

DEPARTMENT OF DEFENSE
Department of the Navy
Narrative Statement on an Altered System of Records
Under the Privacy Act of 1974

1. System identifier and name: N01070-1, entitled "Judge Advocate General Personnel Information".
2. Responsible official: Commander Frank Hutchison, Office of the Judge Advocate General (OJAG) Military Personnel Division (Code 61), 1322 Patterson Ave, SE, Washington Navy Yard, DC 20374-5066, (202) 685-7715, frank.hutchison@navy.mil.
3. Nature of changes proposed for the system: The Department of the Navy is proposing to alter the existing system of records by updating the: system name, system location, categories of individuals, categories of records, authorities for maintenance of the system, purpose(s), routine uses, storage, safeguards, system manager and address, notification procedure, record access procedures, and record source categories.
4. Authority for maintenance of the system: 10 U.S.C. § 806, Article 6 Judge advocates and legal officers; 10 U.S.C. § 5148, Judge Advocate General's Corps; 5 U.S.C. § 301, Departmental Regulations; 5 U.S.C. § 3111, Acceptance of Volunteer Service; 10 U.S.C. § 87, Defense Acquisition Work Force Rule; Rule 13A, Student Practice Rule, and E.O. 9397 (SSN), as amended.
5. Probable or potential effects on the privacy of individuals: None.
6. Is the system, in whole or in part, being maintained by a contractor? No.
7. Steps taken to minimize risk of unauthorized access: Access to records is limited to person(s) responsible for servicing the record in the performance of their official duties and who are properly screened and cleared for need-to-know. System software uses Primary Key Infrastructure (PKI)/Common Access Card (CAC) authentication to lock out unauthorized access. System software contains authorization/permission partitioning to limit access to appropriate organization level.
8. Routine use compatibility: 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 Department of Defense (DoD) as a routine use pursuant to 5 U.S.C. § 552a(b)(3) as follows:

The DoD Blanket Routine Uses that appear at the beginning of the Navy's compilation of system of records notices may apply to this system.

9. OMB information collection requirements:

OMB collection required: Yes

OMB Control Number (if approved):

Expiration Date (if approved) or Date Submitted to OMB: Submitted on 6 December 2011

Provide titles of any information collection requests (e.g., forms and number, surveys, interview scripts, etc.) contained in the system of records:

If collecting on members of the public and no OMB approval is required, state the applicable exception(s): N/A

10. Name of IT system: Judge Advocate General Personnel System (JAGPERS).

DEPARTMENT OF DEFENSE
Department of the Navy
Privacy Act of 1974; System of Records
AGENCY: Department of the Navy, DoD
ACTION: Notice to Alter a System of Records

SUMMARY: The Department of the Navy proposes to alter a system of records in its inventory of record systems subject to the Privacy Act of 1974 (5 U.S.C. §552a), as amended.

DATES: The changes will be effective on (insert date 30 days after Federal Register publication) unless comments are received that would result in a contrary determination.

ADDRESSES: You may submit comments, identified by docket number and/Regulatory Information Number (RIN) and title, by any of the following methods:

* Federal Rulemaking Portal: <http://www.regulations.gov>.
Follow the instructions for submitting comments.

* Mail: Federal Docket Management System Office, 1160
Defense Pentagon, Washington, DC 20301-1160.

Instructions: All submissions received must include the agency name and docket number or Regulatory Information Number (RIN) for this Federal Register document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

ADDRESSES: Send comments to Ms. Robin Patterson, HEAD, DON PA/FOIA Office, DNS-36, the Department of the Navy, 2000 Navy Pentagon, Washington, DC 20350-2000.

FOR FURTHER INFORMATION CONTACT: Ms. Robin Patterson (202) 685-6545.

SUPPLEMENTARY INFORMATION: The Department of the Navy systems of records notice subject to the Privacy Act of 1974, (5 U.S.C. §552a), as amended, has been published in the Federal Register and is available from the address above.

The proposed systems reports, as required by 5 U.S.C. §552a (r) of the Privacy Act of 1974, as amended, were submitted on [DPCLO INSERT DATE], to the House Committee on Government Report, the Senate Committee on Homeland Security and Governmental

Affairs, and the Office of Management and Budget (OMB) pursuant to paragraph 4c of Appendix I to OMB Circular No. A-130, "Federal Agency Responsibilities for Maintaining records About Individual," dated February 8, 1996 (February 20, 1996, 61 FR 6427).

Patricia L. Toppings
OSD Federal Register Liaison Officer, Department of Defense

N01070-1

System Name:

JAG Corps Officer Personnel Information (February 8, 2000, 65 FR 6184).

Changes:

System name:

Delete entry and replace with "Judge Advocate General Personnel Information."

System location:

Delete entry and replace with "Office of the Judge Advocate General Military Personnel Division (Code 61), Department of the Navy, Washington Navy Yard, 1322 Patterson Avenue SE, Suite 3000, Washington, DC 20374-5066."

Categories of individuals covered by the system:

Delete entry and replace with "Active-duty officers in the Judge Advocate General's Corps (JAGC), Law Education and Excess Leave Programs, and law students, JAGC interns/externs, and licensed attorneys who have either made application for professional recommendation to the JAGC or submitted an application for a JAG Corps internship/externship."

Categories of records in the system:

Delete entry and replace with "Records and correspondence concerning personal history, education, professional qualifications, physical qualifications, mental aptitude, character, and interview appraisals. Such information includes name, Social Security Number (SSN), race/ethnicity, gender, personal home/cell telephone number, personal email address, mailing/home address, marital status, spouse name, emergency contact, education information (schools, degrees, GPA, and class rank), LSAT score and percentile, extracurricular activities, employment experience/history, foreign language proficiency, criminal history, self-disclosed drug use, self-disclosed drug/alcohol treatment, motivational statement, grade, designator, date of birth, date of rank, pay entry base data, active-duty service date, active commission base date, year and month of graduation from Naval Justice School, service date, lineal number, year group, current billet, future billets that are finalized, sub-specialty code, state bar membership and year admitted, branch of service, photo, letters of evaluation/recommendation, writing sample, clearances granted, and predictive analysis command evaluations."

Authority for maintenance of the system:

Delete entry and replace with "10 U.S.C. § 806, Article 6 Judge advocates and legal officers; 10 U.S.C. § 5148, Judge Advocate General's Corps; 5 U.S.C. § 301, Departmental Regulations; 5 U.S.C. § 3111, Acceptance of Volunteer Service; 10 U.S.C. § 87, Defense Acquisition Work Force Rule; Rule 13A, Student Practice Rule, and E.O. 9397 (SSN), as amended."

Purpose(s):

Delete entry and replace with "To evaluate applicant qualifications for selection to participate in the JAGC; to evaluate applicant performance in the JAGC internship/externship program; to evaluate and improve the JAGC application and selection process; to conduct predictive analysis for internal management purposes; to manage the officers of the JAGC since the Judge Advocate General is statutorily required to make a recommendation on the assignment of all active-duty JAGC officers; to determine qualifications of an officer to receive a JAGC designation and to be certified as a trial or defense counsel; to determine the rotation dates and release from active-duty dates of JAGC officers, as well as the date new officers will be available for duty; to prepare JAGC strength plans for submission to the Office of the Chief of Naval Operations; and to obtain an officer's preference for duty assignment, as well as eligibility for consideration for postgraduate education and overseas assignments. Certain information is promulgated to all active-duty JAGC officers in a semi-annual publication known as the Directory of Navy Judge Advocates. The information is promulgated in the directory for general informational purposes within the JAGC, including provision of position (billet) availability information to officers contemplating rotation. Information obtained from predictive analysis command evaluations are separate and distinct from evaluations required in accordance with Navy Regulations (i.e., officer fitness reports). The data will not be used to impact a judge advocates' evaluations or fitness reports in any way."

Routine uses of records maintained in the system, including categories of users and the purposes of such uses:

Delete entry and replace with "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 Department of Defense (DoD) as a routine use pursuant to 5 U.S.C. § 552a(b)(3) as follows:

The DoD Blanket Routine Uses that appear at the beginning of the Navy's compilation of system of records notices may apply to this system."

Storage:

Delete entry and replace with "Paper file folders and electronic storage media."

* * * * *

Safeguards:

Delete entry and replace with "Access to records is limited to person(s) responsible for servicing the record in the performance of their official duties and who are properly screened and cleared for need-to-know. System software uses Primary Key Infrastructure (PKI)/Common Access Card (CAC) authentication to lock out unauthorized access. System software contains authorization/permission partitioning to limit access to appropriate organization level."

System manager(s) and address:

Delete entry and replace with "Deputy Assistant Judge Advocate General, Military Personnel Division (Code 61), Office of the Judge Advocate General, Department of the Navy, Washington Navy Yard, 1322 Patterson Avenue SE, Suite 3000, Washington, DC 20374-5066."

Notification procedure:

Delete entry and replace with "Individuals seeking to determine whether this system of records contains information about themselves should address written inquiries to the Deputy Assistant Judge Advocate General, Military Personnel Division (Code 61), Department of the Navy, Washington Navy Yard, 1322 Patterson Avenue SE, Suite 3000, Washington, DC 20374-5066

Written requests must be signed by and contain the full name of the requesting individual. For personal visits, the requesting individual should be able to provide some acceptable identification, e.g. Armed Forces identification card, driver's license, etc.

The system manager may require an original signature or a notarized signature as a means of proving the identity of the individual requesting access to the records."

Record access procedures:

Delete entry and replace with "Individuals seeking access to records about themselves contained in this system of records should address written inquiries to the Deputy Assistant Judge Advocate General, Military Personnel Division (Code 61), Department of the Navy, Washington Navy Yard, 1322 Patterson Avenue SE, Suite 3000, Washington, DC 20374-5066.

Written requests must be signed by and contain the full name of the requesting individual. For personal visits, the requesting individual should be able to provide some acceptable identification, e.g. Armed Forces identification card, driver's license, etc.

The system manager may require an original signature or a notarized signature as a means of proving the identity of the individual requesting access to the records."

* * * * *

Record source categories:

Delete entry and replace with "Individual, command personnel, personnel records, information provided by Navy Personnel Command on all active-duty officers, undergraduate schools, law schools, State Bar, and any other applicable professional organization/school."

Exemptions Claimed For the System:

Delete entry and replace with "Testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal service the disclosure of which would compromise the objectivity or fairness of the testing or examination process may be exempt pursuant to 5 U.S.C. §552(a)(k)(6)."

* * * * *

N01070-1

System name:

Judge Advocate General Personnel Information

System location:

Office of the Judge Advocate General Military Personnel Division (Code 61), Department of the Navy, Washington Navy Yard, 1322 Patterson Avenue SE, Suite 3000, Washington, DC 20374-5066.

Categories of individuals covered by the system:

Active-duty officers in the Judge Advocate General's Corps (JAGC), Law Education and Excess Leave Programs, and law students, JAGC interns/externs, and licensed attorneys who have either made application for professional recommendation to the JAGC or submitted an application for a JAGC internship or externship.

Categories of records in the system:

Records and correspondence concerning personal history, education, professional qualifications, physical qualifications, mental aptitude, character, and interview appraisals. Such information includes name, Social Security Number (SSN), race/ethnicity, gender, personal home/cell telephone number, personal email address, mailing/home address, marital status, spouse name, emergency contact, education information (schools, degrees, GPA, and class rank), LSAT score and percentile, extracurricular activities, employment experience/history, foreign language proficiency, criminal history, self-disclosed drug use, self-disclosed drug/alcohol treatment, motivational statement, grade, designator, date of birth, date of rank, pay entry base data, active-duty service date, active commission base date, year and month of graduation from Naval Justice School, service date, lineal number, year group, current billet, future billets that are finalized, sub-specialty code, state bar membership and year admitted, branch of service, photo, letters of evaluation/recommendation, writing sample, clearances granted, and predictive analysis command evaluations.

Authority for maintenance of the system:

10 U.S.C. § 806, Article 6 Judge advocates and legal officers; 10 U.S.C. § 5148, Judge Advocate General's Corps; 5 U.S.C. § 301, Departmental Regulations; 5 U.S.C. § 3111, Acceptance of Volunteer Service; 10 U.S.C. § 87, Defense Acquisition Work Force Rule; Rule 13A, Student Practice Rule, and E.O. 9397 (SSN), as amended.

Purpose(s):

To evaluate applicant qualifications for selection to participate in the JAGC; to evaluate applicant performance in the JAGC internship/externship program; to evaluate and improve the JAGC application and selection process; to conduct predictive analysis for internal management purposes; to manage the officers of the JAGC since the Judge Advocate General is statutorily required to make a recommendation on the assignment of all active-duty JAGC officers; to determine qualifications of an officer to receive a JAGC designation and to be certified as a trial or defense counsel; to determine the rotation dates and release from active-

duty dates of JAGC officers, as well as the date new officers will be available for duty; to prepare JAGC strength plans for submission to the Office of the Chief of Naval Operations; and to obtain an officer's preference for duty assignment, as well as eligibility for consideration for postgraduate education and overseas assignments. Certain information is promulgated to all active-duty JAGC officers in a semi-annual publication known as the Directory of Navy Judge Advocates. The information is promulgated in the directory for general informational purposes within the JAGC, including provision of position (billet) availability information to officers contemplating rotation. Information obtained from predictive analysis command evaluations are separate and distinct from evaluations required in accordance with Navy Regulations (i.e., officer fitness reports). The data will not be used to impact a judge advocates' evaluations or fitness reports in any way."

Routine uses of records maintained in the system, including categories of users and the purposes of such 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 Department of Defense (DoD) as a routine use pursuant to 5 U.S.C. § 552a(b)(3) as follows:

The DoD Blanket Routine Uses that appear at the beginning of the Navy's compilation of system of records notices may apply to this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage:

Paper file folders and electronic storage media.

Retrievability:

Name.

Safeguards:

Access to records is limited to person(s) responsible for servicing the record in the performance of their official duties and who are properly screened and cleared for need-to-know. System software uses Primary Key Infrastructure (PKI)/Common Access Card (CAC) authentication to lock out unauthorized access. System software contains authorization/permission partitioning to limit access to appropriate organization level.

Retention and disposal:

Upon release from active-duty, records are kept three years and then destroyed. Upon retirement from active-duty, records are maintained for five years.

System manager(s) and address:

Deputy Assistant Judge Advocate General, Military Personnel Division (Code 61), Office of the Judge Advocate General, Department of the Navy, Washington Navy Yard, 1322 Patterson Avenue SE, Suite 3000, Washington, DC 20374-5066.

Notification procedure:

Individuals seeking to determine whether this system of records contains information about themselves should address written inquiries to the Deputy Assistant Judge Advocate General, Military Personnel Division (Code 61), Department of the Navy, Washington Navy Yard, 1322 Patterson Avenue SE, Suite 3000, Washington, DC 20374-5066.

Written requests must be signed by and contain the full name of the requesting individual. For personal visits, the requesting individual should be able to provide some acceptable identification, e.g. Armed Forces identification card, driver's license, etc.

The system manager may require an original signature or a notarized signature as a means of proving the identity of the individual requesting access to the records.

Record access procedures:

Individuals seeking access to records about themselves contained in this system of records should address written inquiries to the Deputy Assistant Judge Advocate General, Military Personnel Division (Code 61), Department of the Navy, Washington Navy Yard, 1322 Patterson Avenue SE, Suite 3000, Washington, DC 20374-5066.

Written requests must be signed by and contain the full name of the requesting individual. For personal visits, the requesting individual should be able to provide some acceptable identification, e.g. Armed Forces identification card, driver's license, etc.

The system manager may require an original signature or a notarized signature as a means of proving the identity of the individual requesting access to the records.

Contesting record procedures:

The Navy's rules for accessing records and contesting contents, and appealing initial agency determinations, are published in Secretary of the Navy Instruction 5211.5; 32 CFR part 701; or may be obtained from the system manager.

Record source categories:

Individual, command personnel, personnel records, information provided by Navy Personnel Command on all active-duty officers, undergraduate schools, law schools, State Bar, and any other applicable professional organization/school.

Exemptions claimed for the system:

Testing or examination material used solely to determine individual qualifications for appointment or promotion in the Federal service the disclosure of which would compromise the objectivity or fairness of the testing or examination process may be exempt pursuant to 5 U.S.C. §552(a)(k)(6).