

Name of agency

Privacy Act of 1974; System of Records

AGENCY: Department of the Navy, DoD

ACTION: Notice of a Modified System of Records.

SUMMARY: The Department of the Navy is proposing to establish a new system of records that will be used to collect information on injuries/fatalities, occupational illnesses required of Federal governmental agencies by the Occupational Safety and Health Administration (OSHA) and pertinent information for property damage occurring during Naval operations. The data maintained in this system will be used for analytical purposes to improve the Department of the Navy's accident prevention policies, procedures, standards and operations, as well as to ensure internal data quality assurance.

To ensure all individuals receive required safety, fire, security, force protection, and emergency management training courses necessary to perform assigned duties and comply with Federal, DoD, and Navy related regulations.

DATES: Comments will be accepted on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATIONS IN THE FEDERAL REGISTRY]. This proposed action will be effective on the date following the end of the comment period unless comments are received which will 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 Chief Management Officer, Directorate of Oversight and Compliance, 4800 Mark Center Drive, Mailbox #24, Suite 08D09, Alexandria, VA 22350-1700.

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, FOIA/Privacy Act Program Office, Department of the Navy, 2000 Navy Pentagon, Washington, DC 20350-2000, or by phone at (202) 685-6546.

SUPPLEMENTARY INFORMATION: The system also includes the Dive Jump Reporting System (DJRS) module of RMI collects on-duty dive and jump exposure data for DOD Service Agencies that allows for analysis to identify trends in personnel and equipment performance and procedural adequacy. It also serves as the source for generating official dive or jump logs for an individual or command.

SYSTEM NAME AND NUMBER: Risk Management Information (RMI) NM03750-1

SYSTEM CLASSIFICATION: Unclassified

SYSTEM LOCATION: SPAWAR Systems Center Atlantic, Navy Enterprise Data Center – Charleston; 1 Innovation Drive, Hanahan, SC 29410

SYSTEM MANAGER(S): Sea Warrior Program (PMW 240), Attention: Risk Management Information (RMI) Program Manager, 701 South Courthouse Road, Suite 1400, Arlington, VA 22204

AUTHORITY FOR MAINTENANCE OF THE SYSTEM: of 1958; 5 U.S.C. §301, Departmental Regulations; 10 U.S.C. §5013, Secretary of the Navy; 10 U.S.C. §5041, Headquarters, Marine Corps; E.O. 12196, Occupational Safety and Health Programs for Federal Employees; DoD Instruction 6055.07, Mishap Notification, Investigation, Reporting, and Record Keeping; OPNAVINST 5102.1D/MCO P5102.1B, Navy & Marine Corps Mishap and Safety Investigation, Reporting, and Record Keeping Manual; OPNAVINST 3750.6S, Naval Aviation Safety Management System; DoD 6025.18-R, DoD Health Information Privacy Regulation, and E.O. 9397 (SSN), as amended.

PURPOSE(S) OF THE SYSTEM: To collect information on injuries and occupational illnesses required of Federal governmental agencies by the Occupational Safety and Health Administration (OSHA) and pertinent information for property damage occurring during Naval operations. The data maintained in this system will be used for analytical purposes to improve the Department of the Navy's accident prevention policies, procedures, standards and operations, as well as to ensure internal data quality assurance.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM: DoD and Coast Guard uniform and civilian employees who are involved in on-duty diving operations, including those

exposed to a hyperbaric environment, and all Naval personnel, including trainees, who participate in premeditated, on-duty parachute jumping operations.

Department of the Navy (DoN) military and civilian personnel, non-appropriated and foreign national civilian personnel, and other U.S. Government personnel, or contractors, who work or receive support from the U.S. Navy, ashore and/or afloat who are involved in hazards, accidents or occupational illnesses that result in lost time, government or private property damage or destruction and/or personal injury or death.

CATEGORIES OF RECORDS IN THE SYSTEM: The system contains last name, first name and middle initial, military component, gender, date of birth, age, job title, marital status and number of dependents, rank/rate/grade, Social Security Number (SSN), DoD ID Number, mailing/home address; home/work/mobile telephone, personal/work email address, civilian/military/foreign national/contractor indicator; event reference number, case or file number, unit identification code (UIC), activity name, major command code, type, department, date, time and general location of mishap/illness; government or private property damage/destruction, lost workday count, injury/illness type, Occupational Safety and Health Administration (OSHA) injury code(s), part(s) of body injured, object involved (injury source), process control number (job/activity at time of mishap), chemical involved, chemical comments, formal training involved, occupational medical stressors, date of last physical and non-diagnostic information concerning health readiness/restrictive duty, respirator usage and fit test results, environmental exposures, occupational injuries/illnesses; case type (fatality, lost time, no lost time, first aid), mishap classification, date of death, short narrative, start date, sent date, and claims information. The database also contains causal factors, a 72-hour profile for all involved personnel, involved chemical, involved sharp items, drug/alcohol factors, licenses and

certifications, test scores, safety course, personal protective equipment, dive log, dive saturation, dive treatment, parachute jump, vehicle, aircraft, and insertion/extraction/scaling technique information as is applicable to the type of mishap the individual is involved in; DJRS identification number, UIC and type of parachute or dive equipment used.

RECORD SOURCE CATEGORIES: Navy and Marine Corps Safety Investigation Reports, departmental records such as personnel file excerpts, medical record excerpts, State and Federal records, and excerpts of police reports, witness statements, general correspondence, Defense Manpower Data Center (DMDC), Epidemiology Data Center at Navy Marine Corp Public Health Center. For diving exposure records, the sources include DoD and Coast Guard commands that conduct diving operations or hyperbaric exposure incident to on-duty diving operations. Dive logs are also used. For parachute jump exposure records, the sources include reports from Navy and Marine Corps parachute jumpers regarding on-duty jumps using Jump Manifests.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING

CATEGORIES OF USERS AND PURPOSES OF SUCH USES: In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, all or a portion of the records or information contained in this system may be disclosed to authorized entities, as is determined to be relevant and necessary, outside DoD as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

- a. To contractors, grantees, experts, consultants, students, and others performing or working on a contract, service, grant, cooperative agreement, or other assignment for the federal government when necessary to accomplish an agency function related to this system of records.

- b. To foreign or international law enforcement, security, or investigatory authorities to comply with requirements imposed by, or to claim rights conferred in, international agreements and arrangements, including those regulating the stationing and status in foreign countries of DoD military and civilian personnel.
- c. To unions recognized as exclusive bargaining representatives under the Civil Service Reform Act of 1978, 5 U.S.C. §§ 7111 and 7114, the Merit Systems Protection Board, arbitrators, the Federal Labor Relations Authority, and other parties responsible for the administration of the Federal labor-management program for the purpose of processing any corrective actions, or grievances, or conducting administrative hearings or appeals.
- d. To the Merit Systems Protection Board and the Office of the Special Counsel for the purpose of litigation, including administrative proceedings, appeals, special studies of the civil service and other merit systems; review of Office of Personnel Management or component rules and regulations; investigation of alleged or possible prohibited personnel practices, including administrative proceedings involving any individual subject of a DoD investigation.
- e. To appropriate Federal, State, local, territorial, tribal, foreign, or international agencies for the purpose of counterintelligence activities authorized by U.S. law or Executive Order, or for the purpose of executing or enforcing laws designed to protect the national security or homeland security of the United States, including those relating to the sharing of records or information concerning terrorism, homeland security, or law enforcement.
- f. To the appropriate Federal, State, local, territorial, tribal, foreign, or international law enforcement authority or other appropriate entity where a record, either alone or in conjunction with other information, indicates a violation or potential violation of law, whether criminal, civil, or regulatory in nature.

- g. To any component of the Department of Justice for the purpose of representing the DoD, or its components, officers, employees, or members in pending or potential litigation to which the record is pertinent.
- h. In an appropriate proceeding before a court, grand jury, or administrative or adjudicative body or official, when the DoD or other Agency representing the DoD determines that the records are relevant and necessary to the proceeding; or in an appropriate proceeding before an administrative or adjudicative body when the adjudicator determines the records to be relevant to the proceeding.
- i. To the National Archives and Records Administration for the purpose of records management inspections conducted under the authority of 44 U.S.C. §§ 2904 and 2906.
- j. To a Member of Congress or staff acting upon the Member's behalf when the Member or staff requests the information on behalf of, and at the request of, the individual who is the subject of the record.
- k. To appropriate agencies, entities, and persons when (1) the DoD suspects or has confirmed that there has been a breach of the system of records; (2) the DoD has determined that as a result of the suspected or confirmed breach there is a risk of harm to individuals, the DoD (including its information systems, programs, and operations), the Federal Government, or national security; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the DoD's efforts to respond to the suspected or confirmed breach or to prevent, minimize, or remedy such harm.
- l. To another Federal agency or Federal entity, when the DoD determines that information from this system of records is reasonably necessary to assist the recipient agency or entity in (1) responding to a suspected or confirmed breach or (2) preventing, minimizing, or remedying the

risk of harm to individuals, the recipient agency or entity (including its information systems, programs and operations), the Federal Government, or national security, resulting from a suspected or confirmed breach.

POLICIES AND PRACTICES FOR STORAGE OF RECORDS: Paper records and electronic storage media

POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS: By individual's name, SSN, DoD ID Number, date of birth, location of the accident/illness, and/or date of mishap/illness. Non-mishap related dive and jump records may be retrieved by the diver's/jumper's name, DJRS identification number, date of birth, UIC, type of dive and type of parachute or dive equipment used.

POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS: Records are permanent and are transferred to the Washington National Record Center when 4 years old and then transferred to the National Archives and Records Administration when 20 years old maintained indefinitely by the Naval Safety Center.

ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS: Access to RMI requires a valid DoD Public Key Infrastructure (PKI) certificate and is PKI enforced. Computer terminals are located in limited access areas and are handled by personnel that are properly trained in working with automated Privacy Act systems of records.

RECORD ACCESS PROCEDURES: Individuals seeking access to information about themselves contained in this system should address written inquiries to the

CONTESTING RECORD PROCEDURES: The Department of Navy's rules for accessing records, contesting contents, and appealing initial agency determinations are contained in 32 CFR part 310 or may be obtained from the system manager.

NOTIFICATION PROCEDURES: Individuals seeking access to information about themselves contained in this system should address written inquiries to the

EXEMPTIONS PROMULGATED FOR THE SYSTEM: None

HISTORY: None.