



NAVAL INVESTIGATIVE SERVICE

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IN REPLY REFER TO  
NISINST 5212.1  
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NAVINSERV INSTRUCTION 5212.1

From: Director, Naval Investigative Service

Subj: Naval Investigative Service File Retention and Review Procedures  
for Material on non-DoD Affiliated Individuals and Organizations

Ref: (a) SECNAVINST 3820.2A

Encl: (1) NIS Revalidation Cross Reference Sheet

1. Purpose. To establish and implement uniform procedures throughout the Naval Investigative Service for processing, purging and revalidating information acquired pursuant to reference (a) on non-DoD affiliated individuals and organizations.
2. Cancellation. Any previously issued Naval Investigative Service guidance documents in conflict with this directive are superseded and cancelled.
3. Scope. This directive is applicable to all Naval Investigative Service components within the fifty (50) States, the District of Columbia, the Commonwealth of Puerto Rico, and U.S. territories and possessions.
4. Discussion. It has become increasingly apparent that a formal and thorough method is needed to assure that items retained for one year or less under the various retention criteria set forth in reference (a) are reviewed and acted upon at the proper times. Regular formal review in such cases must be followed by either destruction of items or by revalidation for further retention. Certain categories of material also require approval by the Secretary of the Navy for retention beyond one year. Experience over the past months with the Defense Investigative Program also indicates a need to establish uniform procedures throughout the Naval Investigative Service across the entire spectrum of processing, purging and revalidating information acquired on non-DoD affiliated individuals and organizations. This document sets forth such procedures.
5. Action
  - a. Newly Acquired Material. At the time such incoming material is processed for normal action, ~~classification~~ personnel shall review the material in light of reference (a). If the material is to be

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retained, the cover or first page or reverse thereof shall be prominently marked (so as not to obscure the written matter) to indicate the following data:

SECNAVINST 3820.2A - INITIAL REVIEW			
Date Acquired/Reviewed: _____			
Retention Decision	60 <input type="checkbox"/>	90 <input type="checkbox"/>	1 YR <input type="checkbox"/> EXEMPT <input type="checkbox"/>
Date to be DESTROYED/REVIEWED: _____			
Reviewer's Signature _____		Code _____	
----- Annual Review			
Date Reviewed _____	Reviewer's Signature _____		Code _____
Date Reviewed _____	Reviewer's Signature _____		Code _____

The one year block applies to two separate types of material; "threat material" which requires annual verification by SECNAV (para 2.a., enclosure (4) to reference (a)), and "non-threat material", e.g., information on vendors, which does not require annual SECNAV verification (para 2.c., enclosure (4) to reference (a)). In any event all material in both categories must be reviewed annually in order to effect appropriate disposition.

The 90 day block applies basically to "working" material that does not meet the one year (or longer) retention criteria, e.g. an FBI monograph on the New Left.

The 60 day block applies to civil disturbance information.

The exempt block applies to material that is not subject to the provisions of reference (a), e.g. authorized investigations on DoD affiliated individuals, criminal matters, or information concerning foreign intelligence activities.

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(1) Sixty and 90 Day Material. Newly acquired material in these categories shall not be sent to central files. Rather it shall be retained separately in a "tickler" fashion so as to insure monthly review and appropriate disposition as it reaches the end of the 60 or 90 day period. Sixty day (or civil disturbance) material must be destroyed no later than 60 days after the situation for which it was collected terminates (except historical summaries or after action reports which may be retained permanently). It is envisioned that Naval Investigative Service components will retain little or no information in this category. Ninety day material must be destroyed at the end of that period or, if a threat actually develops, filed under the one year threat criteria as appropriate.

(2) One Year Material. Newly acquired one year material shall be marked as described above and filed in central records under the appropriate subject matter. However, to facilitate a tickler system for one year review and revalidation, professional level personnel processing the material shall also complete enclosure (1) and staple it to the document. Naval Investigative Service central files personnel shall establish a separate "tickler" file for all one year retention material. Upon receipt of finish file material, they shall detach enclosure (1), annotate it as to ultimate file location and drop file it in the tickler. At the time of annual review NIS file personnel shall review the one year tickler file and pull the dossier, microfilm, etc., as indicated by the "tickler". The material shall then be provided to the Code that completed the "tickler" for a determination as to whether the file should be retained or destroyed.

b. Naval Investigative Service Investigative Material. Naval Investigative Service investigations, whether on DoD affiliated or non-DoD affiliated individuals and organizations shall also be marked in accordance with paragraph 5.a. above. However, it is not necessary to mark each separate ROI. In the case of Naval Investigative Service Headquarters, the closing review sheet shall be marked as set forth in paragraph 5.a. above. In NIS field components the closing or RUC report shall be so marked. If an investigation is authorized for one year retention only, a revalidation cross reference sheet shall be attached to the outside of the dossier, and the material shall be "tickled" by NIS file personnel.

c. Annual Screening and Revalidation of One Year Material. All retained material previously identified as being in either of the "one year" categories described above, shall be screened annually to determine if it should be retained for another year or destroyed. Such screening shall be accomplished prior to 30 June each year. Determinations shall be made on the basis of total file holdings of an individual or organization. It is not necessary to revalidate each separate report contained in a dossier.

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In the case of a "threat" file, any material of a threat nature added to the file during the 12 months period prior to the revalidation date will normally serve to make the file retainable for the following year. However, such retainability must be re-validated in every instance at the SecNav level, as described below. Material failing to meet the criteria for further retention shall be destroyed. A report listing those files NIS field elements feel should be retained for another year which are subject to revalidation by the SecNav shall be forwarded to NISHQ (attention NIS-27). The reason for continued retention shall also be indicated, i.e., one of the four retention criteria set forth in para 2.a., enclosure (4) to reference (a). Material retained pursuant to para 2.c. of enclosure (4) to reference (a) should not be reported. This report shall be submitted so as to arrive at NISHQ not later than 30 June each year. At Headquarters, NIS-34 shall prepare a similar report covering NISHQ files to reach NIS-27 not later than 30 June each year. NIS-27 shall review all submissions and compile a total list of holdings on non-DoD affiliated organizations and individuals which NIS desires to retain. This list shall be submitted to the Secretary of the Navy during July of each year for verification.

d. Existing File Holdings

(1) Naval Investigative Service Field Elements. In order to become current on this matter NIS field elements, which have not already done so, shall take immediate action to purge or revalidate all one year (or less) material that was acquired prior to 1 July 1972. Material retained shall be marked in accordance with paragraph 5.a. above. One year material that has been acquired and retained subsequent to 1 July 1972 shall likewise be identified and marked.

(2) Naval Investigative Service Headquarters. The sheer volume of NISHQ files precludes any wholesale systematic purging at this time. However, whenever any NISHQ dossier (name or topical) is retrieved for whatever reason, the dossier shall be reviewed for retention purposes in accordance with the provisions of this directive. Before being returned to central files a cover sheet appropriately annotated as described in paragraph 5.a. above shall be placed on top of the documentation inside the dossier.

(a) Where a file contains both "exempt" and "one year" documentation, the "One Year" documents stand by themselves and are to be considered for revalidation/destruction in accordance with paragraph 5.a.(2) above.

(b) When microfilmed documentation is determined not to meet retention criteria, it shall be left on the reel but the index to it at DCII is to be deleted. When microfilm is determined to be further retainable, it shall be validated in accordance with paragraph 5.a. above and the validation sheet shall be added to the microfilm record.

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e. Characterizations. Brief evaluations, or characterizations of non-affiliated individuals and organizations subject to the provisions of reference (a) used in adjudication of personnel and internal security investigations are authorized for retention, but must be reviewed annually for pertinency. Accordingly, NISHQ shall conduct a review of all Headquarters characterizations as they become one year old and shall take action to update or cancel them as appropriate. All other "evaluations" held by NIS components, from whatever source, shall be reviewed and revalidated in accordance with paragraph 5.a. above. In those cases where the "evaluation" is retained for another year, the document shall be annotated to show the date of review and the identity of the reviewer. The back-up material on which the characterization is based may be retained by the originator only.

f. Counterintelligence and Security Production Documents. Counterintelligence and security production efforts (e.g., monographs, studies, analyses, briefs, etc.), whether produced by NIS, or another government agency, are subject to the provisions of this Directive.

g. Cross-Referencing on non-DoD Affiliated Individuals & Organizations. Retention is authorized of information collected on non-DoD affiliated individuals and organizations incident to the investigation of, or collection against, an affiliated member. Such information, however, shall not be cross referenced to the Central Files or the DCII unless the information on the non-DoD affiliated person or organization meets the DIRC criteria for retention. Further, utmost discretion should be utilized in this area in order to avoid any inference that the spirit and intent of the DIRC directives are being circumvented. When feasible, only that portion of a report on a non-affiliated person which is directly pertinent to an affiliated individual should be retained.

h. Geographical Considerations. Information retained by an NIS field element on non-DoD affiliated individuals and organizations should generally be limited to such individuals and organizations that are active in the field element's geographical area of responsibility.

6. Forms. Enclosure (1), NIS Form 3850/2 (revised 10/72), is stocked by NISHQ (Code 33), and supplies are available upon request. An initial supply is being promulgated with this Directive.

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NIS REVALIDATION CROSS REFERENCE SHEET

SUBJ:	
ONE YEAR RETENTION	ONE YEAR RETENTION
REVALIDATE OR DESTROY PRIOR TO 30 JUNE 19__	

RETENTION CRITERIA  
(Circle One)

A. THREAT MATERIAL:

1. Demonstrated Hostility - Activities in which an actual example of violent or criminal hostility has been carried out within the previous year.
2. Threatened Hostility - Activities which during the pervious year have explicitly threatened DoD functions.
3. Potential Hostility - Activities whose continuing nature in the vicinity of DoD installations provides a significant potential source of harm to or disruption of the installation or its functions.
4. Dissidence - Activities which during the previous year have counseled or published information actively encouraging violation of law, disobedience of lawful order or regulations or disruption of military activities.

B. NON-THREAT MATERIAL:

1. Service to DoD - Activities routinely servicing DoD installations.
2. One-time Requests - Activities involving a one-time request for admittance to installations (speakers, bands, drill teams, etc.)
3. Representation of DoD - Activities involving a request that DoD personnel attend or officiate at meetings, ceremonies, etc. as representatives of DoD.
4. Applicants - Results of investigation of applicants for affiliation with DoD as ~~employees~~ contractors or civilian employees, whose status of affiliation is not known at the time of completion of the investigation.

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