

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

Heads of PLFAs who are responsible for the DLA installation or vehicle involved. Official mailing addresses are published as an appendix to DLA's compilation of systems of records notices.

**NOTIFICATION PROCEDURE:**

Individuals seeking to determine whether information about themselves is contained in this system should address written inquiries to the Privacy Act Officer of the PLFA involved. Official mailing addresses are published as an appendix to DLA's compilation of systems of records notices.

Individual must provide full name, date of incident, and the location of the incident.

**RECORD ACCESS PROCEDURES:**

Individuals seeking access to information about themselves contained in this system should address written inquiries to the Privacy Act Officer of the PLFA involved. Official mailing addresses are published as an appendix to DLA's compilation of systems of records notices.

Individual must provide full name, date of incident, and the location of the incident.

For personal visits, the individual should be able to provide some acceptable identification, such as, driver's license or employing agency identification card. Some verbal information may be required to verify the file.

**CONTESTING RECORD PROCEDURES:**

The DLA rules for accessing records, for contesting contents and appealing initial agency determinations are contained in DLA Regulation 5400.21, 32 CFR part 323, or may be obtained from the Privacy Act Officer, Headquarters, Defense Logistics Agency, ATTN: CAAR, 8725 John J. Kingman Road, Suite 2533, Fort Belvoir, VA 22060-6221.

**RECORD SOURCE CATEGORIES:**

Individuals involved in accidents, traffic offenders, witnesses, security and police force personnel, law enforcement agencies, and medical and emergency personnel.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

[FR Doc. 99-19470 Filed 7-29-99; 8:45 am]

BILLING CODE 5001-10-F

**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 a system of records notice in its inventory of record systems subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended. The alteration adds a routine use to an existing system of records.

**DATES:** This action will be effective on August 30, 1999, 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 July 15, 1999, 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: July 26, 1999.

**L. M. Bynum,**

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

**N05813-1**

**SYSTEM NAME:**

Ethics File (*February 22, 1993, 58 FR 10775*).

**CHANGES:**

\* \* \* \* \*

**SYSTEM NAME:**

Add 'Professional Responsibility/' to beginning of entry.

**SYSTEM LOCATION:**

Delete entry and replace with 'Office of the Judge Advocate General (Code

13), Department of the Navy, Washington Navy Yard, 1322 Patterson Avenue SE, Suite 3000, Washington, DC 20374-5066.

Judge Advocate Division, Research and Civil Law Branch, 2 Navy Annex, Washington, DC 20380-1775.'

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

Delete entry and replace with 'Civilian and military lawyers who have practiced, or are practicing, in proceedings conducted under the supervision and cognizance of the Judge Advocate General of the Navy (JAG), and whose professional or personal conduct has been the subject of a professional responsibility/ethics complaint or investigation.'

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Delete entry and replace with 'Reports of investigation, correspondence, and court papers relating to the professional responsibility/ethics complaint brought against attorneys.'

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

Delete entry and replace with '5 U.S.C. 301, Departmental Regulations; 10 U.S.C. 826, 827; 32 CFR part 776; Rule for Courts-Martial 109, Manual for Courts-Martial; and Judge Advocate General Instruction 5803.1.'

**PURPOSE(S):**

Delete entry and replace with 'To record the disposition of professional responsibility/ethics complaints; to provide a record of individual lawyers who are not authorized to practice as legal assistance attorneys before courts-martial or other proceedings conducted under the Uniform Code of Military Justice (UCMJ), or in Navy and Marine Corps administrative proceedings, and to document professional responsibility/ethics violations and corrective action taken.'

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

Add a new paragraph 'To attorney licensing and/or disciplinary authorities as required to support professional responsibility investigations and proceedings.'

\* \* \* \* \*

**RETENTION AND DISPOSAL:**

Delete entry and replace with 'Records are maintained in office for a minimum of two years. Records are retained for as long as an attorney remains subject to JAG-imposed limitations on practice. Records pertaining to unsubstantiated complaints, or to attorneys who are no

longer subject to limitations on practice, are destroyed after 10 years.'

\* \* \* \* \*

#### **N05813-1**

##### **SYSTEM NAME:**

Professional Responsibility/Ethics File.

##### **SYSTEM LOCATION:**

Office of the Judge Advocate General (Code 13), Department of the Navy, Washington Navy Yard, 1322 Patterson Avenue SE, Suite 3000, Washington, DC 20374-5066.

Judge Advocate Division, Research and Civil Law Branch, 2 Navy Annex, Washington, DC 20380-1775.

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

Civilian and military lawyers who have practiced, or are practicing, in proceedings conducted under the supervision and cognizance of the Judge Advocate General of the Navy (JAG), and whose professional or personal conduct has been the subject of a professional responsibility/ethics complaint or investigation.

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

Reports of investigation, correspondence, and court papers relating to the professional responsibility/ethics complaint brought against attorneys.

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

5 U.S.C. 301, Departmental Regulations; 10 U.S.C. 826, 827; 32 CFR part 776; Rule for Courts-Martial 109, Manual for Courts-Martial; and Judge Advocate General Instruction 5803.1.

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

To record the disposition of professional responsibility/ethics complaints; to provide a record of individual lawyers who are not authorized to practice as legal assistance attorneys before courts-martial or other proceedings conducted under the Uniform Code of Military Justice (UCMJ), or in Navy and Marine Corps administrative proceedings, and to document professional responsibility/ethics violations and corrective action taken.

##### **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 attorney licensing and/or disciplinary authorities as required to support professional responsibility investigations and proceedings.

The 'Blanket Routine Uses' that appear at the beginning of the Navy'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:**

File folders.

##### **RETRIEVABILITY:**

Files are kept in alphabetical order according to the last name of the attorney concerned.

##### **SAFEGUARDS:**

Files are maintained in file cabinets and other storage devices under the control of authorized personnel during working hours; the office space in which the file cabinets and storage devices are located is locked outside official working hours.

##### **RETENTION AND DISPOSAL:**

Records are maintained in office for a minimum of two years. Records are retained for as long as an attorney remains subject to JAG-imposed limitations on practice. Records pertaining to unsubstantiated complaints, or to attorneys who are no longer subject to limitations on practice, are destroyed after 10 years.

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

Assistant Judge Advocate General (Civil Law), Office of the Judge Advocate General, Department of the Navy, Washington Navy Yard, 1322 Patterson Avenue SE, Suite 3000, Washington, DC 20374-5066.

Director, Judge Advocate Division, 2 Navy Annex, Washington, DC 20380-1775.

##### **NOTIFICATION PROCEDURE:**

Individuals seeking to determine whether this system contains information about themselves should address written inquiries to the Deputy Assistant Judge Advocate General (Administrative Law), Office of the Judge Advocate General, Department of the Navy, 1322 Patterson Avenue SE, Suite 3000, Washington, DC 20374-5066; or in the case of USMC attorneys, Judge Advocate Division, Research and Civil Law Branch, 2 Navy Annex, Washington, DC 20380-1775.

The written request should include the full name of the individual concerned and must be signed.

Personal visits may be made to the Deputy Assistant Judge Advocate

General (Administrative Law), Suite 7000, Presidential Towers, Arlington, Virginia, or in the case of USMC attorneys, Room 5E588, The Pentagon, Arlington, Virginia, during normal working hours, Monday through Friday, 8 a.m. to 4:30 p.m. Individuals making such visits should be able to provide some acceptable identification, e.g., Armed Forces identification card, driver's license, etc.

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

Individuals seeking access to information about themselves contained in this system should address written inquiries to the Deputy Assistant Judge Advocate General (Administrative Law), Office of the Judge Advocate General, Department of the Navy, 1322 Patterson Avenue SE, Suite 3000, Washington, DC 20374-5066; or in the case of USMC attorneys, Judge Advocate Division, Research and Civil Law Branch, 2 Navy Annex, Washington, DC 20380-1775.

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##### **CONTESTING RECORD PROCEDURES:**

The Navy's rules for accessing records, and for contesting contents and appealing initial agency determinations are published in Secretary of the Navy Instruction 5211.5; 32 CFR part 701; or may be obtained from the system manager.

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

Correspondence from individuals, military judges, staff judge advocates, and other military personnel; correspondence from the Judge Advocate General of other branches of the Armed Forces; investigative reports from Naval Criminal Investigative Service and other offices, correspondence from other military and civilian authorities and copies of court papers.

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

None.

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