

prepared by a witness whom the defense intends to call at trial when the results or reports relate to that witness' testimony."

Amend the Analysis accompanying R.C.M. 701(b) by inserting the following prior to the current paragraph:

"2000 Amendment: Subsection (b)(4) was amended to also take into consideration the protections afforded by the new psychotherapist-patient privilege under Mil. R. Evid. 513."

Amend the analysis accompanying R.C.M. 707(a) by inserting the following paragraph after the second full paragraph:

"2000 Analysis Amendment: Burton and its progeny were re-examined in 1993 when the Court of Military Appeals specifically overruled *Burton* and reinstated the earlier rule from *United States v. Tibbs*, 15 C.M.A. 350, 35 C.M.R. 322 (1965). *United States v. Kossman*, 38 M.J. 258 (C.M.A. 1993). In *Kossman*, the Court reinstated the "reasonable diligence" standard in determining whether the prosecution's progress toward trial for a confined accused was sufficient to satisfy the speedy trial requirement of Article 10, UCMJ."

Amend R.C.M. 1003(b)(3) to read as follows:

"Fine. Any court-martial may adjudge a fine in lieu of or in addition to forfeitures. Special and summary courts-martial may not adjudge any fine or combination of fine and forfeitures in excess of the total amount of forfeitures that may be adjudged in that case. In order to enforce collection, a fine may be accompanied by a provision in the sentence that, in the event the fine is not paid, the person fined shall, in addition to any period of confinement adjudged, be further confined until a fixed period considered an equivalent punishment to the fine has expired. The total period of confinement so adjudged shall not exceed the jurisdictional limitations of the court-martial;"

Amend the Discussion accompanying R.C.M. 1003(b)(3) by adding the following after the second paragraph:

"Where the sentence adjudged at a special court-martial includes a fine, see R.C.M. 1107(d)(5) for limitations on convening authority action on the sentence."

Amend the Analysis accompanying R.C.M. 1003(b)(3) by inserting the following before the discussion of subsection (b)(4):

"2000 Amendment: The amendment clearly defines the authority of special and summary courts-martial to adjudge both fines and forfeitures. See generally, *United States v. Tualla*, 52 M.J. 228 (2000)."

Add R.C.M. 1107(d)(5) as follows:

"Limitations on sentence of a special court-martial where a fine has been adjudged. A convening authority may not approve in its entirety a sentence adjudged at a special court-martial where, when approved, the cumulative impact of the fine and forfeitures, whether adjudged or by operation of Article 58b, UCMJ, would exceed the jurisdictional maximum dollar amount of forfeitures that may be adjudged at that court-martial."

Amend the Analysis accompanying R.C.M. 1107(d) by inserting the following before the discussion of subsection (e):

"2000 Amendment: Subparagraph (d)(5). This subparagraph is new. The amendment addresses the impact of Article 58b, UCMJ. In special courts-martial, where the cumulative impact of a fine and forfeitures, whether adjudged or by operation of Article 58b, would otherwise exceed the total dollar amount of forfeitures that could be adjudged at the special court-martial, the fine and/or adjudged forfeitures should be disapproved or decreased accordingly. See generally, *United States v. Tualla*, 52 M.J. 228, 231-32 (2000)."

Dated: November 30, 2000.

L.M. Bynum,

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

[FR Doc. 00-31247 Filed 12-7-00; 8:45 am]

BILLING CODE 5001-10-M

DEPARTMENT OF DEFENSE

Office of the Secretary

Defense Science Board; Meeting

ACTION: Notice of Advisory Committee Meetings.

SUMMARY: The Defense Science Board will meet in closed session on March 7-8, 2001; May 16-17, 2001; and October 24-25, 2001, at the Pentagon, Arlington, Virginia.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Under Secretary of Defense for Acquisition, Technology & Logistics on scientific and technical matters as they affect the perceived needs of the Department of Defense. At these meetings, the Defense Science Board will discuss interim findings and recommendations resulting from ongoing Task Force activities. The Board will also discuss plans for future consideration of scientific and technical aspects of specific strategies, tactics, and

policies as they may affect the U.S. national defense posture.

In accordance with Section 10(d) of the Federal Advisory Committee Act, P.L. No. 92-463, as amended (5 U.S.C. App. II, (1994)), it has been determined that these Defense Science Board meetings concern matters listed in 5 U.S.C. § 552b(c)(1)(1994), and that accordingly these meetings will be closed to the public.

Dated: November 30, 2000.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 00-31241 Filed 12-7-00; 8:45 am]

BILLING CODE 5001-10-M

DEPARTMENT OF DEFENSE

Office of the Secretary

Privacy Act of 1974; System of Records

AGENCY: Office of the Secretary, DoD.

ACTION: Notice to alter a system of records.

SUMMARY: The Office of the Secretary of Defense proposes to alter a system of records notices in its inventory of record systems subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended. The system of records identified as DHA 05, Military Deployment Issues Files, is being altered to add two routine uses.

DATES: The changes will be effective on January 8, 2001 unless comments are received that would result in a contrary determination.

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

FOR FURTHER INFORMATION CONTACT: Mr. David Bosworth at (703) 601-4725.

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 system report, as required by 5 U.S.C. 552a(r) of the Privacy Act of 1974, as amended, was submitted on November 30, 2000, 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: December 1, 2000.

L. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

DHA 05

SYSTEM NAME:

Persian Gulf Veterans Illnesses Files (March 16, 1998, 63 FR 12786).

CHANGES:

* * * * *

SYSTEM NAME:

Delete entry and replace with 'Military Deployment Issues Files'.

SYSTEM LOCATION:

Delete entry and replace with 'Office of the Special Assistant to the Secretary of Defense for Gulf War Illnesses, Medical Readiness, and Military Deployments, 5113 Leesburg Pike, Suite 901, Falls Church, VA 22041-3226; DoD Deployment Health Clinical Center (including the Comprehensive Clinical Evaluation and Special Care Programs), Walter Reed Army Medical Center, Washington, DC 20307-0002; DoD Deployment Health Research Center, Naval Health Research Center, 271 Catalina Boulevard, Barracks Building 322, San Diego, CA 92152-5302; DoD Deployment Health Medical Surveillance Center, Director of Epidemiology and Disease Surveillance, US Army Center for Health Promotion and Preventive Medicine, Aberdeen Proving Ground, MD 21010-5422; and US Armed Services Center for Unit Records Research, 7798 Cissna Road, Suite 101, Springfield, VA 22150-3197.'

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Delete entry and replace with 'Individuals who participated in military deployments or related operations, exercises, or tests, or served in Operation Desert Storm and/or Operation Desert Shield, the Kuwait Theater of Operations who feel they may have been exposed to biological, chemical, radiological, disease, or environmental agents.'

CATEGORIES OF RECORDS IN THE SYSTEM:

Delete first three paragraphs and replace with 'Records consist of individual's name, Social Security Number or service number, last known or current address, occupational information, date and extent of involvement in military deployments or related operations, exercises, or tests, perceived issues, exposure information, medical treatment information, medical

history of subject, and other documentation of reports of possible exposure to biological, chemical radiological, disease, or environmental agents.

The system contains information from unit and historical records, medical and hospital records, and information provided to the DoD by individuals with first-hand knowledge of reports of possible biological, chemical, radiological, disease, or environmental incidents. Information from health care providers who have evaluated patients with illnesses possibly related to military deployments is also included. Records include those documents, files, and other media that could relate to possible deployment health issues or illnesses.'

* * * * *

PURPOSE(S):

Delete entry and replace with 'Records are collected and assembled to permit investigative examination and analysis of reports of possible exposure to biological, chemical, radiological, disease, or environmental agents incident to service in military deployments or related operations, exercises, or tests, or service in Gulf War deployments, to conduct scientific or related studies or medical follow-up programs, and to assist in the resolution of deployment related issues.'

ROUTINE USE(S) OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND PURPOSES OF SUCH USES:

Delete paragraphs three and four, and replace with 'To the Department of Veterans Affairs and Health and Human Services, and the Centers for Disease Control and Prevention to permit investigative, scientific, medical and other analyses regarding deployment health issues and incidents and possible causes, symptoms, diagnoses, treatment, and other characteristics pertinent to service member's and veteran's health.

To the Military and Veterans Health Coordinating Board (MVHCB), which will coordinate with several agencies the clinical, research, and health risk communications issues relating to service member's (and veteran's) pre and post deployment health.'

* * * * *

RETENTION AND DISPOSAL:

Delete entry and replace with 'Disposition pending (until NARA approves retention and disposition schedule, treat records as permanent).'

* * * * *

RECORD SOURCE CATEGORIES:

Delete entry and replace with 'Information is from the individual's

themselves, witnesses to a possible event, health care providers who have evaluated patients with illnesses possibly related to service in military deployments or related operations, exercises, or tests as well as extracts from official DoD records to include: Personnel files and lists, unit histories, medical records, and related sources.'

* * * * *

DHA 05

SYSTEM NAME:

Military Deployment Issues Files.

SYSTEM LOCATION:

Office of the Special Assistant to the Secretary of Defense for Gulf War Illnesses, Medical Readiness, and Military Deployments, 5113 Leesburg Pike, Suite 901, Falls Church, VA 22041-3226;

DoD Deployment Health Clinical Center (including the Comprehensive Clinical Evaluation and Special Care Programs), Walter Reed Army Medical Center, Washington, DC 20307-0002;

DoD Deployment Health Research Center, Naval Health Research Center, 271 Catalina Boulevard, Barracks Building 322, San Diego, CA 92152-5302;

DoD Deployment Health Medical Surveillance Center, Director of Epidemiology and Disease Surveillance, U.S. Army Center for Health Promotion and Preventive Medicine, Aberdeen Proving Ground, MD 21010-5422; and

U.S. Armed Services Center for Unit Records Research, 7798 Cissna Road, Suite 101, Springfield, VA 22150-3197.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals who participated in military deployments or related operations, exercises, or tests, or served in Operation Desert Storm and/or Operation Desert Shield, the Kuwait Theater of Operations who feel they may have been exposed to biological, chemical, radiological, disease, or environmental agents.

CATEGORIES OF RECORDS IN THE SYSTEM:

Records consist of individual's name, Social Security Number or service number, last known or current address, occupational information, date and extent of involvement in military deployments or related operations, exercises, or tests, perceived issues, exposure information, medical treatment information, medical history of subject, and other documentation of reports of possible exposure to biological, chemical radiological, disease, or environmental agents.

The system contains information from unit and historical records, medical and hospital records, and information provided to the DoD by individuals with first-hand knowledge of reports of possible biological, chemical, radiological, disease, or environmental incidents. Information from health care providers who have evaluated patients with illnesses possibly related to military deployments is also included. Records include those documents, files, and other media that could relate to possible deployment health issues or illnesses.

Records of diagnostic and treatment methods pursued on subjects following reports of possible incidental exposure are also included in this system.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

10 U.S.C. 131, Office of the Secretary of Defense; 10 U.S.C. 136, Under Secretary of Defense for Personnel and Readiness; and E.O. 9397 (SSN).

PURPOSE(S):

Records are collected and assembled to permit investigative examination and analysis of reports of possible exposure to biological, chemical, radiological, disease, or environmental agents incident to service in military deployments or related operations, exercises, or tests, or service in Gulf War deployments, to conduct scientific or related studies or medical follow-up programs, and to assist in the resolution of deployment related issues.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND 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 Department of Veterans Affairs and the Social Security Administration for appropriate consideration of individual claims for benefits for which that agency is responsible.

To the Department of Veterans Affairs and Health and Human Services, and the Centers for Disease Control and Prevention to permit investigative, scientific, medical and other analyses regarding deployment health issues and incidents and possible causes, symptoms, diagnoses, treatment, and other characteristics pertinent to service member's and veteran's health.

To the Military and Veterans Health Coordinating Board (MVHCB), which will coordinate with several agencies the clinical, research, and health risk

communications issues relating to service member's (and veteran's) pre and post deployment health.

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:

Paper records are maintained in file folders; electronic records are stored on magnetic media; microfilm/microfiche are maintained in appropriate storage containers.

RETRIEVABILITY:

Records are retrieved by case number, name, Social Security Number or service number and key words.

SAFEGUARDS:

Access to areas where records maintained is limited to authorized personnel. Areas are protected by access control devices during working hours and intrusion alarm devices during non-duty hours.

RETENTION AND DISPOSAL:

Disposition pending (until NARA approves retention and disposition schedule, treat records as permanent.)

SYSTEM MANAGER(S) AND ADDRESS:

Special Assistant to the Secretary of Defense for Gulf War Illnesses, Medical Readiness, and Military Deployments, 5113 Leesburg Pike, Suite 901, Falls Church, VA 22041-3226.

NOTIFICATION PROCEDURE:

Individuals seeking to determine whether information about themselves is contained in this system should address written inquiries to the Special Assistant to the Secretary of Defense for Gulf War Illnesses, Medical Readiness, and Military Deployments, 5113 Leesburg Pike, Suite 901, Falls Church, VA 22041-3226.

RECORD ACCESS PROCEDURES:

Individuals seeking access to records about themselves contained in this system of records should address written inquiries to the Special Assistant to the Secretary of Defense for Gulf War Illnesses, Medical Readiness, and Military Deployments, 5113 Leesburg Pike, Suite 901, Falls Church, VA 22041-3226.

CONTESTING RECORD PROCEDURES:

The OSD's rules for accessing records, for contesting contents and appealing initial agency determinations are published in OSD Administrative

instruction 81; 32 CFR part 311; or may be obtained from the system manager.

RECORD SOURCE CATEGORIES:

Information is from the individual's themselves, witnesses to a possible event, health care providers who have evaluated patients with illnesses possibly related to service in military deployments or related operations, exercises, or tests as well as extracts from official DoD records to include: personnel files and lists, unit histories, medical records, and related sources.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

[FR Doc. 00-31246 Filed 12-7-00; 8:45 am]

BILLING CODE 5001-10-M

DEPARTMENT OF DEFENSE

Department of the Army

Availability of Patents for Exclusive License

AGENCY: Army Soldier and Biological Chemical Command (SBCCOM), U.S. Army, DoD

ACTION: Notice; correction.

SUMMARY: Reference the previous **Federal Register** notice (65 FR 68128), Tuesday, November 14, 2000, the notice announces the availability of Patents for Exclusive, Partially Exclusive or Nonexclusive Licenses. However, the notice should have stated: SBCCOM gives notice that it is contemplating the grant of an exclusive license in the United States and any applicable foreign country to practice the invention embodied in Patent Number 5,538,583, "Method of Manufacturing a Laminated Textile Substrate for a Body Heating or Cooling Garment" and Patent Number 5,320,164, "Body Heating and Cooling Garment" to Columbus Apparel Associates, Inc., (CAA) having a place of business in Woburn, Massachusetts.

FOR FURTHER INFORMATION CONTACT: Mr. Robert Rosenkrans at U.S. Army Soldier and Biological Chemical Command, Kansas Street, Natick, MA 01760, Phone: (508) 233-4928 or E-mail: Robert.Rosenkrans@natick.army.mil.

SUPPLEMENTARY INFORMATION: Any licenses granted shall comply with 35 U.S.C. 209 AND 37 CFR part 404. The following Patent Numbers, Titles and Issue dates are provided:

Patent Number: 5,538,583

Title: Method of Manufacturing a

Laminated Textile Substrate for a Body Heating or Cooling Garments
Issue Date: July 23, 1996

Patent Number: 5,320,164