

**DEPARTMENT OF DEFENSE****Department of the Army****Privacy Act of 1974; System of Records**

**AGENCY:** Department of the Army, DOD.

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

**SUMMARY:** The Department of the Army is altering a system of records notice in its existing inventory of record systems subject to the Privacy Act of 1974, (5 U.S.C. 552a), as amended.

**DATES:** This proposed action will be effective without further notice on May 14, 2001 unless comments are received which result in a contrary determination.

**ADDRESSES:** Records Management Division, U.S. Army Records Management and Declassification Agency, ATTN: TAPC-PDD-RP, Stop 5603, 6000 6th Street, Ft. Belvoir, VA 22060-5603.

**FOR FURTHER INFORMATION CONTACT:** Ms. Janice Thornton at (703) 806-4390 or DSN 656-4390 or Ms. Christie King at (703) 806-3711 or DNS 656-3711.

**SUPPLEMENTARY INFORMATION:** The Department of the Army systems of records notices 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 April 3, 2001, 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: April 6, 2001.

**L.M. Bynum,**  
*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

**A0340-21 SAIS****SYSTEM NAME:**

Privacy Case Files (February 22, 1993, 58 FR 10002).

**CHANGES:****SYSTEM IDENTIFIER:**

Delete entry and replace with 'A0340-21 TAPC'.

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**SAFEGUARDS:**

Change entry: All records are maintained in areas accessible only to authorized personnel who have official need in the performance of their assigned duties. Automated records are further protected by assignment of user identification and password to protect the system from unauthorized access. User identification and passwords are changed at random time.

**RETENTION AND DISPOSAL:**

Approved requests, denials that were not appealed, denials fully overruled by appellate authorities and appeals adjudicated fully in favor of requester are destroyed after 4 years. Appeals denied in full or in part are destroyed after 10 years, provided legal proceedings are completed.

\* \* \* \* \*

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

Delete entry and replace with "During the course of a Privacy Act (PA) action, exempt materials from other systems of records may become part of the case records in this system of records. To the extent that copies of exempt records from those 'other' systems of records are entered into these PA case records, the Department of the Army hereby claims the same exemptions for the records as they have in the original primary systems of records which they are a part.

Department of the Army exemption rules have been promulgated in accordance with requirements of 5 U.S.C. 553(b)(1), (2), and (3), (c) and (e) published in 32 CFR part 701, subpart G. For additional information contact the system manager."

**A0340-21 TAPC****SYSTEM NAME:**

Privacy Case Files.

**SYSTEM LOCATION:**

These records exist at Headquarters, Department of the Army, staff and field operating agencies, major commands, installations and activities receiving Privacy Act requests. Official mailing addresses are published as an appendix to the Army's compilation of systems of records notices. Records also exist in offices of Access and Amendment Refusal Authorities when an individual's request to access and/or amend his/her record is denied. Upon appeal of that denial, record is maintained by the Department of the Army Privacy Review Board.

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Individuals who request information concerning themselves which is in the custody of the Department of the Army or who request access to or amendment of such records in accordance with the Privacy Act of 1974, as amended.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Documents notifying requesters of the existence of records on them, providing or denying access to or amendment of records, acting on appeals or denials to provide access or amend records, and providing or developing information for use in litigation; Department of the Army Privacy Review Board minutes and actions; copies of the requested and amended or unamended records; statements of disagreement; and other related documents.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

5 U.S.C. 552a, the Privacy Act of 1974, as amended; 10 U.S.C. 3013, Secretary of the Army; and Army Regulation 340-21, The Army Privacy Program.

**PURPOSE(S):**

To process and coordinate individual requests for access and amendment of personal records; to process appeals on denials of requests for access or amendment to personal records by the data subject against agency rulings; and to ensure timely response to requesters.

**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:

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

**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:****STORAGE:**

Paper records in file folders; microfilm.

**RETRIEVABILITY:**

By name of requester on whom the records pertain.

**SAFEGUARDS:**

Records are accessed by custodian of the record system and by persons responsible for servicing the record system in performance of their official

duties. Records are stored in locked cabinets or rooms.

**RETENTION AND DISPOSAL:**

Approved requests, denials that were not appealed, denials fully overruled by appellate authorities and appeals adjudicated fully in favor of requester are destroyed after 4 years. Appeals denied in full or in part are destroyed after 10 years, provided legal proceedings are completed.

**SYSTEM MANAGER(S) AND ADDRESS:**

FOIA/PA Manager, U.S. Army Records Management and Declassification Agency, Freedom of Information/Privacy Act Office, 7798 Cissna Road, Fort Belvoir, VA 22153-3166.

**NOTIFICATION PROCEDURE:**

Individuals seeking to determine whether information about themselves is contained in this system should address written inquiries to the U.S. Army Records Management and Declassification Agency, Freedom of Information/Privacy Act Office, 7798 Cissna Road, Fort Belvoir, VA 22153-3166.

For verification purposes, individual should provide full name, date and place of birth, current address and other personal information necessary to locate the record.

**RECORD ACCESS PROCEDURES:**

Individuals seeking access to information about themselves contained in this system should address written inquiries to the office that processed the initial inquiry, access request, or amendment request. Individual may obtain assistance from the U.S. Army Records Management and Declassification Agency, Freedom of Information/Privacy Act Office, 7798 Cissna Road, Fort Belvoir, VA 22153-3166.

For verification purposes, individual should provide full name, date and place of birth, current address and other personal information necessary to locate the record.

**CONTESTING RECORD PROCEDURES:**

The Army's rules for accessing records, and for contesting contents and appealing initial agency determinations are contained in Army Regulation 340-21; 32 CFR part 505; or may be obtained from the system manager.

**RECORD SOURCE CATEGORIES:**

From the individual, Army organizations, Department of Defense components, and other Federal, state, and local government agencies.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

During the course of a Privacy Act (PA) action, exempt materials from "other" systems of records may become part of the case records in this system of records. To the extent that copies of exempt records from those "other" systems of records are entered into these PA case records, the Department of the Army hereby claims the same exemptions for the records as they have in the original primary systems of records which they are a part.

An exemption rule for this system has been promulgated in accordance with requirements of 5 U.S.C. 553(b)(1), (2), and (3), (c) and (e) published in 32 CFR part 505. For additional information contact the system manager.

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**DEPARTMENT OF DEFENSE**

**Department of the Army**

**Privacy Act of 1974; System of Records**

**AGENCY:** Department of the Army, DoD.

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

**SUMMARY:** The Department of the Army is altering a system of records notice in its existing inventory of record systems subject to the Privacy Act of 1974, (5 U.S.C. 552a), as amended. The alteration adds a new category of records being maintained.

**DATES:** This proposed action will be effective without further notice on May 14, 2001 unless comments are received which result in a contrary determination.

**ADDRESSES:** Records Management Division, U.S. Army Records Management and Declassification Agency, ATTN: TAPC-PDD-RP, Stop 5603, 6000 6th Street, Ft. Belvoir, VA 22060-5603.

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The proposed system report, as required by 5 U.S.C. 552a(r) of the Privacy Act of 1974, as amended, was submitted on April 3, 2001, 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: April 6, 2001.

**L.M. Bynum,**

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

**A0040-66b DASG**

**SYSTEM NAME:**

Health Care and Medical Treatment Record System (September 27, 2000, 65 FR 58054).

**CHANGES:**

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**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Delete 'Coast and Geodetic Survey' and replace with 'National Oceanic and Atmospheric Agency'.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Delete 'Name, sponsor's Social Security Number' from first paragraph, and 'preventive medicine HIV patients files' from second paragraph. Add 'Psychological Assessment and Selection Case records' to first paragraph.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Delete entry and replace with '10 U.S.C. 3013, Secretary of the Army; 10 U.S.C. 1071-1085, Medical and Dental Care; 50 U.S.C. Supplement IV, Appendix 454, as amended, Persons liable for training and service; 42 U.S.C. Chapter 117, Sections 11131-11152, Reporting of Information; 10 U.S.C. 1097a and 1097b TRICARE Prime and TRICARE Program; 10 U.S.C. 1079, Contracts for Medical Care for Spouses and Children; 10 U.S.C. 1079a, CHAMPUS; 10 U.S.C. 1086, Contracts for Health Benefits for Certain Members, Former Members, and Their Dependents; E.O. 9397 (SSN); DoD Instruction 6015.23, Delivery of Healthcare at Military Treatment Facilities (MTFs); DoD Directive 6040.37, Confidentiality of Medical Quality Assurance (QA) Records; DoD 6010.8-R, Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Army Regulation 40-66, Medical Record Administration and Health Care Documentation.'

**PURPOSE(S):**

Delete entry and replace with 'To provide health care and medical