



DEPARTMENT OF THE NAVY
OFFICE OF NAVAL INTELLIGENCE
4251 SUITLAND ROAD
WASHINGTON, DC 20395-2000

IN REPLY REFER TO
ONIINST 5211.1C
ONI-22
19 Sep 12

ONI INSTRUCTION 5211.1C

Subj: PERSONAL PRIVACY AND RIGHTS OF INDIVIDUALS REGARDING
THEIR PERSONAL RECORDS

Ref: (a) SECNAVINST 5211.5E
(b) SECNAVINST 5720.42F
(c) Privacy Act of 1974
(d) Index of Privacy Act Systems of Records at
<http://www.privacy.navy.mil/privacy/tools/index.asp>
(e) DON CIO 032009Z Oct 08
(f) DON CIO 291652Z Feb 08
(g) DoD Instruction 1000.30 of 1 Aug 12
(h) SECNAV M-5210.1
(i) SECNAVINST 5210.16

1. Purpose. To implement the policies and procedures established in references (a) through (c) for the collection, safeguarding, maintenance, use, access, amendment, and dissemination of Personally Identifiable Information (PII) collected and maintained within a Privacy Act (PA) System~~s~~ of Records by the Office of Naval Intelligence (ONI) and its subordinate commands. This instruction also establishes the policy and procedure for notifying individuals when their PII is lost, stolen, or otherwise compromised.

2. Cancellation. ONIINST 5211.1B. This is a major revision and should be reviewed in its entirety.

3. Applicability. This instruction applies to all military, civilian and contractor personnel assigned to ONI and its Echelon III commands.

4. Definitions

a. PA records. Records collected in accordance with reference (c) and maintained in an established system of records as listed in reference (d) that are maintained and retrieved by personal identifier(s) (i.e., name or Social Security Number (SSN)).

b. PII. As defined by reference (f), PII refers to information which can be used to distinguish or trace an individual(s) identity, e.g. Name, SSN, date and place of birth, age, military rank, civilian grade, marital status, race, salary, home and office phone numbers, mother's maiden name, biometric, personnel, medical, financial information, and other demographic data, including any other personal information which is linked to a specified individual.

c. System of Records. A group of records under the control of a Department of the Navy (DON) activity from which information is retrieved by the individual's name or by some identifying number, symbol, or other identifying information assigned to the individual. System notices for all PA systems of records must be published in the Federal Register and are also available for viewing or downloading from the Navy's Privacy Act Online web site at <http://www.doncio.navy.mil/ContentView.aspx?ID=1876>.

d. Unauthorized disclosure of PII. The transfer of any PII from a system of records without authority, by any means of communication (such as oral, written, electronic, mechanical, or actual review), to any person, entity, or government agency, other than to the subject of the PII or his/her designated agent without written consent from the individual whose PII is being disclosed.

5. Background. Reference (a) establishes DON policy to ensure all personnel at all echelons of command and authority comply with requirements for collecting, maintaining and disseminating PII in a manner that protects the personal privacy of individuals. All personnel are required to become familiar with this instruction and the rules of conduct established by references (a) and (b).

6. Policy

a. On behalf of the Secretary of the Navy, the Commander, Deputy Commander, and the Staff Judge Advocate (SJA) of ONI are delegated as Initial Denial Authorities (IDA) for ONI and its subordinate commands for all PA requests made under reference (a). The Staff Judge Advocate Office (ONI-22) has responsibility to manage the PA program and ensure compliance with DON procedures as per references (a) and (b).

b. Individuals requesting access to, copies of, or amendment to their records contained in a PA system of records must do so in writing and address their request to the: Office of Naval Intelligence (Attn: PA Manager (ONI-22)), 4251 Suitland Road, Washington, DC 20395-5720.

7. Responsibilities. Responsibilities specific to ONI and its subordinate commands are as follows:

a. The ONI PA Manager under the supervision of the SJA (ONI-22) is designated as the official responsible for administering and supervising the execution of references (a) and (b). The ONI PA Manager will:

(1) Ensure all personnel who require access to or are responsible for the design, development, maintenance, custody, or use of PII systems are familiar with the provisions of this instruction and reference (a).

(2) Serve as the principal point of contact on all command PA matters.

(3) Assign PA requests to appropriate commands and establish due dates for responding to requests. This includes reports of breach of PII as per reference (f).

(4) Assist ONI elements and subordinate commands in implementing and executing requirements of references (a) and (b).

(5) Process all PA requests in compliance with policy and procedures established in reference (a).

(6) Draft all correspondence related to a PA request.

(7) In accordance with reference (c), issue guidance regarding the collection, storage, and disclosure of PII to ONI Staff elements and subordinate command personnel as appropriate.

(8) Review internal directives, practices, and procedures to ensure compliance with PA policy and procedures.

(9) Ensure ONI Staff elements and subordinate commands are properly educated and trained in the provisions of reference (a), to include meeting annual training requirements.

(10) Assist in identifying weaknesses and initiate actions to avoid and correct potential PA violations.

(11) Coordinate requests to establish or alter a system of records with the DON PA manager. Ensure all records systems and any additions or significant changes to existing ONI systems are published in the Federal Register.

(12) Maintain liaison with Navy record management officials as appropriate.

b. ONI Staff Elements and Echelon III Commands will:

(1) Coordinate with the ONI PA manager to ensure the preparation of directives, forms, PA Statements, and procedures, needed in record systems operations are in compliance with reference (a).

(2) When PII is required, to the greatest extent practicable, PII information will be collected directly from the individual. Per reference (g), all personnel will reduce or eliminate the use of SSNs wherever possible.

(3) Protect PII from unauthorized disclosures.

(4) As per paragraph 14f of reference (a), maintain an accurate accounting of all disclosures that include the name and address of the person or agency to which disclosure is made using OPNAV Form 5211/9. Accounting is not required for routine use disclosures as defined in reference (a). Examples include disclosure to officials within the Department of Defense who have a need for the record in the performance of their duties, disclosures made under reference (b), and disclosures for statistical research for reporting purposes where individual names are not identifiable.

(5) Ensure all PA records are maintained and destroyed as per references (h) and (i).

8. Procedures. In addition to those procedures established by reference (a), the following procedures apply to ONI and Echelon III Commands.

a. Requests for release of information under reference (a) or (b) will be processed by the PA manager.

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b. Processing times for a PA request will be as per reference (a). Failure to meet established processing times must be justified in writing via the applicable ONI Staff element director or Center Commanding Officer/Director, and forwarded to the PA manager for inclusion in the PA request file.

c. All documents containing PII (as defined in paragraph 4.b. above) will be marked with the caveat "**FOR OFFICIAL USE ONLY - PERSONALLY IDENTIFIABLE INFORMATION.**"

d. To prevent unauthorized disclosures, all file folders containing PII will be marked with DD Form 2923, and will be properly secured within closed file cabinets or desk drawers. PII will not be left out in the open or circulated to individuals without an "official need-to-know."

e. A copy of DD Form 2923 will be affixed to PII files and folders.

f. As per reference (e), emails containing PII in the subject line, body or in an email attachment will be encrypted.

g. As per reference (f), in the event PII is lost, stolen, compromised or disseminated by an unauthorized disclosure, the following notification procedures will be followed:

(1) The Record Custodian will take immediate action to prohibit further damage and disclosure and will notify the chain of command and the PA manager at (301) 669-2048, as soon as practicable.

(2) As per reference (f), within one hour of the discovery of the breach, the PA manager will report the incident via message to the DON CIO and USCERT. Reporting will not be delayed due to the unavailability of required information. The DON Chief of Information Privacy Office will determine within one working day whether to notify affected personnel. The notice will contain the following information, if available:

(a) Component and organization involved.

(b) Date of incident, the number of individuals involved, and whether they are civilian, military, or private citizens (include percentage of each category).

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(c) Brief description of incident, including circumstances of the breach, type of information lost or compromised, and if the PII was encrypted or password protected.

(3) The PA manager will notify the chain of command and the Chief of Naval Operations (DNS 36) of the compromise, as per reference (a).

(4) When directed by the PA manager, the Record Custodian will prepare individual notification letters to all affected individuals. A generalized notice will be posted on the ONI intranet when identification of affected individuals is not possible.

(5) When creating and sharing a recall roster marked with "For Official Use Only - Privacy Protected Information". Ensure proper access controls and permissions are in place if posting to an intranet shared site. Limit PII elements to only the minimum required to recall or notify personnel of emergency situations. Per reference (g), SSNs will not be used in spreadsheets, hard copy lists, electronic reports, or collected unless one or more acceptable use applies (see enclosure (2) of reference (g) for acceptable uses). Therefore, never include SSNs on recall rosters, and when practicable avoid date and place of birth and home addresses.

9. New or Altered System Procedures. ONI personnel desiring to establish a new system of records or make an alteration to an established system of records are required to prepare and submit a report as outlined by paragraphs 9a and 9b of reference (a). A request containing the report and notice shall be prepared for the SJA's (ONI-22) signature 90 days prior to implementation. The PA Manager will be responsible for posting notice of the new or altered system to the Federal Register as required.

10. Action. ONI and subordinate command personnel will carry out the responsibilities assigned by this instruction.

11. Forms. The following forms are available at:
<http://sharepoint.oni.nmic.ic.gov/sites/ONINET/ONI/Pages/Forms.aspx>.

- a. The Privacy Act Data Cover Sheet, DD Form 2923, Mar 2009
- b. Record of Disclosure Form, OPNAV 5211/9 (Mar 92)

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12. Records Management. Records created as a result of this instruction, regardless of media and format, will be managed in accordance with references (h) and (i).



Handwritten signature of Robert Rupp in cursive script.

ROBERT RUPP

Distribution:

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