

§ 310.5 Policy.

(a) The privacy of an individual is a personal and fundamental right that shall be respected and protected.

\* \* \* \* \*

(g) Disclosure of records pertaining to personnel of the National Security Agency, the Defense Intelligence Agency, the National Reconnaissance Office, and the National Geospatial-Intelligence Agency shall be prohibited to the extent authorized by Public Law 86-36 (1959) and 10 U.S.C. 424.

Disclosure of records pertaining to personnel of overseas, sensitive, or routinely deployable units shall be prohibited to the extent authorized by 10 U.S.C. 130b. Disclosure of medical records is prohibited except as authorized by DoD 6025.18-R.

\* \* \* \* \*

(j) DoD Field Activities shall receive Privacy Program support from the Director, Washington Headquarters Services.

6. Amend § 310.6 as follows:

a. Revise paragraphs (a)(4), (b), (c) introductory text, (c)(3), (d) introductory text and (d)(5);

b. Add paragraph (a)(5[d3]) to read as follows:

§ 310.6 Responsibilities.

(a) \* \* \*

(4) Serve as the Chair to the Defense Privacy Board and Defense Data Integrity Board (§ 310.9).

(5) Supervise and oversee the activities of the Defense Privacy Office (§ 310.9).

(b) The Director, Washington Headquarters Services, under the DA&M, OSD, shall provide Privacy Program support for DoD Field Activities.

(c) The General Counsel of the Department of Defense (GC, DoD) shall:

\* \* \* \* \*

(3) Serve as a member of the Defense Privacy Board, the Defense Data Integrity Board, the Defense Privacy Board Legal Committee (§ 310.9).

(d) The Secretaries of the Military Departments and the Heads of the Other DoD Components, except as noted in § 310.5(j), shall:

\* \* \* \* \*

(5) Submit reports, consistent with the requirements of DoD 5400.11-R, as mandated by 5 U.S.C. 552a and OMB Circular A-130, and as otherwise directed by the Defense Privacy Office.

\* \* \* \* \*

7. Amend § 310.9 as follows:

a. Revise paragraphs (a)(1), (b)(1), (c)(1);

b. Redesignate the second paragraph (c) as a new paragraph (d);

c. Revise newly redesignated (d)(1)(vi) and (d)(1)(x) to read as follows:

§ 310.9 Privacy boards and office composition and responsibilities.

(a) \* \* \*

(1) *Membership.* The Board shall consist of the DA&M, OSD, who shall serve as the Chair; the Director of the Defense Privacy Office, DA&M, who shall serve as the Executive Secretary and as a member; The representatives designated by the Secretaries of the Military Departments; and the following officials or their designees: The Deputy Under Secretary of Defense for Program Integration (DUSD(PI)); the Assistant Secretary of Defense for Health Affairs; the Assistant Secretary of Defense for Networks and Information Integration (ASD(NII)/Chief Information Officer (CIO); the Director, Executive Services and Communications Directorate, Washington Headquarters Services (WHS); the GC, DoD; and the Director for Information Technology Management Directorate (ITMD), WHS. The designees also may be the principal point of contact for the DoD Component for privacy matters.

\* \* \* \* \*

(b) \* \* \*

(1) *Membership.* The Board shall consist of the DA&M, OSD, who shall serve as the Chair; the Director of the Defense Privacy Office, DA&M, who shall serve as the Executive Secretary; and the following officials or their designees: The representatives designated by the Secretaries of the Military Departments; the DUSD(PI); the ASD(NII)/CIO; the GC, DoD; the Inspector General, DoD; the ITMD, WHS; and the Director, Defense Manpower Data Center. The designees also may be the principal points of contact for the DoD Component for privacy matters.

\* \* \* \* \*

(c) \* \* \*

(1) The Committee shall consist of the Director, Defense Privacy Office, DA&M, who shall serve as the Chair and the Executive Secretary; the GC, DoD, or designee; and civilian and/or military counsel from each of the DoD Components. The General Counsels (GCs) and The Judge Advocates General of the Military Departments shall determine who shall provide representation for their respective Department to the Committee. This does not preclude representation from each office. The GCs of the other DoD Components shall provide legal representation to the Committee. Other DoD civilian or military counsel may be appointed by the Executive Secretary, after coordination with the DoD

Component concerned, to serve on the Committee on those occasions when specialized knowledge or expertise shall be required.

\* \* \* \* \*

(d) *The Defense Privacy Office.*

(1) \* \* \*

(vi) Review proposed DoD Component privacy rulemaking, to include submission of the rule to the Office of the Federal Register for publication and providing OMB and the Congress reports, consistent with 5 U.S.S. 552a, OMB Circular A-130, and DoD 5400.11-R.

\* \* \* \* \*

(x) Compile and submit the "Biennial Matching Activity Report" to the OMB as required by OMB Circular A-130 and DoD 5400.11-R, and such other reports as required.

\* \* \* \* \*

Dated: August 31, 2005.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Chapter I

[IB Docket No. 05-254; FCC 05-152]

Modifying the Commission's Process To Avert Harm to U.S. Competition and U.S. Customers Caused by Anticompetitive Conduct

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document is a summary of the Notice of Inquiry that was adopted by the Commission. The Notice of Inquiry seeks comment on ways to address a developing concern in the U.S.-international telecommunications market: the use of circuit blockages or disruptions by foreign carriers as a way to compel U.S. carriers to agree to settlement rate increases. The record developed by this Notice on Inquiry would assist the Commission in determining whether to propose changes to current Commission policy and procedure in order to ensure that U.S. consumers benefit from competitive prices as they make international calls.

DATES: Submit comments on or before October 7, 2005, and submit reply comments on or before October 27, 2005.

**FOR FURTHER INFORMATION CONTACT:**

Peggy Reitzel or Francis Gutierrez, Policy Division, International Bureau, (202) 418-1460.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *Notice of Inquiry* in IB Docket No. 05-254, FCC 05-152, which was adopted on August 5, 2005. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room CY-A257), 445 12th Street, SW., Washington, DC 20554. The document may also be downloaded from the Commission's Web site at [http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/FCC-05-152A1.doc](http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-05-152A1.doc). The complete text may also be purchased from the Commission's copy contractor, Best Copy and Printing, Inc., in person at 445 12th Street, SW., Room CY-B402, Washington, DC 20554, via telephone at (202) 488-5300, via facsimile at (202) 488-5563, or via e-mail at [FCC@BCPIWEB.COM](mailto:FCC@BCPIWEB.COM).

**Summary of the Notice of Inquiry**

On August 5, 2005, the Commission adopted a *Notice of Inquiry* on Modifying the Commission's Process to Avert Harm to U.S. Competition and U.S. Customers Caused by Anticompetitive Conduct. By this *Notice of Inquiry*, the Commission seeks to develop a record on ways to improve the process available to the Commission to protect U.S. consumers from the effect of anticompetitive conduct by foreign carriers and on alternative approaches the Commission may take to avert circuit disruptions or blockages.

In particular, this *Notice of Inquiry* seeks comment on the following issues: (1) What constitutes a circuit disruption or blockage that would trigger possible Commission action; (2) what should be the appropriate length of the pleading cycle associated with any action the Commission may take in response to reports of anticompetitive behavior on the part of foreign carriers; (3) whether the Commission should propose procedures for taking interim measures when U.S. carriers notify the Commission that foreign carriers have threatened to disrupt circuits; (4) how should the Commission assess the immediacy of such threats, and how should it coordinate any action with the appropriate U.S. government agencies; (5) what showing is required of U.S. carriers to demonstrate that the public interest will be served by Commission intervention, and what is the appropriate form of relief; (6) whether U.S. carriers are passing through settlement rate reductions to U.S.

consumers; and (7) whether it is appropriate for U.S. ratepayers to subsidize universal service in other countries.

The Commission encourages all interested parties to respond to the questions and requests set forth in the *Notice of Inquiry*.

**Ordering Clauses**

Pursuant to the authority contained in 47 U.S.C. 151, 4(i), 201-205, 208, 211, 303(r), 403 this *Notice of Inquiry* is adopted.

Federal Communications Commission.

**Marlene H. Dortch,**  
Secretary.

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**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 64**

[CG Docket No. 02-386; DA 05-2266]

**Rules and Regulations Implementing the Minimum Customer Account Record Exchange Obligations on All Local and Interexchange Carriers**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** In this document, the Commission seeks comment on proposed modifications/clarifications to rules governing the exchange of customer account information between local and long distance carriers.

**DATES:** Comments are due on or before September 22, 2005, and reply comments are due on or before October 3, 2005.

**ADDRESSES:** You may submit comments, identified by CG 02-386, DA 05-2266 by any of the following methods:

- Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.
- Federal Communications Commission's Web site: <http://www.fcc.gov/cgb/ecfs/>. Follow the instructions for submitting comments.
- People with Disabilities: Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by e-mail: [FCC504@fcc.gov](mailto:FCC504@fcc.gov) or phone: 202-418-0530 or TTY: 202-418-0432.

For detailed instructions for submitting comments and additional information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:**

Kelli Farmer, Consumer Policy Division, Consumer & Governmental Affairs Bureau, (202) 418-2512 (voice), [Kelli.Farmer@fcc.gov](mailto:Kelli.Farmer@fcc.gov).

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's document, DA 05-2266, released August 9, 2005. The full text of this document and copies of any subsequently filed documents in this matter will be available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554, (202) 418-0270. This document may be purchased from the Commission's duplicating contractor, Best Copy and Printing (BCPI), Inc., Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554. Customers may contact BCPI, Inc. at their Web site: <http://www.bcpweb.com> or by calling 1-800-378-3160.

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When filing comments, please reference CG Docket No. 02-386, DA 05-2266. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121, May 1, 1998. Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and should include the following words in the body of the message, "get form <your e-mail address>." A sample form and directions will be sent in reply.

Parties who choose to file by paper must send an original and four (4) copies of each filing. Filings can be sent by hand or messenger delivery, by electronic media, by commercial