

Transmittal No. 10-06

Notice of Proposed Issuance of Letter of Offer  
Pursuant to Section 36(b)(1)  
of the Arms Export Control Act

Annex  
Item No. vii

(vii) Sensitivity of Technology:

1. The AN/ALE-47 Countermeasures Dispensing System (CMDS) is an integrated, threat-adaptive, software-programmable dispensing system capable of dispensing chaff, flares, and active radio frequency expendables. The threats countered by the CMDS include radar-directed anti-aircraft artillery, radar command-guided missiles, radar homing guided missiles, and infrared guided missiles. The system is internally mounted and may be operated as a stand-alone system or may be integrated with other on-board electronic warfare and avionics systems. CMDS uses threat data received over the aircraft interfaces to assess the threat situation and to determine a response. Expendable routines tailored to the immediate aircraft and threat environment may be dispensed using one of four operational modes. The hardware is Unclassified. The software is classified Secret. Technical data and documentation to be provided are Unclassified.

2. The AN/AAR-47 missile warning system is a small, lightweight, passive, electro-optic, threat warning device used to detect surface-to-air missiles fired at helicopters and low-flying fixed-wing aircraft and automatically provide countermeasures, as well as audio and visual-sector warning messages to the aircrew. The basic system consists of multiple Optical Sensor Converter (OSC) units, a Computer Processor (CP) and a Control Indicator (CI). The set of OSC units, which normally consist of four, is mounted on the aircraft exterior to provide omni-directional protection. The OSC detects the rocket plumes of missiles and sends appropriate signals to the CP for processing. The CP analyzes the data from each OSC and automatically deploys the appropriate countermeasures. The CP also contains comprehensive BIT circuitry. The CI displays the incoming direction of the threat, so that the pilot can take appropriate action. The hardware is Unclassified. The software is classified Secret. Technical data and documentation to be provided are Unclassified.

3. The AN/ARC-210 (RT-1794C) HAVE QUICK I/II Single Channel Ground and Airborne Radio Systems (SINCGARS) offers a two-way secure, jam-resistant, voice and data communications via line-of-sight or satellite communications links in the very high frequency (VHF) and ultra high frequency (UHF) spectrum. The system provides frequency hopping and 8.33kHz capabilities and contains embedded communication security products.

4. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures, which might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

[FR Doc. 2010-13096 Filed 6-1-10; 8:45 am]

BILLING CODE 5001-06-C

**DEPARTMENT OF DEFENSE****Office of the Secretary**

[Docket ID: DOD-2010-OS-0073]

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

AGENCY: Defense Intelligence Agency, DoD.

ACTION: Notice to alter a system of records.

**SUMMARY:** The Defense Intelligence Agency is proposing to alter a system of records in its existing inventory of records 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 July 2, 2010, unless comments are received which result in a contrary determination.

**ADDRESSES:** You may submit comments, identified by docket number and title, by any of the following methods:

- *Federal Rulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Mail:* Federal Docket Management System Office, 1160 Defense Pentagon, Washington, DC 20301-1160.

*Instructions:* All submissions received must include the agency name and docket number for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at <http://www.regulations.gov> as they are received without change, including any

personal identifiers or contact information.

**FOR FURTHER INFORMATION CONTACT:** Ms. Theresa Lowery at (202) 231-1193.

**SUPPLEMENTARY INFORMATION:** The Defense Intelligence Agency system 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 Defense Intelligence Agency, DAN 1-C, 200 MacDill Blvd., Washington, DC 20340-0001.

The proposed system report, as required by 5 U.S.C. 552a of the Privacy Act of 1974, as amended, was submitted on May 21, 2010, to the House Committee on Oversight and Government Reform, the Senate Committee on Homeland Security and 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: May 28, 2010.

**Mitchell S. Bryman,**

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

#### **LDIA 0271**

#### **SYSTEM NAME:**

Investigations and Complaints (April 10, 2008; 73 FR 19477).

#### **CHANGES:**

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

Delete entry and replace with "Current and former civilian, military, or contract personnel who file a complaint or were the subject of an investigation conducted by the agency."

#### **CATEGORIES OF RECORDS IN THE SYSTEM:**

Delete entry and replace with "Name, Social Security Number (SSN), date of birth, telephone number and address; documents relating to the organization, planning and execution of audits, inspections, or investigations."

#### **AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Delete entry and replace with "Public Law 95-452, The Inspector General Act of 1978, as amended; DoD Instruction 5106.3, Inspector General of the Department of Defense; DIA Directive 5100.200, Office of the Inspector General Policies and Procedures; and E.O. 9397 (SSN), as amended."

#### **PURPOSE(S):**

Delete entry and replace with "Information is collected to determine the facts and circumstances surrounding a compliant filed with the Office of the Inspector General and to allow for the documentation of records relating to the organization, planning, and execution of audits, inspections and investigations and for use as a sound basis for action."

\* \* \* \* \*

#### **RETRIEVABILITY:**

Delete entry and replace with "By name and/or case number."

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#### **NOTIFICATION PROCEDURE:**

Delete entry and replace with "Individuals seeking to determine whether information about themselves is contained in this system of records should address written inquiries to the Freedom of Information Act Office (DAN-1A/FOIA), Defense Intelligence Agency, 200 MacDill Blvd, Washington, DC 20340-5100.

Individual should provide their full name, current address, and telephone number."

#### **RECORD ACCESS PROCEDURES:**

Delete entry and replace with "Individuals seeking access to information about themselves contained in this system should address written inquiries to the Freedom of Information Act Office (DAN-1A/FOIA), Defense Intelligence Agency, 200 MacDill Blvd, Washington, DC 20340-5100.

Individual should provide their full name, current address, and telephone number."

\* \* \* \* \*

#### **RECORD SOURCE CATEGORIES:**

Delete entry and replace with "From individuals of an investigation or complaint, records also derived from personnel, medical and/or security records as well as agency officials."

#### **EXEMPTIONS CLAIMED FOR THE SYSTEM:**

Delete entry and replace with "Parts of this system may be exempt under 5 U.S.C. 552a(k)(2), (k)(5), or (k)(7), as applicable.

Investigatory material compiled for law enforcement purposes, other than material within the scope of subsection 5 U.S.C. 552a(j)(2), may be exempt pursuant to 5 U.S.C. 552a(k)(2). However, if an individual is denied any right, privilege, or benefit for which he would otherwise be entitled by Federal law or for which he would otherwise be eligible, as a result of the maintenance of such information, the individual will be provided access to such information

except to the extent that disclosure would reveal the identity of a confidential source. **Note:** When claimed, this exemption allows limited protection of investigative reports maintained in a system of records used in personnel or administrative actions.

Investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for federal civilian employment, military service, federal contracts, or access to classified information may be exempt pursuant to 5 U.S.C. 552a(k)(5), but only to the extent that such material would reveal the identity of a confidential source.

Evaluation material used to determine potential for promotion in the Military Services may be exempt pursuant to 5 U.S.C. 552a(k)(7), but only to the extent that the disclosure of such material would reveal the identity of a confidential source.

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

#### **LDIA 0271**

#### **SYSTEM NAME:**

Investigations and Complaints.

#### **SYSTEM LOCATION:**

Defense Intelligence Agency, Washington, DC 20340-5100.

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

Current and former civilian, military, or contract personnel who file a complaint or were the subject of an investigation conducted by the agency.

#### **CATEGORIES OF RECORDS IN THE SYSTEM:**

Name, Social Security Number (SSN), date of birth, telephone number and address; documents relating to the organization, planning and execution of audits, inspections, or investigations.

#### **AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Public Law 95-452, The Inspector General Act of 1978, as amended; DoD Instruction 5106.3, Inspector General of the Department of Defense; DIA Directive 5100.200, Office of the Inspector General Policies and Procedures; and E.O. 9397 (SSN), as amended.

#### **PURPOSE(S):**

Information is collected to determine the facts and circumstances surrounding a compliant filed with the Office of the Inspector General and to allow for the

documentation of records relating to the organization, planning, and execution of audits, inspections and investigations and for use as a sound basis for action.

**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 of 1974, these records 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 DIA'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 in file folders and electronic storage media.

**RETRIEVABILITY:**

By name and/or case number.

**SAFEGUARDS:**

Records are stored in office buildings protected by guards, controlled screenings, use of visitor registers, electronic access, and/or locks. Access to records is limited to individuals who are properly screened and cleared on a need-to-know basis in the performance of their duties. Passwords and User IDs are used to control access to the system data, and procedures are in place to deter and detect browsing and unauthorized access. Physical and electronic access is limited to persons responsible for servicing and authorized to use the system.

**RETENTION AND DISPOSAL:**

Permanent—Maintain audits and inspections on site for 3 years, then transfer to the Washington National Records Center (WNRC), then retire to the National Archives Records Administration when 20 years old.

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

Director, Inspector General's Office, Defense Intelligence Agency, Washington, DC 20340-5100.

**NOTIFICATION PROCEDURE:**

Individuals seeking to determine whether information about themselves is contained in this system of records should address written inquiries to the Freedom of Information Act Office (DAN-1A/FOIA), Defense Intelligence Agency, 200 MacDill Blvd, Washington DC 20340-5100.

Individual should provide their full name, current address, and telephone number.

**RECORD ACCESS PROCEDURES:**

Individuals seeking access to information about themselves contained in this system should address written inquiries to the Freedom of Information Act Office (DAN-1A/FOIA), Defense Intelligence Agency, 200 MacDill Blvd, Washington, DC 20340-5100.

Individual should provide their full name, current address, and telephone number.

**CONTESTING RECORD PROCEDURES:**

DIA's rules for accessing records, for contesting contents and appealing initial agency determinations are published in DIA Instruction 5400.001 "Defense Intelligence Agency Privacy Act Program;" 32 CFR part 319—Defense Intelligence Agency Privacy Program; or may be obtained from the system manager.

**RECORD SOURCE CATEGORIES:**

From individuals of an investigation or complaint, records also derived from personnel, medical and/or security records as well as agency officials.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

Parts of this system may be exempt under 5 U.S.C. 552a(k)(2), (k)(5), or (k)(7), as applicable.

Investigatory material compiled for law enforcement purposes, other than material within the scope of subsection 5 U.S.C. 552a(j)(2), may be exempt pursuant to 5 U.S.C. 552a(k)(2). However, if an individual is denied any right, privilege, or benefit for which he would otherwise be entitled by Federal law or for which he would otherwise be eligible, as a result of the maintenance of such information, the individual will be provided access to such information except to the extent that disclosure would reveal the identity of a confidential source. NOTE: When claimed, this exemption allows limited protection of investigative reports maintained in a system of records used in personnel or administrative actions.

Investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for federal civilian employment, military service, federal contracts, or access to classified information may be exempt pursuant to 5 U.S.C. 552a(k)(5), but only to the extent that such material would reveal the identity of a confidential source.

Evaluation material used to determine potential for promotion in the Military Services may be exempt pursuant to 5

U.S.C. 552a(k)(7), but only to the extent that the disclosure of such material would reveal the identity of a confidential source.

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

[FR Doc. 2010-13299 Filed 6-1-10; 8:45 am]

**BILLING CODE 5001-06-P**

**DEPARTMENT OF DEFENSE**

**Office of the Secretary**

[Docket ID: DOD-2010-OS-0070]

**U.S. Court of Appeals for the Armed Forces Proposed Change to Electronic Filing Guidelines**

**AGENCY:** Department of Defense (DoD).

**ACTION:** Notice of proposed change to the Electronic Filing Guidelines of the United States Court of Appeals for the Armed Forces.

**SUMMARY:** This notice announces the following proposed change by Court Order to the Electronic Filing Guidelines of the United States Court of Appeals for the Armed Forces.

**DATES:** Comments on the proposed change must be received within 30 days of the date of this notice.

**ADDRESSES:** You may submit comments, identified by docket number and title by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Mail:* Federal Docket Management System Office, 1160 Defense Pentagon, OSD Mailroom 3C843, Washington, DC 20301-1160.

*Instructions:* All submissions received must include the agency name and docket number for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at <http://regulations.gov> as they are received without change, including personal identifiers or contact information.

**FOR FURTHER INFORMATION CONTACT:** William A. DeCicco, Clerk of the Court, telephone (202) 761-1448.