

130, "Federal Agency Responsibilities for Maintaining Records About Individuals," dated February 8, 1996 (February 20, 1996, 61 FR 6427).

Dated: April 30, 2012.

**Aaron Siegel,**

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

#### S400.30

##### SYSTEM NAME:

Mass Transportation Fringe Benefit Program—Outside the National Capital Region (September 22, 2009, 74 FR 48233).

##### CHANGES:

\* \* \* \* \*

##### SYSTEM NAME:

Delete "Fringe" from entry.

##### SYSTEM LOCATION:

Delete entry and replace with "Headquarters, Defense Logistics Agency, 8725 John J. Kingman Road, Suite 6220, ATTN: DS-B, DLA Installation Support, Fort Belvoir, VA 22060-6221 and the Defense Logistics Agency (DLA) Primary Level Field Activities located outside the National Capital Region. Official mailing addresses are published as an appendix to DLA's compilation of systems of records notices. U.S. Department of Transportation, TRANServe, 1200 New Jersey Avenue SE., Room W12-190, Washington, DC 20590-0001."

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

Delete entry and replace with "Defense Logistics Agency (DLA) civilian employees; non-appropriated funded employees; interns/students employed and paid directly by DLA (i.e., interns/students hired through contractual agreements are not eligible); eligible interns/students hired for the summer months; and registered and nonregistered vanpool owners/operators."

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

Delete entry and replace with "Records include applicant's full name, personalized 4-digit personal identification number (PIN), home address, office symbol and duty location, office telephone number, mode of transportation being used, cost(s) of commuting, reimbursement claim for expenditures, period covered, amount of reimbursement, records of vouchers, receipts or payments distributed, dates of participation and termination in program, and vanpool owner/operator certification."

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

Delete "and E.O. 9397 (SSN) as amended" from entry.

##### PURPOSE(S):

Delete "Fringe" from first paragraph.  
\* \* \* \* \*

##### RETRIEVABILITY:

Delete entry and replace with "Information is retrieved by individual's name and a personalized 4-digit personal identification number (PIN)."

##### SAFEGUARDS:

Delete entry and replace with "Paper records are maintained in a controlled facility. Physical entry is restricted by the use of locks, guards, and is accessible only to authorized personnel. Access to records is limited to person(s) responsible for servicing the records in the performance of their official duties and who are properly screened and cleared for need-to-know. Electronic records are maintained by the on Site Point of Contact computer drive. Access is restricted to the Point of Contact who can only access with secured user identification controls such as a common access card (CAC), personalized password, and key encryption. All individuals granted access to this system of records have received Privacy Act training."  
\* \* \* \* \*

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

Delete entry and replace with "ONCR Program Manager, Headquarters, Defense Logistics Agency, 8725 John J. Kingman Road, Suite 2638, ATTN: DS-B, DLA Installation Support, Fort Belvoir, VA 22060-6221, and the ONCR Mass Transportation Benefit Program Points of Contact at the DLA Primary Level Field Activity. Official mailing addresses are published as an appendix to DLA's compilation of systems of records notices."

##### NOTIFICATION PROCEDURE:

Delete entry and replace with "Individuals seeking to determine whether information about themselves is contained in this system should address written inquiries to the DLA FOIA/Privacy Act Office, Headquarters, Defense Logistics Agency, ATTN: DGA, 8725 John J. Kingman Road, Suite 1644, Fort Belvoir, VA 22060-6221.

Written inquiries should contain the full name of the record subject, current address, telephone number, and the DLA Primary Level Field Activity which provided the subsidy."

##### 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 DLA FOIA/Privacy Act Office, Headquarters, Defense Logistics Agency, ATTN: DGA, 8725 John J. Kingman Road, Suite 1644, Fort Belvoir, VA 22060-6221.

Written inquiries should contain the full name of the record subject, current address, telephone number, and the DLA Primary Level Field Activity which provided the subsidy."

##### CONTESTING RECORD PROCEDURES:

Delete entry and replace with "The DLA rules for accessing records, for contesting contents, and appealing initial agency determinations are contained in 32 CFR part 323, or may be obtained from the DLA FOIA/Privacy Act Office, Headquarters, Defense Logistics Agency, ATTN: DGA, 8725 John J. Kingman Road, Suite 1644, Fort Belvoir, VA 22060-6221."  
\* \* \* \* \*

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BILLING CODE 5001-06-P

## DEPARTMENT OF DEFENSE

### Office of the Secretary

[Docket ID: DoD-2012-OS-0035]

### 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 action will be effective without further notice on June 4, 2012 unless comments are received that would 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, 4800 Mark Center Drive, East Tower, Suite 02G09, Alexandria, VA 22350-3100.

*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, Defense Intelligence Agency, DAN 1-C, 600 McDill Blvd., Washington, DC 20340-0001; phone number (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 **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 June 8, 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: April 18, 2012.

**Patricia Toppings,**

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

**LDIA 0660**

Security Files (July 24, 2006, 71 FR 41784)

\* \* \* \* \*

**CHANGES:**

**SYSTEM NAME:**

Delete entry and replace with "Security and Counterintelligence Records".

\* \* \* \* \*

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

Delete entry and replace with "Current and former Defense Intelligence Agency (DIA) civilian, military and contractor personnel, nominees for employment with DIA, all persons with access to DIA facilities and infrastructure, all persons under the security cognizance of DIA. Persons about whom other U.S. government agencies have requested investigative assistance from DIA as part of lawful investigations by their agency. Individuals identified as the result of an administrative, security and/or investigative function who could pose a

threat to DIA operations, data, personnel, facilities and systems".

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Delete entry and replace with "Personnel: Name, date and place of birth, Social Security Number (SSN), gender, race, home address, family and dependent information, biometric data, medical/psychological information, financial, employment, training records, test results and education history, statements of personal history.

Administrative: Case control number, forms, documents and correspondence relating to security files, personnel security, investigative and employment records, personnel security functions, nomination notices, indoctrination/debriefing memoranda, secrecy and nondisclosure agreements, certificates of clearance.

Adjudication memoranda and supporting documentation, in-house investigations, security violations, security threats and incidents, investigations and inquiries of criminal and counterintelligence matters, investigative referrals, counterintelligence reporting, foreign travel, foreign contacts, identification badge records, retrieval indices, clearance status records, facility and access control records."

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Delete entry and replace with "National Security Act of 1947; E.O. 12333, United States Intelligence Activities; DoDD 5105.21, Defense Intelligence Agency; DoDI 5240.06, Counterintelligence Awareness, Briefing, and Reporting Programs; DoDI 5200.08, Security of DoD Installations and Resources; DoD 5200.2.R, Personnel Security Program; DIA Directive 3020.400, DIA Critical Infrastructure Program; Intelligence Community Directive (ICD) 704, Personnel Security Standards and Procedures Governing Eligibility for Access to Special Compartmented Information and other Controlled Access Program Information; DIA Manual 50-8, Personnel Security Program; DIA Manual 50-14, Security Investigations; DIA Regulation 50-17, Reporting Foreign Contact and Foreign Travel; DIA Instruction 5200.002, Credibility Assessment Program and E.O. 9397 (SSN), as amended."

**PURPOSE(S):**

Delete entry and replace with "The system will manage records used to accomplish security and counterintelligence functions. Information is used to comply with regulatory requirements related to initial and continued employment, to

determine eligibility for access to classified information, to protect the agency's operations, data, personnel, facilities and systems (by using administrative, security and investigative functions to detect actual or potential threats and risks) and to document training and education".

\* \* \* \* \*

**STORAGE:**

Delete entry and replace with "Paper and Electronic storage media".

**RETRIEVABILITY:**

Delete entry and replace with "By last name, Social Security Number (SSN), and applicable case control number".

**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 "Security Files: Personnel Security Records. Case files documenting the processing of investigations on Federal employees or applicants for Federal employment, whether or not a security clearance is granted, and other persons, such as those performing work for a Federal agency under contract, who require an approval before having access to Government facilities or to sensitive data. These files include questionnaires, summaries of reports prepared by the investigating agency, and other records reflecting the processing of the investigation and the status of the clearance, exclusive of copies of investigative reports furnished by the investigating agency. Temporary-Destroy upon notification of death or 5 years after separation or transfer of employee or no later than 5 years after contract relationship expires.

Security Files: Polygraph examinations, favorable examinations; Temporary-Destroy 90 days.

Unfavorable Examinations; examinations considered as part of an investigation action necessary for security adjudicative purposes and includes the Medical/Psychiatric

Condition Statement-Temporary-Destroy when 15 years old.

Medical and Psychiatric Condition Statement (Favorable), Temporary-Destroy when 1 year old; (Unfavorable), Temporary-Destroy when 15 years old.

Examinations considered records of major significance, congressional interest, national security or upon which significant action was taken (trial, courts-martial, employment termination). PERMANENT—Offer to National Archives and Records Administration (NARA) when 25–30 years old. Final disposition determinations of individual cases are made by NARA.

Security Violations: Temporary—Destroy 5 years after close of case. Files referred for prosecution determination; Temporary—Destroy 3 years after close of case.

Orientation and Training: Temporary—Destroy when no longer required for current operations (documents reflecting training, security orientation, and compliance with security regulations).

Non-Disclosure Agreements: Temporary—Destroy when 70 years old.

Logs and Registers: Temporary—Destroy 2 years after final entry.”

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

Delete entry and replace with “Counterintelligence and Security Office, Defense Intelligence Agency, 200 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 “Subject individuals, agency and other government officials as well as open source information”.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

Delete entry and replace with “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. 552(k)(2). However, if an individual is denied any right, privilege, or benefit for which he would otherwise be entitled by Federal law or which he would otherwise be eligible, as a result of maintenance of the information, the individual will be provided access to the information except to the extent that disclosure would reveal the identity of a confidential source. This exemption provides limited protection of investigative reports maintained in a system of records used in personnel or administrative actions.

(k)(5) Investigatory material complied solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, military service, Federal contracts, or access to classified information but only to the extent such material would reveal the identity of a confidential source.

(k)(6) Testing or examination material used to determine individual qualifications for appointment or promotion in the Federal or military service, if the disclosure of such material would compromise the objectivity or fairness of the test or examination process.

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”.

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**BILLING CODE 5001–06–P**

**DEPARTMENT OF DEFENSE**

**Office of the Secretary**

**Renewal of Department of Defense Federal Advisory Committees**

**AGENCY:** DoD.

**ACTION:** Renewal of Federal Advisory Committee.

**SUMMARY:** Under the provisions of the Federal Advisory Committee Act of 1972 (5 U.S.C. Appendix), the Government in the Sunshine Act of 1976 (5 U.S.C. 552b), and 41 CFR 102–3.50(d), the Department of Defense gives notice that it is renewing the charter for the Defense Advisory Committee on Military Personnel Testing (hereafter referred to as “the Committee”).

The Committee shall provide the Secretary of Defense, through the Under Secretary of Defense for Personnel and Readiness (hereafter referred to as the Under Secretary) with assistance and independent advice on matters pertaining to military personnel testing relating to enlisted selection and classification testing.

The Committee shall review the calibration of personnel selection and classification tests to ensure the accuracy of resulting scores, review relevant validations studies to ensure that the tests have utility in predicting success in technical and on-the-job training, review on-going testing research and development in support of the enlistment program, and make recommendations for improvements to make the testing process more responsive to the Department of Defense (DoD), and the Military Services needs.

The Committee shall be composed of not more than seven members who are eminent authorities in the fields of educational and psychological testing. Committee members, with the approval of the Secretary of Defense, shall serve a term of service of three years, with annual renewals of the member’s appointment; however, no member shall serve on the Committee for more than two consecutive terms of service.

The Committee members shall elect the Committee’s Chairperson for a term not to exceed two years.

Committee members are appointed to provide advice on behalf of the government on the basis of their best judgment without representing any particular point of view and in a manner that is free from conflict of interest.

Committee members appointed by the Secretary of Defense, who are not full-time or permanent part-time federal officers or employees, shall be appointed to serve as experts and consultants under the authority of 5 U.S.C. 3109, and to serve as special government employees. With the exception of travel and per diem for official travel, Committee members shall serve without compensation.