

UNITED STATES MARINE CORPS  
Marine Corps Air Bases Western Area  
El Toro (Santa Ana). California 92709-5001

ABO 5570.2B  
AS1/100  
26 Aug 91

AIR BASES ORDER 5570.2B

From: Commander  
To: Distribution List

Subj: PRIVACY SAFEGUARDS OF INFORMATION CONTAINED IN COMPUTER  
SYSTEMS

Ref: (a) SECNAVINST 5211.5C (NOTAL)  
(b) SECNAVINST 5720.42D (NOTAL)  
(c) MCO P5211.2A  
(d) MCO 5720.56A  
(e) ABO 5211.1C  
(f) ABO 5230.1D  
(g) WgO 5211.2C  
(h) WgO 5720.2D

1. Purpose. To promulgate policies and procedures governing the collection, safeguarding, maintenance, public notice, use, access, amendment and dissemination of personal and general military information maintained in a system of records contained in computer systems used by the Marine Corps Air Bases Western Area (MCABWA) activities, 3d Marine Aircraft Wing (MAW) and other tenant units.

2. Cancellation. ABO 5570.2A.

3. Background

a. The Privacy Act (PA) as set forth by reference (a) became effective on 27 September 1975. The Act is applicable to all systems of records from which information may be retrieved by the name of the individual, by identifying number, symbol or other identifying particular assigned to or associated with an individual. The Act is based on four principles:

- (1) No secret government files or systems of records.
- (2) No secret use of government files or systems of records.
- (3) Limitations on the collection of personal information.
- (4) Safeguarding the security and the accuracy of government files or systems of records.

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b. The Freedom of Information Act (FOIA), as amended, provides public access to government records. Passed by the Congress in 1966 and placed in effect in 1967, the Act proved to be difficult to administer. On 19 February 1975 the Congress passed major amendments to the Act. With the passage of these amendments, federal agencies were able to establish procedures and dedicate personnel to administer the Act. Additional amendments to the Act were passed in 1976 and 1978. Per the Act, it is the Department of the Navy's (DON) policy to make available to "any person", U.S. and foreign citizens alike, the maximum information concerning its operations, activities and administration.

4. Conditions of Disclosure/Nondisclosure. In order to protect the privacy of an individual, the references prohibit the disclosure of information by an agency to any person, or to another agency, except pursuant to a written request by, or with the prior written consent of, the individual to whom the record pertains, unless disclosure would fall within 12 specific categories of disclosure. FOIA requests also must be in writing, contain a reasonable description of the record(s) being sought, and contain some statement as to the requestors willingness to pay all fees or those up to a specified amount. To be considered, a record must exist and be in the possession and control of the Commander, MCABWA at the time of the request. There is no requirement to create or compile a record not already in existence. Records may be released without the consent of the individual as follows:

a. Intra-agency to those officers and employees of the agency, "who have a need for the record in performance of their duties."

b. When required by FOIA which permits withholding of records only if they fall within nine specific exemptions:

(1) Classified information.

(2) Information relating solely to internal agency personnel rules or practices.

(3) Information specifically exempted by statute.

(4) Trade secrets and commercial or financial information obtained from an individual, privileged and confidential.

(5) Information that would not be available by law except to a party in litigation with the agency.

(6) "Personnel and medical and similar files." The release of which would cause a "clearly unwarranted invasion of personal privacy." "Balancing test" used, i.e., individual's expectation of privacy weighed against public good to be served in the release.

(7) Law enforcement information.

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(8) Documents related to financial institution regulation.

(9) Geological and geophysical information and data.

c. "For routine use," which is a release as follows:

(1) Outside the agency.

(2) For a purpose which is "compatible" with the purpose for which the record was collected.

(3) Listed in the system notice for the system of records published in the Federal Register.

d. The bureau of census for the purposes of planning or carrying out census surveys or related activities.

e. A recipient for use in statistical research.

f. The National Archives of the United States.

g. An agency within or under control of the U.S. for a civil or criminal law enforcement activity, if authorized by law, but the request:

(1) Must be in writing.

(2) Specify the portion or portions of the record required, and the civil or criminal law enforcement purpose for which the record is sought.

(3) The civil law enforcement is legal "civil", not the military jargon for "non-military."

(4) This does not provide for agency initiated releases to law enforcement activities. In the Department of Defense (DoD) our releases are covered for law enforcement purposes with a "blanket routine use."

(5) Foreign law enforcement release requires a routine use.

h. A person showing compelling circumstances effecting the health and safety of "an individual."

i. Congress or Congressional Committees.

j. The Comptroller General for use by Government Accounting Office (GAO) is performing its duties.

k. Pursuant to an order of a court of competent jurisdiction.

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1. A "consumer reporting agency" per the amendments to the Federal Claims Collection Act of 1966.

## 5. Information

a. The Regional Automated Services Center (RASC) El Toro and Automated Services Center (ASC) 47 Yuma serve solely as the custodians of data (systems of records) and as such have no approval or denial authority with reference to requests for information maintained within the computer systems. Complete guidance of how to administer the PA and the FOIA can be found in references (a) through (h).

b. Denial authority for PA and FOIA requests lies with the Commander, MCABWA/Commanding General, Marine Corps Air Station (MCAS) El Toro, or the Commanding Officer, MCASs Yuma, Tustin, or Camp Pendleton or the appointed representative with "By direction" authority.

c. Approval/access authority to any system of records contained in computer systems and maintained by the RASC or ASC-47 is the responsibility of the following designated officers:

<u>System of Record</u>	<u>Responsible Officer</u> <u>MCABWA/MCASs</u>	<u>3d MAW</u>
Automated Leave and Payroll System (ALPS)	AC/S, Compt/Station Comptroller	AC/S, Compt
Naval Flight Recording Subsystem (NAVFLIRS)	N/A	AC/S, G-3
Joint Uniform Military Pay System (JUMPS)	AC/S, Compt/Station Comptroller	AC/S, Compt
Maintenance and Material Management (3M)	N/A	AC/S, ALD
Marine Air Control Financial Accounting and Reporting System (MAGFARS)	N/A	AC/S, Compt
Manpower Management System (MMS)	AC/S, G-1	AC/S, G-1
Provost Marshal Office System (PMO)	Provost Marshal	N/A
Primary Management Effort (PRIME)	AC/S, Compt/Station Comptroller	AC/S, Compt
Standard Accounting Budgeting and Reporting System (SABRS)	AC/S, Compt/Station Comptroller	AC/S, Compt

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Table of Manpower Requirements (TMR)	AC/S, G-1	AC/S, G-1
Uniform Automated Data Processing System for Stock Points (UADPS-SP)	Staff Supply Officer, MCABWA	N/A
Table of Organization (T/O)	AC/S, G-1/Station S-1	AC/S, G-1
MC Supply - Minor Property (MPROP)	Staff Supply Officer, MCABWA	N/A
Naval Civilian Personnel Data System (NCPDS)	Civilian Personnel Director	N/A
All Freedom of Information Act (FOIA) Requests	Staff Judge Advocate	3d MAW Adjutant
Others	As may be designated by the activity commander	As may be designated by the Commanding General

d. Requests for information requiring approval under the guidance of references (a) through (h) will not be processed and completed unless a favorable endorsement from the responsible officer designated in paragraph 3c above is attached to the request.

#### 6. Action

a. Existing and recurring retrievals which have had prior approval will remain in effect and continue to be provided by RASC and ASC-47 to the requestor, as applicable.

b. Requests for retrievals from Marine Corps activities for personal information from an individual's computer record must be signed by the commanding officer or representative, prior to the responsible officer review. If the requestor is not a member of the individual's command, the request with its justification must be favorably endorsed by the requestor's commanding officer or representative and forwarded to Commander, MCABWA (AB) or Commanding General, 3d MAW (Attn: AC/S, G-1), as appropriate.

c. Written requests from the public for permission to examine or be provided copies of DON records (other than personnel) are considered governed by the FOIA, should be handled per references (b), (d), (f) and (h), and referred as specified in paragraph 4c above.

d. Requests for routine use must be approved in writing by the responsible officer for the system of records.

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e. Data Processing Officer ensure that RASC/ASC-47 will:

(1) Prior to disseminating any record contained in computer systems regarding an individual to any authorized person, make reasonable effort to assure that such records are accurate, complete, timely and relevant for command purposes.

(2) Maintain no system of records which has not been published in the Federal Register. The Federal Register is used to publicize systems of records and record systems notices.

(3) Establish rules of conduct for persons involved in the design, development, operation or maintenance of any system records, or in maintaining any record and instruct each such person with respect to such rules and the requirements of this publication.

(4) Establish appropriate administrative, technical and physical safeguards to ensure the security and confidentiality of records and to protect against any anticipated threats or hazards to their security or integrity which could result in substantial harm, embarrassment, inconvenience or unfairness to any individual on whom information is maintained.

(5) Provide information to responsible officers, as may be requested in writing. The computer generated information will be labeled "FOR OFFICIAL USE ONLY."

7. Concurrence. The Commanding General, 3d Marine Aircraft Wing and Commanding Officers, Marine Aircraft Group 46 and Combat Service Support Detachment 14 concur in the provisions of this Order.

  
L. J. FERRACANE, JR.  
Chief of Staff  
Acting

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3d MAW: LIST 1, 2, 3



UNITED STATES MARINE CORPS

MARINE CORPS AIR BASES WESTERN AREA EL TORO  
PO BOX 99001  
SANTA ANA CA 92709-9901

ABO 5570.2B Ch 1  
AS1/110  
28 Sep 93

AIR BASES ORDER 5570.2B Ch 1

From: Commander  
To: Distribution List

Subj: PRIVACY SAFEGUARDS OF INFORMATION CONTAINED IN COMPUTER SYSTEMS

1. Purpose. To direct pen changes to the basic Order.

2. Action

a. On pages 4 and 5, paragraph 5c, delete the following:

Marine Air Control Financial Accounting and Reporting System (MACFARS)	N/A	AC/S, Compt
Manpower Management System (MMS)	AC/S, G-1	AC/S, G-1
Provost Marshal Office System (PMO)	Provost Marshal	N/A
Primary Management Effort (PRIME)	AC/S, Compt/Station Comptroller	AC/S, Compt
Table of Organization (T/O)	AC/S, G-1/Station S-1	AC/S, G-1
MC Supply - Minor Property (MPROP)	Staff Supply Officer, MCABWA	N/A

b. In the "DISTRIBUTION:" and "Copy to:" section of the basic Order change to read the same as the corresponding sections of this Change.

3. Filing Instructions. File this Change transmittal immediately behind the signature page of the basic Order.

*J. W. Robben*  
J. W. ROBBEN  
Chief of Staff

DISTRIBUTION: MCABWA: D

Copy to: 3d MAW: LIST 1, 2, 3  
2AA (15), 3AA (15), 4AA (15)



**UNITED STATES MARINE CORPS**

MARINE CORPS AIR BASES WESTERN AREA EL TORO  
PO BOX 55001  
SANTA ANA CA 92709-5001

ABO 5570.2B CH 2  
1NE  
4 NOV 96

AIR BASES ORDER 5570.2B CH 2

From: Commander  
To: Distribution List

Subj: PRIVACY SAFEGUARDS OF INFORMATION CONTAINED IN COMPUTER SYSTEMS

1. Purpose. To direct pen changes to the basic Order.
2. Action
  - a. On page 1, upper right hand corner, change the office code to read "1NE".
  - b. On page 1, reference section, change references (a), (b) and (f) to read "5211.5D", "5720.42E" and "5230.1G" respectively.
  - c. Throughout the Order, change "Regional Automated Services Center" and "RASC" to read "Computer and Networking Systems Division" and "CNSD" respectively.
  - d. On page 2, renumber paragraphs 4a - 4l to read 4b - 4m. Add new paragraph 4a, "All questions regarding release of information of any type should be addressed to the Civil Law section of the tenant Staff Judge Advocate if release is not directly covered in this order." Renumber remaining paragraphs
  - e. In the "DISTRIBUTION:" and "Copy to:" sections of the basic Order change to read the same as the corresponding sections of this Change.
3. Filing Instructions. File this Change transmittal immediately behind the signature page of the basic Order.

  
S. F. MUGG  
Chief of Staff

DISTRIBUTION: MCABWA: D plus 2AA (15), 3AA (15), 4AA (15), 1XA  
1YA

Copy to: 3d MAW: LIST 1, 2