(3) Blanket requests for any and all records pertaining to an individual shall not be honored. The requesting agency or instrumentality must specify each record or portion desired and how each relates to the authorized law enforcement activity.

(4) This disclosure provision applies when the law enforcement agency or instrumentality request the record. If the DoD Component discloses a record outside the DoD for law enforcement purposes without the individual’s consent and without an adequate written request, the disclosure must be pursuant to an established routine use, such as the blanket routine use for law enforcement.

(e) Disclosures to the public from health care records. (1) The following general information may be released to the news media or public concerning a DeCA employee treated or hospitalized in DoD medical facilities and non-Federal facilities for whom the cost of the care is paid by DoD:

(i) Personal information concerning the patient that is provided in §327.8 and under provisions of 32 CFR part 285.

(ii) The medical condition such as the date of admission or disposition and the present medical assessment of the individual’s condition in the following terms if the medical doctor has volunteered the information:

(A) The individual’s condition is presently (stable) (good) (fair) (serious) or (critical), and

(B) Whether the patient is conscious, semi-conscious or unconscious.

(2) Detailed medical and other personal information may be released on a DeCA employee only if the employee has given consent to the release. If the employee is not conscious or competent, no personal information, except that required by 32 CFR part 285, will be released until there has been enough improvement in the patient’s condition for them to give informed consent.

(3) Any item of personal information may be released on a DeCA patient if the patient has given consent to its release.

(4) This part does not limit the disclosure of personal medical information for other government agencies’ use in determining eligibility for special assistance or other benefits provided disclosure in pursuant to a routine use.

APPENDIX A TO PART 327—SAMPLE DECA RESPONSE LETTER

Mrs. Floria Employee
551 Florida Avenue
Oakland, CA 94618

Dear Mrs. Employee: This responds to your Privacy Act request dated (enter date of request), in which you requested (describe requested records).

Your request has been referred to our headquarters for further processing. They will respond directly to you. Any questions concerning your request may be made telephonically (enter Privacy Officer’s telephone number) or in writing to the following address:


I trust this information is responsive to your needs.

(Signature block)

APPENDIX B TO PART 327—INTERNAL MANAGEMENT CONTROL REVIEW CHECKLIST

(a) Task: Personnel and/or Organization Management.

(b) Subtask: Privacy Act (PA) Program.

(c) Organization:

(d) Action officer:

(e) Reviewer:

(f) Date completed:

(g) Assessable unit: The assessable units are HQ, DeCA, Regions, Central Distribution Centers, Field Operating Activities, and commissaries. Each test question is annotated to indicate which organization(s) is (are) responsible for responding to the question(s).

(h) Event cycle 1: Establish and implement a Privacy Act Program.

(1) Risk: If prescribed policies, procedures and responsibilities of the Privacy Act Program are not adhered to, sensitive private information on individuals can be given out to individuals.

(2) Control Objectives: The prescribed policies, procedures and responsibilities contained in 5 U.S.C. 552a are followed to protect individual privacy and information release.

1Copies may be obtained: Defense Commissary Agency, ATTN: FOIA/Privacy Officer, 1300 E. Avenue, Fort Lee, VA 23801–1800.
Office of the Secretary of Defense

(i) Ensure that a PA program is established and implemented.
(ii) Appoint an individual with PA responsibilities and ensure the designation of appropriate staff to assist.
(iii) Test Questions: Explain rationale for YES responses, cross-reference where corrective action plans can be found. If response is NA, explain rationale.
(iv) Is a PA program established and implemented in DeCA in accordance with 32 CFR part 310? (DeCA HQ/SA, Region IM). Response: Yes / No / NA. Remarks:
(v) Are the current names and office telephone numbers furnished OSD, Privacy Act Office of the PA Officer and the IDA? (DeCA HQ/SA). Response: Yes / No / NA. Remarks:
(vi) Do denial letters contain the name and title or position of the official who made the determination, cite the exemption(s) on which the denial is based and advise the PA requester of their right to appeal the denial to the Director DeCA or designee? (DeCA HQ/SA). Response: Yes / No / NA. Remarks:
(vii) Is each system of records maintained with the PA Officer consulted by information systems developers for privacy requirements which need to be included as part of the life cycle management of information consideration in information systems design? (DeCA HQ/SA, Region). Response: Yes / No / NA. Remarks:
(viii) Do PA requests logged into a formal control system? (DeCA HQ/SA, Region IM). Response: Yes / No / NA. Remarks:
(ix) Are Privacy Statements prepared and issued for all forms, formats and questionnaires that are subject to the PA, coordinated with the DeCA forms manager? (DeCA HQ/SA). Response: Yes / No / NA. Remarks:
(x) Are Privacy Statements prepared and issued for all forms, formats and questionnaires that are subject to the PA, coordinated with the DeCA forms manager? (DeCA HQ/SA). Response: Yes / No / NA. Remarks:
(xi) Is each system of records maintained with the PA Officer consulted by information systems developers for privacy requirements which need to be included as part of the life cycle management of information consideration in information systems design? (DeCA HQ/SA, Region). Response: Yes / No / NA. Remarks:
(xii) Do denial letters contain the name and title or position of the official who made the determination, cite the exemption(s) on which the denial is based and advise the PA requester of their right to appeal the denial to the Director DeCA or designee? (DeCA HQ/SA). Response: Yes / No / NA. Remarks:
(xiii) Are DeCA records withheld only when they fall under one or more of the general or specific exemptions of the PA or one or more of the nine exemptions of the FOIA? (DeCA HQ/SA, Region IM). Response: Yes / No / NA. Remarks:
(xiv) Are all forms used to collect information about individuals which will be part of a system of records staffed with the PA Officer for correctness of the Privacy Act Statement? (DeCA HQ/SA, Region). Response: Yes / No / NA. Remarks:
(xv) Are Privacy Statements prepared and issued for all forms, formats and questionnaires that are subject to the PA, coordinated with the DeCA forms manager? (DeCA HQ/SA). Response: Yes / No / NA. Remarks:
(xvi) Are Privacy Statements prepared and issued for all forms, formats and questionnaires that are subject to the PA, coordinated with the DeCA forms manager? (DeCA HQ/SA). Response: Yes / No / NA. Remarks:
(xvii) Are all forms used to collect information about individuals which will be part of a system of records staffed with the PA Officer for correctness of the Privacy Act Statement? (DeCA HQ/SA, Region). Response: Yes / No / NA. Remarks:
(xviii) Are Privacy Statements prepared and issued for all forms, formats and questionnaires that are subject to the PA, coordinated with the DeCA forms manager? (DeCA HQ/SA). Response: Yes / No / NA. Remarks:
(xix) Are Privacy Statements prepared and issued for all forms, formats and questionnaires that are subject to the PA, coordinated with the DeCA forms manager? (DeCA HQ/SA). Response: Yes / No / NA. Remarks:
(xx) Are Privacy Statements prepared and issued for all forms, formats and questionnaires that are subject to the PA, coordinated with the DeCA forms manager? (DeCA HQ/SA). Response: Yes / No / NA. Remarks:

2 See footnote 1 to this Appendix B.

3 See footnote 1 to this Appendix B.
Appendix C to Part 327—DeCA

Routine Use—Disclosure of Requested Information

(a) 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, 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.

(b) 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, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licensees, 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.

(c) Routine Use—Disclosures Required by Congress. A record from a system of records maintained by a Component may be disclosed to congressional office made at the request of an individual in response to an inquiry from the congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

(d) 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.

(e) 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.

(f) 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,