

## SCHEDULE OF RECORDS AND PERIODS OF RETENTION—Continued

| Item No. and description                                                                                                                                                                          | Retention period                          |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|
| 18. Inventories: General Inventories of material and supplies on hand, with record of adjustments between accounts required to bring stores records into agreement with physical inventories.     | 2 years.                                  |
| <b>Transportation</b>                                                                                                                                                                             |                                           |
| 19. Oil and other products stocks and movement pipelines only:                                                                                                                                    |                                           |
| (a) Records and receipts, deliveries, pumpings, stocks, and over and short.                                                                                                                       | 3 years.                                  |
| (b) Run tickets showing quantities by tank measurement of meter reading of oil and other products received into the delivered from company's lines.                                               | 3 years.                                  |
| (c) Statements of oil and oil products consumed as fuel including quantity value, and where consumed.                                                                                             | 3 years.                                  |
| (d) Statement of oil and other products lost by line breaks and leaks including quantity, value, and location of breaks and leaks.                                                                | 3 years.                                  |
| (e) Reports of power furnished by producers: monthly reports of the quantity of oil run in connection with which power was furnished by producers, and records of payment for such power.         | 3 years.                                  |
| (f) Records of producers' property identifying ownership and location for producers' tanks or wells to which carrier's lines are connected.                                                       | 3 years after disconnection.              |
| (g) Division or other periodical inventory reports of oil and other products on hand.                                                                                                             | 3 years.                                  |
| (h) Division orders: Directions received by carrier as to the division of interest and to whose account transported oil should be credited.                                                       | 3 years after discontinuance.             |
| (i) Directions received by the carrier for the transfer of division order interests from one interest owner to another.                                                                           | 3 years after discontinuance.             |
| (j) Transfer orders for the transfer of ownership of oil or other products in carrier's custody.                                                                                                  | 3 years.                                  |
| <b>Tariffs and Rates</b>                                                                                                                                                                          |                                           |
| 20. Official file copies of tariffs, classifications, division sheets, and circulars relative to the transportation of property.                                                                  | 3 years after expiration or cancellation. |
| 21. Authorities and supporting papers for transportation of property for free or at reduced rates.                                                                                                | 3 years.                                  |
| 22. Copies of concurrences and powers of attorney .....                                                                                                                                           | 2 years after expiration or cancellation. |
| 23. Correspondence and working papers in connection with the making of rates and compliance of tariffs, classifications, division sheets, and circulars affecting the transportation of property. | 2 years after cancellation of tariff.     |
| <b>Reports and Statistics</b>                                                                                                                                                                     |                                           |
| 24. Reports to Federal Energy Regulatory Commission and other regulatory bodies, annual financial, operating and statistical reports, file copies, and supporting data.                           | 5 years.                                  |

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**DEPARTMENT OF DEFENSE****Office of the Secretary****32 CFR Part 310****[DoD Reg. 5400.11.R]****Privacy Act; Implementation****AGENCY:** Office of the Secretary, DoD.**ACTION:** Final rule, with comments.

**SUMMARY:** As directed by Secretary of Defense memorandum dated May 25, 2000, the Department of Defense Privacy Program is being amended to include specific language for providing periodic Privacy Act training for DoD personnel who may be expected to deal with the news media or the public.

**DATES:** This rule is effective May 25, 2000. Comments must be received by October 6, 2000.

**ADDRESSES:** Defense Privacy Office, 1941 Jefferson Davis Highway, Suite 920, Arlington, VA 22202-4502.

**FOR FURTHER INFORMATION CONTACT:** Mr. Vahan Moushegian, Jr., at (703) 607-2943.

**SUPPLEMENTARY INFORMATION:** **Executive Order 12866.** It has been determined that this Privacy Act rule for the Department of Defense does not constitute 'significant regulatory action'. Analysis of the rule indicates that it does not have an annual effect on the economy of \$100 million or more; does not create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; does not materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of

recipients thereof; does not raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in Executive Order 12866 (1993).

**Regulatory Flexibility Act.** It has been determined that this Privacy Act rule for the Department of Defense does not have significant economic impact on a substantial number of small entities because it is concerned only with the administration of Privacy Act systems of records within the Department of Defense.

**Paperwork Reduction Act.** It has been determined that this Privacy Act rule for the Department of Defense imposes no information requirements beyond the Department of Defense and that the information collected within the Department of Defense is necessary and consistent with 5 U.S.C. 552a, known as the Privacy Act of 1974.

**List of Subjects in 32 CFR Part 310**

Privacy.

1. The authority citation for 32 CFR part 310 continues to read as follows:

**Authority:** Pub. L. 93-579, 88 Stat. 1896 (5 U.S.C. 552a).

2. § 310.72, paragraph (a)(2) is revised to read as follows:

**§ 310.72 DoD training programs.**

(a) \* \* \*

(2) *Specialized training.* Training that provides information as to the application of specific provisions of this part to specialized areas of job performance. Personnel of particular concern include, but are not limited to personnel specialists, finance officers, DoD personnel who may be expected to deal with the news media or the public, special investigators, paperwork managers, and other specialists (reports, forms, records, and related functions), computer systems development personnel, computer systems operations personnel, statisticians dealing with personal data and program evaluations, and anyone responsible for implementing or carrying out functions under this part. Specialized training should be provided on a periodic basis.

\* \* \* \* \*

Dated: July 31, 2000.

**L.M. Bynum,**

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

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**BILLING CODE 5001-10-F**

**DEPARTMENT OF DEFENSE****Department of the Navy****32 CFR Part 701**

[Secretary of the Navy Instruction 5211.5]

**Privacy Act; Implementation**

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

**ACTION:** Final rule.

**SUMMARY:** The Department of the Navy is adding an exemption rule for a Privacy Act system of records. The exemption is intended to increase the value of the system of records for law enforcement purposes, to comply with prohibitions against the disclosure of certain kinds of information, and to protect the privacy of individuals identified in the system of records.

**EFFECTIVE DATE:** July 18, 2000.

**FOR FURTHER INFORMATION CONTACT:** Mrs. Doris Lama at (202) 685-6545 or DSN 325-6545.

**SUPPLEMENTARY INFORMATION:** The proposed rule was published on May 18, 2000, at 65 FR 31505. No comments were received, therefore, the Department of the Navy is adopting this rule as final.

**Executive Order 12866.** It has been determined that this Privacy Act rule for the Department of Defense does not constitute 'significant regulatory action'. Analysis of the rule indicates that it does not have an annual effect on the economy of \$100 million or more; does not create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; does not materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; does not raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in Executive Order 12866 (1993).

**Regulatory Flexibility Act.** It has been determined that this Privacy Act rule for the Department of Defense does not have significant economic impact on a substantial number of small entities because it is concerned only with the administration of Privacy Act systems of records within the Department of Defense.

**Paperwork Reduction Act.** It has been determined that this Privacy Act rule for the Department of Defense imposes no information requirements beyond the Department of Defense and that the information collected within the Department of Defense is necessary and consistent with 5 U.S.C. 552a, known as the Privacy Act of 1974.

**List of Subjects in 32 CFR Part 701**

Privacy.

1. The authority citation for 32 CFR part 701, subpart G continues to read as follows:

**Authority:** Pub. L. 93-579, 88 Stat. 1896 (5 U.S.C. 552a).

2. Section 701.118, is amended by adding paragraph (u) as follows:

**§ 701.118 Exemptions for specific Navy record systems.**

\* \* \* \* \*

(u) *System identifier and name:* N05813-4, Trial/Government Counsel Files.

(i) *Exemption.* Parts of this system may be exempt pursuant to 5 U.S.C. 552a(j)(2) if the information is compiled and maintained by a component of the agency which performs as its principle function any activity pertaining to the enforcement of criminal laws. Portions of this system of records that may be exempt pursuant to subsection 5 U.S.C.

552a(j)(2) are (c)(3), (c)(4), (d), (e)(1), (e)(2), (e)(3), (e)(5), (e)(4)(G), (H), and (I), (e)(8), (f), and (g).

(ii) *Exemption.* Information specifically authorized to be classified under E.O. 12958, as implemented by DoD 5200.1-R, may be exempt pursuant to 5 U.S.C. 552a(k)(1).

(iii) *Exemption.* Investigatory material compiled for law enforcement purposes 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. Portions of this system of records that may be exempt pursuant to subsections 5 U.S.C. 552a(k)(1) and (k)(2) are (c)(3), (d), (e)(1), (e)(4)(G), (H), and (I), and (f).

(iv) *Authority:* 5 U.S.C. 552a(j)(2), (k)(1), and (k)(2).

(v) *Reason:* (1) From subsection (c)(3) because release of accounting of disclosure could place the subject of an investigation on notice that he/she is under investigation and provide him/her with significant information concerning the nature of the investigation, resulting in a serious impediment to law enforcement investigations.

(2) From subsections (c)(4), (d), (e)(4)(G), and (e)(4)(H) because granting individuals access to information collected and maintained for purposes relating to the enforcement of laws could interfere with proper investigations and orderly administration of justice. Granting individuals access to information relating to the preparation and conduct of criminal prosecution would impair the development and implementation of legal strategy. Amendment is inappropriate because the trial/government counsel files contain official records including transcripts, court orders, and investigatory materials such as exhibits, decisional memorandum and other case-related papers. Disclosure of this information could result in the concealment, alteration or destruction of evidence, the identification of offenders or alleged offenders, nature and disposition of charges; and jeopardize the safety and well-being of informants, witnesses and their families, and law enforcement personnel and their families. Disclosure of this information could also reveal and render ineffective investigation techniques, sources, and methods used by law enforcement personnel, and