

Table of Contents

Instructions

1. **Command Requirements**
2. **BUPERS Office of Legal Counsel (BUPERS-00J)**
3. **PERS-832 Requirements**
4. **Personally Identifiable Information (PII)**
5. **DON Guidance for Marking Documents Containing PII**
6. **Attachments**
7. **Emails**
8. **Approvals**
9. **Rejects Reasons**
10. **Submission Policy**
11. **Member's Statement**
12. **Email Retention**
13. **DOD Safe**

NJP Submission Documents

Civil Action Submission Documents

Courts-Martial Submission Documents

Matter of Interest Filing (MIF)

Misconduct Reporting (NJP/Civil Actions/Court-Martial) Submission Instructions

References:

[Privacy Act of 1974 \(5 U.S.C. § 552a\)](#), Records maintained on individuals
[DoDI 5200.48](#), Controlled Unclassified Information (CUI)
[DoD 5400.11-R](#), Department of Defense Privacy Program
[SECNAV M-5210.1](#), DON Records Management Program – Records Management Manual
[SECNAV M-5216.5](#), DON Correspondence Manual
[JAGINST 5800.7G](#), Manual of the Judge Advocate General (JAGMAN)
[BUPERINST 1070.27C](#), Document Submission Guidelines for the Electronic Military Personnel Records System (EMPRS)). This is the primary guideline for document submission.
[MILPERSMAN 1070-111](#), Submission of Navy Standard Integrated Personnel System (NSIPS) and Electronic Service Record (ESR) Documents to the Official Military Personnel File (OMPF)
[MILPERSMAN 1070-190](#), Signatures in Service Record
[MILPERSMAN 1070-310](#), NAVPERS 1070/607 Court Memorandum
[MILPERSMAN 1070-320](#), NAVPERS 1070/613, Administrative Remarks
[MILPERSMAN 1600-040](#), Procedures for Commands to Which Enlisted Absentees Are Attached
[MILPERSMAN 1600-050](#), Procedures When an Enlisted Absentee Returns to Naval Jurisdiction
[MILPERSMAN 1600-100](#), Lost Time
[MILPERSMAN 1611-010](#), Officer Performance and Separations for Cause
[MILPERSMAN 1626-020](#), Enlisted Service Record Entries After Nonjudicial Punishment (NJP)
[MILPERSMAN 1616-040](#), Enlisted Performance (E-6/7/8/9)
[MILPERSMAN 1616-050](#), Enlisted Performance (E-5 and Below)
[MILPERSMAN 1910-202](#), Counseling and Rehabilitation
[MILPERSMAN 5812-010](#), Setting Aside Nonjudicial Punishments (NJP)
[DJMS-PTG](#), Navy Defense Joint Military Pay System (DJMS) Procedure Training Guide
The Documents own governing instruction (if applicable) (example: the governing instruction for the NAVPERS 1070/613 is MILPERSMAN 1070-320).

1. Command Requirements

1.1 Per MILPERSMAN [1616-050](#), commanding officers (CO) must report all final adverse actions on all enlisted (E-5 and below) to Navy Personnel Command (NAVPERSCOM) Records Management Policy Branch (PERS-313).

1.2 For Nonjudicial Punishments (NJP), the authority imposing the punishment must forward the Report of NJP as soon as the results are final:

- Service member declines to appeal;
- Does not appeal within the required time (appeals must be submitted in writing within five calendar days of the NJP);
- After the appeal has been adjudicated.

1.3 Servicing PSD's or Command Personnel/Legal Offices may email these reports to PERS-313 using this instruction. Emailing the reports is the preferred method over mailing as it provides a means of communication back to the commands regarding submission errors per BUPERINST 1070.27C and MILPERSMAN 1616-050.

1.4 Commands must ensure that the requirements in this instruction are met.

2. BUPERS Office of Legal Counsel (BUPERS-00J)

Misconduct Reporting (NJP/Civil Actions/Court-Martial) Submission Instructions

2.1 Per MILPERSMAN 5812-010, Setting Aside Nonjudicial Punishments (NJP), BUPERS-00J is the Office of Primary Responsibility (OPR) for issues regarding NJP Set Asides.

2.2 For BUPERS-00J contact information, you must contact the MyNavy Career Center (MNCC) at: <https://www.mynavyhr.navy.mil/Support-Services/MyNavy-Career-Center/>

2.3 Do Not Submit NJP Set Asides issues to PERS-313.

3. PERS-832 Requirements

3.1 All E-6 through E-9 must be submitted to PERS-832, see their webpage or MILPERSMAN for details at:

<https://www.mynavyhr.navy.mil/Career-Management/Personnel-Conduct-Sep/Enlisted-Separations/>

- MILPERSMAN [1616-040](#), Enlisted Performance (E-6/7/8/9)
- DO NOT submit E-6 and above to the PERS-313 mailbox.

4. Personally Identifiable Information (PII):

Information that can be used to distinguish or trace an individual's identity, either alone or when combined with other information that is linked or linkable to a specific individual.

The DON recognizes two categories of PII, Non-Sensitive and Sensitive PII

4.1 Non-Sensitive PII:

Often referred to as "rolodex", or "Internal Government Operations-related PII", non-sensitive PII has a low risk of identity theft or fraud, and if lost, compromised, or disclosed without authorization **would not result in substantial harm**, embarrassment, inconvenience, or unfairness to an individual. The below is a sample of commonly released non-sensitive PII.

- Name and other names used (in a non-sensitive context);
- DOD ID;
- DOD Benefits number;
- Pay Grade or Rank;
- Office phone number;
- Office address;
- Office email address.

(Note: Although non-sensitive PII would not normally cause a PII Breach, the release of this PII can become a breach, depending upon the circumstances and context of the release, i.e., a Name, office phone number, **along with information about a Medical Condition, or a list of employees with poor performance ratings.**)

4.2 Sensitive PII:

PII is considered sensitive if, when lost, compromised, or disclosed without authorization, **could result in substantial harm**. This includes but is not limited to invasion of personal privacy, identity theft, embarrassment, and disclosure of private facts, mental pain and emotional distress, disclosure of address information for victims of abuse, unfairness to an individual or unwarranted exposure leading to humiliation or loss of self-esteem. **Sensitive PII requires stricter handling** because of the increased risk to an individual if the data is compromised. Although not all-inclusive, the unauthorized disclosure of any of the below data elements is considered a PII Breach.

- Name (**when combined with** other pieces of sensitive PII);

Misconduct Reporting (NJP/Civil Actions/Court-Martial) Submission Instructions

- Social Security Number, full or truncated;
- Birth date, place of birth;
- Home and personal cell telephone numbers;
- Personal email address, mailing and home address;
- Mother's middle and maiden names;
- Spouse information, marital status, child information, emergency contact information.

Documents/Material being filed to a member's official record shall not contain any victim's name (partial or full name) and shall be redacted regardless of the content.

4.3 PII Breach:

Is the loss of control, compromise, unauthorized disclosure, unauthorized acquisition, unauthorized access, or any similar term referring to situations where persons other than authorized users, and for an other than authorized purpose have access or potential access to PII.

5. DON Guidance for Marking Documents Containing PII

5.1 Per DoDI 5200.48 and the Navy CIO, all documents (letters, memos) containing PII shall contain appropriate CUI markings. This CUI statement replaces the FOUO statement which will no longer be used.

5.2 The following link CUI Marking Requirements for Documents Containing PII provides instructions on how to mark and also gives an example of how the document should look like:

<https://www.doncio.navy.mil/ContentView.aspx?id=14154>

- The CUI block is placed on the **first page** of each document that contains PII.

5.3 The following link contains a listing of the latest policy, guidance and resources related to the safeguarding of PII:

<https://www.doncio.navy.mil/ContentView.aspx?ID=1978>

5.4 Documents prepared and issued by a command that contains PII and does not contain the required CUI markings **will not be filed to the OMPF**.

6. Attachments:

1. When submitting reports, you must use the [PERS-832 Reporting Templates](#) found on their webpage listed above (3.1).
 - Do Not Submit multiple reports (NAVPERS 1626/7) as one (1) file, each 1626/7 requires a separate report.
2. All documents are required to be submitted as one PDF file (Note: E-Submission application will not accept a PDF Portfolio) (see Scanning below)
3. Vacation of Suspended Punishment:
 - Vacation of a suspended punishment is a separate process and will require a separate report along with NAVPERS 1070/607 or NAVPERS 1626/7 (reported separately in a separate email),
 - MILPERSMAN 1626-020 refers.
4. Use Adobe Pro software to:
 - Merge required documents into as few PDFs as possible to commensurate for available bandwidth and to correct page orientations.

Misconduct Reporting (NJP/Civil Actions/Court-Martial) Submission Instructions

- Assemble or move documents/forms based on the order as listed in the Tables below.
 - The command letter addressed to PERS-313 shall be the first page;
 - Remove blank pages;
 - Remove documents/forms missing required signatures;
 - Continuation Pages goes at the end of a Document/Form (not in the middle), e.g. a continuation page for NAVPERS 1626/7 will go at the end of page 2 vice page 1;
 - Redact Third Party PII (Not The Member's) (**see below paragraphs regarding redactions**).
5. File Naming Convention:
- Single File: Name file using the Sailor's Rate and Last Name (i.e. **LN2 Sailor**)
 - Multiple Files: For documents requiring multiple PDFs due to size, name each file using the Sailor's Rate; Last Name and part number:
 - For e.g. **LN2 Sailor Part 1**, LN2 Sailor Part 2 etc.
 - Reports must be a **maximum of 50 pages**, any reports greater than 50 pages shall be divided up into parts (Part 1, Part 2, etc.).
6. DO NOT SUBMIT CLASSIFIED MATERIAL.
7. Ensure both sides of **two sided-documents** are scanned if each side contains data entries; but do not scan pages that do not contain entries (blank pages).
8. Document **Orientations** (mix orientation):
- Portrait - Scanned pages are **right side up**;
 - Landscape (horizontal orientation of a document or image) - **facing right as you are viewing the page** (after turning the page 180 degrees clockwise, the reader is able to read the page)
 - Note, converting a landscape document/image to portrait is acceptable as long as it does not alter the document/image.
9. **Redaction**: Redacting is the process of editing a document to delete or mask information that is private or sensitive. The redaction can be either a solid black or white marking over the text, there should be no text inside the redaction.
10. **Redacting all Third Party Personally Identifiable Information (PII)**, that is not of the member that is being filed to the OMPF on.
- most often social security numbers, home addresses, phone numbers, dates, and places of birth
 - **Do not redact Names, Titles** on documents/forms that meet Navy policy/requirements, i.e. command POC information, signature blocks on command letters, Rate/Rank, Names on forms that meet the forms requirement, example, you would not redact a witness name but if their name and SSN is recorded you would redact the SSN – **all third party SSN's** must be redacted regardless of document/form requirement.
 - **Names shall be redacted** that is listed along with **sensitive content**, example: In a UCMJ Charge statement, a sexually assaulted victim's full name is listed along with describing in detail what the member did to the victim. The victim's full name shall be redacted due to the sensitive details of the description. If you are in doubt – redact.
11. **Do Not Redact member's Name and SSN**, the Full Name and Full SSN is required to file the report to the correct record.
- **If the member's name/SSN is redacted on a document the member can challenge the document that it is not theirs and the document would have to be removed.**
12. If a document contains actual digital signature you must first "flattened" the file;
- Open the file, Select Print, Select the PDF printer, Save the file;

Misconduct Reporting (NJP/Civil Actions/Court-Martial) Submission Instructions

- If the digital signature is not flattened the application we use to upload the file to the OMPF will remove all information from the digital signature.
13. **Verifying the authenticity of documents** prior to them being submitted.
 14. Ensuring **documents are complete and accurate** during uploading and submission for inclusion into the OMPF.
 15. Scanning:
 - Documents **cannot have any grayness background** (our equipment cannot read the text).
 - Documents must be good quality, cannot be too light, fussy, or skewed (BUPERSINST 1070.27C).
 - Scanners must be set to the following scan settings in order to minimize document size for storage purposes:
 - **File Format:** PDF (Portable Document Format)
 - **Color:** Black & White Scan
 - **Type:** Text
 - **Orientation:** Letter (8.5" x 11") (see "Document Orientations" above)
 - **Resolution:** 300 DPI (dots-per-inch)

7. Emails:

1. **DO NOT send official PERS-313 correspondence to the personal e-mail addresses of PERS-313 staff members.**
2. Please DO NOT mail physical packages to PERS-313. We will ONLY accept electronic packages.
3. Emails Must Be Digitally Signed.
4. Due to PII, emails must be encrypted, to send encrypted emails to the PERS-313 mailbox, you must download the email certification from the [GDS Query Screen](#) by searching for the mailbox name (MILL-OMPF-CHG@US.NAVY.MIL). If you need assistance please contact IT office, the auto-reply you receive when submitting requests to this mailbox also has detailed instructions.
5. Submit one (1) report per email, the Subject of the email must be the following:
 - a. Misconduct Reporting (NJP/Civil Actions/Court-Martial) ICO LN2 Sailor
 - b. Do Not put SSN in the Subject Line.
 - c. Examples:
 - i. Must list one of the type of misconduct reporting (NJP or Civil Actions or Court-Martial)
 - ii. Misconduct Reporting (NJP) ICO LN2 Sailor
 - iii. Misconduct Reporting (Civil Actions) ICO LN2 Sailor, Part 1 (the name and part should be the same as the file name for multiple parts).
6. Each email for multiple parts must be identified in the Subject Line which part is being submitted:
 - a. First Email: Misconduct Reporting (NJP) ICO LN2 Sailor, Part **1-3**
 - b. Second Email: Misconduct Reporting (NJP) ICO LN2 Sailor, Part **2-3**
 - c. Third Email: Misconduct Reporting (NJP) ICO LN2 Sailor, Part **3-3**
7. **Retaining the documents** that were emailed until the document has been accepted in the OMPF.
8. If the document is rejected, the command will take appropriate action to **correct and resubmit all rejected documents**. See Rejection Codes below.
9. **Distributing the original documents** (copies) is retained/destroyed per SECNAV M-5210.1.

8. Approvals

8.1 Approved reports will be ingested to the OMPF under the following:

Form Name/Number	Form Title	Field Code
SUBJ 38CSF	ADVERSE/PRIVILEGED CASE FILE – ENLISTED	38

9. Reject Reasons

9.1 If a report is rejected, PERS-313 will reply back with a generate statement regarding the issue, the following procedures applies to Rejects:

- Replies will not include the attachments;
- Commands are responsible for determining where the errors are located;

10. Submission Policy

10.1 When a case package is submitted, you will receive an autoreply indicating we have received your report. If the report are incomplete or missing critical documents they will be returned without action and will need to be resubmitted in their entirety.

10.2 Documents must be in the order listed in the type of misconduct tables below.

- [NJP Submission Documents](#)
- [Civil Action Submission Documents](#)
- [Courts-Martial Submission Documents](#)

10.3 **Important: Do Not Submit Documents that is Not Listed in the Tables.**

10.4 In general, all submissions follow the order of:

- NPC approval letter (this will always be on top);
- Command/Member request;
- Additional supporting documents:
 - Endorsements (in order); if an endorsement contains enclosures they will go behind that endorsement – before the next endorsement
 - Enclosures (in order)

11. Member’s Statement

11.1 If the member’s statement is received after you submitted the email, the statement can be email per the requirements above, with the exception of:

1. Change the type of misconduct reporting in the Subject Line to (Mbr Stmt);
 - a. Ex. Misconduct Reporting (Mbr Stmt) ICO LN2 Sailor
2. **Do Not Submit** until the original file is viewable in the OMPF;
3. Must ensure that member’s Full Name and Full SSN is either on the attached document or in the body of the email.
4. In the body of the email state, “add member’s statement to DOCID xxxxxxxx” (the DOCID is the Document ID number that you will see in the OMPF);

12. Email Retention

12.1 PERS-313 will hold requests for 30 days after processing, after that time the requests will be permanently deleted (the processing date can be greater than the date submitted/received).

Misconduct Reporting (NJP/Civil Actions/Court-Martial) Submission Instructions

12.2 Commands are responsible to ensure reports are filed to the OMPF, if the file is deleted and the command has discovered the report is missing from the OMPF they must submit a new request.

12.3 The timeframe noted above can fluctuate depending on mailbox storage limits.

13. DOD Safe

13.1 The use of DOD Safe is only authorized if you are approved by this office and for a limited time. If you receive approval from this office to use Safe, the following procedures shall apply:

- You are still required to submit an email per the above instructions (along with the password if applicable).
- You will need to enter the subject line text of your email into the "**Short note to the Recipients:**" in DOD Safe - this information is transmitted in the notification email we will receive. We will match the pickup notification and your email with the same information.

Misconduct Reporting (NJP/Civil Actions/Court-Martial) Submission Instructions

NJP Submission Documents. [\(Back\)](#)

(Third column is for use as a checklist)

Documents	Helpful Information	Attached
Letter from Issuing Commander to NPC, PERS-313	Template: Report of Nonjudicial Punishment Cover Letter	
Letter from Member Concerned to NPC, PERS-313	Template: Report of Nonjudicial Punishment Endorsement	
Dated acknowledgment that confirms the Service member has reviewed the report of NJP, was advised of any adverse actions recommended, and that the report will become part of the member's official Service record	Endorsement Letter	
NAVPERS 1626/7 Report and Disposition of Offense(s) (Rev 12-88)	Note: NAVPERS 1627/7 (Same Name) is not an authorized form.	
NAVPERS 1070/606 (if applicable)	Time Lost, Per MPM 1600-040 & MPM 1600-050 NAVPERS 1070/613; absence is less than 24 hours NAVPERS 1070/606; absence is greater than 24 hours	
NAVPERS 1070/607 (if applicable)	The NSIPS/ESR version must be filed to the OMPF. Must contain "wet" signature and the manual 1070/607 must comply with MPM 1070-111, para 2.b.(2)(ESR Verifying Official)	
Acknowledgment of Rights	Any of the articles under JAGMAN 0109 or the NAVPERS 1070/613, Booker Rights is acceptable for filing. Only one document if filed.	
NAVPERS 1070/613, Booker Rights	Per JAGMAN 0109; 1070/613's must be marked Permanent per MPM 1070-320; Must contain "wet" signatures and the manual 1070/613 must comply with MPM 1070-320 (Para 2.a.)(ESR Verifying Official)	
NAVPERS 1070/613, Administrative Counseling/Warning	Per MPM 1910-202; 1070/613's must be marked Permanent per MPM 1070-320; Must contain "wet" signatures and the manual 1070/613 must comply with MPM 1070-320 (Para 2.a.)(ESR Verifying Official). See Notes regarding MPM 1910-204.	
NAVPERS 1070/613, if applicable	That pertain to the 1626/7; 1070/613's must be marked Permanent per MPM 1070-320; Must contain "wet" signatures and the manual 1070/613 must comply with MPM 1070-320 (Para 2.a.)(ESR Verifying Official). See Notes regarding non-retainable page 13's.	
Punitive Letter of Reprimand (if one given)	May be Part of the Cover Letter's Enclosure; JAGMAN 0114/0152	
NJP appeal and appeal decision, or the Service member's written declination to appeal	May be Part of the Cover Letter's Enclosure. See Notes regarding "Appeal Rights".	
If an appeal is granted on only a portion of the NJP imposed, the report should be submitted with a copy of the appeal letter.	Maybe Part of the Cover Letter's Enclosure	
Notes:		

Misconduct Reporting (NJP/Civil Actions/Court-Martial) Submission Instructions

NJP Submission Documents - Continue
Documents listed in the Report of NJP shall be in the above order, the Command letter to PERS-313 Must Be the First Page.
Do not submit any documents listed in the Cover Letter that is not listed above.
Per JAGMAN 0111, if no punishment is awarded Do Not Submit Report of NJP.
NJP Accused's Acknowledgment Of Appeal Rights (JAGMAN 0110) Is Not Filed To The OMPF.
You cannot modify an official form structure – we are seeing commands using ADOBO Pro to modify the SSN Block on NAVPERS 1626/7 to read DODID and creating a NAVPERS 1070/613 similar to the official form. These types of forms is NOT official and CANNOT be filed to the official record (OMPF).
Sensitive Third Party Information: Victim and/or Witness Names shall be redacted when included within sensitive information, e.g. a charge describes the member's actions/statements to another person and lists that person's name - that person's name MUST be redacted.
NAVPERS 1070/613 regarding CO's/Captain's Mast (NJP) is obsolete and not filed to the OMPF.
MPM 1910-204, Format of NAVPERS 1070/613 Administrative Remarks, for Counseling/Warning has been cancelled, questions must be directed to the OPR (PERS-832).
NAVPERS 1070/613 Rev Date 08-2012 is the only manual form authorized, previous versions is obsolete.
Forms downloaded from the NPC Forms Library (1070/606, 1070/607, 1070/613) must be signed and submitted to your servicing PSD/Personnel Office for transcribing into NSIPS/ESR, verify and distribute per MPM 1070-111.
Vacation of Suspended Punishment Letter is not retainable . The vacation will require a separate report and would be addressed in that report.

Misconduct Reporting (NJP/Civil Actions/Court-Martial) Submission Instructions

Civil Action Submission Documents. [\(Back\)](#)

(Third column is for use as a checklist)

Documents	Helpful Information	Attached
Letter from Issuing Commander to NPC, PERS-313	Template: Final Civil Action Report Cover Letter	
Brief description of the incident for which the member was investigated, arrested, or tried	Cover Letter	
Statement of the charges as filed (if applicable)	Cover Letter	
Statement of the pleading or findings (if applicable)	Cover Letter	
Statement of the sentence imposed (if applicable)	Cover Letter	
Command action being taken	Cover Letter	
Statement listing any diversionary actions (i.e., community service, attend Mothers Against Drunk Driving meetings, attendance at a specified class, etc.) allowed by the court, resulting in a dismissal of the civil charges (if applicable).	Cover Letter (Enclosures)	
Copy of the civil court document reflecting final disposition of the matter	Cover Letter (Enclosures)	
Letter from Member Concerned to NPC, PERS-313	Template: Final Civil Action Report Endorsement	
Dated acknowledgment by the member that member may, within 10 days of the acknowledgment, make a statement concerning the matter	Endorsement Letter	
Notes:		
The member's full SSN must be recorded on the command cover letter.		
Court document must be a document signed by the judge reflecting final disposition of the matter.		

Misconduct Reporting (NJP/Civil Actions/Court-Martial) Submission Instructions

Courts-Martial Submission Documents. [\(Back\)](#)

(Third column is for use as a checklist)

Documents	Helpful Information	Attached
Letter from Issuing Commander to NPC, PERS-313	Template: Report of Results of Court Martial Cover Letter	
Report of Results of Trial	Cover Letter	
Copy of the charges preferred and the disposition of each	Enclosure to Cover Letter	
Final sentence adjudged	Enclosure to Cover Letter	
Post-Trial Action	Enclosure to Cover Letter; Entry of Judgment and Convening Authority's Action	
Entry of Judgment (EOJ)	Document reflects the result of a court-martial as well as the results of the convening authority's action. See Notes, the Entry of Judgment and the Post-Trial can be combined as one file.	
Letter from Member Concerned to NPC, PERS-313	Template: Report of Results of Court Martial Endorsement	
DD 2329, Record of Trial by Summary Court-Martial	Summary Court-Martial (SCM) only	
DD 490, Certified Record of Trial	Special Court-Martial (SPCM); General Court-Martial (GCM) only	
Court-Martial Convening Order Number		
Notes:		
Court-Martial documents may also be indexed to the OMPF under SUBJ 38ADV.		
For "Record of Trial" submit DD 2329 for Summary Courts Martial; submit DD 490 for Special and General Courts Martial.		
For a Summary Court Martial, the Entry of Judgment is combined with the Post Trail Action (Convening Authority's Action) documents and submitted – does not apply to GCM/SPCM.		

Misconduct Reporting (NJP/Civil Actions/Court-Martial) Submission Instructions

Matter of Interest Filing (MIF). [\(Back\)](#)

Documents	Helpful Information
Matter of Interest Filing (MIF)	Submit directly to PERS-832/PERS-834; PERS-832/834 will Finish File retainable material within the MIF to the OMPF.