

ALASKAN REGION

March 3, 2004

**SUBJ: PROTECTING PRIVACY OF INFORMATION ABOUT INDIVIDUALS**

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1. **PURPOSE.** This supplement adds Alaskan Region policy and procedures to this edition of the Privacy Act order. Minor editorial changes include updating routing symbols.
2. **DISTRIBUTION.** This supplement is distributed to division level in the regional office and all field offices and facilities.
3. **CANCELLATION.** AL SUP 1, dated April 10, 1995, is cancelled.
4. **DISPOSITION OF TRANSMITTAL.** Transmittal page shall be filed and retained until this order is revised and re-issued or canceled without replacement.

**PAGE CONTROL CHART**

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Patrick Poe  
Regional Administrator

AL SUPPLEMENTAL PAGE

1-7t-AL2. System Managers in the field are as follows:

- AT Field Facilities - Air Traffic Managers
- AF Field Offices - System Support Centers
- AF System Management Offices - System Management Office Managers
- FS Field Offices - District Office Managers

1-8a-AL2. Regional Forms and Sample Formats. See AL Appendix 2 for a listing of Alaskan Region Privacy Act forms and sample memorandum formats, and for illustrations of each.

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AL SUPPLEMENTAL PAGE

1-9i-AL2. Any deficiencies or inconsistencies in regional or agency directives concerning the Privacy Act are to be brought to the attention of the Privacy Act Coordinator, AAL-30.

1-10g(1)(d)-AL2. Fees collected should be sent to AAL-30, via DOT Form F 2770.2, Record of Cash Receipts (available online at [feds.faa.gov](http://feds.faa.gov)).

## AL SUPPLEMENTAL PAGE

1-10h-AL2. Regional Privacy Act Coordinator. The Manager, Executive Operations, AAL-30, is designated the Privacy Act Coordinator for the Alaskan Region. He/She shall designate a representative to act as the Privacy Act Coordinator, who shall report to the Manager of AAL-30.

## AL SUPPLEMENTAL PAGE

2-3-AL2. PROCEDURES. Individuals appearing in person requesting information pertaining to themselves or other individuals, contained in a system of records, shall fill out AL Form 1280-1, Privacy Act Information Request. When a letter is received requesting information, the letter shall be stapled to AL Form 1280-1 and reference made to the letter in section 1 of the form. Section 2 is to be completed as requested. Distribution of AL Form 1280-1 is shown on the reverse of the form. An example of AL Form 1280-1 is shown in AL Appendix 2, AL Figure 1, and is available in the regional stock room, AAL-54, or online at [feds.faa.gov](http://feds.faa.gov).

a. When a request is for access to individual's own records, use only one copy. Use for suspense until action is completed.

(1) If access is granted, destroy the form.

(2) If access is denied, forward the form in a sealed "For Official Use Only" envelope to the Privacy Act Coordinator, AAL-30.

b. When request is for disclosure to a third party, use two copies.

(1) Original: Record action taken, and file form with the disclosed record.

(2) First Copy: Record action taken; send to Privacy Act Coordinator, AAL-30, in a sealed "For Official Use Only" envelope for statistical reporting purposes. This copy shall be destroyed after the statistical report is filed.

c. The Executive Operations shall maintain all "accounting of disclosure" records. Systems managers shall not maintain duplicate copies for accounting or reporting purposes. **IN THE CASE OF ACCESS TO RECORDS BY INDIVIDUALS ABOUT WHOM THE RECORD RELATES, NO ACCOUNTING OF THE NAMES OR OTHER IDENTIFYING DATA OF THE PERSONS REQUESTING ACCESS WILL BE MAINTAINED.**

2-3a(4)-AL2. A copy of each denial of access to an individual's records by their region systems managers shall be provided to the Privacy Act Coordinator, AAL-30, in accordance with paragraph 5-6c.

2-3b-AL2. Use AL Form 1280-3 for the written statement authorizing discussion of an individual's record in the presence of an accompanying person. (See AL Appendix 2, AL Figure 8.)

## AL SUPPLEMENTAL PAGE

2-4b(3)-AL2. Requests for concurrence of Chief Counsel, AGC-1, shall be processed through the Aviation Medical Division, AAL-300, and the Office of the Regional Counsel, AAL-7.

2-5b(1)-AL2. Identification should be that which an individual would have readily available. This identification must have the individual's name and should have the individual's date of birth. Examples would be a driver's license or employee identification card. A picture credit card will be acceptable in the event a driver's license or a photo ID card are not available.

2-5b(3)-AL2. Requests for concurrence of Chief Counsel, AGC-1, shall be processed through the Aviation Medical Division, AAL-300, and the Office of the Regional Counsel, AAL-7.

## AL SUPPLEMENTAL PAGE

2-6b-AL2. A copy of any denial of a request from a third party shall be forwarded to the Privacy Act Coordinator, AAL-30B, in accordance with paragraphs 5-6c and d.

2-7a(3) (c)-AL2. Send one copy of the letter on notification of amendment of a record to all persons or agencies to whom the record has been disclosed, notifying them that the record has been amended and indicate the substance of the amendment (see Appendix 2, Figure 4). If it is more convenient to enclose a corrected copy of the amended portion rather than to indicate the substance of the amendment, this may be done to save time or paper.

## AL SUPPLEMENTAL PAGE

2-7a(4)-AL2. A copy of each initial determination to deny the amendment of an individual's records shall be furnished to the Privacy Act Coordinator, AAL-30, in accordance with paragraphs 5-6c and d.

2-8-AL2. ADVISING REQUESTER OF RIGHTS TO APPEAL. Write a letter notifying an individual that a request to amend a record is denied, using AL Figure 6 of AL Appendix 2 as a guide. Use the sample letter in AL Figure 3 of AL Appendix 2 as a guide when writing a letter refusing access to a record. Both memos shall be signed by the supervisor of the systems manager.

2-9a-AL2. The action package forwarded to the Assistant Administrator for Information Services, AIO-1, will include all documents relating to the case.

## AL SUPPLEMENTAL PAGE

2-9d(4)(a)3 AL2. Statement of Disagreement. Upon receipt of a statement of disagreement with denial of an appeal to correct a record, the systems manager shall forward one copy of a letter acknowledging receipt of a statement of disagreement to the individual (see Appendix 2, AL Figure 7). This letter of acknowledgment informs the individual that the statement of disagreement has been filed in the record, and that a copy of the statement of disagreement will accompany any disclosure of the record.

AL SUPPLEMENTAL PAGE

3-4-AL2. Records made available under compulsory legal process. The systems manager will use the format shown in AL Figure 9 of AL Appendix 2 to notify an individual that a record concerning such individual has been made available under compulsory legal process.

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AL SUPPLEMENTAL PAGE

4-3d-AL2. Regional Personnel Privacy Act Officer. The Personnel Management Specialist, AAL-10H, is designated the Personnel Privacy Act Officer for the Alaskan Region.

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## AL SUPPLEMENTAL PAGE

4-11-AL2. GRANT OF ACCESS. If a request is received from an individual no longer employed in the Federal Government for access to that individual's own records, and the records sought are no longer retained by the office receiving the request, the individual shall be advised to direct his or her request, in writing, including name, date of birth, and social security number to: National Personnel Records Center, General Services Administration, 11 Winnebago Street, St. Louis, Missouri 63118. The systems manager for this system of records is the Director, Bureau of Manpower Information Systems, U.S. Office of Personnel Management, 1900 E Street, N.W. , Washington, D.C. 20415.

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AL SUPPLEMENTAL PAGE

4-19-AL2. Regional Personnel Records Security Officer. The Personnel Management Specialist, AAL-10H, is designated the Personnel Records Security Officer for the Alaskan Region.

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AL SUPPLEMENTAL PAGE

4-25-AL2. FEES. Fees collected in connection with the release of records shall be transmitted to the Alaskan Region Cashier, AAL-42, via DOT Form F2770.2, Record of Cash Receipts.

4-25b-AL2. Fees shall be charged for second and subsequent copies of personnel records described in paragraph 4-25a(1) only when the cost of copying the record is in excess of \$10.00.

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## AL SUPPLEMENTAL PAGE

4-28b-AL2. Alaskan Region Normal Commuting Area. For purposes of the Privacy Act, FAA offices not located in the Anchorage Federal Office Building/U.S. Court House are considered to be outside the normal commuting area; i.e., remote from the Human Executive Operations where the OPFs are kept.

4-29-AL2. MAINTENANCE AND DISPOSAL OF OPERATING PERSONNEL FOLDERS AT REMOTE OFFICES.a. Maintenance.

- (1) While operating personnel folders are authorized at offices remote from the official personnel folders (OPF), the OPF is still the principal personnel file. The operating personnel folders are authorized only as working folders and only that material which is determined essential for immediate and continuous day-to-day use is authorized for these files. Remote offices are expected to rely on the Human Executive Operations, AAL-10, to provide any additional personnel information that may be needed from the OPF.
- (2) No more than one operating personnel folder for each employee shall be established in addition to the OPF. Contents of such folders or portions thereof may NOT be duplicated and maintained at different geographical locations. Training records are considered to be part of the operating personnel folders. At offices or facilities authorized to have training staffs, the training records portion may be maintained separately within the office or facility. (See Federal Personnel Manual 293, Subchapter S8, par 3c.)
- (3) Employee copies of personnel records shall not be maintained in the operating personnel folders.
- (4) Appropriate security measures shall be taken to ensure that the information in these records is kept confidential.

b. Disposal. When an employee transfers out of a facility or office, the training records portion of the file shall be forwarded to the gaining office by the supervisor maintaining the folder. The remaining portion of the file shall be forwarded within 2 weeks to the Human Executive Operations, AAL-10. For all employees leaving the agency, the entire operating personnel folder shall be forwarded to AAL-10 within 2 weeks of the date of separation.

c. Evaluation. Operating personnel folders will be reviewed to assure compliance with the establishment, maintenance, and disposition requirements set forth in this order. The Human Resource Management Division will conduct the reviews.

## AL SUPPLEMENTAL PAGE

5-6c-AL2. Manual Transmission of Records.

(1) Privacy Act records transmitted through the FAA mail system or hand carried and left in an "in" basket, etc., shall:

(a) Be in sealed opaque envelopes. IT IS RECOMMENDED THAT THE RECORDS BE PLACED IN THE OPAQUE SEALING ENVELOPE THAT IS PREPRINTED WITH THE PHRASE, "TO BE OPENED BY ADDRESSEE ONLY" (FAA Form 1360-39). Any opaque sealing envelope may be used if the phrase, "To be opened by addressee only", is written, typed, or stamped on both sides of the envelope. ENVELOPES MUST BE SEALED BY MOISTENING THE GLUED FLAP AND PRESSING SECURELY CLOSED. Using only tape to fasten the envelope flap is NOT sufficient.

(b) Have the envelope addressed with BOTH the name and routing symbol of the intended receiver. A routing symbol only is NOT sufficient, as more than one person in an office may have the same routing symbol.

(2) Within regional headquarters, a facility, or office, records containing Privacy Act material may be hand carried without an envelope PROVIDING THE RECORDS WILL BE HANDED DIRECTLY TO THE RECEIVER. Privacy Act records may NOT be left in an "in" basket, on a desk, or any other place unless they are in a sealed, opaque, properly addressed envelope.

(3) Privacy Act records mailed through the U.S. Postal Service shall be in sealed, opaque, properly addressed envelopes.

5-6f(1)-AL2. DESTRUCTION GUIDELINES.

a. In the regional office, a shredder is available for the destruction of Privacy Act data and other classified material. The shredder is available in the stock room.

b. At the field offices and facilities, in the absence of acceptable equipment for destruction, Privacy Act material shall be destroyed by ensuring that individuals' names and identifying data are separated from information in such a manner as to preclude reconstruction; this may be done by hand shredding, scissors, cutting board, or other types of destruction devices at your disposal. This material will not be released to private contractors for destruction.

## AL SUPPLEMENTAL PAGE

6-3-AL2. PROCEDURES FOR EXEMPTING SYSTEMS OF RECORDS. A proposal to exempt a system of records shall be initially submitted to the Privacy Act Coordinator, AAL-30, who in turn shall coordinate the proposal with the Office of the Regional Counsel.

6-4-AL2. GOVERNMENT CONTRACTORS. The Manager, Acquisition and Real Estate Branch, AAL-59, of the Logistics Division, is responsible for implementing procedures to ensure compliance with requirements of this paragraph.

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AL SUPPLEMENTAL PAGE

7-1b-AL2. Proposals for new or revised systems of records shall be submitted with the appropriate information (paragraph 7-1a) through the appropriate division manager, to AAL-30, ATTENTION: Privacy Act Coordinator, AAL-30, at least 90 days prior to implementation.

7-3-AL2. A listing of Privacy Act records maintained in the Alaskan Region is shown in Appendix 1.

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AL APPENDIX I. ALASKAN REGION SYSTEM OF RECORDS

<u>System Number</u>	<u>System Name</u>	<u>Systems Manager(s)</u>
DOT/ALL-1	DOT Grievance Records Files	AAL-10
DOT/FAA 801	Aircraft Registration System	AAL-200
DOT/FAA 806	Federal Aviation Administration Employee Payable System	AAL-30
DOT/FAA 810	Discrimination Complaint Files	AAL-9
E DOT/FAA 813	Civil Aviation Security System	AAL-750
DOT/FAA 814	Equal Employment Opportunity Minority/ Female Statistical Reporting System	AAL-10
E DOT/FAA 815	Investigative Record System	AAL-750
DOT/FAA 816	Tort Claims and Personal Property Claims Record System	AAL-7
DOT/FAA 830	Representatives of the Administrator	AAL-200
DOT/FAA 832	Pilot/Flight Engineer/Navigator Flight Record	AAL-200
DOT/FAA 837	Photographs and Biographical Information	AAL-4
E DOT/FAA 847	General Air Transportation Records on Individuals	AAL-7, AAL-200
DOT/OST 018	Identification Media Record System	AAL-750
DOT/RSPA 06	RMT Emergency Notification Roster	AAL-6
OPM/GOVT-1	General Personnel Records	AAL-10
OPM/GOVT-2	Employee Performance File	AAL-10
OPM/GOVT-3	Adverse Action Records	AAL-10
OPM/GOVT-5	Recruiting, Examining, and Placement Records	AAL-10
OPM/GOVT-7	Applicant Race, Sex, National Origin and Disability Status Records	AAL-10
OPM/GOVT-8	Confidential Statements of Employment and Financial Interests	AAL-7
OPM/GOVT-9	File on Position Classification Review Requests (Appeals) and Grade and Pay Retention Appeals	AAL-10
OPM/GOVT-10	Employee Medical File	AAL-300

NOTE: "E" preceding the system number indicates the information in these systems is exempt from disclosure.

## AL APPENDIX 2

AL APPENDIX 2. FORMS AND SAMPLE FORMATS

The following sample formats and forms are approved for use in handling requests for records under the Privacy Act. The forms are available in the Regional Stock Room, AAL-54, or online at [feds.faa.gov](http://feds.faa.gov).

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AL Figure 2. AL Form 1280-1, Privacy Act Information Request (Reverse)	3
AL Figure 3. Sample format, Notification of Initial Refusal to Grant Access to a Record	4
AL Figure 4. AL Form 1280-2, Response to Requester Concerning a Request Under the Privacy Act	4
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AL Figure 8. AL Figure 1280-3, Authorization to Discuss or Divulge Information in the Presence of Another	9
AL Figure 9. Sample format, Notification of Records Made Available Under Compulsory Legal Process	10

The forms and sample formats are shown on the succeeding pages of this appendix. The sample formats are shown on informal stationery, which would be used when replying to FAA employees. Answers to the general public would be on formal stationery. Offices receiving many Privacy Act requests might consider keeping the format electronically filed, to be filled in as appropriate.

AL FIGURE 1. SAMPLE AL FORM 1280-1 (FACE)

A FILLABLE AL FORM 1280.1 CAN BE FOUND ONLINE AT - [feds.faa.gov](http://feds.faa.gov)

AL FIGURE 1. SAMPLE AL FORM 1280-1 (REVERSE)

## PRIVACY ACT STATEMENT

THE INFORMATION ON THIS FORM IS REQUESTED UNDER THE AUTHORITY OF THE Privacy Act of 1974. Submission of this data is voluntary; incomplete submission will result in delay or denial of your request. Purpose of this information is to comply with the Privacy Act of 1974 that states that an accounting shall be made of disclosures under the Privacy Act.

## 1. WHEN REQUEST IS FOR ACCESS TO INDIVIDUAL'S OWN RECORDS:

Use only 1 copy; use for suspense until action is completed.

- a. If access is granted, retain form for biennial reporting purposes.
- b. If access is denied, forward form in a sealed envelope to Privacy Act Coordinator, AAL-30.

## 2. WHEN REQUEST IS FOR DISCLOSURE TO THIRD PARTY:

- a. Original – Record Action Taken. File form with the record that was disclosed.
- b. First Copy - Record Action Taken. Send in sealed envelope to Privacy Act Coordinator, AAL-30, for biennial reporting purposes. This copy will be destroyed after the statistical report is filed.

SYSTEMS MANAGERS SHALL MAINTAIN A FILE COPY OF THIS FORM TO USE AS A BASIS FOR THE BIENNIAL PRIVACY ACT REPORT.

AL FIGURE 3. SAMPLE FORMAT FOR NOTIFICATION OF INITIAL REFUSAL TO GRANT ACCESS TO RECORD



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

# Memorandum

Subject: **INFORMATION**: Notification of Initial Refusal to  
Grant Access to Record

Date:

From:

Reply to  
Attn. Of:

To:

Record:

We have considered your request for access to the record named above. We have determined not to grant access for the following reasons:

The Privacy Act of 1974, Public Law 93-579, accords you the right to request an appeal of this denial. The appeal must be made in writing within 60 days from the date of receipt of his letter, and must include all information relied upon by you in making the request. If you desire to request this appeal, please follow these steps:

1. Submit a letter indicating that it is an appeal from a denial of a request made under the Privacy Act.
2. Attach any additional information to your letter which would help in reviewing your request.
3. Send letter plus your additional information to the address below:

Assistant Administrator for Information Technology, AIT-1  
800 Independence Avenue, S.W.  
Washington, D.C. 20591

The envelope in which the request is sent should be marked prominently with the words, "Privacy Act." Name and title of each person responsible for the denial of the request is shown below.

AL FIGURE 4. SAMPLE AL FORM 1280-2



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

# Memorandum

Subject: **INFORMATION**: Response to Requestor Concerning a Date:

Request Under the Privacy Act

From:

Reply to  
Attn. Of:

To:

\_\_\_ a. Your request has been received and is being processed. We will respond within 30 days.

\_\_\_ b. The record you requested is attached. No Fee \_\_\_ Submit \$ \_\_\_

\_\_\_ c. We do have the record. For personal access, please call or write the person whose name appears below. For a copy, submit \$ \_\_\_

\_\_\_ d. We need additional information to respond to your request. Please provide the following information. (See remarks)

\_\_\_ e. The record you requested is exempt from disclosure under the law. Please see explanation below.

\_\_\_ f. We do not have your record in our files.

\_\_\_ g. Permission to disclose the record to you is required from the individual to whom the record pertains.

\_\_\_ h. Other:

Remarks:

Final Approval: \_\_\_ Approved \_\_\_ Disapproved

\_\_\_\_\_  
Division Manager

\_\_\_\_\_  
Date

Final review completed, consistent with FAA Regulations.

AL FORM 1280-2 (6/00) Supersedes AL Form 1350-8



AL FIGURE 6. SAMPLE FORMAT FOR NOTIFICATION OF INITIAL REFUSAL TO AMEND A RECORD



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

# Memorandum

Subject: **INFORMATION:** Notification of Initial Refusal to  
Amend a Record

Date:

From:

Reply to  
Attn. Of:

To:

We have reconsidered the information in our record system cited by you for amendment as well as the additional information submitted by you. We found insufficient justification to amend your record for the reasons listed below.

The Privacy Act of 1974, Public Lay 93-579, accords you the right to request an appeal of this refusal to amend. The appeal must be made in writing within 60 days from the date of receipt of the initial denial and must include all information relied upon by you in making the request. If you desire this appeal, please follow these steps:

1. Submit a letter indicating that it is an appeal from a denial of a request made under the Privacy Act.
2. Ensure the accuracy of the information you wish substituted in your record. Please attach, to your letter, all information you have that would help in reviewing the accuracy of the information in the record.
3. Send letter plus your additional information to the following address:

Assistant Administrator for Information Services, AIO-1  
800 Independence Avenue, S.W.  
Washington, D.C. 20591

The envelope in which the appeal is sent should be marked prominently with the words, "Privacy Act."

Name and title of each person responsible for denial of the request is shown below.

This letter notifies you that this record is amended as follows:

AL FIGURE 7. SAMPLE FORMAT FOR ACKNOWLEDGMENT OF RECEIPT OF STATEMENT OF DISAGREEMENT



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

# Memorandum

Subject: **INFORMATION**: Acknowledgment of Receipt of  
Statement of Disagreement

Date:

From:

Reply to  
Attn. Of:

To:

We have received your Statement of Disagreement relating to your record named below. The portions of the record you have disagreed with have been clearly noted and your Statement of Disagreement filed in your record. We will require that disclosure of the disputed portion of your record to users be accompanied by a copy of your Statement of Disagreement, along with a statement of FAA's reasons for refusal to amend the record. Prior recipients of that portion of the record will be provided a copy of the Statement of Disagreement to the extent that an accounting of disclosures was made.

Thank you for your interest in maintaining accurate information in our records. I regret that we could not reach agreement on the content of information in the record.

Record:

3/3/04

1280.1A AL SUP 2

AL APPENDIX 2

AL FIGURE 8. SAMPLE AL FORM 1280-3

AUTHORIZATION TO DISCUSS OR DIVULGE INFORMATION IN THE PRESENCE OF ANOTHER

I authorize discussion with and/or disclosure to me of my records named below in the presence of the individual accompanying me.

Record:

Accompanying Individual:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

AL APPENDIX 2

AL FIGURE 9. SAMPLE FORMAT FOR NOTIFICATION OF RECORDS MADE AVAILABLE UNDER COMPULSORY LEGAL PROCESS



U.S. Department  
of Transportation  
**Federal Aviation  
Administration**

# Memorandum

Subject: **INFORMATION**: Notification of Records Made  
Available Under Compulsory Legal Process

Date:

From:

Reply to  
Attn. Of:

To:

Record System:

This is to inform you that a record or part of a record concerning you, contained in the above-named system of records, has been or is being made available under compulsory legal process served upon this agency. The person or legal body to whom the record has been or is being made available is as follows: