

**BILLING CODE: 5001-06**

**DEPARTMENT OF DEFENSE**

**Department of the Navy**

**[Docket ID: DoD-YYYY-Department of Navy-XXXX]**

**Privacy Act of 1974; System of Records**

**AGENCY:** Department of Navy, DoD

**ACTION:** Notice of a new system of records.

**SUMMARY:** In accordance with the Privacy Act of 1974, the Department of Navy (DoN) is establishing a new System of Records entitled U.S. Naval Academy (USNA) Voluntary and Gratuitous Service Records, N01531-2. The U.S. Naval Academy (USNA) Voluntary and Gratuitous Service Records system will be used by the DoN to ensure those civilians, reservists, and active duty members applying to volunteer their time assisting the academy attain and maintain the qualifications necessary to best assist the Academy and potential candidates for admissions to the Academy. Records contain applicant information used to evaluate and determine qualification and eligibility for appointments as volunteers and gratuitous servants at the Academy as Blue and Gold Officers, sponsors, museum volunteers, and other voluntary and gratuitous services provided.

**DATES:** This new system of records is effective upon publication; however, comments on the Routine Uses will be accepted on or before [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]. The Routine Uses are effective at the close of the comment period.

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

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

\* Mail: DoD cannot receive written comments at this time due to the COVID-19 pandemic. Comments should be sent electronically to the docket listed above.

*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 <https://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:**

**I. Background**

The U.S. Naval Academy (USNA) Voluntary and Gratuitous Service Records system of records is being established by the DoN to determine the eligibility and leadership potential of respondents applying to represent the USNA as voluntary and gratuitous servants (referred to within as volunteers).

The notices for system of records subject to the Privacy Act of 1974, as amended, have been published in the Federal Register and are available from the address in FOR FURTHER INFORMATION CONTACT or at the Defense Privacy, Civil Liberties, and Transparency Division website at <https://dpclld.defense.gov/privacy>.

**II. Privacy Act**

Under the Privacy Act, a “system of records” is a group of records under the control of an agency from which information is retrieved by the name of an individual or by some identifying number, symbol, or other identifying particular assigned to the individual. In the Privacy Act, an individual is defined as a U.S. citizen or lawful permanent resident.

In accordance with 5 U.S.C. 552a(r) and OMB Circular No. A-108, DPCLTD has provided a report of this system of records to the Office of Management and Budget (OMB) and to Congress.

Dated:

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

**SYSTEM NAME AND NUMBER:** U.S. Naval Academy (USNA) Voluntary and Gratuitous Service Records, N01531-2.

**SECURITY CLASSIFICATION:** Unclassified.

**SYSTEM LOCATION:** U.S. Naval Academy (USNA), 121 Blake Road, Annapolis, MD 21402-1300; Naval Academy Preparatory School (NAPS), 440 Meyerkord Ave, Newport, RI 02841; and locations where Area Coordinators assigned.

**SYSTEM MANAGER:** The system manager is Superintendent, U.S. Naval Academy (USNA), 121 Blake Road, Annapolis, MD 21402-1300.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:** 10 U.S.C. 5013, Secretary of the Navy; 10 U.S.C. 8041, Headquarters, Marine Corps; 10 U.S.C. 8458, Midshipmen: Qualifications for Admission; 10 U.S.C. §10141, Ready Reserve; Standby Reserve; Retired Reserve: placement and status of members; training categories; 10 U.S.C. 10212, Gratuitous services of officers: authority to accept; 10 U.S.C. 1588, Authority to accept certain voluntary services; 5 U.S.C. 3111, Acceptance of volunteer service; DoDI 1322.22, Service Academies; DoDI 1100.21, Voluntary Services in the Department of Defense; SECNAVINST 1650.1J, Department of the Navy Military Awards Policy; OPNAVINST 1531.2C, The Naval Academy Information Program (NAIP).

**PURPOSE(S) OF THE SYSTEM:** This information requirement is needed to determine the eligibility and leadership potential of respondents applying to represent the USNA as voluntary and gratuitous servants (referred to within as volunteers). Prior military service, current and past military performance, and prior affiliation with the Naval Academy has been found to be an excellent predictor of success as a USNA volunteer. Without this information the ability for the

United States Naval Academy to recruit qualified volunteers would be impacted and would directly negatively affect the Naval Academy's ability to perform necessary duties.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:** Individuals who perform or apply to perform voluntary or gratuitous services for the U.S. Naval Academy and the Naval Academy preparatory school.

**CATEGORIES OF RECORDS IN THE SYSTEM:** Records contain information such as full name, home address, home telephone, number, date of birth, age, race, gender, ethnicity, email address, title/rank, identification number, spousal information, active duty service history, reserve service information/history, education, work history, signature, supervisor information, fax numbers, parent/guardian signatures for minors, pet information, interests, skills, emergency contacts, voluntary service information (time)/credit hours, awards and training information, education information, and background/background check information.

**RECORD SOURCE CATEGORIES:** Records and information stored in this system of records are obtained from: the individual; faculty and staff evaluations; evaluations from Naval Academy information officers; midshipmen feedback; and third party background checks.

**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 of 1974, as amended, all or a portion of the records or information contained herein may specifically be disclosed outside the 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 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.

C. 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.

D. 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.

E. 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.

F. 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.

G. To appropriate agencies, entities, and persons when (1) the DoD suspects or confirms a breach of the system of records; (2) the DoD determines 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.

H. 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.

I. To such recipients and under such circumstances and procedures as are mandated by Federal statute or treaty.

J. To the Office of Personnel Management (OPM) for the purpose of addressing civilian pay and leave, benefits, retirement deduction, and any other information necessary for the OPM to carry out its legally authorized government-wide personnel management functions and studies.

**POLICIES AND PRACTICES FOR STORAGE OF RECORDS:** Records may be stored electronically or on paper in secure facilities in a locked drawer behind a locked door. The records may be stored on magnetic disc, tape, or digital media; in agency-owned cloud environments; or in vendor Cloud Service Offerings certified under the Federal Risk and Authorization Management Program (FedRAMP).

**POLICIES AND PRACTICES FOR RETRIEVAL OF RECORDS:** Records may be retrieved by name, email address, or identification number.

**POLICIES AND PRACTICES FOR RETENTION AND DISPOSAL OF RECORDS:** Disposition pending until the National Archives and Records Administration has approved retention and disposition schedule, treat as temporary. (Records are temporary and destroyed

when business use ceases (DAA-GRS-2016-0016-0001, SF 115 submitted 7/14/21)).

**ADMINISTRATIVE, TECHNICAL, AND PHYSICAL SAFEGUARDS:** The DoD safeguards records in this system of records according to applicable rules, policies, and procedures, including all applicable DoD automated systems security and access policies. DoD policies require the use of controls to minimize the risk of compromise of personally identifiable information (PII) in paper and electronic form and to enforce access by those with a need to know and with appropriate clearances. Additionally, the DoD established security audit and accountability policies and procedures which support the safeguarding of PII and detection of potential PII incidents. The DoD routinely employs safeguards such as the following to information systems and paper recordkeeping systems: Multifactor log-in authentication including Common Access Card (CAC) authentication and password; Secret Internet Protocol Router (SIPR) token as required; physical and technological access controls governing access to data; network encryption to protect data transmitted over the network; disk encryption securing disks storing data; key management services to safeguard encryption keys; masking of sensitive data as practicable; mandatory information assurance and privacy training for individuals who will have access; identification, marking, and safeguarding of PII; physical access safeguards including multifactor identification physical access controls, detection and electronic alert systems for access to servers and other network infrastructure; and electronic intrusion detection systems in DoD facilities.

**RECORD ACCESS PROCEDURES:** Individuals seeking access to their records should address written inquiries to the Superintendent, United States Naval Academy, 121 Blake Road, Annapolis, MD 21402-1300 or Department of the Navy - Office of the Chief of Naval Operations FOIA/Privacy Act Program Office/Service Center ATTN: DNS-36, 2000 Navy



Pentagon, Washington DC 20350-2000, DONFOIA-PA@Navy.mil. Signed written requests should contain the requester's full name, telephone number, email address, current mailing address, dates of service, and name and number of this system of records notice.

In addition, the requester must provide either a notarized statement or an unsworn declaration made in accordance with 28 U.S.C. 1746, in the appropriate format:

If executed outside the United States: "I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date). (Signature)."

If executed within the United States, its territories, possessions, or commonwealths: "I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)."

**CONTESTING RECORD PROCEDURES:** The DoD rules for accessing records, contesting contents, and appealing initial Component determinations are contained in 32 CFR part 310, or may be obtained from the system manager.

**NOTIFICATION PROCEDURES:** Individuals seeking to determine whether information about themselves is contained in this system of records should follow the instructions for Record Access Procedures above.

**EXEMPTIONS PROMULGATED FOR THE SYSTEM:** The Department of Defense is exempting records maintained in this system, from subsections 5 U.S.C. § 552a(d)(1) pursuant to U.S.C 552a(k)(5) or (k)(6) as applicable.

An exemption rule for this record system has been promulgated in accordance with 5 U.S.C. 553(b)(1), (2), and 3, (c) and (e) and published in 32 CFR part 701.128. For additional information contact the system manager.

<Note any exemptions claimed for the system and the applicable regulations. If you are claiming a new exemption, you will need to prepare a Notice of Proposed Rulemaking pursuant to 5 U.S.C. 552a, for which there is also a template. If an exemption is required, please confirm there is an entry scheduled for this rulemaking on the Unified Regulatory Agenda. If no exemptions for this system of records, state "None."> *Example: DoD has exempted records maintained in this system from 5 U.S.C. 552a(c)(3), (d)(1), (2), (3), and (4) of the Privacy Act, pursuant to 5 U.S.C. 552a(k)(1). 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), and (c), and published in 32 CFR part 310.*

*Recompilation of exempt Privacy Act records: If this system of records may receive and incorporate exempt records from other systems of records, also include this language:* <In addition, when exempt records received from other systems of records become part of this system, DoD also claims the same exemptions for those records that are claimed for the original primary systems of records from which they originated and claims any additional exemptions set forth here.>

**HISTORY:** None.