(c) The requester shall provide a brief written statement setting forth the reasons for his or her disagreement with the initial determination and provide such additional supporting material as the individual feels necessary to justify the appeal.

(d) Within 30 working days of receipt of the request for review, the Agency shall advise the individual of the final disposition of the request.

(e) In those cases where the initial determination is reversed, the individual will be so informed and the Agency will take appropriate action.

(f) In those cases where the initial determination is sustained, the individual shall be advised:

(1) In the case of a request for access to a record, of the individual’s right to seek judicial review of the Agency refusal for access.

(2) In the case of a request to correct or amend the record:

(i) Of the individual’s right to file a concise statement of his or her reasons for disagreeing with the Agency’s decision in the record,

(ii) Of the procedures for filing a statement of the disagreement, and

(iii) Of the individual’s right to seek judicial review of the Agency’s refusal to correct or amend a record.

§ 318.12 Fees.

Individuals may request copies for retention of any documents to which they are granted access in DTRA records pertaining to them. Requesters will not be charged for the first copy of any records provided; however, duplicate copies will require a charge to cover costs of reproduction. Such charges will be computed in accordance with 32 CFR part 310.

§ 318.13 Enforcement actions.

Procedures and sanctions are set forth in 5 U.S.C. 552a, OMB Circular A–130, and 32 CFR part 310.

§ 318.14 Blanket routine uses.

(a) Blanket routine uses. Certain ‘blanket routine uses’ of the records have been established that are applicable to every record system maintained within the Department of Defense unless specifically stated otherwise within a particular record system. These additional blanket routine uses of the records are published only once in the interest of simplicity, economy and to avoid redundancy.

(b) Routine Use—Law Enforcement. If a system of records maintained by a DoD Component, to carry out its functions, indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine
use, to the agency concerned, whether Federal, State, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

(c) Routine Use—Disclosure When Requesting Information. A record from a system of records maintained by a Component may be disclosed as a routine use to a Federal, State, local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to a Component decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.

(d) Routine Use—Disclosure of Requested Information. A record from a system of records maintained by a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency’s decision on the matter.

(e) Routine Use—Congressional Inquiries. Disclosure from a system of records maintained by a Component may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(f) Routine Use—Private Relief Legislation. Relevant information contained in all systems of records of the Department of Defense published on or before August 22, 1975, will be disclosed to the OMB in connection with the review of private relief legislation as set forth in OMB Circular A–19 at any stage of the legislative coordination and clearance process as set forth in that Circular.

(g) Routine Use—Disclosures Required by International Agreements. A record from a system of records maintained by a Component may be disclosed to foreign law enforcement, security, investigatory, or administrative authorities to comply with requirements imposed by, or to claim rights conferred in, international agreements and arrangements including those regulating the stationing and status in foreign countries of DoD military and civilian personnel.

(h) Routine Use—Disclosure to State and Local Taxing Authorities. Any information normally contained in Internal Revenue Service (IRS) Form W-2 which is maintained in a record from a system of records maintained by a Component may be disclosed to State and local taxing authorities with which the Secretary of the Treasury has entered into agreements under 5 U.S.C. 5516, 5517, and 5520 and only to those State and local taxing authorities for which an employee or military member is or was subject to tax regardless of whether tax is or was withheld. This routine use is in accordance with Treasury Fiscal Requirements Manual Bulletin No. 76–07.

(i) Routine Use—Disclosure to the Office of Personnel Management. A record from a system of records subject to the Privacy Act and maintained by a Component may be disclosed to the Office of Personnel Management (OPM) concerning information on pay and leave, benefits, retirement deduction, and any other information necessary for the OPM to carry out its legally authorized government-wide personnel management functions and studies.

(j) Routine Use—Disclosure to the Department of Justice for Litigation. A record from a system of records maintained by this component may be disclosed as a routine use to any component of the Department of Justice for the purpose of representing the Department of Defense, or any officer, employee or member of the Department in pending or potential litigation to which the record is pertinent.

(k) Routine Use—Disclosure to Military Banking Facilities Overseas. Information as to current military addresses and assignments may be provided to military banking facilities who provide banking services overseas and who are reimbursed by the Government for certain checking and loan losses. Personnel separated, discharged, or retired
from the Armed Forces, information as to last known residential or home of
record address may be provided to the
military banking facility upon certifi-
cation by a banking facility officer
that the facility has a returned or dis-
honored check negotiated by the indi-
vidual or the individual has defaulted
on a loan and that if restitution is not
made by the individual, the U.S. Gov-
ernment will be liable for the losses the
facility may incur.

(l) Routine Use—Disclosure of Informa-
tion to the General Services Administra-
tion (GSA). A record from a system of
records maintained by this component
may be disclosed as a routine use to
the General Services Administration
(GSA) for the purpose of records man-
agement inspections conducted under
authority of 44 U.S.C. 2904 and 2906.

(m) Routine Use—Disclosure of Infor-
mation to the National Archives and
Records Administration (NARA). A
record from a system of records main-
tained by this component may be dis-
closed as a routine use to the National
Archives and Records Administration
(NARA) for the purpose of records man-
agement inspections conducted under
authority of 44 U.S.C. 2904 and 2906.

(n) Routine Use—Disclosure to the
Merit Systems Protection Board. A record
from a system of records maintained
by this component may be disclosed as
a routine use to the Merit Systems
Protection Board, including the Office
of the Special Counsel for the purpose
of litigation, including administrative
proceedings, appeals, special studies of
the civil service and other merit sys-
tems, review of OPM or component
rules and regulations, investigation of
alleged or possible prohibited personnel
practices; including administrative
proceedings involving any individual
subject of a DoD investigation, and
such other functions, promulgated in 5
U.S.C. 1205 and 1206, or as may be au-
thorized by law.

(o) Routine Use—Counterintelligence
Purpose. A record from a system of
records maintained by this component
may be disclosed as a routine use out-
side the DoD or the U.S. Government
for the purpose of counterintelligence
activities authorized by U.S. Law or
Executive Order or for the purpose of
enforcing laws which protect the na-
tional security of the United States.

§ 318.15 Rules of conduct
(a) DTRA personnel shall:
(1) Take such actions, as considered
appropriate, to ensure that personal in-
formation contained in a system of
records, to which they have access or
are using incident to the conduct of of-
ficial business, shall be protected so
that the security and confidentiality of
the information shall be preserved.
(2) Not disclose any personal infor-
mation contained in any system of
records except as authorized by 32 CFR
part 310 or other applicable law or reg-
ulation. Personnel willfully making
such a disclosure when knowing the
disclosure is prohibited are subject to
possible criminal penalties and/or ad-
ministrative sanctions.
(3) Report any unauthorized disclo-
sure of personal information from a
system of records or the maintenance
of any system of records that are not
authorized by the Instruction to the
DTRA Privacy Act Officer.
(b) DTRA system managers for each
system of records shall:
(1) Ensure that all personnel who ei-
ther have access to the system of
records or who shall develop or super-
vise procedures for the handling of
records in the system of records shall
be aware of their responsibilities for
protecting personnel information being
collected and maintained under the
DTRA Privacy Program.
(2) Promptly notify the Privacy Act
Officer of any required new, amended,
or altered system notices for the sys-
tem of records.
(3) Not maintain any official files on
individuals, which are retrieved by
name or other personal identifier with-
out first ensuring that a notice for the
system of records shall have been pub-
lished in the FEDERAL REGISTER. Any
official who willfully maintains a sys-
tem of records without meeting the
publication requirements, as prescribed
by 5 U.S.C. 552a, OMB Circular A-130,
and 32 CFR part 310, is subject to pos-
sible criminal penalties and/or admin-
istrative sanctions.