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Army in Europe Bulletin

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ARMY RECORDS FREEZE

A records freeze is the suspension or extension of the disposition of temporary records that cannot be destroyed on schedule because of special circumstances, such as a court order or an investigation. A freeze requires a temporary extension of the approved retention period.

The Records Management and Declassification Agency (RMDA) has sent a reminder of the following "records freeze" concerning U.S. ex rel. Dani Shemesh v. CA, Inc., No. 09-CV-01600-ESH:

In 2002, the General Services Administration (GSA) negotiated and awarded a Multiple Award Schedule (MAS) Contract, No. GS-35F-0823M (the "MAS Contract"), to CA, Inc. covering five items, which were classified into Special Item Numbers (SINs):

➢(1) SIN 132-32 Term Software Licenses.

➢(2) SIN 132-33 Perpetual Software Licenses.

➢(3) SIN 132-34 Maintenance of Software.

➢(4) SIN 132-50 Training Courses.

➢(5) SIN 132-51 Information Technology Professional Services.

The intent of this moratorium on records destruction is to ensure that documents related to purchases of Term Software Licenses, Perpetual Software Licenses, and Maintenance of Software are preserved. Although all Army activities potentially have documents related to this preservation order, the U.S. Army Legal Services Agency has identified the following commands as most likely to have or otherwise have access to records and information related to this case: the United States Army Materiel Command, the United States Army Installation Management Command, the National Guard Bureau, and the Corps of Engineers.

All records responsive to this moratorium will be held at their current location until personnel are notified to resume a regular disposition schedule or are notified to produce such records. Federal case law may impose an obligation on the Army and its employees to preserve potentially relevant information. For this reason, employees must personally take appropriate steps to preserve any such information that is in their possession, custody, or control. Personnel must preserve this information even if it otherwise could be destroyed, deleted, or overwritten in the normal course of Army operations. If information that is subject to be being held for litigation is destroyed, a court may impose sanctions, exclude evidence, or dismiss a claim.

Questions concerning this action or requests for help in finding responsive records maybe be referred to RMDA at 001-703-428-6435 or e-mail: *eve.g.roberts.civ@mail.mil*.

A link to current freezes on Army records is listed under the RECORDKEEPING heading on the RMDA website at *https://www.rmda.army.mil/programs/rmd.shtml*.

SAFEGUARDING PERSONALLY IDENTIFIABLE INFORMATION

All employees have specific responsibilities for safeguarding personally identifiable information (PII). All military and civilian personnel and contractors have a fiduciary responsibility to ensure PII is maintained, used, and distributed only as authorized by law and that PII is continually safeguarded.

According to DOD Directive 5400.11, enclosure 3, the "Rules of Conduct" for safeguarding PII are as follows:

DOD personnel will—

➢Take such actions, as considered appropriate, to ensure that any personal information contained in a system of records, of which they have access to and are using to conduct official business, shall be protected so that the security and confidentiality of the information shall be preserved.

➢Not disclose any personal information contained in any system of records, except as authorized by reference (d) [DOD 5400.11-R], or other applicable laws or regulations. Personnel willfully making such disclosure when knowing that disclosure is prohibited are subject to possible criminal penalties or administrative sanctions.

➢Report any unauthorized disclosures of personal information from a system of records or the maintenance of any system of records that are not authorized by this Directive [DOD Dir 5400.11] to the applicable Privacy POC for his or her DOD Component.

DOD System Managers for each system of records shall ensure that all personnel who either shall have access to the system of records or who shall develop or supervise procedures for handling records in the system of records shall be aware of their responsibilities and are properly trained to safeguard personal information being collected and maintained under the DOD Privacy Program.

For more information, the USAREUR Privacy Act Officer may be contacted at military 337-3600. The IMCOM-Europe Privacy Act Officer may be contacted at military 544-1470.

Army in Europe Library & Publishing System News

The following have been published and are available in the Army in Europe Library & Publishing System:

Army in Europe Command Memorandums:

➢IMCOM-Europe Guidance on Local National Position Designations, IMEU-HRD-C, (mil 544-1000), 8 July 2015

➢FOUO (U) Antiterrorism and Force Protection Implementing Guidance for USAGs in the DCG, USAREUR, GOFP Area of Responsibility, AEOP-PDA, (mil 537-3712), 8 July 2015

➢Delegation of Authority to Approve Voluntary Early Retirement Authority, Voluntary Separation Incentive Pay (VSIP), and VISP Phase II, AEPE-CB, 14 July 2015

Army in Europe Publications:

➢AE Pamphlet 70-13-20, Joint Acquisition Review Board, 8 July 2015

➢AE Pamphlet 70-13-45, USAREUR Requirements Validation System, 8 July 2015

➢AE Miscellaneous Publication 25-2-4, DOD 8570.01-M Cliff Notes and Key Points,

➢AE Miscellaneous Publication 600-63, Strong Europe Ready and Resilient, 23 July 2015

Army in Europe Forms:

➢AE Form 25-1A, Request for Long-Term Loan or Purchase of Visual Information Equipment

➢AE Form 27-10B, Advice to Accused upon Confinement

➢AE Form 27-10C, Request to Appear and Testify / *Aussageersuchen*

➢AE Form 55-1A, Certificate of Liability of Public Authorities / *Bescheinigung über Staatshaftung*

➢AE Form 95-40B, Pilot's Report

➢AE Form 420-1D, Premises Condition and Inventory Report / *Zustand der Räumlichkeiten und Inventar*

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Personnel with questions or comments about this bulletin may contact the editor by telephone (mil 544-1460/1450) or by e-mail: (*USARMY Sembach IMCOM-Europe List DMB Pubs*).

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