AUTHENTICATED
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INFORMATION
GPO

(available at *http://www.dtic.mil/whs/directives/corres/pdf/*520027p.pd), AR 380–13, Acquisition and Storage of Information Concerning Non-Affiliated Persons and Organizations (available at *http://www.apd.army.mil/pdffiles/r380__13.pdf*) and AR 25–400–2, The Army Records Information Management System (ARIMS) (available at *http://www.apd.army.mil/pdffiles/r25__400__2.pdf*).

(d) Local police intelligence files may be exempt from 32 CFR part 518 and the FOIA's disclosure requirements.

§ 635.5 Name checks.

(a) Information contained in military police records will be released under the provisions of 32 CFR part 505, The Army Privacy Program, to authorized personnel for valid background check purposes. Examples include child care/youth program providers, sexual assault response coordinator, unit victim advocate, access control, unique or special duty assignments, security clearance procedures and suitability and credentialing purposes. Any information released must be restricted to that necessary and relevant to the requester's official purpose. Provost Marshals/Directors of Emergency Services (PM/DES) will establish written procedures to ensure that release is accomplished in accordance with 32 CFR part 505.

(b) Checks will be accomplished by a review of the Army's Law Enforcement Reporting and Tracking System (ALERTS). Information will be disseminated according to subpart B of this part.

(c) In response to a request for local files or name checks, PM/DES will release only founded offenses with final disposition. Offenses determined to be unfounded will not be released. These limitations do not apply to requests submitted by law enforcement agencies for law enforcement purposes, and counterintelligence investigative agencies for counterintelligence purposes.

(d) A successful query of ALERTS would return the following information:

(1) Military Police Report Number;
(2) Report Date;
(3) Social Security Number;
(4) Last Name;
(5) First Name;
(6) Protected Identity (Y/N);
(7) A link to view the military police report; and
(8) Whether the individual is a subject, victim, or a person related to the report disposition.

(e) Name checks will include the information derived from ALERTS and the United States Army Crime Records Center (USACRC). All of the policies and procedures for such checks will conform to the provisions of this part. Any exceptions to this policy must be coordinated with Headquarters Department of the Army (HQDA), Office of the Provost Marshal General (OPMG) before any name checks are conducted. The following are examples of appropriate uses of the name check feature of ALERTS:

(1) Individuals named as the subjects of serious incident reports.
(2) Individuals named as subjects of investigations who must be reported to the USACRC.
(3) Individuals seeking employment as child care/youth program providers.
(4) Local checks of the ALERTS as part of placing an individual in the ALERTS.
(5) Name checks for individuals seeking employment in law enforcement positions.

[80 FR 28549, May 19, 2015, as amended at 81 FR 17386, Mar. 29, 2016]

§ 635.6 Registration of sex offenders on Army installations (inside and outside the Continental United States).

(a) *Sex Offenders on US Army Installations.* Garrison Commander's responsibilities: Garrison Commanders will ensure that sex offenders, as defined in paragraph (b) of this section that reside or are employed on an Army Installation register with the installation PM/DES. This includes service members, civilian employees, accompanying dependent family members, and contractors subject to the incorporation of the sex offender registration requirement into the contract.

(b) Sex offender is defined as:

(1) Any person, including but not limited to a Service member, Service member's family member, Civilian employee, Civilian employee's family member, or contractor, who either is registered or required to register as a