

M I N U T E S

SPECIAL COMMITTEE ON COMMERCIAL AND FINANCIAL INSTITUTIONS

November 1-2, 1977
Room 510, State House

Members Present

Senator Neil H. Arasmith, Chairman
Representative Jim Holderman, Vice-Chairman
Senator John Crofoot
Senator Paul Feleciano, Jr.
Senator Larry Rogers
Representative Herman Dillon
Representative Charles Laird (November 1, 1977)
Representative Lloyd Buzzi (November 1, 1977)
Representative John Reimer
Representative Marjorie Thomson

Members Absent

Representative Mike Meacham

Staff Present

Bill Wolff, Kansas Legislative Research Department
Bill Edds, Revisor of Statutes Office

Others Present

Robert Gast, Kansas Department of Education
Bill Kauffman, Kansas Board of Regents
Dr. M.A. McGhehey, Kansas Association of School Boards
Jack Brier, Assistant Secretary of State
Darrell McNeil, Department of Administration
Mike Moroney, Assistant Attorney General
Carey Brown, Kansas Bureau of Investigation
Major Stuart Elliott, Kansas Highway Patrol
Jim J. Marquez, Department of Corrections
Tom Becher, Adjutant General's Office
Anthony Lopez, Kansas Committee on Civil Rights
Dr. Jerry Schreiner, United School Administrator
Ernie Mosher, League of Kansas Municipalities
Susie Parmer, Kansas County Register of Deeds Association
Wanda Coder, Kansas County Clerks Association
John Prochaska, Kansas County Commissioners Association
Fred Howard, Chief of Police - Topeka
Robert Tilton, Kansas Sheriffs Association
Major E.J. Kuntz, Wichita Police Department

Morning Session
November 1, 1977

The Chairman, Senator Neil Arasmith, called the meeting to order at 10:00 a.m. Vice-Chairman Holderman moved, seconded by Senator Crofoot, that the minutes of the previous meeting be amended on page three, third paragraph, by placing a period after the word "report" and striking the remainder of the paragraph. Motion carried. Representative Reimer moved, seconded by Representative Thomson, that the minutes of the October meeting be approved as amended. Motion carried.

Proposal No. 10 - Privacy of Financial Records

Mr. Robert Gast, Kansas Department of Education, told the Committee that his agency collects substantial amounts of data and have had no problems in the way it is treated (see Attachment A). Information on teaching staff, their assignments, district number, level of school, salary, number of pupils in classroom, etc., is unrestricted information. Restricted areas include teachers' certifications, transcripts, and information on vocational education students. Vocational education student files contain private information which identifies race, sex, and handicapped. He said the Department collects more objective and current information than in the past. There is still a need to date entries and collect only accurate information that is essential to the agency. A screening of data from time to time is also needed. Mr. Gast acknowledged that most information is on computers and the State Board of Records gives some guidance for keeping records.

Mr. Gast referred to the Family Education and Privacy Act of 1974 -- the Buckley Amendment. Before this act, parents had been denied a review of their child's records. Now they have the right to inspect records and the right of a hearing to challenge the content of the record. Senator Rogers asked who the Department serves and was told the local educational agencies, instructional staff and administrative staff. Senator Feleciano questioned the qualifications of teachers to make analysis of students and placing the comments on the child's records.

Mr. Bill Kauffman, Kansas Board of Regents, discussed the Board's maintenance of records. In the area of students' records, he referred to the Buckley amendment. Under the Buckley amendment, students have the right to review their files and to prohibit release of information without their approval. Some information is not available to the student, i.e., salary of parents and certain letters of recommendation. The student has the right to challenge contents of his or her file and the right to have a hearing to change the file. Mr. Kauffman indicated that information may be released if subpoenaed, but the student must first be notified. Institutions keep logs for requests of information. The two problems now existing because of this amendment are colleges explaining to parents why they cannot see their child's records and the time involved in the publishing of school directories. The Regents have no policy on the length of time records are to be maintained.

Dr. M.A. McGhehey, Kansas Association of School Boards, was introduced. He explained that teachers' licenses and contracts are public records. However, teacher evaluation reports cannot be seen by other school authorities which sometimes is a liability to school board members in making decisions on teachers. Minutes of board meetings are permanent records and also public records, after they have been approved by the board. He felt student records should be cleaned out as the student moves from elementary to junior high and high school. Dr. McGhehey reported that many boards are microfilming their permanent records. He suggested that in some areas, the ownership and privacy of grade books was in dispute. Chairman Arasmith asked what happened to records in the case of a school closing. He was told that the school district getting the majority of the old territory gets the permanent records.

Mr. Jack Brier, Assistant Secretary of State, listed the many records that the agency files, including:

1. Financial records, i.e., UCC information, public utility mortgages, railroad mortgage;
2. Articles of incorporation documents and annual reports filed by corporations;
3. Trademark information which is kept for ten years;
4. Notary Public information;
5. Labor Union information, annual reports, etc.;
6. Governors executive orders, reorganization of state government, appointments, anything that the finance council handled in the past and now handled by the Governor's office;
7. Lobbyist registration, expenditure reports, etc.;
8. Abstracts of votes by precincts; and
9. Statements of substantial interest.

Chairman Arasmith asked why all records were available to the public except the audit of cemeteries. Mr. Brier explained that the statute specified a private record. All other records are open to the public and may be copied for a fee prescribed by statute.

Mr. Darrell McNeil, Department of Administration, presented the Committee members with copies of the status of records maintained by divisions and offices of the Department of Administration (Attachment "B").

Copies of the draft Committee Report were distributed to Committee members and the Chairman explained that a discussion would be held on the Report later in the meeting. Meeting recessed for lunch at 11:50 a.m.

Afternoon Session

Chairman Arasmith reconvened the Committee meeting at 1:30 p.m. and hearings continued on Proposal No. 10. Assistant Attorney General, Mike Moroney, told the Committee of the records kept and how long they are kept in the Attorney General's office (Attachment "C"). He noted that a large majority of the records are kept under the attorney-client privilege. Many divisions of the office are involved, i.e., Consumer Protection Division, Anti-Trust Division, Bonds issued in the State of Kansas, Civil Division, Litigation Division, and the Criminal Division. Information is provided outside parties in cases of subpoena or court order. In addition, once a case is filed, the information involved is public knowledge. Also, once an individual is cited, a copy of data on file is available to him. Investigative files regarding complaints are always confidential. In the matter of opinion requests, Mr. Moroney said that the answers are returned to the requesting individual or agency, and a synopsis is published and available upon request to anyone.

Mr. Carey Brown, Kansas Bureau of Investigation, told the Committee that criminal records are kept on persons committing or being charged with crimes. Other law enforcement agencies submit criminal information to the Bureau for their records, he said. These records are heavily documented and kept forever. Mr. Brown said that an individual has a right of access to his or her criminal history records. Many criminal history records are kept for statistical and historical reasons with the older records being stored on microfilm. Records are available internally on a very restricted basis to law enforcement agencies working with the KBI. He indicated that mailing lists of those receiving the Law Enforcement Bulletin are restricted as are the intelligent files maintained by the Special Services Division. Mr. Brown was asked if he saw a need for further privacy legislation. He responded that S.B. 406 would help. "If privacy legislation is passed," he added, "it would carry with it a financial burden on the Bureau." Additional materials were distributed to Committee members (Attachment D).

Major Stuart Elliott of the Kansas Highway Patrol reported that the agency's records are mainly misdemeanor records, but some felony records are on file. He said that the Highway Patrol's records are shared with anyone in the criminal justice field. Records of convictions are available to other criminal justice agencies, but records of nonconvictions are confidential. Juvenile files are not released to anyone without an order of a District Court.

Mr. Jim J. Marquez, Department of Corrections, identified the records that his agency keeps, i.e., entries of convictions, rap sheets, photos, paroles granted, and discharges. This information is kept forever. He was asked who has access to these records. He replied that the following have access: the Kansas Adult Authority, criminal justice agencies, the Pardon Attorney, and the Governor. Expungment, its definition and place in the privacy issue was discussed in length by the Committee. Finally, Mr. Marquez was asked if an attorney wrote to the Department of Corrections, on his stationery, making inquiries about a person's confinement in an institution, would this information be given to him. He said yes, because such information is a matter of public record.

Mr. Tom Becher, Adjutant General's Office, told the Committee of the records kept and with whom the records are shared (Attachment "E"). A privacy act officer has been appointed by General Fry, he said. Mr. Becher said that the office handles 7,500 active files, 50,000 retired files, and 100,000 records on prior service personnel. These records are kept indefinitely and are now on microfilm. Individuals who are the subject of the record are the only persons allowed to see the files, unless a release form is signed and submitted.

Mr. Anthony Lopez, Kansas Commission on Civil Rights, presented testimony for that agency (Attachment "F"). He told the Committee that a court order is needed to get copies of Commission files. He was asked if either party to a complaining might have access to the file. Mr. Lopez replied that files were closed to all parties until such time as a decision was reached by the Commission. Certain records, he noted, are available to the general public.

Dr. Jerry Schreiner, United School Administrators, identified for the Committee certain conflicts in the area of information, i.e., request of school administrators for addresses of parents through student records. Teacher evaluation records, he said, are not shared from district to district unless authorized by the teacher.

Staff informed the Committee of a 1975 interim privacy information study, Proposal No. 27, which referred to H.B. 2447, a privacy of records bill introduced by Representatives Everett and Loux. The interim study and bill were reviewed by staff.

The Chairman asked staff to incorporate in the Committee Report the results of the computer search of the statutes regarding privacy areas. Chairman Arasmith again asked Committee members to look over the proposed Committee Report for review the next day. Meeting adjourned at 3:55 p.m.

November 2, 1977
Morning Session

Chairman Arasmith called the meeting to order at 9:00 a.m. and hearings resumed on Proposal No. 10. Mr. Ernie Mosher, League of Kansas Municipalities, told the Committee that the cities of Kansas are custodians of a great number of records. These records, he commented, are generally open to the public except, records on illegitimate births. Other sensitive areas, for example, evaluations of employees, are confidential. Mr. Mosher was asked if he knew of any problems with unauthorized individuals wanting to see files that are confidential. He said that he thought city clerks were usually receptive to requests, if the inquirer knows what he wants to see. Mr. Mosher identified interoffice correspondence as a gray area in the privacy question.

Ms. Susie Parmer, Kansas County Register of Deeds Association, presented testimony for that Association (Attachment "G"). She felt that the release of information was more helpful than abused.

Ms. Wanda Coder, Kansas County Clerks Association, told the Committee that records in county clerks' offices are kept by statute. All records that are more than 20 years old, except election records may be destroyed. Most records are open to the public, with the exception of intangible tax lists and death records. Personal property taxes, warrents, claims, etc., are open to the public, but persons must come to the office to get information, she said.

Mr. John Prochaska, Kansas County Commissioners Association, said that county commission meetings are open to the public. Copies of county personnel records are private, but the County Clerk keeps minutes of meetings which are open to the public.

Topeka Chief of Police, Fred Howard, represented the Kansas Peace Officers Association (Attachments H and I). His Association follows the 1974 Privacy Act and the Kansas Criminal History Record Plan he told the Committee. Files are available only to law enforcement agencies and to the individual subject of the record, if proper identification is shown. Tight internal security is used (log books on each file) and rules and regulations are strictly enforced. Chief Howard noted that an attorney wishing to view certain records must be accompanied by the person who is the subject of the record or have a written authorization. He was asked if the Federal Privacy Act has served as a hinderance to police work, or is privacy a subject that should be more restricted. Chief Howard explained that privacy of records necessitates more personnel and has caused an additional financial burden on the Department, but the Act has not been a hinderance to police work as far as getting their job done is concerned. He felt that Kansas statutory guidelines, however, are inadequate, and that the Kansas Legislature needs to address itself to the problems of privacy, as law enforcement agencies need direction.

The centralization of criminal records by computers was discussed. Mr. Howard felt that there should be some continuity among all law enforcement agencies and that such continuity might be achieved by adopting the Kansas Plan. He plans to submit information to the appropriate standing committee regarding this plan. Representative Reimer asked about record checks by employers. Chief Howard said that all working files are confidential but the employer could get information regarding convictions which is in the criminal history file.

None Mr. Robert Tilton, Kansas Sheriffs Association, distributed some of the forms used by the Shawnee County Sheriff's Department and explained their relationship to the privacy question (Attachment J). He said that generally, files are not available to individuals; only to law enforcement agencies. He felt that the federal law provided sufficient control and that a state law on privacy was not necessary. He added that law enforcement people need to be able to look into expunged records if the subject of the record is applying for a law enforcement job.

Major E.J. Kuntz, Wichita Police Department, told the Committee of some of the problems in Wichita, particularly those encountered because of the volume of records generated. The Department handles 1.5 million computerized source documents, and 6,000 new cases a month are added. Wichita handles 40 percent of the criminal violations in the state. He hoped that the state would adopt the Kansas plan of recordkeeping and usage. Only by court order are records of non-convictions viewed. Major Kuntz knew of no abuse of the computerized records system.

Staff reviewed the draft of the Committee Report. The completed draft will also summarize testimonies heard at the November meeting and other state laws. The final Committee Report draft will be mailed by November 14 and will be considered as approved if no objection is raised by November 21. Committee members should contact the chairman or staff if they have any questions or corrections concerning the Report. It was suggested by Representative Reimer that the Committee Report include the fact that law enforcement agencies' reports regarding adoption of the Kansas Plan are being forwarded to the appropriate standing committees. Representative Reimer also voiced concern that some smaller divisions of government were not quite aware of what is covered under the privacy act and its penalties.

Chairman Arasmith commended Committee members and staff for their promptness, attentiveness and helpfulness throughout the interim. Meeting adjourned at 11:40 a.m.

Prepared by William G. Wolff

Approved by Committee on:

Date

GENERAL STATEMENTS

The Kansas State Department of Education collects data primarily from local education agencies for the purpose of conducting the functions of the department. The sections within the agency that collect personally identifiable data include Program Approval and Compliance, Vocational Education Administration, and Special Education Administration. Information considered public information include teacher's name, professional assignments, salaries, district number, attendance number, level of school information, coded county number, and number of pupils in a class. Information not public includes transcripts of certificated personnel and any personally identifiable student data.

Adequate decisions must be based on reliable information. Good information must meet the following criteria: relevant, appropriate, essential, current, and accurate. Once collected, the information is assured adequate protection and proper use. The major ethical problem becomes the resolving of conflict which arises from the right of privacy versus the right of other persons to know.

Record management responsibilities have increased proportionately relative to the amounts and types of data accumulated and managed by this agency. However, quality control of record management practices have kept pace with laws and any other administrative guidelines applicable to this agency.

Kansas State Department of Education

Kansas State Education Building

120 East 10th Street Topeka, Kansas 66612

June 27, 1977

TO: Commissioner
Assistant Commissioners
Section Directors

FROM: Bill L. Fowler, Director, Forms Control

SUBJECT: Records Retention and Destruction Schedules

The State Records Board has established the following guidelines for the State Department of Education for records retention and destruction;

(3) Department of Education

Vouchers (all classes), paid invoices and supporting papers.

The above records may be disposed of regularly so long as two full fiscal years (following state audit) are on file, unless future state law should require longer retention.

Paid claims for reimbursement to schools for all programs.

The above records may be disposed of regularly so long as two full years (following federal audit) are on file, unless future state law should require longer retention.

Ledgers.

The above records may be disposed of regularly so long as five full fiscal years are on file, unless future state law should require longer retention.

Miscellaneous routine correspondence.

The above records may be disposed of regularly so long as three full calendar years are on file, unless future state law should require longer retention.

Correspondence from the Federal Office of Education.

The above records may be disposed of regularly so long as four full calendar years are on file, unless future state law should require longer retention.

"B"

DEPARTMENT OF ADMINISTRATION

Presentation by Darrell O. McNeil

To Special Committee on Commercial and Financial Institutions
regarding privacy records

The following schedule shows the status of records maintained by divisions and offices of the Department of Administration:

<u>Division or office</u>	<u>Status of Records</u>
Office of Secretary	- nothing confidential
Office of Chief Attorney	- nothing confidential
Accounts & Reports	- payroll records are not released to public
Architectural Services	- nothing confidential
Budget	- nothing confidential
Computer Services	- holds all of its data as custodian for agencies served-- considers such data confidential and releases data only to agency served, nothing to public.
Personnel	- upon request for verification of employment gives 1) date employment commenced, 2) job class, 3) agency where employed, and 4) salary earned.
Planning & Research	- nothing confidential
Printing	- nothing confidential except personnel records
Purchases	- nothing confidential--bids are sealed until public opening is held. Information in bid files then is available but file will not be available for public examination until award is made.
Equal Employment Opportunity	- nothing confidential--maintains statistical records, not individual files.
Self Insurance	- workers compensation case files are considered confidential and are not open to public.
Telecommunications	- nothing confidential

Atch. B

State Office Building
MEMORANDUM

Topeka, Kansas 66612

DATE: October 28, 1977
TO: Darrell McNeil
FROM: Lowell Long
RE: Privacy of Records

In response to the inquiry of Mr. William G. Wolff of the Legislative Research Department, the Division of Personnel has identified those areas which are of concern to the Special Committee on Commercial and Financial Institutions relative to their deliberation on the privacy of records.

The Division of Personnel is responsible for the generation and maintenance of personnel records for classified, classified-exempt and unclassified state personnel. These records include the following:

I. Personnel files

- social security #
- name
- address
- agency where employed
- birth date
- ethnic code
- date entered on duty
- marital status
- citizenship
- examination paper (with answer sheet)
- certification or appointment
- efficiency ratings
- salary changes
- name changes
- address changes
- fiscal changes
- birth documents
- hearing data
- employer letters
- health insurance

II. Position descriptions

- name
- position #
- class
- duties and responsibilities
- supervisor's name and comments

III. Memorandums of agreement

IV. Index cards

- name
- address
- social security number
- phone #
- veteran status
- exams taken or applied for
- scores on exams

V. Eligible lists

VI. Transfer lists

VII. Roster cards

- agency
- social security #
- name
- address
- total service
- class, code and title
- sex
- birth date
- marital status
- veterans status
- education
- retirement code
- effective date of each transaction
- type of transaction
- position #
- status
- pay step
- pay rate
- % of time
- efficiency ratings
- leave balance

Some forms are attached (see Attachment 1) which illustrate the range of information requested and maintained.

The length of time that our records are kept is shown in the following table (the memoranda referenced are in Attachment 2):

<u>Record</u>		<u>Years</u>		<u>Authority</u>
Index cards	-	10 years	-	*Mr. Long's Memo 4-12-71
Roster cards	-	10 years	-	**KSA 75-3746
Personnel files	-	3 years (after person leaves State Service)	-	EEOC guidelines
Position descriptions	-	permanent (until position abolished)	-	Personnel Regs 1-3-5 1-3-6 KSA 75-2938
Agency Personnel records	-	2 years	-	*Mr. Long's Memo 2-3-75
Eligible lists	-	1 year***	-	KSA 75-2942

*under authority of KSA 75-3746 and EEOC guidelines
 **the number of years is Division policy
 ***may be extended to three years by Director

Each employee has access to his or her own personnel file, after showing proper identification. In addition employees of the Division of Personnel, in the exercise of their duties have access to the personnel files. In addition any agency head or the KBI may inspect these files. The Division's file clerks check out the files.

When calls are received from various sources including insurance companies and those making credit checks, the following criteria apply:

Information being given out:*

- date entered on duty
- class
- agency worked for
- verification of salary

Information not given out:*

- salaries (except verification)
- address
- evaluations
- home telephone numbers
- marital status
- social security number
- birthdate

*established by Mr. Long on 2-9-76 at a staff conference

The materials maintained are used for all personnel related functions such as appointments, promotions, pay, retirements, EEO reports, evaluations, classifications and labor relations.

The only secondary use made of personnel data is to provide the limited information on individuals for credit and other purposes, described above.

As previously mentioned each employee has access to his or her records after showing proper identification to the file clerks.



STATE OF KANSAS

Office of the Attorney General

1st Floor, State Capitol Bldg. (913) 296-2215 Topeka, Kansas 666-2

Curt T. Schneider
Attorney General

November 1, 1977

The Hon. Neil H. Arasmith
Chairman, Special Committee on
Commercial and Financial Institutions
Senate Chamber
Statehouse
Topeka, Kansas 66612

Dear Mr. Chairman and Committee Members:

This is to summarize the substance of our presentation to your Committee on Tuesday, November 1, 1977, at 1:30 P.M. The Attorney General's Office is basically a law office and as such conducts itself in its record keeping and gathering activities much the same as any law firm. The Attorney General's Office represents nearly every State agency in litigation, as well as to advise them. The Attorney General's Office is composed of a number of divisions, namely the Consumer Protection Division, the Civil Division, the Litigation Division, the Criminal Division, and the Anti-Trust Division.

The Consumer Protection Division has a specific statutory mandate to investigate violations of the Consumer Protection Act. Since those investigations create files, they are, by definition, investigative and not public. However, items which would be filed in a court of law are a matter of public record since they are in the court file, unless the presiding judge indicates otherwise. Items in consumer protection files are discoverable under the provisions of Chapter 60 of the Kansas Statutes. The files are current under the present division organization back to 1972, and similar files are maintained back to 1968.

Since the Civil Division primarily advises State agencies in the form of Attorney General's Opinions, those are generally made public. An Attorney General's Opinion is a written response to a specific question by a state or local government official, synopses of which are regularly published and are available upon request.

The Litigation Division, by definition, operates exactly as a law firm, and only those items discoverable under the rules of civil procedure, Chapter 60, Kansas Statutes Annotated, are available to those parties of the litigation, with the exception of items which appear in the court file as mentioned before.

Atch. c

The Hon. Neil H. Arasmith

November 1, 1977
Page 2

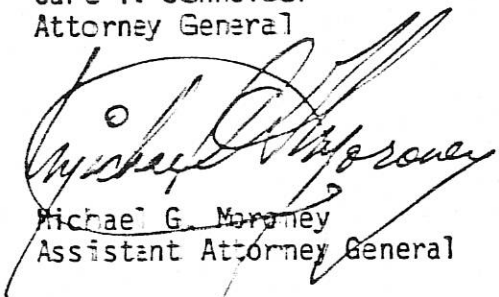
The rules of criminal procedure govern the discoverability of items in criminal files. Generally, though, investigative files are not public and are used internally, available to no one in the general public, due to the sensitivity of those types of files.

In summary then, by and large the files of the Attorney General's Office are treated similarly to the files in any law firm, and the attorney - client privilege applies as set forth in the Kansas Rules of Evidence, Article 4, Chapter 60, Kansas Statutes Annotated.

This office remains available in the future and it has been a pleasure appearing before this august body.

Sincerely,

Curt T. Schneider
Attorney General



Michael G. Moroney
Assistant Attorney General

CTS:MGM:as



W. L. ALBOTT
DIRECTOR

STATE OF KANSAS

KANSAS BUREAU OF INVESTIGATION

3420 VAN BUREN
TOPEKA, KANSAS 66611
(913) 295-3026

M E M O R A N D U M

JACK H. FORD
ASST. DIRECTOR

FIELD SERVICES
DAVID E. JOHNSON
EAST REGION
ROBERT C. CLESTER
WEST REGION

SPECIAL SERVICES
JACK A. WEST
NARCOTICS
JACK H. WILLIAMS
INTELLIGENCE

SUPPORT SERVICES
DWAYNE SACKMAN
IDENTIFICATION-INFORMATION
RONALD L. JONES
LABORATORY

DATE: May 4, 1977

TO: All Affected Bureau Personnel

FROM: W. L. ALBOTT, Director *WLA*

RE: Policy and Procedures to be used when honoring Individual's right of access and review for Criminal History Record Information (CHRI)

Title 28, Chapter 1, Part 20, of the Code of Federal Regulations requires, in part that:

- (1) Any individual shall, upon satisfactory verification of his identity, be entitled to review without undue burden to either the criminal justice agency or the individual, any criminal history record information maintained about the individual and obtain a copy thereof when necessary for the purpose of challenge or correction;
- (2) Administrative review and necessary correction of any claim by the individual to whom the information relates that the information is inaccurate or incomplete is provided;
- (3) The State shall establish and implement procedures for administrative appeal where a criminal justice agency refuses to correct challenged information to the satisfaction of the individual to whom the information relates;
- (4) Upon request, an individual whose record has been corrected shall be given the names of all non-criminal justice agencies to whom the data has been given;
- (5) The correcting agency shall notify all criminal justice recipients of corrected information; and
- (6) The individual's right to access and review of criminal history record information shall not extend to data contained in intelligence, investigatory, or other related files and shall not be construed to include any other information than that defined...

Atch. D

This memorandum implements the Bureau's responsibilities in this area.

1. Effective immediately, the Bureau will allow persons to view all CHRI maintained on them by the Bureau, with the following restrictions:
 - a. Requests will be received and/or honored only between the hours of 9:00 AM and Noon and 1:00 PM and 4:00 PM on normal working days. Requests will not be received and/or honored by any employee outside the above hours.
 - b. CHRI will be provided only to the person referenced in the file. No information will be provided to attorneys (for a client), relatives, friends, etc. using these procedures. Prior to viewing a record each person must complete the "Request for Review" form shown in Appendix A, including the taking of both thumb prints by Bureau personnel. All information provided by the person should be verified by comparing it with other documents provided by the person such as a driver's license.
2. The request should preferably be received and processed by an I/ISS Supervisor. If a Supervisor is not available, an Identification Technician should perform the function.
3. The Bureau employee receiving the request will perform a name check and retrieve all information pertaining to the subject's CHRI record. Information retrieved will include:
 - a. The master name index entry or card
 - b. All alias entry/cards
 - c. The subject's abstract of record
 - d. All mug pictures
 - e. The master fingerprint card.
4. The receiver will then have an Identification Technician verify that the thumb prints on the request for review are identical to those shown on the master fingerprint card.
5. If the subject cannot be identified using the thumb prints provided, a full finger set of impressions will be taken. If the subject still cannot be identified, contact the I/IS Section Supervisor immediately, and perform a technical search of the prints through the Identification Unit files.

6. Step 3 may be abbreviated, with the subject's consent, by retrieving only that specific information that the subject is interested in.
7. Step 4 may be eliminated if the receiver has previously verified the subject's identity and conclusively knows that it is the same person.
8. Allow the subject to view the CHRI material. The subject may take notes, but is not entitled to a copy at this point.
9. If the subject is satisfied that the record is correct, have the individual sign the "Request for Review" form, if appropriate. If the individual refuses to acknowledge viewing of the records, note the refusal and initial the form in place of the individual's signature. The process is concluded. Return all retrieved items to the file(s). Log a dissemination in the logging index, using "SUBJOFREC" as the "Agency" receiving the record.
10. If the subject contends that there is an error in the record, complete the "Challenge" form shown as Appendix B. Advise the individual that it may take 1-2 weeks to complete our review and that a response will be mailed to the address shown on the "Request for Review" form. If the subject claims that such a delay will cause undue hardship, make a note to this effect on the "Challenge" form and assure the subject that the Agency review will be expedited as much as possible. Give all the retrieved information and the two completed forms to the Section Supervisor.
11. If the subject is accompanied by an attorney, guardian, or interpreter (for persons who do not speak English), note this on the review form, identifying the accompanying individual using whatever means are available (Driver's license, passport, etc). Insure that the relationship is a true one as much as possible. If the subject is accompanied by an employer, the subject may view the record, the employer may not.
12. The subject, or any person interested in the process of access and review, may see this memorandum in its entirety.
13. If no challenge is made, and when the review process is complete, make a copy of all CHRI involved and file it with the "Review" form in a "099" file. Make the appropriate entry in the index if necessary.

APPENDIX A

REQUEST FOR REVIEW

OF

CRIMINAL HISTORY RECORD INFORMATION

I hereby request the Kansas Bureau of Investigation to provide for my review of any criminal history record information which the KBI has attributed to me. I hereby provide identification elements as required to enable the KBI to check their files conclusively for possible data relating to me. I am providing fingerprint impressions as required by the KBI to effect a complete identification. I further affirm that this request is for my personal review, and is not being made in order to provide the received information to any prospective employer or licensing authority.

MY FULL LEGAL NAME _____ DOB _____

SEX _____ RACE _____ HEIGHT _____ WEIGHT _____

EYE COLOR _____ HAIR COLOR _____

RIGHT THUMB
LEFT THUMB

Signature of Individual

Address

City and State

Zip

() - -

Phone Number

REQUEST RECEIVED BY: _____ DATE: _____

My signature here acknowledges that I have viewed the records provided by the KBI, that I do not find an error, and do not wish to exercise my right to challenge the record at this time:

Signature of Individual

Date

APPENDIX B

CHALLENGE

OF INDIVIDUAL'S CRIMINAL HISTORY RECORD;

REQUEST FOR ERROR CORRECTION

NAME _____

KBI# _____ FBI# _____

Indicate what is believed to be inaccurate or incomplete and describe what is believed to be the correct information, providing as much factual data as is available.

I, the undersigned, hereby certify that the statements made on this form are true, complete, and correct to the best of my knowledge and belief, and are made in good faith. I also agree that any criminal history record information given to me is to be used for challenge purposes only.

Signature of Individual

Date

Signature of KBI Employee Acknowledge Receipt

The KBI will respond in writing to the above request. The response will be sent to the address shown on the completed "Request for Review".



W. L. ALBOTT
DIRECTOR

STATE OF KANSAS

KANSAS BUREAU OF INVESTIGATION

3420 VAN BUREN
TOPEKA, KANSAS 66611
(913) 296-3025

M E M O R A N D U M

JACK H. FORD
ASST. DIR.
FIELD SECT.
DAVID E. JONES
EAST REGION
ROBERT C. CLESTER
WEST REGION
SPECIAL SERVICES
JACK A. WEST
NARCOTICS
JACK H. WILLIAMS
INTELLIGENCE
SUPPORT SERVICES
DWAYNE SACKMAN
IDENTIFICATION-INFORMATION
RONALD L. JONES
LABORATORY

DATE: May 4, 1977

TO: Criminal Justice Services Division Supervisor
Identification/Information Services Section Supervisor
Identification Unit Supervisor
Communications Unit Supervisor
Records Unit Supervisor

FROM: W. L. ALBOTT, Director *WLA*

RE: Administrative Review of Challenge from KBI Actions

My accompanying memorandum of today specified the process that will be used to provide individuals their right of access and review under CFR Title 28, Chapter 1, Part 20, Subpart B, 20.21 (g).

This memorandum describes the administrative review that will automatically take place every time any subject challenges a CHRI item.

Whenever a challenge is initiated as specified in the memorandum describing the review process, the employee will provide the I/IS Section Supervisor with the completed review and challenge forms as well as all available CHRI on the subject, even if some items were not used in the review process.

The I/IS Section Supervisor will review all the available information, will collect any additional information necessary from other agencies, include the additional information in the review, and prepare a response to the individual.

The complete package, including the response, will be given to the DCJS Supervisor, who will independently review the entire process and either concur or disagree, in writing, with the I/IS Section Supervisor's response. The concurrence or disagreement memorandum will become part of the file.

If both supervisors concur, the response will be sent to the individual, and the entire file will be retained in the "Ø99" series files with an appropriate index entry made.

If there is a disagreement about the response, the I/IS Section Supervisor will modify the response to accommodate the desired changes. Copies of both the original and modified response will be placed in the Ø99 file. The modified response will be sent to the individual.

If the challenge process determines that an error did exist on the record, appropriate changes will be made. The revised version of the CHRI material will be sent to all criminal justice agencies shown to have received it previously by checking the logging index. Both the original and the revised version will be included in the 099 file.

The response to the subject will always indicate that if the subject is dissatisfied with the Bureau's response to the challenge, an appeal in writing may be made to the office of the Director. Should such an appeal be made, I will respond after reviewing all the previous activities. My response will indicate, in addition to my determination of any action taken, that the subject may further appeal my finding directly to the Attorney General.

Should the subject appeal to the Attorney General, the Bureau will provide copies of all significant information to the Attorney General with the utmost speed.



W. L. ALBOTT
DIRECTOR

STATE OF KANSAS

KANSAS BUREAU OF INVESTIGATION

3420 VAN BUREN
TOPEKA, KANSAS 66611
(913) 296-3026

M E M O R A N D U M

JACK H. F...
ASST. DIR.
FIELD SER.
DAVID E. JOHNSON
EAST REGION
ROBERT C. CLESTER
WEST REGION
SPECIAL SERVICES
JACK A. WEST
NARCOTICS
JACK H. WILLIAMS
INTELLIGENCE
SUPPORT SERVICES
DWAYNE SACKMANN
IDENTIFICATION-INFORMATION
RONALD L. JONES
LABORATORY

DATE: May 4, 1977

TO: Criminal Justice Services Division Supervisor
Identification/Information Services Section Supervisor
Identification Unit Supervisor
Records Unit Supervisor
Communications Unit Supervisor

FROM: W. L. ALBOTT, Director *WLA*

RE: Administrative Review of Challenges Arising from Actions
of other Criminal Justice Agencies

Title 28, Chapter 1, Part 20, of the Code of Federal Regulations
requires, in part that:

" (3) The State shall establish and implement procedures
for administrative appeal where a criminal justice
agency refuses to correct challenged information
to the satisfaction of the individual to whom the
information relates.

Under the Kansas Criminal History Record Information plan, and
at the direction of both the Attorney General and the Governor,
the Bureau is responsible for implementing the above-cited
Federal Regulations in this State.

In other memoranda issued today, I have described the Bureau's
policy and procedures for handling both review requests and
challenges initiated directly with or through the Bureau.

This memorandum establishes the procedures that will be used
whenever a subject has completed all available review and
challenge cycles provided by another criminal justice agency.
In such cases, it is expected that the subject has not been
satisfied by the response of the local agency and appeals to
this agency for relief or further action.

Such appeals will only be received or accepted when made in
writing. Such communication must fully describe and document
that the individual has exhausted all the available remedies
provided by the local agency. Further, the subject must
clearly describe that portion of the CHRI believed to be in
error and those facts which substantiate such a contention.
The appeal will be delivered to the I/IS Section Supervisor
for action.

Immediately upon receipt, the I/IS Section Supervisor will advise the other criminal justice agency involved that the Bureau has received the appeal. Further, the other agency will be asked to confirm that the subject has exhausted all avenues of challenge and appeal within that agency, and if this is the case, also ask the agency to provide all available information concerning the subject's CHRI and the preceding review and challenge procedure.

If the other criminal justice agency advises that the subject has not exhausted all the available avenues of challenge and appeal, the I/IS Section Supervisor will notify the individual that we cannot accept the appeal until all such avenues have been exhausted. A copy of this response will be sent to the other agency.

If the other criminal justice agency advises that the subject has exhausted all their remedies, and provides all appropriate information, the I/IS Section Supervisor will notify the subject and the agency that the Bureau will receive the appeal and provide a written response within 30 days.

Handling of such an appeal will follow the same processes as are used for challenges and appeals arising from reviews provided by the Bureau directly. The only alteration to the procedure will be that in any resulting actions of significance, both the individual and the other agency involved will be notified.

ID-MANUAL

SYSNAME

Military Personnel Records Jacket Files (MPRJ)

SECURITY U

LOCATION

Reserve Components Personnel and Administration Center, each Army command/organization/detachment, and each Army Reserve command/organization/detachment.

INDIVIDUAL-CATEGORY

Enlisted, warrant officers, and commissioned officers on active duty in the US Army; enlisted, warrant officers, commissioned officers of the US Army Reserve in active reserve (non-unit or unit) status; all living retired persons; commissioned/warrant officers separated after 170630 and enlisted separated after 121031.

RECORD-CATEGORY

Files contain qualification record; emergency data record; enlistment record and related service agreement/extension/active duty orders; military occupational specialty (MOS) evaluation data report; Group Life Insurance Election; record of induction: security questionnaire; transfer/discharge report; license application; language proficiency questionnaire; police record check; current declaration of parent/guardian; statement of personal history; identification card application; Veterans Administration (VA) compensation forms and related papers; security clearance, certificate/determination; airborne jump record; dependent medical care statement and related forms; training and experience records; Department of Defense (DOD) summary sheet for review of conscientious objector; oath of extension of enlistment; survivor benefit plan election certificate; efficiency report; application/nomination for assignment; achievement certificates; summarized record of proceeding, record of proceeding and appellate or other supplementary actions, Article 15 (10 USC Section 815); weight control record; personnel screening and evaluation record; individual statement relating to removal from temporary disability retired list; change of name statements; enlistment statement application/approval/disapproval/classification/removal for discharge/identification/as conscientious objector; requests for appointment; affidavits relating retention beyond expiration of term of service; prior service enlistment documents; certificate barring reenlistment; waivers for enlistment; physical evaluation board letters/election/summaries/status of conditions; authority to change name/birth/date; statement of military service; record brief (SIDPERS); letters of failure to complete Army school; certificate of completion of Army school; MOS classification board proceedings, award of MOS; waiver of right to deferment; agreement for noncombat duty; citation of award; correspondence relating to badges, medals and unit awards; correspondence; authorizations/orders regarding foreign decorations; correspondence regarding Medal of Honor and certification to VA; letters of appreciation/commendation; recommendations/approvals/declinations/board proceedings/announcement relating to promotion/reduction; correspondence/letters/administrative reprimands/censures/admissions/relating to apprehensions/confinement/discipline; letters of sympathy relating to a deceased member; dependent travel and movement of household goods and acknowledgement of restriction; document and orders relating to National Guard status; adverse suitability information; personal indebtedness correspondence and related papers; statement of involuntary retirement; orders/revocations/amendments/indorsements/extracts relating to active duty/awards/change data/ courtmartial/ discharge/enlistment-reenlistment/MOS award/proficiency pay/promotion/ reduction/

①

ALC h. E

release/retirement/temporary duty; individual flight records/ physical examination records/ aviator flight record/instrument certification papers/ application for identification cards/other training/ proficiency/evaluation forms, records, and papers; other correspondence/ letters/documents/papers relating to duty status/leave/pass/organizational entitlements.

Correspondence between the (1) US Army Military Personnel Center US MILPERCEN, (2) service member, (3) Army staff offices, (4) Army commands, (5) other federal agencies, (6) general public to commander or service member.

AUTHORITY

5 USC Section 301: 10 USC.

ROUTINE-USES

Army command or US Army Reserve command of assignment/station/location of the Army or Army Reserve service member - To provide day-to-day administration, training, qualification, reenlistment, discharge, and related matters pertaining to individual's military service; to publish officer registers/ rosters as authorized by Section 122 10 USC. Inquiries are received for information, documents, papers, and records which are provided to the requestor to enable the agency to adjudicate claims, perform investigative actions, support criminal cases, state determinations, research, security clearance, citizenship, location and other related uses consistent with the functional and statutory responsibility of the agency. Agencies using files are: Central Intelligence Agency; Department of Agriculture; Department of Commerce; Department of Health, Education, and Welfare; Department of Housing and Urban Development; Department of Interior; Department of Labor; Department of Treasury; American Battle Monuments Commission; Atomic Energy Commission; Civil Aeronautics Board; Federal Communications Commission; Federal Aviation Administration; Veterans Administration; US Postal Service; US Civil Service Commission; Selective Service System; Department of Defense agencies, elements and military departments; Social Security Administration; Other elements of the federal government in accordance with their respective authority and responsibility.

POLICY-PRACTICE

STORAGE

Paper records in record jacket folder.

RETRIEVABILITY

Records accessed by name.

SAFEGUARDS

Records maintained in areas accessible only to authorized personnel; transferred from station to station in personal possession of individual concerned or by US mail.

Permanent

SYSMANAGER

Commander, US Army Military Personnel Center, 200 Stovall Street, Alexandria, VA 22332.

NOTIFICATION

Information may be obtained from the commander of the organization to which the service member concerned is assigned; for retired and non-unit reserve personnel, information may be obtained from the Reserve Components Personnel and Administration Center, 9700 Page Blvd, St. Louis, MO 63132; for separated and deceased personnel notify the National Personnel Records Center-General Serviced Administration (GSA), 9700 Page Blvd, St. Louis, MO 63132.

ACCESS

Written requests for information should include the full name, service identification number, branch of service of an officer, and current address. Visits should be made to the COMPACT (CONSOLIDATED MILITARY PERSONNEL ACTIVITY) or

the MILPO (MILITARY PERSONNEL OFFICE) of the organization/station of the service member concerned or the Reserve Components Personnel and Administration Center. For personal visits, the requestor should provide acceptable identification, i.e., military identification card or other identification normally acceptable in the transaction of business.

CONTEST

The department's rules for contesting contents and appealing initial determinations may be obtained from HQDA (DAPC-POO), 200 Stovall Street, Alexandria, VA 22332.

SOURCE

Letters, statements, forms, records and related papers originating with the service member; generated by Army staff offices, Army commands, other federal agencies in accordance with their respective functional or statutory requirements; and by the general public or the commander of service member when such papers relate to the service status of the individual.

EXEMPTION

NONE

END

ID-AUTOMATED

SYSNAME

708.01 Army National Guard Automated Personnel Reporting System

SECURITY

LOCATION

Primary System-National Guard Computer Center, National Guard Bureau, Columbia Building, 5611 Columbia Pike, Falls Church, VA 22041. Decentralized Segments-Offices of the Adjutants General of all States, Puerto Rico, the Virgin Islands, and the District of Columbia and units of the Army National Guard not on active duty.

INDIVIDUAL-CATEGORY

Each individual who is a member of the Army National Guard in a commissioned officer, warrant officer or enlisted status.

RECORD-CATEGORY

File contains items of data relating to individual's service which have been extracted from his military records or computed from the information contained therein. The records from which the data is extracted are: the military personnel records jacket; the financial records data folder; the health records; statement of service; qualification record; group life insurance election; application for appointment; enlistment records; medical examination; active duty report; record of retirement points; notification of eligibility for retired pay at age 60; voluntary reduction; academic report; officer evaluation report; transcript of military record; oath of enlistment extension; temporary disability record; change of name; statement for enlistment; acknowledgement of service requirements; report of proceedings of physical fitness board; report of proceedings of physical review board; birth certificate; citizenship statement and status; record of security clearance; educational constructive credit; educational transcript; flight record; federal recognition orders; special orders; recommendation for promotion; notification of non-selection for promotion; miscellaneous correspondence documents and other military order relating to military service including information pertaining to dependents, interservice actions, intraservice actions, assignments, attachments, details, military qualifications, determinations, reliefs, component, branch of service military awards, pay entitlements, releases, transfers, and other military service data.

AUTHORITY

10USC275 32USC

ROUTINE-USES

Department of Defense and Department of the Army - To provide feeder information necessary to enable computation of the monthly pay for each member of the Army National Guard who is paid by the Joint Military Pay System for Reserve Components for the Army; to provide suspense information to assure completion of individual personnel actions required by Federal statute at the expiration of specified periods of time. These actions are; removal from an active status upon completion of maximum periods of service or attainment of maximum ages; to provide lists of female personnel to facilitate selection of individuals for specialized assignments in connection with Army National Guard Activities; to provide lists of military chaplains and chaplains' assistants to facilitate the selection of individuals for specialized duties or training.

POLICY-PRACTICE

STORAGE

Magnetic computer tape.

RETRIEVABILITY

By name, social security number or automatic data processing parameter.

SAFEGUARDS

Access to data storage area and distribution of printouts are controlled.

Approval of functional manager must be obtained before data may be retrieved or distributed.

RETENTION

Data retained in file until updated or service of individual is terminated. In case of enlisted personnel the data is destroyed one month after individual is separated from the Army National Guard. In the case of Officers and Warrant Officers the data is retained indefinitely in separate file.

SYSMANAGER

Chief, National Guard Bureau

NOTIFICATION

Information may be obtained from: Chief, Army Personnel Division, National Guard Bureau, The Pentagon, Washington, D.C. 20310.

ACCESS

Written requests for information should contain full name of individual, service identification number, current military status and appropriate return address.

CONTEST

The Department of the Army rules for access to records and for contesting contents and appealing initial determinations may be obtained from the Chief, National Guard Bureau.

SOURCE

Enlistment, appointment, or commission related forms pertaining to the individual having a current or former military status; academic, training or qualification records acquired prior to or during military service; correspondence, forms, records, documents, and other related papers originating in or collected by Department of the Army staff agencies and commands; other federal departmental agencies, administrations, federal separate agencies, commissions boards, service, or authority; state and local governmental entities; civilian education and training institutions; and members of the public when such information directly concerns the military service member.

EXEMPTION

None

END

ID-MANUAL

SYSNAME

708.02 Official Military Personnel File

SECURITY

LOCATION

Primary System - Personnel Actions and Records Directorate, US Army Military Personnel Center. Decentralized Segments - US Army Enlisted Records Center; US Army Reserve Components Personnel and Administration Center; and National Personnel Records Center, General Services Administration (GSA).

INDIVIDUAL-CATEGORY

Each individual on active duty in the United States Army (USA) in enlisted, appointed or commissioned status; or in a USA or Army of the United States (AUS) retired status; each individual not on active duty who has a reserve status in an enlisted, appointed or commissioned status, or in a retired reserve status; and each individual who was an enlisted, appointed, or commissioned member of the US Army and who was completely separated by discharge, death, or other termination of his/her military status.

RECORD-CATEGORY

File contains individual records including enlistment contract; Veterans Administration laws; physical evaluation board proceedings; military occupational specialty data report; statement of service; qualification record; group life insurance election; emergency data form; application for appointment; qualification/evaluation report; oath of office; medical examination; security questionnaire; application for retired pay; application for correction of military records; application for active duty; transfer or discharge report; active duty report; voluntary reduction; line of duty and misconduct determinations; discharge or separation reviews; police record checks; consent/declaration of parent/guardian; Army Reserve Officers Training Corps (ROTC) supplemental agreement; award recommendations; academic reports; casualty reports; US field medical card; retirement points; deferment; preinduction processing and commissioning data; transcripts of military records; summary sheets review of conscientious objector; election of options; oath of enlistment extensions; survivor benefit plans; efficiency reports; records of proceeding 10 USC Section 815 and appellate actions; determinations of moral eligibility; waiver of disqualifications; temporary disability board; appointments; designations, evaluations; extensions; birth certificates; photographs; citizenship statements and status; educational constructive credit; educational transcripts; flight status board reviews; assignment agreements/limitations/waivers/election/and travel; efficiency appeals; promotion/reduction recommendations/approvals/declinations/announcements/notifications/reconsiderations/worksheets/elections/letters of notification to deferred officers/and promotion passover notifications; absence without leave and desertion records; FBI reports; SSA correspondence; miscellaneous correspondence, documents, and military orders relating to military service including information pertaining to dependents, interservice action, inservice details, determination, reliefs, component; awards, pay entitlements, releases, transfers and other military service data.

AUTHORITY

Section 301, 5 USC

ROUTINE-USES

Department of the Army - To maintain, use, collect, and disseminate information with respect to an individual holding a military status or former military status, including regular reserve, retired, former member separated, or deceased. Information pertains to individual's former, current, and subse-

quent to active duty status relating to birth; citizenship; parentage; home of record; education; training; dependents; travel; language proficiency; former and current association; brotherhood, memberships and related affiliations with organizations and like collective elements which service member divulges as having meaning, substance, or significance to his military service status; assignment history; and other related military experiences, qualification, training, preferences, restriction, and status actions. Department of State - To issue passport/visa; to document persona-non-grata status/attache assignments/and related administration of personnel assigned and performing duty with the State Department. Department of Treasury - To issue bonds; to collect and record incoming taxes. Department of Defense (DOD) - To authorize and consummate interdepartmental actions relating to interservice requirements pertaining to the Army, Navy, Air Force, and Coast Guard when the Coast Guard is operational under DOD. Department of Justice - To file fingerprint cards; to perform intelligence function. Department of Agriculture - To coordinate interdepartmental functions related to education conducted by the Department of Agriculture's advanced education element. Department of Labor - To accomplish actions required under Federal Employees Compensation Act. Department of Health, Education and Welfare - To provide services authorized by medical, health and related functions authorized by Section 1074-1079 USC 10. Atomic Energy Commission - To Accomplish requirements incident to Nuclear Accident/Incident Control Officer Functions. American Red Cross - To accomplish coordination and complete service functions including blood donor programs and emergency investigative support and notifications. Civil Aeronautics Board - Flight qualifications, certification and license actions relating to aviation and air service actions involving inservice aviators. General Services Administration - For records storage and archival services and for printing of directories and related material which includes personal data. US Postal Service - To accomplish postal service authorization involving postal officers and mail clerk authorizations. Veterans Administration - To provide information relating to benefits, pensions, inservice loans, insurance, and appropriate hospital support. Bureau of Immigration and Naturalization - To comply with statutes relating to inservice alien registration, and annual residence/location. Office of the President of the United States of America - To exchange required information relating to White House Fellows, regular Army promotion, aides, and related support functions staffed by Army members. Federal Maritime Commission - To obtain licenses for military members accredited as captain, mate and harbor master for duty as Transportation Corps Warrant Officer. Each of the several states, and US possessions - To support state bonds applications; to fulfill income tax requirements appropriate to the service member's home of record; to record name changes in state bureaus of vital statistics; and for National Guard Affairs. Civilian educational and training institutions - To accomplish student registration, tuition support, Graduate Record Examination (GRE) tests requirement, and related school requirements incident to interservice education programs in compliance with chapter 102 and 103 USC 10. Social Security Administration - To obtain or verify social security number (SSN); to transmit FICA deductions made from inservice members wages. Department of Transportation - To coordinate and exchange necessary information pertaining to interservice relationships between US Coast Guard and US Army when service members perform duty with the US Coast Guard elements or training activities. Civil Authorities - For compliance with Section 814 USC 10. Department of the Air Force - To administer personnel support for individual Army members assigned for duty with the Air Force. Department of the Navy - To administer personnel support for individual Army

members assigned for duty with the Navy or Marine Corps.

POLICY-PRACTICE

STORAGE

Paper records in file folder/jacket; selected data automated for management facility in a perishable manner on tapes, discs, cards and other computer media.

RETRIEVABILITY

Filed alphabetically by last name; automated data retrievable by name, SSN, or automatic data processing (ADP) parameter; reserve component, retired, and deceased persons records accessed by SSN terminal digit sequence.

SAFEGUARDS

Records maintained in areas accessible only to authorized personnel; automated media protected by authorized password system for access terminals, controlled access to operation rooms, and controlled output distribution.

RETENTION

Paper records are permanent. They are retained in active file until termination of service, held in inactive file in accordance with retention and retirement schedule and subsequently retired to National Personnel Records Center.

SYSMANAGER

Commander, US Army Military Personnel Center, 200 Stovall Street, Alexandria, VA 22332.

NOTIFICATION

Information may be obtained from: US Army Military Personnel Center - Personnel Actions and Records Directorate - Hoffman Building 2 - 200 Stovall Street Alexandria, VA 22332 - Area Code 202/325-9050. Above Address should be used for inquiries on records of commissioned officers or warrant officers (including members of Reserve Components) serving on active duty and General Officers (any component) in any status, active, inactive, or retired. US Army Enlisted Records Center - Fort Benjamin Harrison, IN 46249 - Area Code 317/546-9211 (Ext 3361). Above address should be used for inquiries on records of commissioned officers (except General Officers) or warrant officers in a reserve status not on active duty; or Army enlisted reservists not on active duty; or members of the National Guard who performed active duty; or commissioned officers (except General Officers), warrant Officers, or enlisted members in a retired status. National Personnel Records Center, GSA - 9700 Page Boulevard, ST. Louis, MO 63122 - Area Code 314/268-7262. Above address should be used for inquiries on records of commissioned officers or warrant officers who were completely separated from the service subsequent to 30 June 1917 or enlisted members who were completely separated subsequent to 31 October 1912.

ACCESS

Written requests for information should contain full name of individual, service identification number, current or former military status and appropriate return address. Personal visits may be made to the appropriate location based on the individual's status; individual should be able to provide commonly acceptable identification, such as driver's license, employment identification card, and give some verbal information relative to his/her current or former military status.

CONTEST

The Department of the Army rules for contesting contents and appealing initial determinations may be obtained from HQDA (DAPC-POO), 200 Stovall Street, Alexandria, VA 22332.

SOURCE

Enlistment, appointment, or commission related forms pertaining to the indi-

vidual having a current or former military status; academic, training or qualification records acquired prior to or during military service; correspondence, forms, records, documents and other related papers originating in or collected by Department of the Army staff agencies and commands; other federal departmental agencies, administrations, federal separate agencies, commissions, boards, service, or authority; state and local governmental entities; civilian education and training institutions; and members of the public when such information obtained directly concerns the military service member.

EXEMPTION

None

END

DATA REQUIRED BY THE PRIVACY ACT OF 1974
(5 U.S.C. 552a)

TITLE OF FORM

PRESCRIBING DIRECTIVE

1. AUTHORITY

2. PRINCIPAL PURPOSE(S)

3. ROUTINE USES

4. MANDATORY OR VOLUNTARY DISCLOSURE AND EFFECT ON INDIVIDUAL NOT PROVIDING INFORMATION

FORM

Privacy Act Statement - 26 Sep 75

2

ENLISTMENT OR REENLISTMENT AGREEMENT – ARMED FORCES OF THE UNITED STATES

I. IDENTIFICATION DATA

1. NAME (Last, First, Middle, Jr., Sr., etc.)		2. SSN	3. DATE OF ENL/REENL	4. GRADE
5. HOME OF RECORD (City and State)		6. PLACE OF ENL/REENL (City and State)		
7. DATE OF BIRTH	8. SELECTIVE SERVICE NO.	9. PREVIOUS MILITARY SERVICE		YEARS
		a. Total Active Military Service		MONTHS
		b. Total Inactive Military Service		DAYS

II. AGREEMENTS:

10. I am enlisting/reenlisting this _____ day of _____, 19____ in the _____
 _____ for a period of _____ years. Initial Service is to be in the pay grade of _____. I understand that each male person
 who becomes a member of an Armed Force before his twenty-sixth birthday incurs a statutory obligation to serve in the Armed Forces for a
 total of six years, unless sooner discharged, and that any part of such service that is not active duty or active duty for training shall be performed
 in a Reserve component.

a. For enlistment or reenlistment in a Regular component: The additional details of my obligations under this agreement, if any, are as provided in Annex
 _____ attached hereto.

b. For enlistment or reenlistment in a Reserve component: Upon enlistment or reenlistment in the Reserve component shown above, I am obligated—

(1) To serve at least:

(a) _____ (months) (years) on (active duty) (active duty for training);

(b) _____ (months) (years) satisfactorily in the Ready Reserve. While in this status, I am obligated—

(i) as a member of the National Guard, to attend at least 48 drills per year and serve on active duty for training at least 15
 days per year; OR

(ii) as a member of any reserve component except the National Guard, to attend at least 48 drills per year and serve on ac-
 tive duty for training at least 14 days per year; or, serve on active duty for training not more than 30 days per year; unless
 excused therefrom by competent authority; and

(c) a period in the Standby Reserve, if required in accordance with applicable law;

OR OTHERWISE,

(2) To serve as provided in Annex _____ attached hereto.

c. Remarks: (If "none", so state)

III. BENEFITS:

11. I will receive the pay and allowances and other benefits as provided by law and regulation.

12. With regard to any other benefits, I understand that only those promises, if any, recorded herein or on Annex(es) _____ attached
 hereto will be honored and that any other promises not contained therein made by any person are not effective and will not be honored.

UNDERSTANDINGS:

13. I understand that the United States Constitution, a wide variety of statutes and regulations, and military customs govern the conduct of members of the Armed Forces and impose responsibilities and obligations upon me which I would not have if I had remained a civilian. I understand that only some of the responsibilities and obligations which I am undertaking are listed as examples in this and the next paragraph and that others may be required of me during my membership in the Armed Forces. In connection with my enlistment, I understand that:
- a. my enlistment is more than an employment agreement; that I will, upon taking the oath of enlistment, become a member of the Armed Forces of the United States, and as such, I will be:
 - (1) subject to the criminal justice system known as the Uniform Code of Military Justice which means, among other things, that I may be tried by military courts operating under special military rules;
 - (2) required to obey all lawful orders given to me by authorized persons;
 - (3) subject to separation from the service before the expiration of my term of enlistment and may, if my behavior fails to meet certain standards, be discharged during or at the end of my enlistment with a certificate reflecting less than honorable service which may be to my detriment in seeking further employment; and
 - (4) required, upon orders of competent authority, to serve in a combat zone or other dangerous or hazardous places or situations;
 - b. in time of war or national emergency, or when otherwise authorized by law, I shall be required to serve as ordered by competent authorities, notwithstanding the provisions of any Annex(es) attached hereto or any other promises made to me in connection with my enlistment (reenlistment).
 - c. statutes and regulations applicable to personnel in the Armed Forces of the United States may change without notice to me and that such changes may affect my status, compensation, or obligations as a member of the Armed Forces, the provisions of this enlistment agreement to the contrary notwithstanding; and
 - d. an enlistment in the Regular Army, Regular Navy, Regular Air Force, Regular Marine Corps, or Regular Coast Guard in effect at the beginning of a war or entered into during a war continues in effect, unless sooner terminated by the President, until six months after the termination of that war.
14. **UNDERSTANDINGS WITH RESPECT TO MILITARY SERVICE OBLIGATION AND MEMBERSHIP IN A RESERVE COMPONENT.**
Applies to males under 26 years of age who have not completed their six-year statutory military obligation and to members of the Reserve component, including the National Guard:
I further understand that:
- a. As a member of a Reserve Component of an Armed Force, whether by enlistment, reenlistment, or transfer or assignment thereto according to law, at the beginning of a period of war or national emergency declared by Congress, or if I become a member during such period, my enlistment (reenlistment) may be continued in effect until six months after the end of that period unless terminated earlier by the Secretary of my military department;
 - b. I may be required to perform a period of active duty or active duty for training other than as provided in paragraph 10 of this agreement as follows:
 - (1) As a member of the Ready Reserve, in time of national emergency declared by the President, I may be ordered to active duty (other than for training) without my consent for not more than 24 consecutive months;
 - (2) As a member of a Reserve component, in time of war or national emergency declared by the Congress, I may be required to serve on active duty (other than for training) for the duration of the war or emergency and for six months thereafter;
 - (3) As a member of the Ready Reserve, if I am not assigned to, or participating satisfactorily in, a unit of the Ready Reserve, have not fulfilled my statutory reserve obligation; and have not served on active duty for a total of 24 months; I may be ordered to active duty without my consent until my total service on active duty equals 24 months. If my enlistment or other period of military service expires before I have served the required period, it may be extended until I have completed the required active service;
 - (4) As a member of the Ready Reserve, if I have not fulfilled my statutory reserve obligation and fail in any year to satisfactorily perform the training duty required by applicable law and regulation, I may be ordered to perform additional active duty for training without my consent for not more than 45 days; and if the failure occurs during the last year of my required membership in the Ready Reserve, my enlistment may be extended until I perform that additional duty, but not for more than six months;
 - (5) If I am enlisting in a Reserve component under the provisions of a Delayed Enlistment Program, I may be ordered to active duty or active duty for training as provided in applicable service regulations if I fail to enlist in the Regular component when required, and have not been granted an additional extension by competent authority; and
 - (6) as otherwise authorized by law and regulations.
15. *If enlisting in the Navy or Marine Corps;* I understand that the senior officer present afloat in foreign waters shall send to the United States by Government or other transportation as soon as possible each enlisted member of the naval service who is serving on a naval vessel, whose term of enlistment has expired, and who desires to return to the United States. However, when the senior officer present afloat considers it essential to the public interest, he may retain such a member on active duty until the vessel returns to the United States. If retained under this section, I understand that I shall be discharged not later than 30 days after arrival in the United States; and, except in time of war, will be entitled to an increase in basic pay of 25 percent.

(Continued on Page 3)

16. I hereby certify that I have read this agreement carefully; it has been fully explained to me, and I understand it and the conditions under which I am enlisting. I understand that ONLY those promises concerning assignment to duty, geographical area, training, or a particular school or special program; Government quarters; physical and other qualifications for assignment to a particular school, rating, or specialty; bonuses or other compensation; promotions; or transportation of and support to dependents contained herein or recorded on the Annex(es) attached hereto, if any, will be honored and that any other promises not contained therein made by any person are not effective and will not be honored. I further understand that my acceptance for enlistment (reenlistment) is based on the information provided by me in my application for enlistment (reenlistment) and if any of that information is knowingly false or incorrect, this agreement may be terminated by the Government, and I may be prosecuted under federal civilian or military law or subject to administrative separation proceedings and, in either instance, I may receive a less than honorable discharge which could affect my future employment opportunities.

17. NAME OF APPLICANT (Type)

18. SIGNATURE OF APPLICANT AND DATE

V. CERTIFICATION AND ACCEPTANCE BY SERVICE REPRESENTATIVE

On behalf of my service, I accept this applicant for enlistment (reenlistment) and I hereby witness his/her signature to this agreement. I further certify that I have explained that only those promises set forth herein and in the attached Annex(es), if any, will be honored and any other promises not contained therein made by any person are not effective and will not be honored.

19. NAME, GRADE, SSN AND ORGANIZATION OF SERVICE REPRESENTATIVE (Type or Print)

20. SIGNATURE OF SERVICE REPRESENTATIVE AND DATE

VI. CONFIRMATION OF ENLISTMENT OR REENLISTMENT

21. For service in a Regular or Reserve Component of the Armed Forces except the Army National Guard or Air National Guard

I do hereby acknowledge to be voluntarily enlisting or reenlisting under the conditions prescribed by law, this _____ day of _____, 19____ in the _____ for a period of _____ years unless sooner discharged by proper authority. Initial Service is to be in the pay grade of _____.

I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; and that I will obey the orders of the President of the United States and the orders of the officers appointed over me, according to regulations and the Uniform Code of Military Justice. So help me God.

I acknowledge the above oath has been administered to me and that I have sworn (or affirmed) to the same.

22. SIGNATURE OF ENLISTEE (REENLISTEE)

23. The above oath, as filled in, was administered, subscribed, and duly sworn to (or affirmed) before me this _____ day of _____, 19____.

24. NAME, GRADE AND ORGANIZATION OF ENLISTING OFFICER (Type)

25. SIGNATURE OF ENLISTING OFFICER

26. For enlistment or reenlistment in the Army National Guard or Air National Guard

I do hereby acknowledge to have voluntarily enlisted (reenlisted) this _____ day of _____, 19____ in the _____ National Guard of the State of _____ and as a Reserve of the _____ with membership in the _____ National Guard of the United States for a period of _____ (years) (months) (days) under the conditions prescribed by law, unless sooner discharged by proper authority.

I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and of the State of _____ against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; and that I will obey the orders of the President of the United States and the Governor of _____ and the orders of the officers appointed over me, according to law and regulations. So help me God.

I acknowledge the above oath has been administered to me and that I have sworn (or affirmed) to the same.

27. SIGNATURE OF ENLISTEE (REENLISTEE)

28. The above oath, as filled in, was administered, subscribed, and duly sworn to (or affirmed) before me this _____ day of _____, 19____.

29. NAME, GRADE, AND ORGANIZATION OF ENLISTING OFFICER (Type)

30. SIGNATURE OF ENLISTING OFFICER

INSTRUCTIONS:

- The information in this document is to determine your eligibility for enlistment in the Armed Forces of the United States. Some of the information requested is of a personal and confidential nature, and you do not have to provide such information unless you voluntarily wish to enlist in the Armed Forces of the United States.
- The authority to request this information is contained in Sections 504, 505, 508 and 510 of Title 10, United States Code, which prescribe qualifications for enlistment in the Armed Forces of the United States. You are required to record on this application, your answers to all questions except those in items 12, 29, 33 and 37.
- Your answers to questions in item 37 may be given orally in a personal interview as prescribed in the instructions for that item. Failure to answer completely any of the required questions in the application may result in your being refused enlistment in the Armed Forces.
- If your application is accepted and you are subsequently enlisted in a component of the Armed Forces of the United States, the information

- provided by you on this application becomes a part of your military personnel records which are used to provide promotion, reassignment, training and other personnel management actions for you. The data is FOR OFFICIAL USE ONLY and will be maintained and used in strict confidence in accordance with Federal law and regulations.
- Making a knowing and willful false statement on this application can be punished by fine or imprisonment or both under Section 1001 of Title 18, United States Code.
 - All information provided by you which reflects unfavorably on your past conduct and performance could have an adverse impact on you in your military career in situations such as consideration for special assignment, security clearances and court martial and administrative proceedings.
 - Type or print legibly all answers; if the answer is "none" or "not applicable", so state.
 - If additional space is needed for any answer, continue in item 41, "Remarks".

I. PERSONAL DATA

1. NAME (Last, first, middle (maiden, if any), Jr., Sr., etc.)		2. SOCIAL SECURITY NO.	
3. HOME OF RECORD (City, County, State, Zip Code)		4. CITIZENSHIP <input type="checkbox"/> U.S. <input type="checkbox"/> U.S. NATIONAL <input type="checkbox"/> NON-U.S. Specify:	
5. SEX <input type="checkbox"/> MALE <input type="checkbox"/> FEMALE		6. RACE <input type="checkbox"/> CAUC. <input type="checkbox"/> NEGRO <input type="checkbox"/> OTHER	
7. ETHNIC GROUP		8. PRESENT ADDRESS (Street, City, State, County, Zip Code)	
9. MARITAL STATUS	10. NUMBER OF DEPENDENTS	11. DATE OF BIRTH	12. RELIGIOUS PREFERENCE (Optional)
13. HIGHEST GRADE COMPLETED		14. SELECTIVE SERVICE SYSTEM DATA NUMBER CLASS.	
15. FOREIGN LANGUAGE & SKILL <input type="checkbox"/> READ <input type="checkbox"/> WRITE <input type="checkbox"/> SPEAK		16. DRIVER'S LICENSE INFORMATION STATE NUMBER EXPIRES	

II. EXAMINATION AND ENLISTMENT DATA PROCESSING CODES—FOR OFFICE USE ONLY

17. MENTAL AND APTITUDE RESULTS																																			
a. TEST ID	b. PERCENT SCORED	c. GROUP	d. APTITUDE SCORES																																
			1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.	16.																	
18. MEDICAL RESULTS																																			
a. PULSES	b. HT.	c. WT.	d. BLOOD-PRESS.	e. HAIR	f. EYES	g. VISION	h. MARKS/SCARS																												
19. DELAYED ENLISTMENT PROGRAM																																			
a. DATE OF ENL.	b. PROJ. ACT. DY. DT.	c. ENTRY STATUS	d. RECRUITER ID	e. PROG. ENL. FOR	f. T/E MOS/AFS																														
20. ACCESSION DATA																																			
a. DATE OF ENL.	b. ADSD	c. PEBD	d. TERM	e. WAIVER INFO	f. PAY GRADE	g. DATE OF GRADE	h. ENTRY STATUS																												
i. RECRUITER ID.	j. PROG. ENL. FOR	k. T/E MOS/AFS	l. PMOS/AFS	m. YOUTH PROG.	n. OPT. ANAL.	o. TRANSFER TO																													
21. SERVICE-REQUIRED DATA																																			
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.	16.	17.	18.	19.	20.	21.	22.	23.	24.	25.	26.	27.	28.	29.	30.	31.	32.	33.	34.	35.	
36.	37.	38.	39.	40.	41.	42.	43.	44.	45.	46.	47.	48.	49.	50.	51.	52.	53.	54.	55.	56.	57.	58.	59.	60.	61.	62.	63.	64.	65.	66.	67.	68.	69.	70.	

4

III. VERIFICATION OF PERSONAL DATA					
23. If Preferred Enlistment Name (name given in block 1) is not the same as on your birth certificate and has not been changed by legal procedure prescribed by state law, complete the following: a. NAME AS SHOWN ON BIRTH CERTIFICATE I hereby state that I have not changed my name through any court procedure; and that I prefer to use the name by which I am known in the community as a matter of convenience and with no criminal or fraudulent intent. I further state that I am the same person as the one whose name is shown in block 1.					
b. WITNESS (Name, grade, and signature)			c. SIGNATURE OF APPLICANT		
24. EDUCATION					
YEAR & MONTH		NAME AND LOCATION OF SCHOOL	GRADUATE		DEGREE RECEIVED
FROM	TO		YES	NO	
25. CITIZENSHIP VERIFICATION (To be completed in presence of your recruiter).					
a. PLACE OF BIRTH (City, State and (if not in USA) Country)			b. BIRTH CERTIFICATE ISSUED BY (County and State)		
c. BIRTH CERTIFICATE FILE NUMBER		d. IF NATURALIZED, CERTIFICATE NO.	e. IF DERIVED, PARENTS' CERTIFICATE NO(S), DATE, PLACE AND COURT		
f. IF ALIEN, ALIEN REGISTRATION NUMBER					
g. NATIVE COUNTRY		h. DATE AND PORT OF ENTRY			
26. MILITARY SERVICE					
a. Are you now or have ever been in the Regular, Reserve or National Guard of the United States? <input type="checkbox"/> No <input type="checkbox"/> Yes. If "yes", complete the following:					
b. PAY GRADE AND SERVICE NUMBER	c. SERVICE AND COMPONENT	d. DATE OF ENTRY	e. DATE OF DISCH	f. TYPE DISCH/REL	g. TIME LOST (NO. OF DAYS)
h. If you are now a member of a US Reserve or National Guard organization, fill in organization name and unit address:					
27a. PREVIOUS MILITARY SERVICE			Years	Months	Days
DO NOT WRITE IN THIS BLOCK			Total Active Military Service		b. PEBD
			Total Inactive Military Service		
IV. OTHER BACKGROUND DATA					
28a. RELATIVES		b. DATE AND PLACE OF BIRTH	c. PRESENT ADDRESS		d. CITIZENSHIP
FATHER					
MOTHER (Maiden-name)					
SPOUSE (Maiden name)					
CHILDREN (Show Relationship)					
OTHER (specify)					

LAST NAME: _____

SSN: _____

29. COMMERCIAL LIFE INSURANCE POLICIES YOU OWN ON YOUR LIFE —Optional entry; used to assist your survivors in filing claims should you die while on active duty.					
a. NAME OF COMPANY ISSUING POLICY			b. POLICY NUMBER		
30. RELATIVES AND ALIEN FRIENDS LIVING IN FOREIGN COUNTRIES —List anyone with whom you had or have a close relationship, who lives in a foreign country.					
a. NAME AND RELATIONSHIP	b. AGE	c. OCCUPATION	d. ADDRESS	e. CITIZENSHIP	
31. RESIDENCES —List all from 10th birthday.					
YEAR & MONTH		NUMBER AND STREET	CITY	STATE	ZIP CODE
FROM	TO				
32. EMPLOYMENT —Show every employment you have had and all periods of unemployment.					
a. YEAR & MONTH		b. Company name and address (Street, City, State, and Zip Code)	c. JOB TITLE	d. SUPERVISOR NAME	
FROM	TO				
e. HAVE YOU EVER WORKED FOR A FOREIGN GOVERNMENT? <input type="checkbox"/> NO <input type="checkbox"/> YES (If "yes" give dates of employment, Government you worked for, location and nature of your duties)					
33. MEMBERSHIP IN YOUTH PROGRAMS —Optional entry; you <i>may</i> be eligible for a higher paygrade, based on membership and participation in the youth programs listed below.					
<input type="checkbox"/> No membership					
ORGANIZATION	MEMBERSHIP HELD		CONDUCTED BY (SPONSOR)	LOCATION (SCHOOL AND ADDRESS)	YEARS COMPLETED OR LEVEL REACHED
	FROM	TO			
ROTC					(YEARS)
JROTC					(YEARS)
CAP			AIR FORCE		(LEVEL)
SEA CADET			NAVY		(LEVEL)
OTHER (Specify)					
34. FOREIGN TRAVEL —Other than as a direct result of military service.					
YEAR & MONTH		COUNTRY VISITED	PURPOSE OF TRAVEL		
FROM	TO				
35. DECLARATIONS —Explain "Yes" answers in item 41.					
a. HAVE YOU EVER BEEN REJECTED FOR ENLISTMENT, REENLISTMENT, OR INDUCTION INTO ANY BRANCH OF THE ARMED FORCES OF THE UNITED STATES? <input type="checkbox"/> NO <input type="checkbox"/> YES			d. ARE YOU NOW DRAWING, OR DO YOU HAVE AN APPLICATION PENDING OR APPROVAL FOR, RETIRED PAY, DISABILITY ALLOWANCE, OR SEVERANCE PAY OR A PENSION FROM THE GOVERNMENT OF THE UNITED STATES? <input type="checkbox"/> NO <input type="checkbox"/> YES		
b. ARE YOU A CONSCIENTIOUS OBJECTOR? <input type="checkbox"/> NO <input type="checkbox"/> YES			e. ARE YOU THE ONLY LIVING CHILD OF YOUR PARENTS? <input type="checkbox"/> NO <input type="checkbox"/> YES		
c. ARE YOU NOW OR HAVE YOU EVER BEEN A DESERTER FROM ANY BRANCH OF THE ARMED FORCES OF THE UNITED STATES? <input type="checkbox"/> NO <input type="checkbox"/> YES					
36. UNDERSTANDINGS.					
a. I understand that if I am rejected for enlistment because of a disqualification I have concealed, I may not be provided return transportation from the place of examination to my home.					(INITIALS)
b. (For male applicants only). I understand that if I have not reached my 26th birthday that an original enlistment obligates me to serve in the Armed Forces for a period of six (6) years (active and reserve) unless sooner discharged.					(INITIALS)

LAST NAME: _____

SSN: _____

37. CHARACTER AND SOCIAL ADJUSTMENT: Read and consider the following instructions carefully BEFORE answering questions a through f.

1. If your answer to every question is truthfully "NO", please indicate in the appropriate space.
2. If your answer to any questions in this item is "YES", or you have reservations about answering questions of this nature, you are not required to answer, or explain any of these questions in writing. Instead, you may request a personal interview in which you may provide the required information for each question orally.
3. If you choose the personal interview, the information you give may be investigated; however, any written record of the interview itself will not be retained more than six months after entry upon active duty, and it will not become a part of your permanent military personnel service record.
4. If you enlist, this information may be requested from you again at some future date and may become a part of your security investigative file at that time. This could occur as a result of your being considered for duties involving access to classified information or other types of duty requiring a personnel security investigation.
5. A "YES" answer will not necessarily disqualify you for enlistment. It will depend on the circumstances surrounding the situation involved.

INITIAL HERE IF YOU PREFER A PERSONAL INTERVIEW: _____

APPLICANT HAS BEEN INTERVIEWED AND IS ELIGIBLE FOR ENLISTMENT, INELIGIBLE FOR ENLISTMENT

DATE OF INTERVIEW	NAME, ORGANIZATION & TITLE	SIGNATURE OF INTERVIEWER
-------------------	----------------------------	--------------------------

EXPLAIN "YES" ANSWERS IN ITEM 41:

	NO	YES
a. HAVE YOU EVER TAKEN ANY NARCOTIC SUBSTANCE, SEDATIVE, STIMULANT, OR TRANQUILIZER DRUGS EXCEPT AS PRESCRIBED BY A LICENSED PHYSICIAN?		
b. HAVE YOU EVER INTENTIONALLY SNIFFED GLUE, PAINT, HAIRSPRAY, OR OTHER CHEMICAL FUMES?		
c. HAVE YOU EVER BEEN INVOLVED IN THE USE, PURCHASE, POSSESSION OR SALE OF MARIJUANA, LSD, OR ANY HARMFUL OR HABIT-FORMING DRUGS AND/OR CHEMICALS EXCEPT AS PRESCRIBED BY A LICENSED PHYSICIAN?		
d. HAS YOUR USE OF ALCOHOLIC BEVERAGES (SUCH AS LIQUOR, BEER, WINE) EVER RESULTED IN THE LOSS OF A JOB, ARREST BY POLICE, or TREATMENT FOR ALCOHOLISM?		
e. HAVE YOU EVER BEEN A PATIENT (WHETHER OR NOT FORMALLY COMMITTED) IN ANY INSTITUTION PRIMARILY DEVOTED TO THE TREATMENT OF MENTAL, NERVOUS, EMOTIONAL, PSYCHOLOGICAL, OR PERSONALITY DISORDERS?		
f. HAVE YOU EVER ENGAGED IN HOMOSEXUAL ACTIVITY (SEXUAL RELATIONS WITH ANOTHER PERSON OF THE SAME SEX)?		

38. MARITAL STATUS AND DEPENDENCY

	NO	YES
a. ARE YOU NOW, OR HAVE YOU EVER BEEN MARRIED?		
b. IF YOU HAVE BEEN MARRIED, ARE YOU NOW LIVING WITH YOUR SPOUSE?		
c. HAVE YOU EVER BEEN DIVORCED? (If yes, enter date, place and court which granted divorce or legal separation)		
d. IS ANY COURT ORDER OR JUDGEMENT DIRECTING SUPPORT FOR CHILDREN OF ALIMONY IN EFFECT? (Enter date, place, and court which granted alimony decree, or support as the result of a paternity suit)		
e. IS ANYONE OTHER THAN YOUR SPOUSE AND/OR CHILDREN SOLELY OR PARTIALLY DEPENDENT UPON YOU? (list name & address)		

39. Do you now have, or within the past ten years, have you had knowing membership with the specific intent of furthering the aims of, or adherence to and active participation in any foreign or domestic organizations, association, movement, group, or combination of persons (hereinafter referred to as organizations) which unlawfully advocates or practices the commission of acts of force or violence to prevent others from exercising their rights under the Constitution or laws of the United States or of any State, or which seeks to overthrow the Government of the United States or any State or subdivision thereof by unlawful means?

If you answered "yes", give the names of the organizations and inclusive dates (month and year) of your membership; describe the nature of your activities as a member of the organization(s) in the "Remarks" section, Item 41.

NO YES

40. INVOLVEMENT WITH POLICE OR JUDICIAL AUTHORITIES

YOUR ANSWERS TO THE FOLLOWING QUESTIONS WILL BE VERIFIED WITH THE FEDERAL BUREAU OF INVESTIGATION (FBI), AND OTHER AGENCIES TO DETERMINE ANY PREVIOUS RECORDS OF ARREST OR CONVICTIONS OR JUVENILE COURT ADJUDICATIONS. IF YOU CONCEAL SUCH RECORDS AT THIS TIME, YOU MAY, UPON ENLISTMENT, BE SUBJECT TO DISCIPLINARY ACTION UNDER THE UNIFORM CODE OF MILITARY JUSTICE AND/OR DISCHARGE FROM THE MILITARY SERVICE WITH OTHER THAN AN HONORABLE DISCHARGE.

	NO	YES
a. Have you ever been arrested, charged, cited, or held by Federal, State, or other law enforcement or juvenile authorities regardless of whether the citation or charge was dropped or dismissed or you were found not guilty?		
b. As a result of being arrested, charged, cited, or held by law enforcement or juvenile authorities, have you ever been convicted, fined by or forfeited bond to a Federal, State, or other judicial authority or adjudicated a youthful offender or juvenile delinquent (regardless of whether the record in your case has been "sealed" or otherwise stricken from the court record)?		
c. Have you ever been detained, held in, or served time in, any jail or prison, or reform or industrial school or any juvenile facility or institution under the jurisdiction of any City, County, State, Federal or foreign country?		
d. Have you ever been awarded, or are you now under suspended sentence, parole, or probation or awaiting any action on charges against you?		

NAME:

SSN:

40. Continued

e. HAVE YOU BEEN RELEASED FROM PAROLE, PROBATION, JUVENILE SUPERVISION, OR GIVEN A SUSPENDED SENTENCE OR RELIEVED OF CHARGES PENDING ON CONDITION THAT YOU APPLY FOR OR ENLIST IN THE US ARMED FORCES?

NO YES

f. ARE YOU NOW INVOLVED IN OR A PARTY TO OR CONNECTED WITH ANY COURT ACTION OR CIVIL SUIT? (EXPLAIN "YES" ANSWER IN ITEM 41)

g. EXPLAIN BELOW "YES" ANSWERS IN "a" THROUGH "e". BE CAREFUL TO INCLUDE ALL INCIDENTS WITH LAW ENFORCEMENT AUTHORITIES THAT YOU DISCUSSED WITH YOUR RECRUITER.

OFFENSE	DATE/PLACE	AGE	DISPOSITION	COURT

41. REMARKS

I am interested in the following options or programs:

V. CERTIFICATION

42. BY APPLICANT: I UNDERSTAND THAT THE ARMED FORCES REPRESENTATIVE WHO WILL ACCEPT MY ENLISTMENT DOES SO IN RELIANCE ON THE INFORMATION PROVIDED BY ME IN THIS DOCUMENT; THAT IF ANY OF THE INFORMATION IS KNOWINGLY FALSE OR INCORRECT, I MAY BE PROSECUTED UNDER FEDERAL CIVILIAN OR MILITARY LAW OR SUBJECT TO ADMINISTRATIVE SEPARATION PROCEEDINGS AND, IN EITHER INSTANCE, I MAY RECEIVE A LESS THAN HONORABLE DISCHARGE WHICH COULD AFFECT MY FUTURE EMPLOYMENT OPPORTUNITIES. I CERTIFY THAT THE INFORMATION GIVEN BY ME IN THIS DOCUMENT IS TRUE, COMPLETE, AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

a. DATE	b. NAME (Type or Print)	c. SIGNATURE OF APPLICANT
---------	-------------------------	---------------------------

43. DATA VERIFICATION: To be completed by the recruiter who enters a description of the actual documents reviewed by him/her to verify:

NAME	AGE	CITIZENSHIP
------	-----	-------------

EDUCATION	PRIOR MILITARY SERVICE
-----------	------------------------

OTHER (Specify)

LAST NAME: _____

SSN: _____

44. RECRUITER: I certify that I have witnessed applicant's signature above and further certify that I have verified the data in Sections I, III, and IV of this document, and the documents listed above as prescribed by my directives. I understand my liability to trial by courts-martial under the Uniform Code of Military Justice should I effect or cause to be effected the enlistment of anyone known by me to be ineligible for enlistment.

a. DATE	b. NAME, GRADE, SSN, AND RECRUITER ID NO. (Type or Print)	c. SIGNATURE OF RECRUITER
---------	---	---------------------------

VI. PARENTAL/GUARDIAN CONSENT FOR ENLISTMENT

45. I/we certify that the applicant named herein has no other legal guardian than me/us and I/we consent to his/her enlistment in the _____ subject to all the requirements and lawful commands of the officers who may, from time to time, be placed over him/her; and I/we certify that no promise of any kind has been made to me/us concerning assignment to duty, or promotion during his/her enlistment as an inducement to me/us to sign this consent. I/we hereby authorized the Armed Forces representatives concerned to administer medical examinations, mental and/or aptitude testing, and conduct records checks to determine applicant's enlistment eligibility. I/we relinquish all claim to his/her service and to any wage or compensation for such service.

46. *For enlistment in a Reserve Component:* I/we understand that as a member of a Reserve Component, he/she must serve minimum periods of active duty unless excused by competent authority. In the event he/she fails to fulfill the obligations of his/her Reserve commitment, he/she may be recalled to active duty as prescribed by law. I/we further understand that while the applicant is in the Ready Reserve, he/she may be ordered to extended active duty in time of war or national emergency declared by the Congress or the President or when otherwise authorized by law.

47. I/we certify that the applicant's birth date is:

NAME AND SIGNATURE OF WITNESSING OFFICIAL	SIGNATURE OF PARENT OR LEGAL GUARDIAN
NAME AND SIGNATURE OF WITNESSING OFFICIAL	SIGNATURE OF PARENT OR LEGAL GUARDIAN

VERIFICATION OF SINGLE SIGNATURE CONSENT

VII. ENLISTMENT OPTIONS—Completed by guidance counsellor, career counsellor, recruiter, AFEES Liaison NCO, etc., as specified by sponsoring service.

ENL. COMP.	GRADE/RATE	DATE OF RANK	TERM ENL.	T-E MOS/AFS	PMOS/AFS	WAIVER INFO	OPT ANAL	PROG ENL FOR
------------	------------	--------------	-----------	-------------	----------	-------------	----------	--------------

SPECIFIC OPTIONS ENLISTED FOR:

I certify that I have reviewed all information contained in this document and, to the best of my judgment and belief, applicant fulfills all legal and policy requirements for enlistment. I accept his/her enlistment on behalf of the _____
I further certify that service regulations governing such enlistment have been strictly complied with and any waivers required to effect applicant's enlistment have been secured and are attached to this document.

DATE	NAME, GRADE, AND SSN, ORGANIZATION OR RECRUITER ID (Type or Print)	SIGNATURE
------	--	-----------

VIII. RECERTIFICATION BY APPLICANT, AND CORRECTION OF DATA AT TIME OF ENLISTMENT

I HAVE REVIEWED ALL INFORMATION CONTAINED IN THIS DOCUMENT; THAT INFORMATION IS STILL CORRECT AND TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF. IF CHANGES WERE REQUIRED, THE ORIGINAL ENTRY HAS BEEN MARKED "SEE VIII" AND THE CORRECTED INFORMATION IS PROVIDED BELOW, KEYED TO THE APPROPRIATE QUESTION.

QUESTION	CHANGE REQUIRED

DATE	NAME, GRADE, SSN AND SIGNATURE OF WITNESS (Type or Print)	SIGNATURE OF APPLICANT
------	---	------------------------

ANNUAL SCREENING STATEMENT*

(Date)

PRIVACY ACT STATEMENT - 26 SEPTEMBER 1975

1. Authority for obtaining statement from individual and social security number is 10 U.S.C., Section 271. Statement and disclosure of SSN is mandatory.
2. Principal Purpose: This statement becomes a legal and official document by which you verify that you are available for active duty if ordered by competent authority. Also a statement of understanding to participate in the Army National Guard of Kansas or for cogent military reasons be separated from the Army National Guard of Kansas for subsequent assignment to the Standby Reserve at any time.
3. Routine Uses: Screen the Kansas Army National Guard to prevent having ineffective units upon mobilization because of unavailability of trained units and qualified personnel to achieve mobilization objectives. These statements serve as a means of identifying personnel who are immediately available for active duty in the event of a national emergency and who will be retained in the Ready Reserve.
4. Completion of this statement and disclosure of SSN is mandatory. It is used in conjunction with other official documents for filing in your Military Personnel Records Jacket as a means of determining your availability for active duty status.

Pursuant to NGR 600-2, NGR 635-102 and NGR 600-200, I hereby agree to continue serving in the Army National Guard of Kansas for at least one year from this date and to be available for active duty whenever ordered thereto by competent authority. I fully understand that I am certifying that my civilian occupation or personal status, including number of dependents, will not delay my reporting for active duty in the event of mobilization. I further understand that notwithstanding this agreement to participate in the Army National Guard of Kansas I may, for cogent military reasons, be separated from the Army National Guard of Kansas for subsequent assignment to the Standby Reserve at any time.

(Signature)

(Typed Name, Rank, SSAN)

Subscribed and sworn to before me this _____ day of _____, 19 ____.

(Signature of Comdr or Representative)

(Typed Name, Rank, Organization)

(*Required at least annually or whenever screening action reveals a need due to change in individual's personal status, such as when number of dependents reaches four or more, etc.)

PRIVACY ACT INFORMATION FOR DESK TOP
(FORSCOM Suppl 1 to AR 340-21)

QUESTION: HOW MAY I respond to an inquiry asking for personal-type information regarding a member of this unit or office without violating the Privacy Act of 1974 (AR 340-21, The Army Privacy Program)?

ANSWER: The answer to this question is contained in the following paragraphs which have been extracted from AR 340-21.

Paragraph 3-5, AR 340-21: Individual home addresses will not be disclosed without prior written consent of the individual(s) involved. (Be sure you see the written consent and recognize the individual(s) signature(s).)

Paragraph 3-2b, AR 340-21: You may normally release the following items of personal information pertaining to military personnel without an unwarranted invasion of personal privacy, and without violating the Privacy Act of 1974.

1. Name
2. Grade
3. Date of Birth
4. Date of Rank
5. Salary
6. Present and past duty assignments
7. Future assignments which have been approved
8. Unit or office address and telephone number
9. Source of commission (for officer personnel)
10. Military and civilian educational levels
11. Promotion sequence number

CAUTION: DO NOT VOLUNTEER INFORMATION FROM ABOVE LIST WHICH IS NOT SPECIFICALLY REQUESTED.

(If information in addition to the above is requested, refer the caller to your command or staff privacy Act Coordinator, or Post Locator for requests involving home address or telephone numbers. DO NOT DIVULGE OTHER ITEMS OF PERSONAL TYPE INFORMATION BUT DO NOT TAKE IT UPON YOURSELF TO REFUSE OR DENY THE INFORMATION. THERE ARE CHANNELS FOR DENYING SUCH REQUESTS (see AR 340-17). Any request for information under the Freedom of Information Act (FOIA) should be referred to the FOIA Officer.

Paragraph 3-3a, AR 340-21: No disclosure accounting is required for disclosure of the items of personal information enumerated above.

Questions pertaining to civilian employees of your office should be referred to your Civilian Personnel Office.

EXTENSION: _____

WHEN DISCLOSING PERSONAL TYPE INFORMATION YOU MUST BE AWARE OF THE FOLLOWING:

All personnel involved in, or responsible for supervision of personnel involved in the custody, maintenance, and use of records containing personal-type information, must be fully aware that it is Department of the Army policy to "protect personal privacy of individuals from unwarranted invasion" and that "criminal prosecution may be brought against individuals for willfull unauthorized disclosure of a record or information in a record" (paragraph 1-12, AR 340-21).

THE NAME OF MY PRIVACY COORDINATOR IS:

HIS TELEPHONE EXTENSION IS:



REMEMBER THAT IT IS BETTER TO BE SAFE THAN SORRY

Special Committee on Commercial and Financial Institutions
StateHouse, Room 510 at 3:10 p.m.
Kansas Commission on Civil Rights
November 1, 1977

The Kansas Commission on Civil Rights is responsible for the implementation of the Kansas Act Against Discrimination (K.S.A. 44-1001 et. seq.) and in carrying out this responsibility we take complaints, conduct investigations and hold public hearings of alleged acts of unlawful discriminatory practices in the areas of employment, public accommodations and housing based upon race, religion, color, sex, national origin, ancestry and physical handicap.

The majority of the case files are compiled in the area of employment and consists of records and case progresses of witness interviews relative to our inquiry into the alleged act of discrimination, i.e. failure to hire, termination, working conditions or promotions. Under the provision of K.A.R. 21-42-5 the preservation of employment records section has set out the types of records relevant to the investigation until such complaint or investigation is finally adjudicated. . . The term "relevant to the investigation" shall include but not be limited to, personnel, employment or membership records relating to the complainant and to all other employees, applicants or members holding or seeking positions similar to that held or sought by the complainant, and application forms or test papers completed by any unsuccessful applicant and by all other applicants or candidates for the same position or membership as that for which the complainant applied and was not accepted, and any records which are relevant to the scope of the investigation as defined in the notice or complaint." These case files number in the thousands dating back to the early 1960's to present and are located in our three (3) offices at 503 and 535 Kansas Avenue in Topeka and 212 South Market in Wichita, Kansas.

These case investigation files consist of the agency's working papers and are kept confidential and can be obtained by way of court order or subpoena. Commission policy and rule and regulation K.A.R. 21-43-6 requires these records be kept confidential and staff will only make available to the general public, the Commission's docket books, the original copy of each complaint docketed, the public hearing file and the minutes of the Commission meetings.

The Kansas Supreme Court in KCCR v. Sears Roebuck & Co., 216 Kan 306, stated:

"Under K.S.A. 44-1005 the commission is enjoined to treat as confidential all evidence gathered in the course of an investigation."

and cites our own regulation, 21-43-6, which is in part as follows:

"No officer, agent or employee of the commission shall make public with respect to a particular person without his consent information from reports obtained by the commission except as necessary to the conduct of further commission proceedings."

Atch. F

The court finally says:

"We have no reason to assume that the members of the commission will violate the command of either the statute or the rule."

The primary use of the Commission's record keeping system is for the purpose of carrying out our statutory obligation in the prevention and elimination of unlawful discriminatory practices. A secondary use of the names of both the complainant and respondent, began many years ago as a mailing list by which the agency's publications are mailed on a periodic basis. Such publications would be the quarterly newsletter and the annual report of progress.

"G"

The Register of Deeds office is a permanent, public record office, according to law.

The records in my office date back to 1855.

One of the reasons that documents are filed in our office is to serve notice to the public-in addition to it becoming a permanent record. So whatever documents are presented to us for recording, whether it be a pre-nuptial agreement, deed, or mortgage, are open to whomever wishes to see them. The only thing filed in our office that is not open to public viewing is the Certificate of Value, which states the selling price of the property involved.

The most common documents we receive are your deeds, mortgages, death certificates, Articles of Incorporation, Oil & Gas Leases, Military discharges and State & Federal Tax liens. We also receive numerous Financing statements, which are liens against personal property.

The documents recorded reveal names, martial status, addresses, amount of mortgage loaned on real estate and shows the collateral the lien is against, whether it be real or personal property.

Daily, abstractors, attorneys, realtors & Land Surveyors are in our office searching our records.

We also have banks and Finance companies calling to check what an individual owns or owes and what collateral is listed.

Every week there is a list of the real estate transfers, that is prepared by my office at the request and at no cost, for the local newspapers for publication.

This list gives the names of the sellers and the buyers and a brief legal description of the property being conveyed.

If a person transferring real estate requests that it be kept out of the paper, we do not put it in, but we do inform them that the transaction does become a public record once it is recorded.

Everday, there is a young man that comes into our office and prepares a list of all transactions that have been filed. This list gives the names of the people involved in the transaction, the collateral and the amount of money loaned on real estate. He sells the list to the various credit companies and anyone who wishes to have it. In some counties they also list all court actions, such as divorces granted, contractual suits, marriage licenses issued & such.

License tags list are also prepared and sold to banks wishing to have this information for car identification, in case of a repossession. This list is also provided to the law enforcement, at no cost, within our area and is prepared by the County Commissioners office.

We have people checking our records to locate people, their last know address, credit checks, ancestors, the new home buyers, for home owner insurance and the military discharge records for life & health insurance.

My own opinion about our records being opened to the public is, that the information obtained from them is used more for a benefit and protection to us, then it is abused.

Submitted by, Dora (Susie) Parmer
Register of Deeds, Leavenworth County, Ks.

Atch. G

"H"
Topeka Police
Det

RECORDS ROOM PROCEDURE FOR RECORD CHECKS

1. Any Criminal Justice Agency may have a record check.
2. An individual may see his or her arrest record after meeting necessary requirements.
(see procedure on how a person may check his/her record)
3. Records checks for Visas will be processed either in person or by mail. (If by mail, a self addressed-stamped envelope must accompany each request.)
4. Employment record checks can be given if requested on an appropriate form. This is conviction information only.
(Consult supervisor)
5. State and Federal agencies, authorized by statute or Executive Order may have record checks. (Conviction information only)
6. All record checks given out will be stamped with:

"This information is restricted as to use and dissemination. Civil and Criminal penalties exist for misuse. (Date _____)
"Topeka Police Department"

7. No expunged information may be given out without a court order. (Must be approved by supervisor)
8. Record request cards must be filled out completely and properly filed on all record requests, even if an individual checks their own record.
9. No Juvenile records are given out by the records section to anyone except an officer of this department. (Juvenile record information must be obtained in the Juvenile Section)
10. If a person has a court order for someones record, they may have it, but call the Legal Advisor first.
11. When in doubt, call the supervisor.

COPY
Atch. H

HOW A PERSON MAY CHECK HIS/HER RECORD

1. Appear in person with proof of identity at Police Department Records Section. Proof of identity may be sworn statements, photographs, or fingerprints which have been compared and authenticated by the Topeka Police Department. The hours for doing this are: 1000 to 1200 hours and 1300 to 1500 hours, Monday through Friday.
2. Ask for a Record Check form. Complete form and return to Records Clerk.
3. After verification of identity, you will be shown your record card(s) as the information appears from the Municipal Court, or other data as received by this Department (You may have others present if you wish).
4. A copy of the record will only be given when it is clearly established that it is necessary for the purpose of challenge.
5. Written affidavit of challenge may be made and copies will be provided, at cost, of your file cards which originated at the Topeka Police Department.
6. Challenge to material which did not originate at the Topeka Police Department must be initiated through the agency which originated the information.
7. You may check with the K.B.I., which is the central repository, for additional data.
8. Appeals are to be filed with the Chief of Police, in written and notarized affidavit form. The individual is notified, within thirty days of the date of his/her challenge. If the challenge is denied, the individual is entitled to appeal the decision.
9. You must state what you feel is inaccurate or incomplete and why you feel it is wrong. Also what you feel must be done to correct the record.
10. You will be notified of the action taken by the Department on your challenge. An appeal may be made to the Attorney General. The Department will notify all Criminal Justice Agencies who have received data, which subsequently is corrected or modified.
11. You may not view another persons files without that persons presence or approval. You may not have copies of another persons files.

COPY

12. You may have information sent to a law enforcement agency or federal agency for passport or visa application purposes.
13. All identity is subject to verification to the satisfaction of the Police Department. We reserve the right to ask you to return after we have verified identity.
14. All requests will be logged and recorded.

COPY

REQUEST FOR EMPLOYMENT RECORD CHECK

I _____ hereby give my permission to the TOPEKA POLICE DEPARTMENT, to give a copy of my conviction record to _____ FIRM.

SIGNED

NOTARY PUBLIC

MY FULL NAME IS

LAST NAME FIRST NAME MI

SEX RACE DOB

CLERKS INITIALS

MEMORANDUM

DATE: April 22, 1975
TO: ALL DIVISION COMMANDERS
FROM: Chief Fred H. Howard, II
SUBJECT: Maintenance of Criminal Intelligence Information in Departmental Files

Gentlemen:

The following rules and guidelines shall be followed within this Department concerning the maintenance of different types of information on the nature of criminal intelligence within the records of this Department:

1. Matters of public record in the community, whether from television or radio news broadcast, or from newspaper files, or other sources of public information.
2. Matters of public record from Court or police dockets, such as arrest records and convictions, or lawsuits which have been filed.

It will also be proper to maintain in such files information with positively identified or identifiable sources which are received by this Department, concerning actual or potential criminal activities of an individual or group. This means documentation may be held when a report from either a reliable informant, known to this Department (who need not be identified by name in these records, but whose name should be available to this Department) or a statement definitely attributed to a particular individual who can be contacted for confirmation. Information from any law enforcement agency concerning actual or potential criminal activities of an individual or group may also be maintained, but should again be identifiable by source. Such information should only be related to criminal activity, such as sabotage, thefts, narcotic activities, or some other criminal activity.

Rumors should only be included with a definite notation that the source may not be reliable, and the information may be tainted. This particular information shall be purged upon a finding of unreliability.

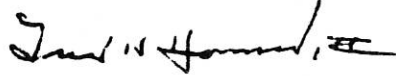
Information of a "rumor" nature which is substantiated from other sources may be maintained, along with the substantiating or confirming source. The personnel concerned are required as a matter of Departmental policy to maintain explanatory information as to the source of their information in the same file or in a separate file with a coded-type index so that in the event Court action might occur, we have access to the originators of such information.

Reliable information contained in such files shall be reviewed yearly on a systematic basis, certainly with no period of time greater than a year span, to determine if the information in those files serves

Atch. I

any purpose of this Department. If it does not, the information should be destroyed. If confirming statements have been located and attached to the information already in the file, and current information continues to accumulate, the file should be maintained.

Very truly yours,



Chief Fred H. Howard, II.

FH:ac

CC: All Majors
Raymond A. Bloxson, P.L.A.