

Billing Code:

DEPARTMENT OF DEFENSE
Department of the Navy

[Docket ID:

Privacy Act of 1974; System of Records

AGENCY: Department of the Navy, DoD.

ACTION: Notice to add a New System of Records.

SUMMARY: The Department of the Navy proposes to add a new system of records, N01130-1, entitled "Navy Recruiting System." This system is used to manage and contribute to the recruitment of qualified men and women for officer programs and the active and reserve components of the Navy; to ensure quality military recruitment and to maintain records pertaining to the applicant's personal profile for purposes of evaluation for fitness for commissioned service; and to provide historical data for comparison of current applicants with those selected in the past.

DATES: Comments will be accepted on or before [**INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER**]. This proposed action will be effective on the date following the end of the comment period unless comments are received which result in a contrary determination.

ADDRESSES: You may submit comments, identified by docket number and title, by any of the following methods:

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

* Mail: Department of Defense, Office of the Deputy Chief Management Officer, Directorate of Oversight and Compliance, Regulatory and Audit Matters Office, 9010 Defense Pentagon, Washington, DC 20301-9010.

Instructions: All submissions received must include the agency name and docket number 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.

FOR FURTHER INFORMATION CONTACT: Ms. Robin Patterson, Head, PA/FOIA Office (DNS-36), Department of the Navy, 2000 Navy

Pentagon, Washington, DC 20350-2000, or by phone at (202) 685-6545.

SUPPLEMENTARY INFORMATION: The Department of the Navy's notices for systems of records subject to the Privacy Act of 1974 (5 U.S.C. 552a(r)), as amended, have been published in the Federal Register and are available from the address in FOR FURTHER INFORMATION CONTACT or from the Defense Privacy and Civil Liberties Division website at <http://dpclld.defense.gov/>.

The proposed systems reports, as required by 5 U.S.C. 552a(r) of the Privacy Act, as amended, were submitted on INSERT DATE, to the House Committee on Oversight and Government Reform, 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 Individuals," dated February 8, 1996, (February 20, 1996, 61 FR 6427).

Dated:

Aaron Siegel,
Alternate OSD Federal Register Liaison Officer, Department of Defense.

N01130-1

System name:
Navy Recruiting System

System locations:
SPAWARCEN Atlantic New Orleans: 2251 Lakeshore Drive, New Orleans, LA 70122-3533.

Navy Recruiting Command, 5722 Integrity Drive, Millington, TN 38054-5057.

SPAWAR System Center San Diego: 53560 Hull Street, San Diego, CA 92152

Categories of individuals covered by the system:
Applicants and prospective applicants who have made applications for career opportunities offered by the United States Navy, to include officer and enlisted programs for both the active and reserve components.

Categories of records in the system:
Personal and medical history, immediate family information, educational background, professional qualifications, physical qualifications, mental aptitude, character evaluations, biometric data, and the results of national agency checks and background investigations.

Records and correspondence to include: Name, Social Security Number (SSN), DoD ID number, date of birth, place of birth, gender, race/ethnicity, citizenship, proof of legal status, marital status, mailing/home addresses, home telephone number, personal cell number, personal/home email address, religious preference, security clearance, driver license number, branch of service, military records, reenlistment code, prior service dates, type of discharge and discharge date; past and present income, debt, and current status of all accounts; past and present records of medical conditions and treatment; documentation of the reason and status of any disability determinations; records checks on all past law violations; past and present employer's names, addresses, contact information, and the periods of employment for each employer; name, address, and phone number of all educational institutions, level of education completed, dates and time periods of attendance, and transcripts from the listed institutions; emergency contact, digital photograph, and biometric fingerprints.

Immediate family information includes: mother's maiden and middle name; spouse's name, current address, date of birth, SSN, phone number, place of employment; child's name, current address, date of birth, and SSN.

Authority for maintenance of the system:

10 U.S.C. 5013, Secretary of the Navy; 5 U.S.C. 301, Departmental Regulations, 5 U.S.C. 302, Delegation of Authority; 10 U.S.C. 531-533 Sections governing authority to appoint officers; 10 U.S.C. 133, Under Secretary of Defense for Acquisition, Technology and Logistics; DoD Directive 5134.01, Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)); 10 U.S.C. 503, Enlistments: recruiting campaigns; compilation of information directory; 10 U.S.C. 504, Persons not qualified; 10 U.S.C. 508, Reenlistment: qualifications; 10 U.S.C. 510, Enlistment incentives for pursuit of skills to facilitate national service; 10 U.S.C. 1071, Purpose of this chapter; 10 U.S.C. 1072, Definitions; 10 U.S.C. 1073, Administration of this chapter; 10 U.S.C. 1074, Medical and dental care for members and certain former members; 10 U.S.C. 1076, Medical and dental care for dependents: general rule; 10 U.S.C. 1077, Medical care for dependents: authorized care in facilities of uniformed services; 10 U.S.C. 1078, Medical and dental care for dependents: charges; 10 U.S.C. 1079, Contracts for medical care for spouses and children: plans; 10 U.S.C. 1080, Contracts for medical care for spouses and children: election of facilities; 10 U.S.C. 1081, Contracts for medical care for spouses and children: review and adjustment of payments; 10 U.S.C. 1082, Contracts for health care: advisory committees; 10 U.S.C. 1083, Contracts for medical care for spouses and children: additional hospitalization; 10 U.S.C. 1084, Determinations of dependency; 10 U.S.C. 1085, Medical and dental care from another executive department: reimbursement; 10 U.S.C. 1086, Contracts for health benefits for certain members, former members, and their dependents; 10 U.S.C. 1087, Programming facilities for certain members, former members, and their dependents in construction projects of the uniformed services; 10 U.S.C. 1168, Discharge or release from active duty: limitations; 10 U.S.C. 1169, Regular enlistment members: limitations on discharge; 10 U.S.C. 1209, Transfer to inactive status list instead of separation; 10 U.S.C. 1475, Death gratuity: death of members on active duty or inactive training and of certain other persons; 10 U.S.C. 1476, Death gratuity: death after discharge or release from duty or training; 10 U.S.C. 1477, Death gratuity: eligible survivors; 10 U.S.C. 1478, Death gratuity: amount; 10 U.S.C. 1479, Death gratuity:

delegation on determination, payments; 10 U.S.C. 1480, Death gratuity: miscellaneous provisions; 10 U.S.C 1553, Review of discharge or dismissal; 10 U.S.C. Subtitle A: General Military Law; 10 U.S.C. 591, Reference to chapters 1205 and 1207; 10 U.S.C. 1293, Twenty years or more: warrant officers; 10 U.S.C. 716, Commissioned officers: transfers among the armed forces, the National Oceanic and Atmospheric Administration, and the Public Health Service; 10 U.S.C. 2107, Financial assistance program for specially selected members; 10 U.S.C. 2122, Eligibility for participation; Merchant Marine Act of 1939, as amended; E.O. 10450, Security requirements for Government employment; E.O. 12107, Relating to the Civil Service Commission and labor-management in the Federal Service; DoD 6025.18-R, DoD Health Information Privacy Regulation; and E.O. 9397 (SSN), as amended.

Purpose(s):

To manage and contribute to the recruitment of qualified men and women for officer programs, and enlistment into the active and reserve components of the Navy. To ensure quality military recruitment and to maintain records pertaining to the applicant's personal profile for purposes of evaluation for fitness for commissioned service. To provide historical data for comparison of current applicants with those selected in the past.

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, the 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:

To officials and employees of the Department of Transportation in the performance of their official duties relating to the recruitment of Merchant Marine personnel.

To officials and employees of other departments and agencies of the Executive Branch of government, upon request, in the performance of their official duties related to the management of quality military recruitment.

To officials and employees of the Department of Veterans Affairs and Selective Service Administration in the performance of their

official duties related to enlistment and reenlistment eligibility and related benefits.

The DoD Blanket Routine Uses set forth at the beginning of the Department of the Navy's compilation of systems of records notices may apply to this system. The complete list of DoD blanket routine uses can be found online at: <http://dpcl.d.defense.gov/Privacy/SORNsIndex/BlanketRoutineUses.aspx>.

NOTE: This system of record contains Individually Identifiable Health Information. The DoD Health Information Privacy Regulation (DoD 6025.18-R) issued pursuant to the Health Insurance Portability and Accountability Act of 1996, applies to most such health information. DoD 6025-18-R may place additional procedural requirements on the uses and disclosures of such information beyond those found in the Privacy Act of 1974 or mentioned in this system of records notice.

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

Storage:

Paper and electronic storage media.

Retrievability:

Name, SSN, and address.

Safeguards:

Access is limited to those individuals who have been properly trained, screened, and have a need-to-know. Paper records are kept in file cabinets and offices are locked after working hours. Information maintained on a computer requires Common Access Card (CAC), Public Key Infrastructure (PKI), and/or User ID and password. Physical access is controlled by 24-hour security guards.

Retention and disposal:

Records are retained and destroyed in accordance to the Record Management Manual (SECNAV M-5210.1). There are various requirements under this regulation for record retention and disposal, which depend on the type of record in question.

For officer recruiting records: Control card records and summary record forms will be destroyed either when an applicant is commissioned or five years after the applicant is rejected, whichever is earlier; withdrawn or rejected applications for

commission will be destroyed after rejection determination is made by Commander, Navy Recruiting Command; correspondence with the individual applicants for commission, prospective applicants, or other interested individuals will be destroyed after six months.

For enlisted recruiting records: correspondence with individuals requesting general information regarding enlistment or reenlistment will be destroyed after two years; congressional and low quality recruit reports after two years; pre-enlistment and enlistment papers for enlistment personnel (including investigations, medical examinations, parental consents, birth certificates, and waivers) will be transferred to FRC when one year old and destroyed when after four years; card (summary) records or individual data cards of accepted and rejected applicants for enlistment in the Naval Services will be destroyed after five years. Records are destroyed by shredding, burning, degaussing, and erasing.

System manager(s) and address:

Commander, Navy Recruiting Command, 5722 Integrity Drive, Millington, TN 38054-5057.

Notification procedure:

Individuals seeking to determine whether information about themselves is contained in this system of records should submit written inquiries to the Commander, Navy Recruiting Command (ATTN: Privacy Act Coordinator), 5722 Integrity Drive, Millington, TN 38054-5057, or to the applicable Navy Recruiting District as listed under U.S. Government in the white pages of the telephone book.

Requests should contain the individual's full name, address, SSN, and signature.

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

Record access procedures:

Individuals seeking access to information about themselves contained in this system should submit written inquiries to the Commander, Navy Recruiting Command (ATTN: Privacy Act Coordinator), 5722 Integrity Drive, Millington, TN 38054-5057, or to the applicable Navy Recruiting District as listed under U.S. Government in the white pages of the telephone book.

Requests should contain the individual's full name, address, SSN, and signature.

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 for 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, parents, friends, and associates; Navy recruiting and reserve recruiting personnel, administrative staff, and employees processing applications; medical personnel conducting physical examination and/or private physicians providing consultations, or patient history; character and employer references; educational institutions, staff, and faculty members; Selective Service Commission; local, state, and federal law enforcement agencies; prior or current military service record; Members of Congress; Commanding Officer of Naval Unit, if active duty; SF-86 Questionnaire for National Security Position; Department of Navy offices charged with personnel security clearance functions; and other officials and employees of the Department of the Navy, Department of Defense, Department of Veterans Affairs, and components thereof, in the performance of their official duties and as specified by current instructions and regulations promulgated by competent authority.

Exemptions claimed for the system:

Parts of this system may be exempt under the provisions of 5 U.S.C. 552a(k)(1), (k)(5), (k)(6), and (k)(7), as applicable.

An exemption rule for this system has been promulgated in accordance with the requirements of 5 U.S.C. 553(b)(1), (2), and (3), (c) and (e) and published in 32 CFR part 701, subpart G. For additional information, contact the system manager.