

### C. Implementation

The extension of the demonstration will be effective on April 1, 2011. The terms and conditions of the original demonstration as provided in the Notice published at 72 FR 32368–32369 will continue on that date.

### D. Evaluation

An independent evaluation of the demonstration will continue to be conducted. The evaluation is designed to use a combination of administrative and survey measures of health care outcomes (clinical, utilization, financial, and humanistic measures) to provide analyses and comment on meeting its goal of providing uniform disease management policies and practices across the MHS.

Dated: March 1, 2011.

#### Morgan F. Park,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 2011–4865 Filed 3–3–11; 8:45 am]

BILLING CODE 5001–06–P

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## DEPARTMENT OF DEFENSE

### Office of the Secretary

[Docket ID DOD–2011–OS–0028]

### U.S. Court of Appeals for the Armed Forces Proposed Rules Changes

**AGENCY:** Department of Defense.

**ACTION:** Notice of Proposed Changes to the Rules of Practice and Procedure of the United States Court of Appeals for the Armed Forces.

**SUMMARY:** This notice announces the following proposed changes to Rules 9(e) and 41(b) of the Rules of Practice and Procedure, United States Court of Appeals for the Armed Forces.

**DATES:** Comments on the proposed change must be received within 30 days of the date of this notice.

**ADDRESSES:** You may submit comments, identified by docket number and/or Regulatory Information Number (RIN) and title by any of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>.
- *Mail:* Federal Docket Management System Office, 1160 Defense Pentagon, OSD Mailroom 3C843, Washington, DC 20301–1160.

*Instructions:* All submissions received must include the agency name and docket number for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public

viewing on the Internet at <http://www.regulations.gov> as they are received without change, including personal identifiers or contact information.

#### FOR FURTHER INFORMATION CONTACT:

William A. DeCicco, Clerk of the Court, telephone (202) 761–1448.

Dated: March 1, 2011.

#### Morgan F. Park,

Alternate OSD Federal Liaison Officer, Department of Defense.

### Rule 9(e)

*Rule 9(e) currently reads:*

(e) Hours. The Clerk's office shall be open for the filing of pleadings and other papers from 8 a.m. to 5 p.m. every day except Saturdays, Sundays, and legal holidays, or as otherwise ordered by the Court. *See* Rule 36(a). The Court is always open for filing of pleadings and other papers. A pleading or other paper may be filed outside of normal operating hours of the Clerk's office by delivery to the U.S. Marshal on duty in the front lobby of the courthouse. Pleadings will be deemed filed on the date and time delivered to the U.S. Marshal. The U.S. Marshal will notify the Clerk of the filing in accordance with procedures provided by the Clerk.

*The proposed change to Rule 9(e) would read:*

(e) Hours. The Clerk's office shall be open for the filing of pleadings and other papers from 8 a.m. to 5 p.m. every day except Saturdays, Sundays, and legal holidays, or as otherwise ordered by the Court. *See* Rule 36(a). The Court is always open for filing of pleadings and other papers. A pleading or other paper may be filed outside of normal operating hours of the Clerk's office by delivery to Court security personnel on duty in the front lobby of the courthouse. Pleadings will be deemed filed on the date and time delivered to Court security personnel. Court security personnel will notify the Clerk of the filing in accordance with procedures provided by the Clerk.

*Comment:* The proposed change modifies the term "U.S. Marshal" in three places to "Court security personnel." The reason for the change is that security for the Court is now provided by the Pentagon Force Protection Agency, and not the U.S. Marshals Service. The change will therefore more accurately describe the officers on duty.

### Rule 41(b)

*Rule 41(b) currently reads:*

(a) The photographing, televising, recording, or broadcasting of any session of the Court or other activity

relating thereto is prohibited unless authorized by the Court.

(b) Any violation of this rule will be deemed a contempt of this Court and, after due notice and hearing, may be punished accordingly. *See* 18 U.S.C. 401.

*The proposed change to Rule 41(b) would read:*

(a) The photographing, televising, recording, or broadcasting of any session of the Court or other activity relating thereto is prohibited unless authorized by the Court.

(b) Any violation of this rule will be deemed a contempt of this Court and, after due notice and hearing, may be punished accordingly. *See* Article 48, UCMJ.

*Comment:* In the recent National Defense Authorization Act, Congress amended Article 48, Uniform Code of Military Justice, to give express contempt power to the United States Court of Appeals for the Armed Forces. The proposed change reflects this direct grant of authority to the Court.

[FR Doc. 2011–4927 Filed 3–3–11; 8:45 am]

BILLING CODE 5001–06–P

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## DEPARTMENT OF DEFENSE

### Department of the Air Force

[Docket ID USAF–2011–0007]

### Privacy Act of 1974; System of Records

**AGENCY:** Department of the Air Force, DoD.

**ACTION:** Notice To Add a System of Records.

**SUMMARY:** The Department of the Air Force proposes to add a system of records to its inventory of record systems subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended.

**DATES:** This proposed action will be effective without further notice on April 4, 2011 unless comments are received which result in a contrary determination.

**ADDRESSES:** You may submit comments, identified by docket number and/RIN number and title, by any of the following methods:

\* *Federal Rulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

\* *Mail:* Federal Docket Management System Office, 1160 Defense Pentagon, OSD Mailroom 3C843, Washington, DC 20301–1160.

*Instructions:* All submissions received must include the agency name and docket number or Regulatory

Information Number (RIN) for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

**FOR FURTHER INFORMATION CONTACT:** Mr. Charles J. Shedrick, 703-696-6488, or Department of the Air Force Privacy Office, Air Force Privacy Act Office, Office of Warfighting Integration and Chief Information Officer, *Attn:* SAF/CIO A6, 1800 Air Force Pentagon, Washington, DC 20330-1800.

**SUPPLEMENTARY INFORMATION:** The Department of the Air Force's notices for systems of records subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended, have been published in the **Federal Register** and are available from the **FOR FURTHER INFORMATION CONTACT** address above.

The proposed systems reports, as required by 5 U.S.C. 552a(r) of the Privacy Act of 1974, were submitted on February 25, 2011, to the House Committee on Oversight and Government Reform, the Senate Committee on Homeland Security and Governmental Affairs, and the Office of Management and Budget (OMB) pursuant to paragraph 4c of Appendix I to OMB Circular No. A-130, "Federal Agency Responsibilities for Maintaining Records About Individuals," dated February 8, 1996, (February 20, 1996, 61 FR 6427).

Dated: March 1, 2011.

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

#### **F001 MRB A DoD**

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

Physical Disability Board of Review (PDBR) Records

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

Physical Disability Board of Review, Air Force Review Boards Agency, Assistant Secretary of the Air Force, Manpower and Reserve Affairs, 1421 Jefferson Davis Highway, Suite 820, Arlington, VA 22202-3290.

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

Air Force, Army, Navy, Marine Corps, and Coast Guard veterans who have made application to appeal their Department of Defense physical disability rating(s).

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

Individual names, Social Security Number (SSN), address, prior military department affiliation, phone number, military service treatment records, Department of Veteran Affairs medical records, civilian medical records, legal counsel representation, and individual correspondence.

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

10 U.S.C. 3013, Secretary of the Army; 10 U.S.C. 5014, Secretary of the Navy; 10 U.S.C. 8013, Secretary of the Air Force; 10 U.S.C. 5043, Commandant of the Marine Corps; U.S.C. 93, Commandant of the Coast Guard; DoDI 6040.44, Lead DoD Component for the Physical Disability Board of Review; and E.O. 9397 (SSN), as amended.

##### **PURPOSE:**

Information is used to justify a fair and accurate reassessment of a veteran's Department of Defense Physical Evaluation Board determination. Records provide all the necessary medical information to properly re-evaluate the military department's board determination and rating schedule.

##### **ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM INCLUDING CATEGORIES OF USERS AND THE PURPOSE OF SUCH USES:**

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

The DoD 'Blanket Routine Uses' published at the beginning of the Air Force's compilation of record system notices apply to this system.

To the United States Coast Guard to assist them in the review of recommendations on physical disability ratings. By having this access, they can review and validate the findings.

To the Department of Veterans Affairs (DVA) for the purpose of reviewing and determining physical disability ratings.

To individual legal counsel or representatives to assist them in the defense of their client.

**Note:** This system of records contains individually identifiable health information. The DoD Health Information Privacy Regulation (DoD 6025.18-R) issued pursuant to the Health Insurance Portability and Accountability Act of 1996, applies to most such health information. DoD 6025.18-R may place additional procedural requirements on the uses and disclosures of such information beyond those found in the Privacy Act of 1974 or mentioned in this system of records notice.

##### **POLICY AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**

##### **STORAGE:**

Paper records in file folders or electronic storage media.

##### **RETRIEVABILITY:**

By individual's name and/or Social Security Number (SSN).

##### **SAFEGUARDS:**

Records are accessed by properly screened and cleared personnel with a need-to-know. Physical records are stored in a secured room. Electronic media is protected by appropriate hardware and software applications. Access authentication is validated through use of Computer Access Cards via user name and password protocols.

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

Paper records: Destroy after electronic recordkeeping copy has been created and filed or when no longer needed for revision, dissemination, or reference, whichever is later, by pulping, shredding or burning.

Electronic systems that replace temporary hardcopy records: Destroy on expiration of the retention period previously approved for the corresponding hardcopy records.

Electronic systems that supplement temporary hardcopy records where the hardcopy records are retained to meet recordkeeping requirements: Destroy when the agency determines that electronic records are superseded, obsolete, or no longer needed for administrative, legal, audit, or other operational purposes.

Electronic records are destroyed by erasing, deleting, or overwriting.

##### **SYSTEM MANAGER AND ADDRESS:**

Physical Disability Board of Review, Air Force Review Boards Agency, Assistant Secretary of the Air Force, Manpower and Reserve Affairs, 1421 Jefferson Davis Highway, Suite 820, Arlington, VA 22202-3290.

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

Individuals seeking to determine whether information about themselves is contained in this system of records should address written inquiries to the Physical Disability Board of Review, Air Force Review Boards Agency, 1421 Jefferson Davis Highway, Suite 820, Arlington, VA 22202-3290.

The requester must include the full name, military status, SSN, date of birth, and copy of proof of identify, such as a driver's license.

##### **RECORD ACCESS PROCEDURE:**

Individuals seeking access to information about themselves in this

system of records should address written inquiries to the Physical Disability Board of Review, Air Force Review Boards Agency, 1421 Jefferson Davis Highway, Suite 820, Arlington, VA 22202-3290.

The requester must include the full name, military status, SSN, date of birth and copy of proof of identify, such as a driver's license.

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

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

If executed within the United States, its territories, possessions, or commonwealths:

"I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. Executed on (date). (Signature)".

**CONTESTING RECORD PROCEDURES:**

Air Force's rules for accessing records, and for contesting contents and appealing initial agency determinations are published in Secretary of the Air Force Instruction 33-332; 32 CFR part 806; or may be obtained from the system manager.

**RECORD SOURCE CATEGORIES:**

Information is provided by the applicant, medical providers, military departments Physical Evaluation Boards, and Department of Veteran Affairs service treatment record providers.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

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**BILLING CODE 5001-06-P**

**DEPARTMENT OF DEFENSE**

**Department of the Air Force**

[Docket ID: USAF-2011-0008]

**Privacy Act of 1974; System of Records**

**AGENCY:** Department of the Air Force, DoD.

**ACTION:** Notice To Alter a System of Records.

**SUMMARY:** The Department of the Air Force is proposing to alter a system of records notice in its existing inventory of records systems subject to the Privacy Act of 1974, (5 U.S.C. 552a), as amended.

**DATES:** The changes will be effective on April 4, 2011 unless comments are received that would result in a contrary determination.

**ADDRESSES:** You may submit comments, identified by docket number and/ Regulatory Information Number (RIN) and title, by any of the following methods:

- *Federal Rulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

- *Mail:* Federal Docket Management System Office, 1160 Defense Pentagon, OSD Mailroom 3C843, Washington, DC 20301-1160.

*Instructions:* All submissions received must include the agency name and docket number or Regulatory Information Number (RIN) for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

**FOR FURTHER INFORMATION CONTACT:** Mr. Charles Shedrick at (703) 696-6488, or Department of the Air Force Privacy Office, Air Force Privacy Act Office, Office of Warfighting Integration and Chief Information officer, ATTN: SAF/CIO A6, 1800 Air Force Pentagon, Washington DC 20330-1800.

**SUPPLEMENTARY INFORMATION:** The Department of the Air Force's notices for systems of records subject to the Privacy Act of 1974 (5 U.S.C. 552a), as amended, have been published in the **Federal Register** and are available from the **FOR FURTHER INFORMATION CONTACT** address above.

The proposed systems reports, as required by 5 U.S.C. 552a(r) of the Privacy Act, were submitted on February 25, 2011, to the House Committee on Oversight and Government Reform, the Senate Committee on Homeland Security and Governmental Affairs, and the Office of Management and Budget (OMB) pursuant to paragraph 4c of Appendix I to OMB Circular No. A-130, "Federal Agency Responsibilities for Maintaining Records About Individuals," dated February 8, 1996, (February 20, 1996, 61 FR 6427).

Dated: March 1, 2011.

**Morgan F. Park,**

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

**F011 AF XO A**

**SYSTEM NAME:**

Aviation Resource Management System (ARMS) (December 26, 2002, 67 FR 78777).

**CHANGES:**

\* \* \* \* \*

**SYSTEM LOCATION:**

Delete entry and replace with "Headquarters United States Air Force (HQ USAF) and USAF Major Command Headquarters. Host, tenant and squadron Aviation Resource Management offices at Air Force installations. Official mailing addresses are published as an appendix to the Air Force's compilation of record systems notices."

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

Delete entry and replace with "Air Force active duty military personnel, Air Force civilian employees, or contractors, Air Force Reserve and Air National Guard personnel, Army, Navy, Marine Corps and foreign military personnel who are assigned to aviation or parachutist duties by competent authority and attached to the U.S. Air Force (USAF) for flying or parachutist support or who have been suspended from flying or jump duties for a period of not more than 5 years."

**CATEGORIES OF RECORDS IN THE SYSTEM:**

Delete entry and replace with "The Aviation Resource Management System (ARMS) data base contains a master file of flying and jump records for each individual, a month-to-date transaction file, a twelve month history file, and a career flying and jump history. A centralized file of output reports that provide personnel information on an aircrew member's aviation history, flight time and identification data, is derived from each individual's master record and is also maintained at Headquarters United States Air Force.

An Individual Flight Record Folder (FRF) or Jump Record Folder (JRF) is established for each category of flier and jumper listed above and is the prime repository for a computer listing which itemizes each individual's flight and jump accomplishments as well as various source documents which serve to validate information entered into the computer data base for the system. Each Host Aviation Resource Management (HARM) office maintains a file of