

agreements, representations, or interpretations apart from those contained in the Agreement and the Order may not be used to vary or contradict their terms. The Agreement shall not be waived, amended, modified, or otherwise altered without written agreement thereto executed by the party against whom such waiver, amendment, modification, or alteration is sought to be enforced.

28. If any provision of the Agreement and the Order is held to be illegal, invalid, or unenforceable under present or future laws effective during the terms of the Agreement and the Order, such provision shall be fully severable. The balance of the Agreement and the Order shall remain in full force and effect, unless the Commission and CVS agree that severing the provision materially affects the purpose of the Agreement and the Order.

CVS Pharmacy, Inc.  
Dated: June 21, 2011.

Judith Samsoni, Vice President,  
CVS Pharmacy, Inc.,  
One CVS Drive,  
Woonsocket, RI 02895.

Dated: June 21, 2011.

Stephen P. Murphy, Esq.,  
Reed Smith LLP,  
1301 K Street, NW.,  
Suite 1100, East Tower,  
Washington, DC 20005-3373.  
*Counsel for CVS Pharmacy, Inc.*

U.S. CONSUMER PRODUCT SAFETY  
COMMISSION STAFF

Cheryl A. Falvey,  
*General Counsel.*

Mary B. Murphy,  
*Assistant General Counsel, Office of the  
General Counsel.*

Dated: June 28, 2011.

Seth B. Popkin, *Lead Trial Attorney, Division  
of Compliance, Office of the General Counsel.*

## Order

Upon consideration of the Settlement Agreement entered into between CVS Pharmacy, Inc. ("CVS") and the U.S. Consumer Product Safety Commission ("Commission") staff, and the Commission having jurisdiction over the subject matter and over CVS, and it appearing that the Settlement Agreement and the Order are in the public interest, it is

*Ordered*, that the Settlement Agreement be, and hereby is, accepted; and it is

*Further ordered*, that CVS shall pay a civil penalty in the amount of forty-five thousand dollars (\$45,000.00) within twenty (20) calendar days of service of the Commission's final Order accepting the Agreement. The payment shall be made electronically to the Commission via <http://www.pay.gov>. Upon the

failure of CVS to make the foregoing payment when due, interest on the unpaid amount shall accrue and be paid by CVS at the Federal legal rate of interest set forth at 28 U.S.C. 1961(a) and (b).

Provisionally accepted and provisional Order issued on the 3rd day of August, 2011.

By order of the commission.

**Todd A. Stevenson,**  
*Secretary, U.S. Consumer Product Safety  
Commission.*

[FR Doc. 2011-20216 Filed 8-9-11; 8:45 am]

**BILLING CODE 6355-01-P**

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## DEPARTMENT OF DEFENSE

### Office of the Secretary

[Docket ID DOD-2011-OS-0088]

### Privacy Act of 1974; System of Records

**AGENCY:** Defense Information Systems Agency, Department of Defense.

**ACTION:** Notice to delete two systems of records.

**SUMMARY:** The Defense Information Systems Agency is deleting two systems of records notices 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 September 9, 2011 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. Jeanette M. Weathers-Jenkins, Defense Information Systems Agency, 5600 Columbia Pike, Room 933-I, Falls

Church, VA 22041-2705, or by phone at (703) 681-2103.

**SUPPLEMENTARY INFORMATION:** The Defense Information Systems Agency 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 in **FOR FURTHER INFORMATION CONTACT**.

The Defense Information Systems Agency proposes to delete two systems of records notices from its inventory of record systems subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended. The proposed deletion is not within the purview of subsection (r) of the Privacy Act of 1974, (5 U.S.C. 552a), as amended, which requires the submission of a new or altered system report.

Dated: August 5, 2011.

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

**K240.02**

**SYSTEM NAME:**

Sensitive Compartmented Info (SCI) Posn/Pers Accountability System (February 22, 1993, 58 FR 10562).

**REASON:**

DISA does not upload or input PII into the Sensitive Compartmented Info (SCI) Posn/Pers Accountability System also known as Scattered Castles. The PII within the database is covered by DPR 34, Defense Civilian Personnel Data System (April 21, 2006, 71 FR 20649).

**K240.08**

**SYSTEM NAME:**

Security Violation Case File (February 22, 1993, 58 FR 10562).

**REASON:**

Records were destroyed in accordance with DISA's records management disposition and destruction requirements.

[FR Doc. 2011-20256 Filed 8-9-11; 8:45 am]

**BILLING CODE 5001-06-P**

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## DEPARTMENT OF DEFENSE

### Office of the Secretary

### 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 to

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 September 9, 2011 unless comments are received that would result in a contrary determination.

**ADDRESSES:** You may submit comments, identified by docket number and/ Regulatory Information Number (RIN) 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 or Regulatory Information Number (RIN) 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, Defense Intelligence Agency, DAN 1-C, 600 McDill Blvd. Washington, DC 20340-0001.

**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 **FOR FURTHER INFORMATION CONTACT** address above.

The proposed system report, as required by 5 U.S.C. 552a of the Privacy Act of 1974, as amended, was submitted on January 28, 2011, 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: July 8, 2011.

**Patricia Toppings**

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

**LDIA 0900**

**SYSTEM NAME:**

Accounts Receivable, Indebtedness and Claims (June 5, 2006, 71 FR 32316).

**CHANGES:**

\* \* \* \* \*

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

Delete entry and replace with "Current and former Defense Intelligence Agency civilian and contract employees, military assignees and other individuals regarding payments, indebtedness and claims to the Defense Intelligence Agency."

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Delete entry and replace with "Name, Social Security Number (SSN), current address and telephone number, place and date of birth; financial records such as payments, indebtedness, claims, bills, checks, statements of loss or damages, receipts, investigative and court records, financial statements, credit reports, financial statements; time and attendance records and leave and earnings statements."

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Delete entry and replace with "5 U.S.C. 5512, Withholding Pay and Indebtedness; 5 U.S.C. 5513, Withholding Pay-Credit disallowed or charge raised for payment; 5 U.S.C. 5514, Installment Deduction For Indebtedness to the U.S.; 5 U.S.C. 5584, Claims for Overpayment of Pay, Allowances and of Travel, Transportation and Relocation Expenses and Allowances; 5 U.S.C. 5705, Advancements and Deductions; 10 U.S.C. 2274, Space Surveillance Network; 31 U.S.C. 3322, Disbursing Official; 31 U.S.C. 3527, General Authority to Issue Checks; 31 U.S.C. 3702, Authority to Settle Claims; 31 U.S.C. 3711, Collection and Compromise; 31 U.S.C. 3716, Administrative Offset; 31 U.S.C. 3717, Interest and Penalty on Claims; 31 U.S.C. 3718, Contracts for Collection Services; 40 U.S.C. 705, Handling of Proceeds from Disposal; and E.O. 9397 (SSN), as amended."

**PURPOSE(S):**

Delete entry and replace with "The system will manage records used in cases regarding claims, payments and indebtedness associated with the Defense Intelligence Agency.

Information is used to comply with regulatory requirements and to facilitate collections and/or payments."

**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**

Delete entry and replace with "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:**

Delete entry and replace with "Paper records and electronic storage media."

**RETRIEVABILITY:**

Delete entry and replace with "Last name and Social Security Number (SSN)."

**SAFEGUARDS:**

Delete entry and replace with "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 are limited to persons responsible for servicing and authorized to use the system."

**RETENTION AND DISPOSAL:**

Delete entry and replace with "Temporary; Cut off each Fiscal Year (FY). Hold 1 year in current files area and transfer to Washington National Records Center, destroy 6 years and 3 months after period covered by account. Electronic Records are deleted from the database, paper records are destroyed by shredding or burning."

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

Delete entry and replace with "Chief, Financial Policy, Financial Operations and Managerial Accounting Branch, Defense Intelligence Agency, 600 MacDill Blvd., Washington, DC 20340-5100."

**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 DIA Freedom of Information Office (DAN-1A), Defense Intelligence Agency, 200 MacDill Blvd., Washington, DC 20340-5100.

Request should contain the individual's 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 of records, should address written inquiries to the DIA Freedom of Information Office (DAN-1A), 200 MacDill Blvd., Washington, DC 20340-5100.

Request should contain the individual's full name, current address, and telephone number."

**CONTESTING RECORD PROCEDURES:**

Delete entry and replace with "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 Program"; or may be obtained from the system manager."

**RECORD SOURCE CATEGORIES:**

Delete entry and replace with "Individuals; DoD and other Federal, state and local financial records systems; financial, educational and medical institutions; and open source information, such as property tax records."

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

Delete entry and replace with "During the course of Accounts Receivable, Indebtedness and Claims actions, exempt materials from other systems of records may in turn become part of the case records in this system. To the extent that copies of exempt records from those 'other' systems of records are entered into this correspondence case record, the Defense Intelligence Agency hereby claims the same exemptions for the records from those 'other' systems that are entered into this system, as claimed for the original primary systems of records which they are a part.

Records are only exempt from pertinent provisions of 5 U.S.C. 552a to the extent such provisions have been identified and an exemption claimed for the original record and the purposes underlying the exemption for the original record still pertain to the record

which is now contained in this system of records. In general, the exemptions were claimed in order to protect properly classified information relating to national defense and foreign policy, to avoid interference during the conduct of criminal, civil, or administrative actions or investigations, to ensure protective services provided the President and others are not compromised, to protect the identity of confidential sources incident to Federal employment, military service, contract, and security clearance determinations, to preserve the confidentiality and integrity of Federal testing materials, and to safeguard evaluation materials used for military promotions when furnished by a confidential source. The exemption rule for the original records will identify the specific reasons why the records are exempt from specific provisions of 5 U.S.C. 552a.

An exemption rule for this system has been promulgated in accordance with the requirements of 5 U.S.C 553(b)(1), (2), and (3), (c) and (e) and published in 32 CFR part 319."

\* \* \* \* \*

**LDIA 0900****SYSTEM NAME:**

Accounts Receivable, Indebtedness and Claims.

**SYSTEM LOCATION:**

Defense Intelligence Agency, Washington, DC 20340-5100.

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

Current and former Defense Intelligence Agency civilian and contract employees, military assignees and other individuals regarding payments, indebtedness and claims to the Defense Intelligence Agency.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Name, Social Security Number (SSN), current address and telephone number, place and date of birth; financial records such as payments, indebtedness, claims, bills, checks, statements of loss or damages, receipts, investigative and court records, financial statements, credit reports, financial statements; time and attendance records and leave and earnings statements.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

5 U.S.C. 5512, Withholding Pay and Indebtedness; 5 U.S.C. 5513, Withholding Pay-Credit disallowed or charge raised for payment; 5 U.S.C. 5514, Installment Deduction For Indebtedness to the U.S.; 5 U.S.C. 5584, Claims for Overpayment of Pay, Allowances and of Travel,

Transportation and Relocation Expenses and Allowances; 5 U.S.C. 5705, Advancements and Deductions; 10 U.S.C. 2274, Space Surveillance Network; 31 U.S.C. 3322, Disbursing Official; 31 U.S.C. 3527, General Authority to Issue Checks; 31 U.S.C. 3702, Authority to Settle Claims; 31 U.S.C. 3711, Collection and Compromise; 31 U.S.C. 3716, Administrative Offset; 31 U.S.C. 3717, Interest and Penalty on Claims; 31 U.S.C. 3718, Contracts for Collection Services; 40 U.S.C. 705, Handling of Proceeds from Disposal; and E.O. 9397 (SSN), as amended.

**PURPOSE(S):**

The system will manage records used in cases regarding claims, payments and indebtedness associated with the Defense Intelligence Agency. Information is used to comply with regulatory requirements and to facilitate collections and/or payments.

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 and electronic storage media.

**RETRIEVABILITY:**

Last name and Social Security Number (SSN).

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 are limited to persons responsible for servicing and authorized to use the system.

**RETENTION AND DISPOSAL:**

Temporary; Cut off each Fiscal Year (FY). Hold 1 year in current files area

and transfer to the Washington National Records Center, destroy 6 years and 3 months after period covered by account. Electronic Records are deleted from the database, paper records are destroyed by shredding or burning.

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

Chief, Financial Policy, Financial Operations, and Managerial Accounting Branch, Defense Intelligence Agency, 600 MacDill Blvd., 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 DIA Freedom of Information Office (DAN-1A), Defense Intelligence Agency, 200 MacDill Blvd., Washington, DC 20340-5100.

Request should contain the individual's full name, current address, and telephone number.

**RECORD ACCESS PROCEDURES:**

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

Request should contain the individual's 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 Program"; or may be obtained from the system manager.

**RECORD SOURCE CATEGORIES:**

Individuals; DoD and other Federal, state and local financial records systems; financial, educational and medical institutions; and open source information, such as property tax records.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

During the course of Accounts Receivable, Indebtedness and Claims actions, exempt materials from other systems of records may in turn become part of the case records in this system. To the extent that copies of exempt records from those 'other' systems of records are entered into this correspondence case record, the Defense Intelligence Agency hereby claims the same exemptions for the records from those 'other' systems that are entered into this system, as claimed for the

original primary systems of records which they are a part.

Records are only exempt from pertinent provisions of 5 U.S.C. 552a to the extent such provisions have been identified and an exemption claimed for the original record and the purposes underlying the exemption for the original record still pertain to the record which is now contained in this system of records. In general, the exemptions were claimed in order to protect properly classified information relating to national defense and foreign policy, to avoid interference during the conduct of criminal, civil, or administrative actions or investigations, to ensure protective services provided the President and others are not compromised, to protect the identity of confidential sources incident to Federal employment, military service, contract, and security clearance determinations, to preserve the confidentiality and integrity of Federal testing materials, and to safeguard evaluation materials used for military promotions when furnished by a confidential source. The exemption rule for the original records will identify the specific reasons why the records are exempt from specific provisions of 5 U.S.C. 552a.

An exemption rule for this system has been promulgated in accordance with the requirements of 5 U.S.C 553(b)(1), (2), and (3), (c) and (e) and published in 32 CFR part 319.

[FR Doc. 2011-20237 Filed 8-9-11; 8:45 am]

**BILLING CODE 5001-06-P**

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

**TRICARE, Formerly Known as the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Fiscal Year 2012 Continued Health Care Benefit Program Premium Update**

**AGENCY:** Office of the Secretary, DoD.

**ACTION:** Notice of Updated Continued Health Care Benefit Program Premiums for Fiscal Year 2012.

**SUMMARY:** This notice provides the updated Continued Health Care Benefit Program premiums for Fiscal Year 2012. CHCBP is a premium-based health care program that offers transitional health coverage after TRICARE eligibility ends. CHCBP benefits are comparable to TRICARE Standard with similar benefits, providers, and program rules.

**DATES: Effective Date:** The Fiscal Year 2012 rates contained in this notice are effective for services on or after October 1, 2011.

**ADDRESSES:** TRICARE Management Activity (TMA), Policy and Benefits Branch, 5111 Leesburg Pike, Suite 810A, Falls Church, VA 22041.

**FOR FURTHER INFORMATION CONTACT:** Mark A. Ellis, telephone (703) 681-0039.

**SUPPLEMENTARY INFORMATION:** The final rule published in the **Federal Register** on September 30, 1994, (59 FR 49818) set forth rules to implement the Continued Health Care Benefit Program (CHCBP) required by 10 United States Code § 1078a. CHCBP is a premium-based health care program that offers transitional health coverage after TRICARE eligibility ends. CHCBP benefits are comparable to TRICARE Standard with similar benefits, providers, and program rules. Included in this final rule were provisions for updating the CHCBP premiums for each federal Fiscal Year. As stated in the final rule, the premiums are based on Federal Employee Health Benefit Program employee and agency contributions required for a comparable health benefits plan, plus an administrative fee. Premiums may be revised annually and shall be published annually for each Fiscal Year.

The TRICARE Management Activity has updated the quarterly premiums for Fiscal Year 2012 as shown below.

**Quarterly CHCBP Premiums for Fiscal Year 2012**

Individual—\$1,065.

Family—\$2,390.

The above premiums are effective for services rendered on or after October 1, 2011.

Dated: July 8, 2011.

**Patricia Toppings,**  
*OSD Federal Register Liaison Officer,*  
*Department of Defense.*

[FR Doc. 2011-20236 Filed 8-9-11; 8:45 am]

**BILLING CODE 5001-06-P**

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

**TRICARE; Hospital Outpatient Radiology Discretionary Appeal Adjustments**

**AGENCY:** Office of the Secretary, Department of Defense (DoD).

**ACTION:** Notice.

**SUMMARY:** This notice is to advise hospitals of an opportunity for net adjusted payments for radiology services for which TRICARE payments were not comparable to the pre-Outpatient Prospective Payment System (OPPS) Medicare fair rates for the period