



Section E. Privacy and Freedom of Information Acts, Personally Identifiable Information, Auxiliary Correspondence, and Network Security

Introduction

Records maintained by the Coast Guard and by the Coast Guard Auxiliary may be subject to the provisions of the Freedom of Information Act and the Privacy Act of 1974.

The treatment and handling of Auxiliary Personally Identifiable Information (PII) and Auxiliary correspondence shall be in accordance with these provisions and pertinent Coast Guard directives. Personally Identifiable Information is defined as data that can be used to distinguish or trace a person's identity, or any other personal information that can be linked to a specific individual. Examples of PII include: name, date of birth, home mailing address, telephone number, social security number, mother's maiden name, home e-mail address, ZIP code, account numbers, certificate/license numbers, vehicle identifiers (including license plates), Uniform Resource Locators (URL), internet protocol addresses, biometric identifiers (e.g., fingerprints), photographic facial images, any unique identifying number or characteristic, and other information where it is reasonably foreseeable that the information will be linked with other personal identifiers of the individual.

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Auxiliary correspondence encompasses all forms of written communication generated by or bound for Auxiliarists in connection with their authorized activities. It includes letters, memos, forms, manuals, publications, ID cards, associated electronic transmissions, and e-mail. All such correspondence serves as a critical resource for the development, training, and operation of the Auxiliary in support of the Coast Guard.

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Coast Guard computer networks are part of the Department of Defense (DoD) Global Information Grid (GIG). The ever-evolving threat environment requires sustained high standards for the Coast Guard's cyber security posture. Accordingly, essential tasks and training as defined by the Assistant Commandant for Command, Control, Communications, Computers, and Information Technology (CG-6) must be performed by all Auxiliarists who are authorized access to Coast Guard information systems.



E.1. Privacy Act of 1974 and the Freedom of Information Act

The Privacy Act of 1974 was created in response to concerns about collection, use, and accuracy of sensitive/personal data pertaining to individuals, such as PII. With certain exceptions, it prohibits disclosure of personal information about an individual, like PII, from Coast Guard or Auxiliary records. Requests for this kind of information from other than the Coast Guard or Auxiliary shall immediately be referred to the Director without taking any action upon the request. Violation of this requirement may result in administrative action as well as civilian criminal action including a fine of up to \$5,000.

Initiatives by the Auxiliary to collect and store information as well as respond to requests for information shall be referred to the appropriate Director to ensure compliance with the Coast Guard Freedom of Information Act (FOIA) and Privacy Act Manual, COMDTINST M5260.3 (series). Directors should seek assistance in these matters, as needed, from their District legal staff.

E.2. Treatment and Handling of Auxiliary Correspondence and PII

Virtually all Auxiliary correspondence is unclassified in terms of its relationship to national security. If Auxiliary correspondence ever needs to be classified, it shall be treated and handled in accordance with pertinent Coast Guard directives including the Coast Guard Classified Information Management Program Manual, COMDTINST M5510.23 (series).

Auxiliary correspondence, as an official form of correspondence that often contains elements of PII, must be treated and handled with due attention that time, resources, and nature of the information allow. It, and any associated PII, must also be used solely for the purpose for which it was generated. Auxiliary correspondence and PII are expected to be protected from unauthorized or improper disclosure, alteration, loss, or destruction because of possible damage to personnel or property. Improper treatment and handling of Auxiliary correspondence and PII include but are not limited to posting of incorrect addresses, use of incorrect mailing labels, forwarding such to individuals who do not have a need to know the information, and inappropriately posting such to the internet (e.g., Fred's Place, Military.com, blogs). Auxiliarists should expect to be held accountable for deviation from these provisions within the allowances of Chapter 3 of this Manual.



E.2.a. General Principles

The following principles apply to all Auxiliarists and form the basis for their expected treatment and handling of Auxiliary correspondence and PII as they relate to the performance of their authorized Auxiliary activities and the image of the Coast Guard:

- (1) Auxiliarists shall ensure their Auxiliary correspondence supports Coast Guard and Coast Guard Auxiliary mission objectives.
 - (2) Proper treatment and handling of Auxiliary correspondence is the responsibility of the individual(s) who has access to the information at any and every point along its path of process and retention.
 - (3) Auxiliary correspondence other than electronic correspondence (e.g., letters, memos, forms) shall normally be transmitted by the United States Postal Service even though it may contain PII (e.g., Auxiliary enrollment forms shall be transmitted by conventional postal systems). Certified, registered, and express mail systems may be used only as circumstances may warrant for the transmission of Auxiliary correspondence other than electronic correspondence (e.g., if time is of the essence for the transmission of such correspondence). If an Auxiliarist or Auxiliary unit desires additional protection and accountability that may be afforded by using other than the United States Postal Service (e.g., commercial express carriers like FedEx, UPS), registered/certified mail), then the time and cost associated with the use of those systems shall be the responsibility of the Auxiliarist or the Auxiliary unit.
 - (4) Auxiliary correspondence transmitted through the conventional federal postal system shall be treated and handled in accordance with guidelines contained in the Coast Guard Postal Manual, COMDTINST M5110.1 (series). Notably, the following provisions are strongly encouraged:
 - (a) Ensure the envelope/packing material is adequate for the volume/weight of the item being mailed.
 - (b) Reinforce seams of envelopes with clear packing tape.
 - (c) Reinforce packages with additional packing material to avoid the contents from shifting within the container, and use additional packing tape.
 - (d) Ensure the to/from addresses are clear and can be properly read from a distance of 30 inches.
 - (e) When possible, place the to/from addresses directly on the mail piece. If using a mailing label, place an identical mailing label inside the item being mailed. Since the original label may become detached, this reduces the likelihood of lost mail and receipt by the appropriate addressees.
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- (f) Track any shipment using express mail services in a timely manner.
 - (g) When making a shipment containing PII using a commercial express carrier (e.g., FedEx, UPS), follow procedures outlined in the Coast Guard Express and Ground Services for Non-Freight Shipments Instruction, COMDTINST M5110.9 (series).
- (5) Auxiliarists who desire to use, send, or transmit Auxiliary correspondence to any individual, organization, or venue other than for the purpose or for whom it was originally generated shall first seek approval to do so from the originator. For example, a DCO who receives an e-mail transmission of an ALAUX message issued by the Chief Director may relay it directly to all Auxiliarists within the region because that falls within the purpose of the e-mail. However, a DCO may not post an e-mail from the District Commander regarding attendance at an upcoming conference to all Auxiliarists within the region because that does not fall within the purpose of the e-mail.
- (6) Auxiliarists shall respect and adhere to any specified disclosure or handling instructions in Auxiliary correspondence. For example, if an e-mail has, "Do not forward." at its opening or closing, then it shall not be forwarded. This does not preclude an Auxiliarist from checking with the originator if further distribution is deemed necessary or appropriate. Nor does it excuse an Auxiliarist from exercising reasonable and appropriate judgment in the treatment and handling of Auxiliary correspondence, particularly e-mail, in the absence of specific disclosure or handling instructions. Additional examples of typical disclosure and handling instructions follow:
- (a) "For Your Information (FYI) only; do not distribute unless otherwise specified."
 - (b) "This is for Auxiliary use only; it is not for public viewing or distribution without consent of the originator."
 - (c) "This communication and its attachments are restricted to the Coast Guard, the Coast Guard Auxiliary program, and the addressed recipients. If you have therefore received this e-mail in error, please advise the sender immediately and delete the entire message together with its attachments. All recipients are hereby notified that any use, distribution, copying, or other action regarding this e-mail is strictly prohibited unless permission is received from the originator."
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- (7) Posting of Auxiliary correspondence to the internet or other public forums shall always be considered as unauthorized unless the originator grants advance approval to do so.
 - (8) Auxiliary correspondence associated with the formulation of policies and procedures, operational and administrative plans and activities, budgets, and resource management shall be treated and handled as pre-decisional information. It should therefore be constrained to the awareness of those individuals who have a bonafide need to know in order to complete such formulation. Under no circumstance shall such Auxiliary correspondence be disclosed to any element external to the Coast Guard or Coast Guard Auxiliary without the express authorization of the appropriate policy, planning, budget, and/or resource management approval authority.
 - (9) Auxiliarists' addresses, electronic or otherwise, as used in Auxiliary correspondence shall be treated and handled as official information. Auxiliarists should not use such address information for the purpose of transmitting personal or unofficial correspondence without the Auxiliarist's permission. For example, an Auxiliarist's e-mail address that is derived from Auxiliary correspondence should not then be used by another Auxiliarist for the purpose of sending a joke, political satire, advertisement, or any other material that has no relevant relationship to official Auxiliary business without first obtaining the approval of the Auxiliarist for whom it is destined.
 - (10) Auxiliarists shall immediately report to their chain of leadership and the Director any privacy incident involving the suspected or confirmed loss of control, breach, compromise, unauthorized or unintended disclosure/acquisition/access, or any similar term referring to situations in which unauthorized users have access or potential access to PII in usable form, either physical or electronic, including within Auxiliary correspondence. In these circumstances, the Director shall facilitate their collective implementation of the provisions of the Coast Guard Privacy Incident Response, Notification, and Reporting Procedures for PII Instruction, COMDTINST 5260.5 (series).

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E.3. Mailing Lists

As a policy matter, rosters of Auxiliarist names, home addresses, home telephone numbers, and any other PII associated with mailing lists shall not be made available to any external person or organization, nor used for any non-Auxiliary purpose. Privacy of all rosters shall be maintained. The Auxiliary shall maintain its voluntary non-commercial position. Privacy of mailing lists prevents membership from being divulged with advertising literature. Coast Guard Auxiliary Association, Inc. (CGAuxA, Inc.) shall also ensure that its actions and policies make all due provision for the protection of its members' privacy, particularly with respect to membership rosters.



E.4. Telephone Directories

Information included in Auxiliary telephone directories published by the Director or other Coast Guard components are covered by the Privacy Act of 1974. Accordingly, the following statement must appear in the directory's letter of promulgation or some other prominent place:

"CONFIDENTIALITY NOTICE - PRIVACY ACT OF 1974: The disclosure of this material is subject to the provisions contained in the Privacy Act of 1974. This Act, with certain exceptions, prohibits the disclosure, distribution, dissemination, or copying of any material containing such information as the home address, home telephone number, spouse's names, and social security numbers except for official business. Violations may result in disciplinary action by the Coast Guard and/or civilian criminal sanctions."

E.5. Auxiliary Database (AUXDATA)

AUXDATA is a Privacy Act System of Records maintained by the U.S. Coast Guard. Disclosures of any information contained in this database shall not be made outside the Coast Guard or Coast Guard Auxiliary except as permitted under provisions above. Intra-Coast Guard or intra-Auxiliary disclosures of information retrieved from AUXDATA shall be marked with the following statement:

"The information contained in this document is subject to the provisions of the Privacy Act of 1974, and may only be used for the official business of the Coast Guard or the Coast Guard Auxiliary."

E.6. Authorized Disclosure

Auxiliarists may authorize (verbal authorization is acceptable) disclosure of certain PII about themselves for dissemination to the public. Most noteworthy and likely examples include PA, PE, and VE Auxiliarists. Such permission shall be clearly obtained well in advance of disclosure, particularly when disclosure includes the posting of PII on an Auxiliary web site, pamphlet, form, or advertisement.

In addition to the general seeking and authorization of disclosure between Auxiliarists in support of the performance of their authorized activities, elected officers shall advise the leader in the next higher level of their chain of their authorization to disclose such information for dissemination to the public by the day they assume office. Appointed officers shall similarly advise the leader in the next higher level of their program as well as the elected leader at their organizational level (e.g., SO-PE shall advise the DCDR and the DSO-PE). Appointed officers at national level need only advise the leader in the next higher level of their program (e.g., DVC shall advise the DIR).



E.7. Network Security

Network security is the responsibility of all Auxiliary users who are authorized access to Coast Guard information systems that are part of the DoD GIG. This does not include open web-based usage of Coast Guard applications that are available to the general public (e.g., AUXINFO). It is incumbent upon all such users to maintain that security and practice good Operational Security (OPSEC). In cyberspace, a tactical failure can have strategic consequences. Coast Guard policies established to ensure the safe and proper use and handling of Coast Guard information systems, including those pertaining to removable media, must be followed. It is therefore imperative that all users maintain a high level of situational awareness and network security practices to ensure the security of Coast Guard networks and prevent disclosure of operational information.

Coast Guard commands that authorized Auxiliarists' access to Coast Guard information systems are responsible for ensuring such Auxiliarists are properly trained and aware of network security accountability policies and expectations. This includes proper completion and submission of the Automated Information System (AIS) User Acknowledgement Form (CG-5500 series). Correspondingly, Auxiliarists shall abide by these associated principles:

- a. Failure to complete this form whenever so required to do so may result in suspension and/or termination of access to Coast Guard information systems.
- b. Continued or willful failure to complete the form, or violation of the terms of use contained in the form, may result in administrative disciplinary action and/or termination of access to Coast Guard information systems.

E.8. Record Disposition

The Information and Life Cycle Management Manual, COMDTINST M5212.12 (series) provides policies and procedures for administering the Coast Guard records, forms, and reports program as they relate to the life cycle management of both paper and electronic documents/data. It serves as the principal reference for Auxiliary program record handling, including the provision of descriptions of Auxiliary records (e.g., copies of meeting minutes, personnel service files, training records, unit rosters), corresponding retention schedules, and their associated disposition instructions.
