

Exemptions		Section of the Privacy Act
(j)(2)	(k) (1–7)	
Yes .....	Yes .....	(4) Disclosure of disputed information.
Yes .....	Yes .....	(5) Access to information compiled in anticipation of civil action.
Yes .....	Yes .....	(e)(1) Restrictions on collecting information.
Yes .....	No .....	(e)(2) Collecting directly from the individual.
Yes .....	No .....	(3) Informing individuals from whom information is requested.
No .....	No .....	(e)(4)(A) Describing the name and location of the system.
No .....	No .....	(B) Describing categories of individuals.
No .....	No .....	(C) Describing categories of records.
No .....	No .....	(D) Describing routine uses.
No .....	No .....	(E) Describing records management policies and practices.
No .....	No .....	(F) Identifying responsible officials.
Yes .....	Yes .....	(e)(4)(G) Procedures for determining if a system contains a record on an individual.
Yes .....	Yes .....	(H) Procedures for gaining access.
Yes .....	Yes .....	(I) Describing categories of information sources.
Yes .....	No .....	(e)(5) Standards of accuracy.
No .....	No .....	(e)(6) Validating records before disclosure.
No .....	No .....	(e)(7) Records of First Amendment activities.
No .....	No .....	(e)(8) Notification of disclosure under compulsory legal process.
No .....	No .....	(e)(9) Rules of conduct.
No .....	No .....	(e)(10) Administrative, technical, and physical safeguards.
No .....	No .....	(11) Notice for new and revised routine uses.
Yes .....	Yes .....	(f)(1) Rules for determining if an individual is subject of a record.
Yes .....	Yes .....	(f)(2) Rules for handling access requests.
Yes .....	Yes .....	(f)(3) Rules for granting access.
Yes .....	Yes .....	(f)(4) Rules for amending records.
Yes .....	Yes .....	(f)(5) Rules regarding fees.
Yes .....	No .....	(g)(1) Basis for civil action.
Yes .....	No .....	(g)(2) Basis for judicial review and remedies for refusal to amend.
Yes .....	No .....	(g)(3) Basis for judicial review and remedies for denial of access.
Yes .....	No .....	(g)(4) Basis for judicial review and remedies for other failure to comply.
Yes .....	No .....	(g)(5) Jurisdiction and time limits.
Yes .....	No .....	(h) Rights of legal guardians.
No .....	No .....	(i)(1) Criminal penalties for unauthorized disclosure.
No .....	No .....	(2) Criminal penalties for failure to publish.
No .....	No .....	(3) Criminal penalties for obtaining records under false pretenses.
Yes <sup>1</sup> .....	No .....	(j) Rulemaking requirement.
N/A .....	No .....	(j)(1) General exemption for the Central Intelligence Agency.
N/A .....	No .....	(j)(2) General exemption for criminal law enforcement records.
Yes .....	No .....	(k)(1) Exemption for classified material.
N/A .....	No .....	(k)(2) Exemption for law enforcement material.
Yes .....	N/A .....	(k)(3) Exemption for records pertaining to Presidential protection.
Yes .....	N/A .....	(k)(4) Exemption for statistical records.
Yes .....	N/A .....	(k)(5) Exemption for investigatory material compiled for determining suitability for employment or service.
Yes .....	N/A .....	(k)(6) Exemption for testing or examination material.
Yes .....	N/A .....	(k)(7) Exemption for promotion evaluation materials used by the Armed Forces.
Yes .....	No .....	(l)(1) Records stored in GSA records centers.
Yes .....	No .....	(l)(2) Records archived before September 27, 1975.
Yes .....	No .....	(l)(3) Records archived on or after September 27, 1975.
Yes .....	No .....	(m) Applicability to Government contractors.
Yes .....	No .....	(n) Mailing lists.
Yes <sup>1</sup> .....	No .....	(o) Reports on new systems.
Yes <sup>1</sup> .....	No .....	(p) Annual report.

<sup>1</sup> See paragraph (d) of § 310.26.

APPENDIX E TO PART 310—SAMPLE OF  
NEW OR ALTERED SYSTEM OF  
RECORDS NOTICE IN FEDERAL REG-  
ISTER FORMAT

(See paragraph (f) of § 310.30)

NEW SYSTEM OF RECORDS NOTICE

DEPARTMENT OF DEFENSE

OFFICE OF THE SECRETARY

PRIVACY ACT OF 1974; SYSTEM OF RECORDS

**AGENCY:** Office of the Secretary, DoD.  
**ACTION:** Notice to add a system of records.  
**SUMMARY:** The Office of the Secretary of Defense proposes to add a system of records to its inventory of record systems subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended.

**DATES:** The changes will be effective on (insert date thirty days after publication in the FEDERAL REGISTER) unless comments are received that would result in a contrary determination.

**ADDRESSES:** Send comments to OSD Privacy Act Coordinator, Records Management Section, Washington Headquarters Services, 1155 Defense Pentagon, Washington, DC 20301-1155.

**FOR FURTHER INFORMATION CONTACT:** Ms. Mary Smith at (703) 000-0000.

**SUPPLEMENTARY INFORMATION:** The Office of the Secretary of Defense notices for systems of records subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended, have been published in the FEDERAL REGISTER and are available from the address above.

The proposed systems reports, as required by 5 U.S.C. 552a(r) of the Privacy Act of 1974, as amended, were submitted on January 20, 2006, to the House Committee on Government Reform, the Senate Committee on Homeland Security and Governmental Affairs, and the Office of Management and Budget (OMB) pursuant to paragraph 4c of Appendix I to OMB Circular No. A-130, "Federal Agency Responsibilities for Maintaining Records About Individuals," dated February 8, 1996 (February 20, 1996, 61 FR 6427).

Dated: February 1, 2006.

John Miller,

*OSD Federal Register Liaison Officer, Department of Defense.*

NSLRB 01

*System name:* The National Security Labor Relations Board (NSLRB).

*System location:* National Security Labor Relations Board (NSLRB), 1401 Wilson Boulevard, Arlington, VA 22209-2325.

*Categories of individuals covered by the system:* Current and former civilian Federal Government employees who have filed unfair labor practice charges, negotiability disputes, exceptions to arbitration awards, and impasses with the National Security Labor Relations Board (NSLRB) pursuant to the National Security Personnel System (NSPS).

*Categories of records in the system:* Documents relating to the proceedings before the Board, including the name of the individual initiating NSLRB action, statements of witnesses, reports of interviews and hearings, examiner's findings and recommendations, a copy of the original decision, and related correspondence and exhibits.

*Authority for maintenance of the system:* The National Defense Authorization Act for FY 2004, Public Law 108-136, Section 1101; 5 U.S.C. 9902(m), Labor Management Relations in the Department of Defense; and 5 CFR 9901.907, National Security Labor Relations Board.

*Purpose(s):* To establish a system of records that will document adjudication of unfair labor practice charges, negotiability disputes, exceptions to arbitration awards, and impasses filed with the National Security Labor Relations Board.

*Routine uses of records maintained in the system, including categories of users and the purposes of such uses:* In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, these records or information contained therein may specifically be disclosed outside the DoD as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

To the Federal Labor Relations Authority (FLRA) or the Equal Employment Opportunity Commission, when requested, for performance of functions authorized by law.

To disclose, in response to a request for discovery or for appearance of a witness, information that is relevant to the subject matter involved in a pending judicial or administrative proceeding.

To provide information to officials of labor organizations recognized under 5 U.S.C. 71 when relevant and necessary to their duties of exclusive representation concerning personnel policies, practices, and matters affecting work conditions.

The DoD "Blanket Routine Uses" set forth at the beginning of OSD's compilation of systems of records notices apply to this system.

*Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:*

*Storage:* Records are maintained on electronic storage media and paper.

*Retrievability:* Records will be retrieved in the system by the following identifiers: assigned case number; individual's name; labor organizations filing the unfair labor practice charges; negotiability disputes; exceptions to arbitration awards; date, month, year or filing; complaint type; and the organizational component from which the complaint arises.

*Safeguards:* Records are maintained in a controlled facility. Physical entry is restricted by the use of locks, guards, and is accessible only to authorized personnel. Access to records is limited to person(s) responsible for servicing the record in performance of their official duties and who are properly screened and cleared for need-to-know. Access to computerized data is restricted by passwords, which are changed periodically.

*Retention and disposal:* Records are disposed of 5 years after final resolution of case.

*System manager(s) and address:* Executive Director, National Security Personnel System, Program Executive Office, 1401 Wilson Boulevard, Arlington, VA 22209-2325.

*Notification procedure:* Individuals seeking to determine whether this system of records contains information about themselves

should address written inquiries to the Executive Director, National Security Personnel System, Program Executive Office, 1401 Wilson Boulevard, Arlington, VA 22209-2325.

Request should contain name; assigned case number; approximate case date (day, month, and year); case type; the names of the individuals and/or labor organizations filed the unfair labor practice charges; negotiability disputes; exceptions to arbitration awards; and impasses.

*Record access procedures:* Individuals seeking access to records about themselves contained in this system of records should address written inquiries to the Executive Director, National Security Personnel System, Program Executive Office, 1401 Wilson Boulevard, Arlington, VA 22209-2325.

Request should contain name; assigned case number; approximate case date (day, month, and year); case type; the names of the individuals and/or labor organizations filed the unfair labor practice charges; negotiability disputes; exceptions to arbitration awards; and impasses.

*Contesting record procedures:* The OSD's rules for accessing records, for contesting contents and appealing initial agency determinations are published in OSD Administrative Instruction No. 81; 32 CFR part 311; or may be obtained from the system manager.

*Record source categories:* Individual; other officials or employees; and departmental and other records containing information pertinent to the NSLRB action.

*Exemptions claimed for the system:* None.

ALTERED SYSTEM OF RECORD NOTICE

DEPARTMENT OF DEFENSE

Defense Logistics Agency

Privacy Act of 1974; Systems of Records

**AGENCY:** Defense Logistics Agency.

**ACTION:** Notice to alter a system of records.

**SUMMARY:** The Defense Logistics Agency proposes to alter a system of records notice in its inventory of record systems subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended. The alteration adds two routine uses, revises the purpose category, and makes other administrative changes to the system notice.

**DATES:** This action will be effective without further notice on (insert date thirty days after publication in the FEDERAL REGISTER) unless comments are received that would result in a contrary determination.

**ADDRESSES:** Send comments to the Privacy Act Officer, Headquarters, Defense Logistics Agency, ATTN: DSS-B, 8725 John J. Kingman Road, Suite 2533, Fort Belvoir, VA 22060-6221.

**FOR FURTHER INFORMATION CONTACT:** Ms. Mary Smith at (703) 000-0000.

**SUPPLEMENTARY INFORMATION:** The Defense Logistics Agency notices for systems of records subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended, have been published in the FEDERAL REGISTER and are available from the address above.

The proposed system report, as required by 5 U.S.C. 552a(r) of the Privacy Act of 1974, as amended, was submitted on January 29, 2004, to the House Committee on Government Reform, the Senate Committee on Governmental Affairs, and the Office of Management and Budget (OMB) pursuant to paragraph 4c of Appendix I to OMB Circular No. A-130, 'Federal Agency Responsibilities for Maintaining Records About Individuals,' dated February 8, 1996 (February 20, 1996, 61 FR 6427).

Dated: February 2, 2004.

John Miller,

Alternate OSD Federal Register Liaison Officer,  
Department of Defense.

S253.10 DLA-G

*System name:* Invention Disclosure (February 22, 1993, 58 FR 10854).

*Changes:*

\* \* \* \* \*

*System identifier:* Replace 'S253.10 DLA-G' with 'S100.70'.

\* \* \* \* \*

*Categories of individuals covered by the system:* Delete 'to the DLA General Counsel' at the end of the sentence and replace with 'to DLA.'

\* \* \* \* \*

*Categories of records in the system:* Delete entry and replace with 'Inventor's name, Social Security Number, address, and telephone numbers; descriptions of inventions; designs or drawings, as appropriate; evaluations of patentability; recommendations for employee awards; licensing documents; and similar records. Where patent protection is pursued by DLA, the file may also contain copies of applications, Letters Patent, and related materials.'

\* \* \* \* \*

*Authority for maintenance of the system:* Delete entry and replace with '5 U.S.C. 301, Departmental Regulations; 5 U.S.C. 4502, General provisions; 10 U.S.C. 2320, Rights in technical data; 15 U.S.C. 3710b, Rewards for scientific, engineering, and technical personnel of federal agencies; 15 U.S.C. 3711d, Employee activities; 35 U.S.C. 181-185, Secrecy of Certain Inventions and Filing Applications in Foreign Countries; E.O. 9397

(SSN); and E.O. 10096 (Inventions Made by Government Employees) as amended by E.O. 10930.'

\* \* \* \* \*

*Purpose(s):* Delete entry and replace with 'Data is maintained for making determinations regarding and recording DLA interest in the acquisition of patents; for documenting the patent process; and for documenting any rights of the inventor. The records may also be used in conjunction with the employee award program, where appropriate.'

\* \* \* \* \*

*Routine uses of records maintained in the system, including categories of users and the purpose of such uses:* Add two new paragraphs: 'To the U.S. Patent and Trademark Office for use in processing applications and performing related functions and responsibilities under Title 35 of the U.S. Code.

To foreign government patent offices for the purpose of securing foreign patent rights.'

\* \* \* \* \*

*Safeguards:* Delete entry and replace with 'Access is limited to those individuals who require the records for the performance of their official duties. Paper records are maintained in buildings with controlled or monitored access. During non-duty hours, records are secured in locked or guarded buildings, locked offices, or guarded cabinets. The electronic records systems employ user identification and password or smart card technology protocols.'

\* \* \* \* \*

*Retention and disposal:* Delete entry and replace with 'Records maintained by Headquarters and field Offices of Counsel are destroyed 26 years after file is closed. Records maintained by field level Offices of Counsel where patent applications are not prepared are destroyed 7 years after closure.'

\* \* \* \* \*

*Record source categories:* Delete entry and replace with 'Inventors, reviewers, evaluators, officials of U.S. and foreign patent offices, and other persons having a direct interest in the file.'

\* \* \* \* \*

S100.70

*System name:* Invention Disclosure.

*System location:* Office of the General Counsel, HQ DLA-DG, 8725 John J. Kingman Road, Stop 2533, Fort Belvoir, VA 22060-6221, and the offices of counsel of the DLA field activities. Official mailing addresses are published as an appendix to DLA's compilation of systems of records notices.

*Categories of individuals covered by the system:* Employees and military personnel assigned to DLA who have submitted invention disclosures to DLA.

*Categories of records in the system:* Inventor's name, Social Security Number, address, and telephone numbers; descriptions of inventions; designs or drawings, as appropriate; evaluations of patentability; recommendations for employee awards; licensing documents; and similar records. Where patent protection is pursued by DLA, the file may also contain copies of applications, Letters Patent, and related materials.

*Authority for maintenance of the system:* 5 U.S.C. 301, Departmental Regulations; 5 U.S.C. 4502, General provisions; 10 U.S.C. 2320, Rights in technical data; 15 U.S.C. 3710b, Rewards for scientific, engineering, and technical personnel of federal agencies; 15 U.S.C. 3711d, Employee activities; 35 U.S.C. 181-185, Secrecy of Certain Inventions and Filing Applications in Foreign Countries; E.O. 9397 (SSN); and E.O. 10096 (Inventions Made by Government Employees) as amended by E.O. 10930.

*Purpose(s):* Data is maintained for making determinations regarding and recording DLA interest in the acquisition of patents, for documenting the patent process, and for documenting any rights of the inventor. The records may also be used in conjunction with the employee award program, where appropriate.

*Routine uses of records maintained in the system, including categories of users and the purposes of such uses:* In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act, these records or information contained therein may specifically be disclosed outside the DoD as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

To the U.S. Patent and Trademark Office for use in processing applications and performing related functions and responsibilities under Title 35 of the U. S. Code.

To foreign government patent offices for the purpose of securing foreign patent rights.

Information may be referred to other government agencies or to non-government agencies or to non-government personnel (including contractors or prospective contractors) having an identified interest in a particular invention and the Government's rights therein.

The DoD 'Blanket Routine Uses' set forth at the beginning of DLA's compilation of systems of records notices apply to this system.

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**32 CFR Ch. I (7-1-10 Edition)**

*Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:*

*Storage:* Records are maintained in paper and computerized form.

*Retrievability:* Filed by names of inventors.

*Safeguards:* Access is limited to those individuals who require the records for the performance of their official duties. Paper records are maintained in buildings with controlled or monitored access. During non-duty hours, records are secured in locked or guarded buildings, locked offices, or guarded cabinets. The electronic records systems employ user identification and password or smart card technology protocols.

*Retention and disposal:* Records maintained by the HQ and field Offices of Counsel are destroyed 26 years after file is closed. Records maintained by field level Offices of Counsel where patent applications are not prepared are destroyed 7 years after closure.

*System manager(s) and address:* Office of the General Counsel, Headquarters, Defense Logistics Agency, ATTN: DG, 8725 John J. Kingman Road, Stop 2533, Fort Belvoir, VA 22060-6221.

*Notification procedure:* Individuals seeking to determine whether information about themselves is contained in this system should address written inquiries to the Privacy Officer, Headquarters, Defense Logistics Agency, ATTN: DSS-B, 8725 John J. Kingman Road, Stop 6220, Fort Belvoir, VA 22060-6221, or the Privacy Officers at DLA field activities. Official mailing addresses are published as an appendix to DLA's compilation of systems of records notices.

*Record access procedures:* Individuals seeking access to information about themselves contained in this system should address written inquiries to the Privacy Officer, Headquarters, Defense Logistics Agency, ATTN: DSS-B, 8725 John J. Kingman Road, Stop 6220, Fort Belvoir, VA 22060-6221, or the Privacy Officers at the DLA field activities. Official mailing addresses are published as an appendix to DLA's compilation of systems of records notices.

Individuals should provide information that contains full name, current address and telephone numbers of requester.

For personal visits, each individual shall provide acceptable identification, e.g., driver's license or identification card.

*Contesting record procedures:* The DLA rules for accessing records, contesting contents, and appealing initial agency determinations are contained in 32 CFR part 323, or may be obtained from the Privacy Act Officer, Headquarters, Defense Logistics Agency, ATTN: DSS-B, 8725 John J. Kingman Road, Stop 6220, Fort Belvoir, VA 22060-6221.

*Record source categories:* Inventors, reviewers, evaluators, officials of U.S. and foreign patent offices, and other persons having a direct interest in the file.

*Exemptions claimed for the system:* None.

**APPENDIX F TO PART 310—FORMAT FOR NEW OR ALTERED SYSTEM REPORT**

(See paragraph (c) of §310.33)

The report on a new or altered system shall consist of a transmittal letter, a narrative statement, and include supporting documentation.

**A. TRANSMITTAL LETTER**

The transmittal letter shall be prepared by the Defense Privacy Office and shall contain assurances that the new or altered system does not duplicate any existing Component systems, DoD-wide systems or government-wide systems. The narrative statement, and the system notice, shall be attached thereto.

**B. NARRATIVE STATEMENT**

The statement shall include information on the following:

1. System Identifier and name;
2. Responsible official;
3. Purpose of establishing the system [for a new system only] or Nature of the changes proposed for the system [for altered system only];
4. Authority for maintenance of the System;
5. Probable or potential effects on the privacy of individuals;
6. Is the system, in whole or part, being maintained by a contractor;
7. Steps taken to minimize risk of unauthorized access;
8. Routine use compatibility;
9. OMB information collection requirements; and
10. Supporting documentation.

**ATTACHMENT 1—SAMPLE FORMAT FOR NARRATIVE STATEMENT**

**DEPARTMENT OF DEFENSE**

[COMPONENT NAME]

NARRATIVE STATEMENT ON A [NEW/ALTERED] SYSTEM OF RECORDS

UNDER THE PRIVACY ACT OF 1974

1. *System Identifier and Name.* This caption sets forth the identification and name of the system (see subparagraphs (b)(c) of §310.32).
2. *Responsible Official.* The name, title, address, and telephone number of the official responsible for the report and to whom inquiries and comments about the report may be directed by Congress, the Office of Management and Budget, or the Defense Privacy Office.
3. *Purpose of establishing the system or nature of the changes proposed for the system:* Describe the purpose of the new system or how an existing system is being changed.