

DEPARTMENT OF DEFENSE
Department of the Army
Narrative Statement on an Altered System of Records
Under the Privacy Act of 1974

1. System identifier and name: A1145b CE, entitled "General Permit Files."
2. Responsible official: Ms. Jennifer Moyer, Headquarters, U.S. Army Corps of Engineers (USACE), 441 G Street, NW, Washington, DC 20314-1000. Telephone 202-761-4598.
3. Nature of proposed changes for the system: The U.S. Department of the Army is proposing to alter the existing system of records by changing the system name, location, category of individuals, category of records, authority, purpose, routine uses, storage, retrievability, safeguards, retention and disposal, system manager and address, notification and record access procedures, procedures, and record source categories.
4. Authority for maintenance (maintained, collected, used, or disseminated) of the system: 33 U.S.C. 401, Construction of bridges, causeways, dams, or dikes generally; exemptions; 33 U.S.C. 403, Obstruction of navigable waters generally; wharves; piers, etc; excavations and filling in; 33 U.S.C. 404, Establishment of harbor lines; conditions to grants for extension of piers, etc.; 33 U.S.C. 407, Deposit of refuse in navigable waters generally; 33 U.S.C. 408, Taking possession of, use of, or injury to harbor or river improvements; 33 U.S.C. Section 1344, Permits for dredged or fill material; and 33 U.S.C. Section 1413, Dumping permit program for dredged material.
5. Provide the agency's evaluation on the probable or potential affect on the privacy of individuals: In altering this SORN, the Department of the Army reviewed the safeguards established for the system to ensure they are compliant with DoD requirements and are appropriate to the sensitivity of the information stored within the system.
6. Is the system, in whole or in part, being maintained, collected, used, or disseminated by a contractor? Yes. The Contractor will be required to design, develop, or operate a system of records on individuals, to accomplish an agency function subject to the Privacy Act of 1974, Public Law 93-579, December 31, 1974 (5 U.S.C. 552a) and applicable agency

regulations. Violation of the Act may involve the imposition of criminal penalties.

7. Steps taken to minimize risk of unauthorized access: Records are maintained in areas accessible only to authorized persons having official need to know. 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.
8. Routine use compatibility: In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act of 1974, as amended, these records contained therein may be disclosed outside the DoD as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

To the public, Federal Resource Agencies, and State and local resource agencies to solicit views regarding the individual's application and to review permit application comments submitted by members of the public.

To the permit applicant to respond to the comments of the members of the public who comment on the permit application.

To the public in connection with the permits issued and permittees.

Law Enforcement Routine Use: If a system of records maintained by a DoD Component to carry out its functions indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the agency concerned, whether federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

Disclosure When Requesting Information Routine Use: A record from a system of records maintained by a DoD Component may be disclosed as a routine use to a federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to a DoD Component decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.

Disclosure of Requested Information Routine Use: A record from a system of records maintained by a DoD Component may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Congressional Inquiries Disclosure Routine Use: Disclosure from a system of records maintained by a DoD Component may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Disclosure to the Department of Justice for Litigation Routine Use: A record from a system of records maintained by a DoD Component may be disclosed as a routine use to any component of the Department of Justice for the purpose of representing the Department of Defense, or any officer, employee or member of the Department in pending or potential litigation to which the record is pertinent.

Disclosure of Information to the General Services Administration Routine Use: A record from a system of records maintained by a DoD Component may be disclosed as a routine use to the General Services Administration for the purpose of records management inspections conducted under authority of 44 U.S.C. 2904 and 2906.

Disclosure of Information to the National Archives and Records Administration Routine Use: A record from a system of records maintained by a DoD Component may be disclosed as a routine use to the National Archives and Records Administration for the purpose of records management

inspections conducted under authority of 44 U.S.C. 2904 and 2906.

Data Breach Remediation Purposes Routine Use: A record from a system of records maintained by a Component may be disclosed to appropriate agencies, entities, and persons when (1) The Component suspects or has confirmed that the security or confidentiality of the information in the system of records has been compromised; (2) the Component has determined that as a result of the suspected or confirmed compromise there is a risk of harm to economic or property interests, identity theft or fraud, or harm to the security or integrity of this system or other systems or programs (whether maintained by the Component or another agency or entity) that rely upon the compromised information; and (3) the disclosure made to such agencies, entities, and persons is reasonably necessary to assist in connection with the Components efforts to respond to the suspected or confirmed compromise and prevent, minimize, or remedy such harm.

9. OMB public information collection requirements:

OMB collection required: Yes

OMB Control Number (if approved): #0710-0003

Title of collection: Application for a Department of Army Permit

Date Approved or Submitted to OMB: mm/dd/2017

Expiration Date (if approved): mm/dd/2017

10. Name of IT system: Operations and Maintenance Business Information Link (OMBIL) Regulatory Module (ORM2) module under Civil Works Business Intelligence (CWBI). DITPR #3702

A1145b CE

System name:

General Permit Files (February 22, 1993, 58 FR 10002)

Changes:

* * * * *

System name:

Delete entry and replace with "Regulatory Program Files."

Security classification: Add "Unclassified"

System location:

Delete entry and replace with "Chief of Engineers, Headquarters, Department of the Army, 441 G Street, NW, Washington, DC 20314-1000.

Army Corps of Engineers Division and District Offices. Official mailing addresses are published as an appendix to the Army's compilation of systems of records notices"

System manager(s) and address:

Delete entry and replace with "Chief of Engineers, Headquarters, U.S. Army Corps of Engineers, 441 G Street, NW, Washington, DC 20314-1000."

Authority for maintenance of the system:

Delete entry and replace with "33 U.S.C. 401, Construction of bridges, causeways, dams, or dikes generally; exemptions; 33 U.S.C. 403, Obstruction of navigable waters generally; wharves; piers, etc; excavations and filling in; 33 U.S.C. 404, Establishment of harbor lines; conditions to grants for extension of piers, etc.; 33 U.S.C. 407, Deposit of refuse in navigable waters generally; 33 U.S.C. 408, Taking possession of, use of, or injury to harbor or river improvements; 33 U.S.C. Section 1344, Permits for dredged or fill material; and 33 U.S.C. Section 1413, Dumping permit program for dredged material

Purpose(s):

Delete entry and replace with "Receive and evaluate permit applications, public comments and jurisdictional determination requests in carrying out the Department of the Army Regulatory Program. To collect and maintain violation information to enforce the Department of the Army Regulatory Program rules and requirements."

Categories of individuals covered by the system:

Delete entry and replace with "Individuals requesting jurisdictional determinations, individuals applying for permits (applicants), individuals that have obtained permits (permittees), persons having performed unauthorized work in waters of the United States, individuals requesting jurisdictional determinations and persons having performed unauthorized work. Names and addresses of property owners adjacent to the permit applicant, and members of the public commenting on or responding to those matters."

Categories of records in the system:

Delete entry and replace with "Names, home addresses, personal and business phone number(s), personal and business email addresses, project location, project name, project description, Department of the Army file number and parcel identification information of permit applicants."

Record source categories:

Delete entry and replace with "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."

Routine uses of records maintained in the system, including categories of users and purposes of such uses:

Each routine use of the records contained in the system, including the categories of users and the purpose of such use.

In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act of 1974, as amended, the records contained herein may specifically be disclosed outside the DoD as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows:

Delete entry and replace with "To the public, Federal Resource Agencies and State and local resource agencies to solicit views regarding the individual's application and to review permit application comments submitted by members of the public."

To the permit applicant to respond to the comments of the members of the public who comment on the permit application.

To the public in connection with the permits issued and permittees.

Law Enforcement Routine Use: If a system of records maintained by a DoD Component to carry out its functions indicates a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or by regulation, rule, or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the agency concerned, whether federal, state, local, or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, rule, regulation, or order issued pursuant thereto.

Disclosure When Requesting Information Routine Use: A record from a system of records maintained by a DoD Component may be disclosed as a routine use to a federal, state, or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to a DoD Component decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.

Disclosure of Requested Information Routine Use: A record from a system of records maintained by a DoD Component may be disclosed to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

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Policies and practices for storage of records:
Delete entry and replace with "Maintained in paper files, on electronic storage media, and/or microfilm."

Policies and practices for retrieval of records:
Delete entry and replace with "Records are retrieved by individual's name, home addresses, project location address, phone number(s), email address, Department of Army file number and parcel identification."

Policies and practices for retention and disposal of records:
Delete entry and replace with "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 not 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."

Administrative, technical, and physical safeguards:

Delete entry and replace with "Records are maintained in areas accessible only to authorized persons having official need to know. 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."

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 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 State 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)."

* * * * *

Notification procedure:

Delete entry and replace with "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.

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* * * * *

History:

Add "General Permit Files (February 22, 1993, 58 FR 10002)"

A1145b CE

System name:
Regulatory Program Files

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Army Corps of Engineers Division and District Offices.
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possession of, use of, or injury to harbor or river improvements;
33 U.S.C. Section 1344, Permits for dredged or fill material;
and 33 U.S.C. Section 1413, Dumping permit program for dredged
material.

Purpose(s):
Receive and evaluate permit applications, public comments and
jurisdictional determination requests in carrying out the
Department of the Army Regulatory Program. To collect and
maintain violation information to enforce the Department of
the Army Regulatory Program rules and requirements.

Categories of individuals covered by the system:
Individuals requesting jurisdictional determinations,
individuals applying for permits (applicants), individuals
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and members of the public commenting on or responding to those
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Names, home addresses, personal and business phone number(s), personal and business email addresses, project location, project name, project description, Department of the Army file number and parcel identification information of permit applicants.

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Policies and practices for storage of records:

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

Policies and practices for retrieval of records:

Records are retrieved by individual's name, home addresses, project location address, phone number(s), email address, Department of Army file number and parcel identification.

Policies and practices for retention and disposal of records:

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.

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Administrative, technical, and physical safeguards:

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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 State 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.

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:

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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)."

Exemptions promulgated for the system:
None.

History:

General Permit Files (February 22, 1993, 58 FR 10002)