcript Request
DMB-5211/01 (05-84)	Privacy Act Acknowledgement/Insurance Disclosure Statement
DMB-1070/07 (09-86)	Officer Data Input Record
DMB-1070/18 (05-84)	Personal Address Record Officers and Civilian Faculty
DMB-5580/40 (12-86)	Request for Agency Records
DMB-1070/46 (11-87)	Billets Assigned and/or Teaching Experience, NA
DMB-1301/52 (04-88)	Data Elements User Agreement
DMC-5512/01 (08-84)	Civilian Identification
DMC-5512/02 (12-82)	Security Clearance Verification Record
DMC-5560/04 (11-82)	Vehicle Registration Record
DMC-5510/06 (03-83)	NATO Briefing/Debriefing
DMC-5890/39 (04-87)	Motor Vehicle Accident/Release of Claim
DME-5100/07 (10-83)	Supervisor's Report of Mishap (Injury)
DME-5100/11 (02-88)	Safety Training Roster
DME-5100/18 (04-88)	Medical Questionnaire for Respirator Use Clearance
DME-5100-20 (05-88)	Request for Medical Clearance for Respirator Use
DMF-12335/07 (04-83)	Application Record - Navy Merit Promotion Program
DMF-12000/21 (03-86)	Military Reserve Status
DMR-1754/06 (08-84)	Family Service Center Personnel Address Record
DMR-12338/08 (03-85)	Employer Record
DMR-1754/09 (03-85)	Volunteer Time Record
FPA-1531/02 (04-88)	Form M - Master File
FPA-1755/06 (04-88)	Secondary School Report
FPA-1710/10 (04-88)	Athletic Questionnaire (Form A)
FPA-1710/27 (06-85)	PE Department Personnel Information Record
GRB-1110/12 (04-84)	Candidate Personal Data Record

*All Form Numbers Preceded By NDW-USNA

Enclosure (1)

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FORMS REQUIRING PRIVACY ACT STATEMENT

*FORM NUMBER

TITLE

GRE-1110/08 (03-83)	NA Information Program Affiliate Application
GRE-1110/28 (04-84)	NAIP Roster Verification
GRE-1110/30 (06-87)	Blue and Gold Candidate Evaluation
GRE-1110/44 (04-88)	USNA Summer Seminar Sports Participation and Medical Release I
GRE-1110/45 (04-87)	USNA Summer Seminar Sports Participation and Medical Release II
H28-2305/13 (09-87)	Telephone Directory Change Report
KTK-11101/02 (01-88)	BEQ Registration
KTN-1710/01 (04-88)	MWR Pool Membership
KTN-1754/02 (03-84)	Child Care Center Registration
PYA-5720/03 (05-84)	Midshipmen Publicity Background Record
PYA-5724/05 (03-88)	Fleet Home Town News Release

* All Form Numbers Preceded By NDW-USNA

Enclosure (1)

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LIST OF SYSTEMS OF RECORDS MAINTAINED AT THE NAVAL ACADEMY AND NAVAL ACADEMY SYSTEMS CUSTODIANS

ID#	SYSTEM NAME	SYSTEM CUSTODIAN
N1070-3	Navy Personnel Records System	Personnel & Admin. Officer Midshipmen Personnel Officer
N01420-1	Officer Promotion System	All reporting seniors who have been delegated authority to sign fitness reports
*N01531-1	USNA Applicants, Candidates, and Midshipman Records	Dir., Candidate Guidance Dean of Admissions Head, of Nominations & Appointments Registrar Dir., Professional Development Performance Officer Midshipmen Information Systems Officer Midshipmen Personnel Ofcr.
N01746-1	Nonappropriated Fund Activity	Director, Military Welfare & Recreation Dept.
N01754-1	Navy Family Support Program	Dir., Family Service Center
N01754-2	Navy/USMC Family Service Centers Volunteers	Dir., Family Service Center
*N01770-3	Naval Academy Cemetery Records	Security Officer Public Works Officer
N04050-1	Personal Property Program	Supply Officer
N04060-1	Navy and Marine Corps Exchange and Commissary Sales Control and Security Files	OIC, Midshipmen Store
*N04064-1	Naval Academy Laundry/Drycleaning Charge Account	Head, Naval Academy Laundry and Drycleaning Plant
*N04064-2	Retail Customer Claim Report	Head, Naval Academy Laundry and Drycleaning Plant
N04066-1	Bad Checks and Indebtedness Lists	OIC, Midshipmen Store
N05100-3	Occupational Injury and Illness	Dir., Civilian Personnel Occupational Safety & Health Manager
N05100-4	Motor Vehicle Accidents and Injuries	Security Officer
N05101-1	Safety Equipment Needs, Issues, Authorizations	Occupational Safety & Health Manager
N05120-1	Bond Accounting	Midn. Financial Advisor Comptroller
N05210-1	Correspondence Files	All Division Directors All Department Heads

* Naval Academy System of Records

Enclosure (2)

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ID#	SYSTEM NAME	SYSTEM CUSTODIAN
N05300-1	Organization Locator and Social Roster	All Division Directors All Department Heads
N05300-2	Administrative Personnel Management System	All Division Directors All Department Heads
N05330-1	Manhour Accounting System	Comptroller All Division Directors All Department Heads
N05340-1	Combined Federal Campaign/ Navy Relief Society	Chairperson, Combined Federal Campaign Dir., Navy Relief Chairperson, Navy Relief Drive Committee
N05340-2	Personal Commercial Affairs Solicitation Privilege File System	Midn. Financial Advisor
N05350-1	Navy Personnel Rehabilitation Support System	Dir., Counseling & Assistance Cntr., Commandant of Midn.
N05354-1	Equal Opportunity Information and Support System	Deputy Equal Employment Opportunity Officer
N05512-1	Vehicle Control System	Security Officer
N05520-1	Personnel Security Eligibility Information System	Security Manager
N05520-3	Civilian Personnel Security Files	Security Manager
N05527-1	Security Incident System	Security Officer
N05527-2	Security Inspection and Violation System	Security Manager
N05800-1	Legal Office Litigation/ Correspondence Files	Staff Judge Advocate
N05814-1	Summary Courts-Martial and Non-Bad Conduct Discharge Courts-Martial -- Navy and Marine Corps	Staff Judge Advocate
N05880-1	Federal Tort Claims Files	Staff Judge Advocate
N05880-2	Admiralty Claims Files	Staff Judge Advocate
*N07220-6	Midshipmen Pay System	Midshipmen Disbursing Ofcr.
N07230-1	Navy Standard Civilian Payroll System (NAVSCIPS)	Comptroller
N07320-1	Property Accountability Records	Public Works Officer Security Officer Any Division Dir./ Department Head issuing government property by custody receipt

* Naval Academy System of Records

Enclosure (2)

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ID#	SYSTEM NAME	SYSTEM CUSTODIAN
N07401-1	Bingo Winners	Dir., Military Welfare & Rec. Dept.
N08370-1	Weapons Registration	Security Officer; Comdt. of Midn
N01570-1	Pet Registration	Security Officer
N11012-1	Navy Personnel Billeting System	OIC, Bachelor Officers Qtrs.
N11101-1	Family Housing Assignment Application System	Public Works Officer
N11101-2	Family Housing Requirements Survey Record System	Public Works Officer
N11101-4	Station Housing Records	Public Works Officer
N11103-1	Housing Referral Services Record System	Public Works Officer
N12290-1	Record System for Civilian Employees of Nonappropriated Fund (NAF) Activities	Civilian Personnel Officer Dir., Military Welfare & Rec. Dept.
N12300-1	Employee Assistance Program Case Record System	Civilian Personnel Officer
N12711-1	Labor Management Relations	Civilian Personnel Officer
N12771-1	Employee Grievances, Discrimination Complaints, and Adverse Action Appeals	Civilian Personnel Officer
N12771-2	Employee Relations Including Discipline, Employee Grievances, Complaints, etc.	Civilian Personnel Officer
N12930-2	Area Coordinator Information and Operation Files	Deputy Equal Employment Opportunity Officer
N12950-5	Navy Civilian Personnel Data System (NCPDS)	Civilian Personnel Officer
OPM/GOVT-1	General Personnel Records	Civilian Personnel Officer Division Dirs./Dept. Heads employing civilians
OPM/GOVT-2	Employee Performance File System Records	Civilian Personnel Officer Division Dirs./Dept. Heads employing civilians
OPM/GOVT-3	Records of Adverse Actions and Actions Based on Unacceptable Performance	Civilian Personnel Officer
OPM/GOVT-8	Confidential Statements of Employment and Financial Interests	Staff Judge Advocate

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ID#

SYSTEM NAME

SYSTEM CUSTODIAN

OPM/GOVT-9

File on Position Classification
Appeals, Job Grading Appeals,
and Retained Grade or Pay Appeals

Civilian Personnel Officer

OPM/GOVT-10

Employee Medical File System
Records

Civilian Personnel Officer

Enclosure (2)

PART I. RECORD REQUEST AND IDENTIFICATION

1. REQUESTER'S NAME	GRADE	SSAN	TELEPHONE
2. REQUESTER'S ADDRESS			
3. RECORD SYSTEM NAME, NUMBER AND/OR DESCRIPTION			
4. TITLE AND MAILING ADDRESS OF RECORD CUSTODIAN			
5. ACTION REQUESTED (Access, amendment, copy of record, etc.) The requester agrees to pay, if requested, the established fee for any item(s) so requested.			

SIGNATURE	DATE
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PART II. ACTIVITY RESPONSE

	DATE REC'D	FEE
<input type="checkbox"/> 1. NO INFORMATION CONCERNING YOU IS CONTAINED IN THE INDICATED RECORD SYSTEM		
<input type="checkbox"/> 2. REQUESTED INFORMATION IS PROVIDED HEREWITH.	<input type="checkbox"/> FEE FOR REPRODUCTION IS REQUESTED	<input type="checkbox"/> FEE WAIVED
<input type="checkbox"/> 3. REQUESTED INFORMATION HAS BEEN LOCATED. A COPY OR ABSTRACT WILL BE PROVIDED UPON RECEIPT OF THE FEE INDICATED, TO COVER REPRODUCTION COSTS.		
<input type="checkbox"/> 4. THE INFORMATION REQUESTED IS EXEMPT FROM DISCLOSURE UNDER THE LAW, AS FOLLOWS:		
<input type="checkbox"/> 5. YOUR REQUEST IS BEING PROCESSED. YOU WILL RECEIVE A RESPONSE BY APPROXIMATELY _____		
<input type="checkbox"/> 6. THE FOLLOWING ADDITIONAL INFORMATION IS NEEDED TO RESPOND TO YOUR REQUEST.		
<input type="checkbox"/> 7.		

8. SIGNATURE OF OFFICIAL	9. NAME & TITLE OF OFFICIAL	DATE	FILE NUMBER
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