

NAVAL INVESTIGATIVE SERVICE

Dossier Files and Related Index  
Description

The Naval Investigative Service Headquarters and its various field offices world-wide, maintain personal name files (dossiers) in connection with its assigned responsibility. The Naval Investigative Service field office dossiers are maintained only during the pendency of an investigation incident and for a limited time thereafter. These field dossiers are considered to be "temporary" files. The "permanent" dossiers which contain all substantive investigative and counterintelligence material are maintained at the Naval Investigative Service Headquarters. The Naval Investigative Service field offices retain their "temporary" files only so long as they are required to service field commands in current investigative and counterintelligence matters.

The dossiers maintained by the Naval Investigative Service Headquarters are compilations of investigative and counterintelligence data. For example, a dossier may contain both personnel security investigative reports and criminal investigative reports on the same individual. To efficiently utilize file space, some dossiers are microfilmed and others are periodically retired to a Federal Records Center. The dossiers at the Naval Investigative Service Headquarters are arranged in a numerical "Terminal digit" system without reference to the identity of the individual concerned. Each dossier is indexed at the Defense Central Index of Investigations (DCII), Ft. Holabird, Maryland. The index to the Naval Investigative Service dossiers is not maintained at the Naval Investigative Service Headquarters.

To explain the extent, type, and use of personal data by the Naval Investigative Service the following answers are furnished in seriatim to the indicated questions:

Question 1 - Describe briefly the major categories of data presently maintained and stored under auspices of the Department of Defense and each of the Services and their elements and the approximate number of subject individuals covered in each category.

Answer - Personal Data on individuals which is held by the Naval Investigative Service is contained in personnel security and criminal investigative reports, information reports, and miscellaneous correspondence. The number of subject individuals represented is approximately three million.

Question 2 - Under what statutory and administrative authority was each data bank established and for what purpose? Please supply copies of pertinent federal statutes, regulations and memoranda on which this authority is based and by which it is implemented.

**UNCLASSIFIED**

Attachment (3)

**DECLASSIFIED**  
Authority NAID 13643

Answer - The following documents establish the investigative and counter-intelligence responsibilities of the Naval Investigative Service.

1. Executive Memorandum of 26 June 1939
2. The Delimitation Agreement of 23 February 1949
3. SECNAV Instruction 5430.13B of 12 March 1965
4. SECNAV Instruction 5820.2 of 20 October 1955
5. Executive Order 10450
6. Executive Order 10865

The above cited jurisdictional documents along with other Department of Defense and Navy regulations and directives regarding the personnel security program furnish the authority and indicate the functional requirements for the Naval Investigative Service. To accomplish these responsibilities the investigative dossiers, described supra, are stored and utilized as "permanent files" pursuant to retirement and destruction guidelines set forth in SECNAV Instruction P5212.5B Parts I and II of 21 June 1961 (Reprinted March 1967 incorporating Change 1); Subj: Disposal of Navy and Marine Corps Records.

Question 3 - Do other federal agencies or any state, local or private agencies utilize such programs or data banks? If so, are departmental controls, guidelines, or advice required by or offered to (a) federal, (b) state officials and private individuals who either administer or who utilize this data-gathering or data-storage program: Please supply copies of pertinent rules or advisory documents as issued by federal and state agencies.

Answer - State, local, and private agencies do not utilize the data held by the Naval Investigative Service. Federal investigative agencies may, for official purposes, have access to this data. Reports of Investigation and other appropriate documents furnished by the Naval Investigative Service to authorized recipients are accompanied by instructions concerning use of, or restriction upon, the information contained therein.

Question 4 - For each category and each conglomerate of data, indicate its present state of computerization or other mechanization for access and retrieval as well as for evaluation and analysis.

Answer - All Naval Investigative Service dossiers are maintained in a manner requiring manual insertion and retrieval. However, the dossier index (DCII-operated by the Department of the Army) is to be computerized in the near future. The evaluation and analysis of personal data which is maintained by the Naval Investigative Service is performed by professional analysts. Such evaluation and analysis is not

UNCLASSIFIED

and will not be performed by any mechanized/computerized process despite the forthcoming computerization of the dossier index (DCII). Further details on the state of, and operating procedures for, the DCII should be requested from the Department of the Army:

Question 5 - Describe plans for further computerization or mechanization in each program.

Answer - There are, at present, no plans for computerization or mechanization of the personal data maintained by the Naval Investigative Service.

Question 6 - In what instances would each system be utilized? By what officials and by what agencies?

Answer - Not pertinent.

Question 7 - For each new data storage and processing program, please describe: (a) the advantages; and (b) the extent to which it permits correlating, common storage and multi-faceted analysis of data on a scale not hitherto available.

Answer - Not pertinent.

Question 8 - What specific subject areas concerning an individual's background, personal life, personality and habits are noted in each data bank?

Answer - Pursuant to the functional mission of the Naval Investigative Service, information is collected and maintained which reflects extensive data on the background, personal life, personality and habits of individuals.

Question 9 - Have the Office of the Secretary, the Services, or their component agencies, developed comprehensive guidelines governing maintenance of each data system, access to it, review and disclosure of material in it, and distribution to other agencies? If so, please supply copies.

Answer - The Naval Investigative Service has prescribed uniform policy/procedures for the control and dissemination of information to other agencies and to Navy/USMC commands. Pertinent extracts from the Naval Investigative Service "Manual for Investigations" are attached as Tabs A and B. Examples of the Naval Investigative Service "Document Cover Sheet" (DCS) and "Letter of Transmittal" (LOT) are attached as Tabs C and D. Although Tab A specifically describes the dissemination policy/procedures for "Reports of Investigation", such policy/procedure is applicable to other Naval Investigative Service investigative/counterintelligence information.

UNCLASSIFIED

Question 10A - Is the subject individual or his representative notified of the fact that he is in the data bank?

Answer - An individual is not officially notified of the fact that a dossier is maintained concerning him. However, in certain situations (e.g., submission of forms by the individual in connection with a required background investigation, etc.) it would be a reasonable assumption that a file would exist.

Question 10B - Is he allowed to review the data on record about him to supplement his file; or to explain or rebut inaccurate material? If there are restrictions on such permission, please describe the precise limitations.

Answer - Dossiers and records maintained by the Naval Investigative Service are not releasable to the subject of the file. The individual, at any time, may submit correspondence in rebuttal to information he thinks may be in the file. If necessary, an inquiry would be conducted to resolve any divergent issues/claims.

Question 11 - What aspects of the required personal data about an individual are available to other persons? Who, specifically? For what purpose? By what authority?

Answer - Except for the Federal agencies authorized access to Naval Investigative Service data, no other persons are permitted access to the information in Naval Investigative Service dossiers.

Question 12 - Is a record maintained of each inspection or use of the individual's records (a) by persons within the department, service, or agency in which the individual services, has dealings with; (b) by persons in other agencies; (c) by private persons?

Answer - Records are not maintained on the review of Naval Investigative Service files by other authorized federal agency personnel. However, transmittal of reports to other agencies and Navy/USMC commands is recorded in the dossier of the subject individual. Private persons are not permitted access to Naval Investigative Service dossiers.

Question 13 - For each data bank, please indicate how the information is collected, whether it is solicited from the individual, from third persons, or from existing records.

Answer - Information maintained in Naval Investigative Service dossiers is collected through official investigations, by information reports prepared by Naval Investigative Service agents and analysts, and by reports from various other Federal Investigative and counterintelligence agencies. Unsolicited information received from private persons is routed within the Naval establishment or to other Federal agencies, as appropriate. Such unsolicited information, if deemed of investigative/counterintelligence value is retained.

UNCLASSIFIED

Question 14 - What officials in the Department and services and agencies are responsible for determining the accuracy of information in the data bank? What provisions are made, procedurally, for deleting information found to be inaccurate or inappropriate, either on the initiative of the Department or on motion of the individual?

Answer - The Naval Investigative Service as the Navy organization responsible for counterintelligence collection and operations in the Department of the Navy, does obtain considerable information for inclusion in its files. The responsibility for determining the accuracy of such information rests with professional agents and analysts who collect and report the information. As a repository for all pertinent information concerning an individual, dossiers subsequently determined to contain inaccurate information are not corrected by deletion of information. Clarification is accomplished by additional documentation inserted into the dossier.

Question 15 - What other agencies have access to information or use of information in each data bank? Official? Private?

Answer - Answered supra.

Question 16 - What state and federal agencies may utilize transfers or access to the data in your computerized or mechanized files by coding, interfacing compatibility or other arrangement with their own systems?

Answer - Not pertinent.

Question 17 - What security devices and procedures are utilized to prevent:

- a. Unauthorized access to the data file; and
- b. Improper use of the information?

Answer a - Information maintained by the Naval Investigative Service ranges from unclassified documents to Top Secret documents. The pertinent Department of Defense and Navy directives on handling of classified information have been implemented to prevent unauthorized access to the spaces where the records are maintained.

Answer b - Answered supra.

Question 18 - What formal or informal arrangement does the Department, Service or Agency have with Congressional Committees for the authorizing and review of new data banks and the clearance of new electronic or mechanized record-management techniques?

Answer - Not pertinent.

UNCLASSIFIED

Question 19 - Have any existing data programs which you administer as Secretary of Defense, or the development of other comprehensive records systems been discussed before other Congressional Committees by Departments or service representatives?

Answer - Matters concerning operation and maintenance of the Naval Investigative Service dossier files and related index have not been discussed before any Congressional Committees.

UNCLASSIFIED