

**RECORD SOURCE CATEGORIES:**

Delete entry and replace with 'From the individual, medical treatment facilities, and other Army records and reports.'

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**A0635-40 TAPC****SYSTEM NAME:**

Temporary Disability Retirement Master List (TDRL).

**SYSTEM LOCATION:****PRIMARY LOCATION:**

Chief, U.S. Army Physical Disability Agency, Walter Reed Army Medical Center, 6900 Georgia Avenue, NW, Building 7, Washington, DC 20307-5001.

**SECONDARY LOCATION:**

Defense Finance and Accounting Service, 8899 East 56th Street, Indianapolis, IN 46249-5000.

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

Army personnel who are on temporary disability retirement.

**CATEGORIES OF RECORDS IN THE SYSTEM:**

File contains, Social Security Number, name, address, Department of Army special order number, percentage of disability, doctor code, re-examination date, date placed on TDRL, hospital code, travel code, Army component, pay termination code, requirement for board code, record control number, hospital name and address.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

10 U.S.C. 1376, Temporary Disability Retired Lists; 10 U.S.C. 3013, Secretary of the Army; Army Regulation 635-40, Physical Evaluation for Retention, Retirement of Separation; and E.O. 9397 (SSN).

**PURPOSE(S):**

To coordinate with medical treatment facilities for scheduling medical examinations; to issue travel orders for individual to report to medical treatment facility for annual medical examination; to determine individual's status by the end of the fifth year of being on the TDRL, *i.e.*, whether individual is to be permanently retired for disability, or returned to duty.

**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:

To the Department of Veterans Affairs to facilitate claims for veteran disability benefits.

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 medical treatment facilities; magnetic tape, disc.

**RETRIEVABILITY:**

By name, Social Security Number and date.

**SAFEGUARDS:**

Access to all records is restricted to individuals having need therefor in the performance of duties. Automated media are further protected by authorized password for system, controlled access to operation rooms and controlled output distribution. Records are retained in secure offices within secure buildings.

**RETENTION AND DISPOSAL:**

Information is maintained for 3 years after the member is found physically fit, separates or retires.

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

Chief, U.S. Army Physical Disability Agency, Walter Reed Army Medical Center, 6900 Georgia Avenue, NW, Building 7, Washington, DC 20307-5001.

**NOTIFICATION PROCEDURE:**

Individuals seeking to determine if information about themselves is contained in this record system should address written inquiries to the Chief, U.S. Army Physical Disability Agency, Walter Reed Army Medical Center, 6900 Georgia Avenue, NW, Building 7, Washington, DC 20307-5001.

Individual should provide the full name, Social Security Number, current address and telephone number, and signature.

Inquiries are restricted to issues relating to the Temporary Disability Retirement List only; issues of pay must be made at the Defense Finance and Accounting Service, 8899 East 56th Street, Indianapolis, IN 46249-5000.

**RECORD ACCESS PROCEDURES:**

Individuals seeking access to records about themselves contained in this record system should address written inquiries to the Chief, U.S. Army

Physical Disability Agency, Walter Reed Army Medical Center, 6900 Georgia Avenue, NW, Building 7, Washington, DC 20307-5001.

Individual should provide the full name, Social Security Number, current address and telephone number, and signature.

Inquiries are restricted to issues relating to the Temporary Disability Retirement List only; issues of pay must be made at the Defense Finance and Accounting Service, 8899 East 56th Street, Indianapolis, IN 46249-5000.

**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, medical treatment facilities, and other Army records and reports.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

[FR Doc. 01-414 Filed 1-5-01; 8:45 am]

BILLING CODE 5001-10-U

**DEPARTMENT OF DEFENSE****Defense Logistics Agency****Privacy Act of 1974; Computer Matching Program**

**AGENCY:** Defense Manpower Data Center, Defense Logistics Agency, DOD.

**ACTION:** Notice of a computer matching program.

**SUMMARY:** Subsection (e)(12) of the Privacy Act of 1974, as amended, (5 U.S.C. 552a) requires agencies to publish advance notice of any proposed or revised computer matching program by the matching agency for public comment. The Department of Defense (DoD), as the matching agency under the Privacy Act, is hereby giving notice to the record subjects of a computer matching program between Office of Personnel Management (OPM) and DoD that records are being matched by computer. The goal of the match is to identify individuals who are improperly receiving credit for military service in their civil service annuities or annuities based on the "guaranteed minimum" disability formula. This match will identify and/or prevent erroneous payments under the CSRA and FERSA Pay system.

**DATES:** This proposed action will become effective February 7, 2001 and

the computer matching will proceed accordingly without further notice, unless comments are received which would result in a contrary determination or if the Office of Management and Budget or Congress objects thereto. Any public comment must be received before the effective date.

**ADDRESSES:** Any interested party may submit written comments to the Director, 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:** Pursuant to subsection (o) of the Privacy Act of 1974, as amended, (5 U.S.C. 552a), the DoD and OPM have concluded an agreement to conduct a computer matching program between the agencies. The purpose of the match is to exchange personal data between the agencies for identification of individuals who are improperly receiving military retired pay.

A copy of the computer matching agreement between the OPM and DoD is available upon request to the public. Requests should be submitted to the address caption above or to the Chief, Retirement Inspection Branch, Room 2309, Retirement and Insurance Service, Office of Personnel Management, 1900 E Street, NW, Washington, DC 20415.

Set forth below is a public notice of the establishment of the computer matching program required by paragraph 6.c. of the Office of Management and Budget Guidelines on computer matching published on June 19, 1989, at 54 FR 25818.

The matching agreement, as required by 5 U.S.C. 552a(r) of the Privacy Act, and an advance copy of this notice were submitted on December 20, 2000, to the House Committee on Government Reform, the Senate Committee on Governmental Affairs, and the Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget pursuant to paragraph 4d 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: December 22, 2000.

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

Notice of a Computer Matching Program between the Office of Personnel Management, and the

Department of Defense for Retired Military Pay.

**A. Participating agencies:** Participants in this computer matching program are the Office of Personnel Management (OPM) and the Defense Manpower Data Center (DMDC), Department of Defense (DoD). The Office of Personnel Management is the source agency, *i.e.*, the activity disclosing the records for the purpose of the match. The DMDC is the specific recipient activity or matching agency, *i.e.*, the agency that actually performs the computer matching.

**B. Purpose of the match:** The purpose of this agreement is to establish the conditions for a computer matching program between the OPM as the source agency and DMDC as the recipient agency. The goal of the match is to identify individuals who are improperly receiving credit for military service in their civil service annuities or annuities based on the "guaranteed minimum" disability formula. This match will identify and/or prevent erroneous payments under the CSRA and FERSA Pay system.

**C. Authority for conducting the match:** It is OPM's responsibility to monitor retirement and survivor benefits paid under 5 U.S.C. 8331 (CSRA), *et seq.* and 5 U.S.C. 8401 (FERSA), *et seq.* Specifically, 5 U.S.C. 8332 is the legal authority for CSRA and 5 U.S.C. 8411 is the legal authority for FERSA for determining whether military service may be credited for civil service retirement purposes.

**D. Records to be matched:** The systems of records described below contain an appropriate routine use provisions which permits disclosure of information between agencies.

OPM will use the system of records identified as OPM/Central-1, 'Civil Service Retirement and Insurance Records,' published at 60 FR 63081, December 8, 1995, as amended at 63 FR 45881, August 27, 1998 and at 65 FR 25775, May 3, 2000.

DoD will use the system of records identified as S322.10 DMDC, 'Defense Manpower Data Center Data Base,' published at 65 FR 43302, July 13, 2000.

**E. Description of computer matching program:** The OPM will provided DMDC with an electronic file which contains specified data elements of individual CSRA and FERSA annuitants. Upon receipt of the electronic file, DMDC will perform a computer match using all nine digits of the SSN's in the OPM file against the DMDC computer database on military retired pay data.

The data will be matched to identify those individuals who are being paid in

apparent violation of law, *i.e.*, the civil service annuity is based on military service other than that which was awarded (1) on account of a service connected disability incurred in combat with an enemy of the United States; (2) on account of a service connected disability caused by an instrumentality of war and incurred in the line of duty during a period of war; or (3) based on non-regular (*i.e.*, reserve) service under the provisions of 10 U.S.C. 12731-12739.

The data elements provided by OPM for the match file will contain the names, addresses, social security number, date of birth, OPM retirement claim number, OPM provision retired codes, and annuity payment and service data of individuals currently receiving benefits from OPM.

The DMDC database contains approximately 1.9 million records of military retired personnel.

**F. Individual notice and opportunity to contest:** Due process procedures will be provided by OPM to those individuals matched (hits) consisting of OPM'S verification of debt; a minimum of 30-day written notice to the debtor explaining the debtor's rights; opportunity for the debtor to examine and copy OPM documentation relating to the debt; provision for debtor to seek the OPM review of the debt (or in the case of the salary offset provision, opportunity for a hearing before an individual who is not under the supervision or control of the agency); and opportunity for the individual to enter into a written agreement satisfactory to the OPM for repayment. Only when all of the steps have been taken will OPM disclose information, pursuant to a routine use, to effect an administrative or salary offset. Unless the individual notifies OPM within 30 days from the date of the notice, OPM will infer that the data provided the individual is accurate and correct and will take the next step, as authorized by law, to recoup the delinquent debt.

**G. Inclusive dates of the matching program:** This computer matching program is subject to review by the Office of Management and Budget and Congress. If the mandatory 30 day period for public comment has expired and if no objections are raised by either Congress or the Office of Management and Budget within 40 days of being notified of the proposed match, the computer matching program becomes effective and the respective agencies may begin the exchange of data at a mutually agreeable time and will be repeated on an bi-annual basis. By agreement between OPM and DoD, the matching program will be in effect and

continue for 18 months with an option to extend for 12 additional months unless one of the parties to the agreement advises the other by written request to terminate or modify the agreement.

*H. Address for receipt of public comments or inquiries:* Director, Defense Privacy Office, 1941 Jefferson Davis Highway, Suite 920 Arlington, VA 22202-4502. Telephone (703) 607-2943.

[FR Doc. 01-418 Filed 1-5-01; 8:45 am]

BILLING CODE 5001-10-P

## DEPARTMENT OF DEFENSE

### Department of the Navy

#### Privacy Act of 1974; System of Records

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

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

**SUMMARY:** The Department of the Navy proposes to alter seven system of records notices in its inventory of record systems subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended.

**DATES:** This action will be effective on February 7, 2001 unless comments are received that would result in a contrary determination.

**ADDRESSES:** Send comments to the Department of the Navy, PA/FOIA Policy Branch, Chief of Naval Operations (N09B30), 2000 Navy Pentagon, Washington, DC 20350-2000.

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

**SUPPLEMENTARY INFORMATION:** The Department of the Navy's record system notices for records systems 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 was submitted on December 19, 2000, 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 (61 FR 6427, February 20, 1996).

Dated: December 20, 2000.

**Patricia L. Toppings,**

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

**N05810-2**

#### SYSTEM NAME:

Military Justice Correspondence and Information File (May 7, 1999, 64 FR 24619).

#### CHANGES:

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#### CATEGORY OF RECORDS IN THE SYSTEM:

Delete entry and replace with "Files contain background information relevant to specific military justice cases, copies of incoming and outgoing correspondence relating to military justice cases, and may contain information relating to the Victim and Witness Assistance Program, the Sexual Assault Prevention and Response Program, and the Victim's Rights and Restitution Act of 1990."

#### AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

Delete entry and replace with "5 U.S.C. 301, Departmental Regulations and 42 U.S.C. 10601 *et seq.*, Victim's Rights and Restitution Act of 1990 as implemented by DoD Instruction 1030.2, Victim and Witness Assistance Procedures."

#### PURPOSE(S):

Add a new paragraph "To provide information and support to victims and witnesses in compliance with the Victim and Witness Assistance Program, the Sexual Assault Prevention and Response Program, and the Victims' Rights and Restitution Act of 1990."

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

Add a new paragraph "To victims and witnesses to comply with the Victim and Witness Assistance Program, the Sexual Assault Prevention and Response Program, and the Victims' Rights and Restitution Act of 1990."

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**N05810-2**

#### SYSTEM NAME:

Military Justice Correspondence and Information File.

#### SYSTEM LOCATION:

Office of the Judge Advocate General (Code 20), Department of the Navy, 716 Sicard Street SE, Suite 1000, Washington Navy Yard, DC 20374-5047 and duplicate copies may be maintained in local legal office file.

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

Active duty, retired, and discharged Navy and Marine Corps personnel who were the subject of military justice proceedings or investigations.

#### CATEGORIES OF RECORDS IN THE SYSTEM:

Files contain background information relevant to specific military justice cases, copies of incoming and outgoing correspondence relating to military justice cases, and may contain information relating to the Victim and Witness Assistance Program, the Sexual Assault Prevention and Response Program, and the Victim's Rights and Restitution Act of 1990.

#### AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301, Departmental Regulations and 42 U.S.C. 10601 *et seq.*, Victim's Rights and Restitution Act of 1990 as implemented by DoD Instruction 1030.2, Victim and Witness Assistance Procedures.

#### PURPOSE(S):

To provide a record of individual inquiries and JAG responses concerning military justice related matters, and to maintain background information on military justice matters to assist in responding to inquiries.

To provide information and support to victims and witnesses in compliance with the Victim and Witness Assistance Program, the Sexual Assault Prevention and Response Program, and the Victims' Rights and Restitution Act of 1990.

#### 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:

To victims and witnesses to comply with the Victim and Witness Assistance Program, the Sexual Assault Prevention and Response Program, and the Victims' Rights and Restitution Act of 1990.

The DoD "Blanket Routine Uses" that appear at the beginning of the Navy's compilation of system notices apply to this system.

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

##### STORAGE:

File folders, binder-notebooks, and computer hard drive and floppy disks.