

Department of the Army

A1145b CE

SYSTEM NAME:

Regulatory Program Files

SYSTEM LOCATION:

Chief of Engineers, Headquarters, Department of the Army, 441 G Street, NW, Washington, DC 20314-1000 and the Engineer Division and District Offices. Official mailing addresses are published as an appendix to the Army's compilation of systems of records notices.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals requesting jurisdictional determinations, individuals applying for permits (applicants), individuals that have obtained permits (permittees), persons having performed unauthorized work in waters of the U.S., and members of the public commenting on or responding to those matters.

CATEGORIES OF RECORDS IN THE SYSTEM:

Names, home addresses, project location addresses, phone number(s), email addresses, Department of the Army file number and parcel identification information of permit applicants, individuals requesting jurisdictional determinations and persons having performed unauthorized work. Names and addresses of property owners adjacent to the permit applicant. Name, address, phone number(s), email addresses, of members of the public who comment on permit matters.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

33 U.S.C. Sections 401, 403, 404, 407 and 408, Rivers and Harbors Act of 1899 (Sections 9, 10, 11, 13 and 14); 33 U.S.C. Section 1344, Clean Water Act (Section 404); and 33 U.S.C. Section 1413, the Marine Protection, Research, and Sanctuaries Act of 1972 (Section 103).

PURPOSE(S):

To receive and evaluate permit applications and public comments in carrying out the Department of the Army regulatory program. To receive and evaluate jurisdictional determination requests. To collect and maintain violation information to

enforce the Department of the Army regulatory program rules and requirements.

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, as amended, 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:

The Blanket Routine Uses set forth at the beginning of the Army's compilation of systems of records notices may apply to this system. The complete list of DoD Blanket Routine Uses can be found online at:

<http://dpcl.d.defense.gov/Privacy/SORNsIndex/BlanketRoutineUses.aspx>.

Names, home addresses and project location information of permit applicants will be disclosed to the Public, Federal Resource Agencies and State and local resource agencies to solicit views regarding the individual's application.

Names and comments submitted by members of the public who comment on permit applications will be made available to the public, Federal Resource Agencies and State and local resource agencies.

Names, addresses, email addresses and comments submitted by members of the public who comment on permit applications will be made available to the permit applicant for response to the comments.

Names of permittees are made available to the public as a list and in connection with the permit issued.

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

STORAGE:

Maintained in paper files, on electronic storage media, and/or microfilm.

RETRIEVABILITY:

Records are retrieved by individual's name and by any of the fields listed in the categories of record.

SAFEGUARDS:

Records are maintained in areas accessible only to authorized persons having official need. Records are housed in buildings protected by security guards or locked when not in use. DoD Components and approved users ensure that electronic records collected and used are maintained in controlled areas accessible only to authorized personnel. Physical security differs from site to site, but the automated records must be maintained in controlled areas accessible only by authorized personnel. Access to computerized data is restricted by use of common access cards (CACs) and is accessible only by users with an authorized account. The system and electronic backups are maintained in controlled facilities that employ physical restrictions and safeguards such as security guards, identification badges, key cards, and locks.

RETENTION AND DISPOSAL:

Dock permit files are destroyed 6 years after expiration of permits/applications and then until no longer needed for conducting business. Dredging and dumping permit (standard permits field offices) records are destroyed seven years after revocation, expiration or removal of the object to which the permit pertains. Harbor lines approval records are permanent. Non-action construction permits are destroyed after expiration but no longer than 6 years. Standard permits are kept until no longer needed but not longer than 6 years. Rejected standard permit applications are destroyed three years after denial. Violation of Refuse Act files destroyed when no longer needed for business but not longer than 6 years. Official record copies used for litigation will be destroyed with those files.

Paper records are destroyed by tearing, burning, melting, chemical decomposition, pulping, pulverizing, shredding, or mutilation. Electronic records and media are destroyed by overwriting, degaussing, disintegration, pulverization, burning, melting, incineration, shredding or sanding.

SYSTEM MANAGER(S) AND ADDRESS:

Chief of Engineers, Headquarters, U.S. Army Corps of Engineers, 441 G Street, NW, Washington, DC 20314-1000.

NOTIFICATION PROCEDURE:

Individuals seeking to determine whether this system of records contains information about themselves should address written inquiries to the Chief of Engineers, Headquarters, Department of the Army, ATTN: CECW-0, 441 G Street, NW, Washington, DC 20314-1000.

Individual must provide full name, current address and telephone number, and Department of the Army file number if known.

In addition, the requester must provide a notarized statement or an unsworn declaration made in accordance with 28 U.S.C. 1746, in the following format:

If executed outside the United States: 'I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date). (Signature).'

If executed within the United States, its territories, possessions, or commonwealths: 'I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature).'

RECORD ACCESS PROCEDURES:

Individuals seeking access to information about themselves contained in this system should address written inquiries to the Chief of Engineers, Headquarters, Department of the Army, ATTN: CECW-0, 441 G Street, NW, Washington, DC 20314-1000.

Individual must provide full name, current address and telephone number, response number if known, and specifics that will assist in locating the record.

In addition, the requester must provide a notarized statement or an unsworn declaration made in accordance with 28 U.S.C. 1746, in the following format:

If executed outside the United States: 'I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on (date). (Signature).'

If executed within the United States, its territories, possessions, or commonwealths: 'I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature).'

CONTESTING RECORD PROCEDURES:

Army rules for accessing records, and for contesting contents and appealing initial agency determinations are published in the Army Regulation 340-21; 32 CFR Part 505; or may be obtained from the system manager.

RECORD SOURCE CATEGORIES:

From the permit applicant, persons requesting jurisdictional determinations, protected sources reporting unauthorized work and persons having performed unauthorized work; federal, state, and local governments; agencies; non-governmental organizations; and the public.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

DRAFT