



DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
1000 NAVY PENTAGON
WASHINGTON, D.C. 20350-1000

SECNAVINST 5312.12D
ASN (M&RA)
15 Jan 2019

SECNAV INSTRUCTION 5312.12D

From: Secretary of the Navy

Subj: SELECTION OF DEPARTMENT OF THE NAVY MILITARY AND
CIVILIAN PERSONNEL AND CONTRACTOR EMPLOYEES FOR
ASSIGNMENT TO PRESIDENTIAL SUPPORT ACTIVITIES

Ref: (a) DoD Instruction 5210.87 of 30 November 1998
(b) DoD Directive 5210.55 of 15 December 1998
(c) SECNAVINST 5200.35F
(d) DoD 6025.18-R, DoD Health Information Privacy
Regulation of 1 January 2003
(e) SECNAVINST 5510.30B
(f) SECNAV M-5510.30

Encl: (1) Procedures

1. Purpose. To assign responsibility and prescribe procedures for implementation of reference (a).
2. Cancellation. SECNAVINST 5312.12C.
3. Applicability. The various types of Presidential support duties coming under the provisions of this instruction are listed in reference (a), enclosure (2).
4. Policy. The policies and procedures for the screening, nomination, selection, and continued evaluation of military and civilian personnel, and contractor employees for assignment to or utilization in Presidential support activities will be strictly observed. Additionally, the requirements for investigations and reports prescribed in reference (a) will be followed. The provisions of this instruction and reference (a) apply to all component organizations of the Department of the Navy (DON) responsible for nominating, screening, selecting, and assigning military or civilian personnel and contractor employees to Presidential support activities. It is the policy of the Secretary of the Navy (SECNAV) to assign only those personnel to duty in Presidential support activities who are considered the most suitable and qualified.

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5. Responsibilities

a. The Office of SECNAV, White House Liaison Office (WHLO) is the DON representative to the Department of Defense (DoD) in all matters relating to reference (a).

b. The Chief of Naval Operations, the Commandant of the Marine Corps (CMC), Director, Office of Civilian Human Resources (OCHR), and commanding officers (COs) of those DON activities that administer Presidential support activity contracts, and other officials of the DON who have administrative or operational control of personnel and responsibility for assigning personnel to Presidential support activities shall nominate to SECNAV WHLO only those persons considered most suitable and qualified in every respect as prescribed by references (a) and (b). These activities will provide to the SECNAV WHLO the contact information of their respective action officers in order to facilitate communication in manpower and personnel matters. Additionally, these officials will, as requested, assist the SECNAV WHLO in maintaining liaison with the Executive Secretariat of the Secretary of Defense (SECDEF) or the White House Military Office (WHMO) Security, and counterpart representatives of the other Service Components and will provide guidance to field commanders, COs, and contractors in these matters, as appropriate.

c. COs and contracting officials responsible for assigning personnel to Presidential support activities shall ensure that personnel not be assigned Presidential support duties until written approval is obtained from SECNAV WHLO per the provisions of this instruction.

d. Activities administering Presidential support activity contracts for the DON shall be guided by the provisions of this instruction, where applicable, regarding the unique requirements pertaining to contractor employees.

e. The CMC and Chief of Naval Personnel (CHNAVPERS) will designate and manage Marine Corps and Navy military positions, respectively. OCHR will designate and manage DON civilian positions.

6. Procedures. See enclosure (1).

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7. Action

a. The CMC; Commander, Navy Personnel Command; Director, OCHR; and COs of DON activities administering Presidential support activity contracts will receive, review, update as necessary, and return to SECNAV the two-part Quarterly Report on Approved White House Support Personnel required by reference (a). The responsible command shall strike through names of transferred individuals on the Quarterly Report on Approved White House Support Personnel and indicate, in the right margin of the report, the date terminated and the reason (i.e., transferred, retired, separated, released from active duty, etc.). Reports shall be submitted to the Office of SECNAV within 10 days after the end of the quarter.

b. Activities that employ bargaining unit employees must ensure collective bargaining obligations are satisfied prior to implementing this instruction.

c. In accordance with reference (c), the establishment and use of internal controls and accounting procedures are mandated to ensure: effectiveness and efficiency of operations; reliability of financial reporting; and compliance with applicable laws and regulations. Additionally, as part of the annual Manager's Internal Control Program report, the Naval Services will provide the Assistant Secretary of the Navy (Manpower and Reserve Affairs) with copies of the sections of their reports that are relevant to the assignment of personnel to Presidential support activities. The reports will include summary descriptions of internal controls used, their sufficiency, and any identified weaknesses or deficiencies.

8. Records Management

a. Records created as a result of this instruction, regardless of format or media, must be maintained and dispositioned according to the records disposition schedules found on the Directives and Records Management Division (DRMD) portal page:

<https://portal.secnav.navy.mil/orgs/DUSNM/DONAA/DRM/SitePages/Home.aspx>.

b. For questions concerning the management of records related to this instruction or the records disposition

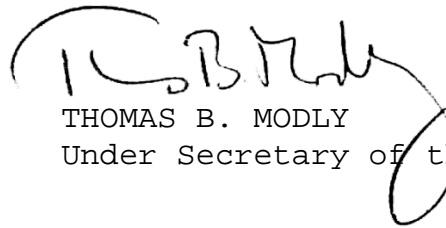
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schedules, please contact your local Records Manager or the DRMD program office.

9. Forms and Reports

a. Standard Form (SF) 86, Questionnaire For National Security Positions of November 2016 listed in enclosure (1) of this instruction can be obtained at <https://www.gsa.gov/forms-library/questionnaire-national-security-positions>.

b. The reporting requirements contained in paragraphs 7a and 7c of this instruction are exempt from information collection control per SECNAV M-5214.1, part IV, paragraph 7o.



THOMAS B. MODLY
Under Secretary of the Navy

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PROCEDURES**1. Local Records Check and Initial Screening**

a. As part of the local records check required by reference (a), enclosure (3), the initial screening must be accomplished prior to initiating a request for a Tier 5 Background Investigation (T5). The requester will also review performance evaluations and performance ratings, as applicable, to determine that the individual has demonstrated consistently high standards of character, discretion, loyalty, and performance.

b. To assist in expediting completion of the required investigation, a pre-nomination review of medical or health records will be conducted by a medical officer or civilian physician, as appropriate. In all cases, the medical officer or civilian physician must be a native born or naturalized United States citizen. Specifically, a medical officer shall review the medical record and certify that the review reveals no illness or treatment that would affect the individual's reliability or judgment. The Presidential Support Program Manager in the Office of the SECDEF's Executive Secretariat will provide direction on required paperwork to obtain the medical officer's certification. The medical officer's certification will not accompany the investigative request, but will accompany the completed investigative file forwarded to SECNAV. Per reference (d), individuals whose medical records are being reviewed will need to authorize such reviews utilizing the "Authorization for Release of Medical Information Pursuant to the Health Insurance Portability and Accountability Act" section of SF Form 86.

2. Investigative Requirements. Reference (a), E3.3.2, delineates specific requirements for each category of employee assigned to Presidential support. Personnel nominated for Category One or Category Two duties as defined in reference (a), E2.1 and E2.2, must be the subject of a T5 completed within the 12 months preceding selection for Presidential support duties. COs must review results of the T5 or other type of investigation in order to determine what additional investigative requirements exist under reference (a), E3.3.2, if any.

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3. Investigative Requests

a. Investigative requests shall be prepared per instructions contained in references (b), (e), or (f), as applicable, and the following: On part 1 of the SF 86, Questionnaire for National Security Positions, or the Agency Use Form, in block H-Position Code enter "D" for White House positions and in block O-Accounting Data and/or Agency Case number put "Presidential Support/Yankee White." When utilizing the Electronic Questionnaires for Investigations Processing for the submission of Duty Position Code "Yankee White," enter service code "75/35."

b. Investigative requests shall be submitted to the Office of Personnel Management (OPM) or the Defense Industrial Security Center Office (DISCO), as appropriate, per the instructions contained in references (a), E3.3.2. and (e).

4. Continuing Evaluation During Investigative Process.

Subsequent to submission of the investigative request, any significant information developed or otherwise brought to the attention of the CO having administrative or operational control over the individual being processed for duty in a Presidential support assignment will be reported in the Joint Personnel Adjudicating System (JPAS) or successor system per reference (f) and to the following official or organization, as applicable:

a. If the investigation is still in the process of being completed or if the investigation has been completed but not yet submitted to SECNAV, OPM or DISCO, as applicable, shall be notified of the new information.

b. If the investigation has been completed and the nomination submitted to SECNAV, OPM, or DISCO, as applicable, shall be notified.

Note: This notification is required in order to expand the investigation and develop all information relevant to the issue and also to preclude an individual being approved for assignment to Presidential support activities when, based on new information, the individual may not meet the prescribed standards.

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5. Submission of Nominations

a. Investigative files that are completely favorable or that contain minor derogatory information (i.e., minor traffic violations, etc.) will be submitted to SECNAV WHLO for review and further submission to the SECDEF or the WHMO. Nominations shall be submitted to SECNAV WHLO via the appropriate official, if appropriate. Nominations shall be submitted in the format of reference (a), enclosure (6), Sample Transmittal Memorandum.

b. An investigative file containing derogatory information that is serious in nature or that is clearly disqualifying will be transmitted to the CMC, CHNAVPERS, or activity administering the Presidential support activity contract, as appropriate, for decision and disposition. Derogatory investigative files may be transmitted to SECNAV via SECNAV WHLO, if considered appropriate, after review at the level indicated above. Derogatory information must also be reported to DoD Consolidated Adjudication Facility per reference (f).

c. Reference (a), enclosure (5), contains further specific guidance concerning non-selection notification procedures. Civilian personnel and contractor employees not selected may submit appeals in accordance with reference (a), enclosure (5) to SECNAV WHLO. Per reference (a), military members are not authorized to appeal.

6. Continuing Evaluation. COs having administrative or operational control of personnel approved and assigned to Presidential support activities shall establish procedures for a continuing evaluation of the behavioral and emotional reliability of their personnel and shall establish procedures to ensure that they, through their subordinates at all levels of command, will be notified immediately of any serious derogatory information of a nature outlined in reference (a), section E3.5. These procedures will include, but are not limited to, flagging service and medical records with the following statement:

"This member is assigned to duty with a Presidential support activity. Report immediately to the member's commanding officer any behavioral changes that may affect this member's reliability or may require further evaluation."

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Note: DON activities administering Presidential support activity contracts shall be notified by the contractor through appropriate channels when contractor employees are the subject of such information.

7. Indoctrination and Counseling. COs shall establish procedures whereby supervisory personnel (military, civilian, and contractor) are indoctrinated and counseled, as necessary, concerning their responsibilities in regard to the above. Consideration should be given to utilization of the program standards and bases for removal contained in reference (a), enclosures (3) and (4), as foundations for command indoctrination programs. Additionally, in accordance with reference (a), paragraph 4.2.10., COs must ensure requirements of Presidential support duties are incorporated into the contract of each contractor detailed to such duties.

8. Removal of an Individual from Presidential Support Duties for Cause

a. Matters reflecting adversely on an individual's character, discretion, loyalty, performance, activities, and associations shall constitute the basis for removal for cause from Presidential support duties. COs and contracting officers of activities administering Presidential support activity contracts will be guided by the provisions of reference (a), paragraph E3.6, regarding the removal or suspension of individuals from Presidential support duties for cause. SECNAV shall be notified telephonically and in writing via SECNAV WHLO no later than the beginning of the next working day of an individual's removal or suspension so that required notification may be made. Telephone notification shall be made to:

White House Liaison Office Comm: (703) 614-9296
Office of the Secretary of the Navy

b. All required written follow-up and investigation status reports required by reference (a), paragraph E3.6.6.2, will be transmitted to SECNAV via SECNAV WHLO with copies to CMC or CHNAVPERS as appropriate and entered in JPAS or its successor system. Civilian personnel and contractor employees who are

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removed may submit appeals in accordance with reference (a), enclosure (5) to SECNAV WHLO. Per reference (a), military members who are removed are not authorized to appeal.

c. Derogatory information must also be reported to the DoD Consolidated Adjudication Facility per reference (f).

9. Reassignment of Personnel. When an individual is administratively transferred or similarly removed from an assignment involving Presidential support duties, the clearance of the individual for assignment or utilization involving Presidential support duties is automatically terminated or administratively downgraded in JPAS or its successor system. Commands are to notify the activity/activities having custody of service and medical records, and request cancellation of the special annotation of the individual's service and medical records.