

**N05814-4**

**System name:**

Article 69(b) Petitions (January 8, 2001, 66 FR 1326).

**System location:**

Administrative Support Division, Navy and Marine Corps Appellate Review Activity, Office of the Judge Advocate General, Department of the Navy, 716 Sicard Street SE, Suite 1000, Washington Navy Yard, DC 20374-5047.

**Categories of individuals covered by the system:**

Navy and Marine Corps personnel who were tried by courts-martial which were not reviewed by the Navy-Marine Corps Court of Criminal Appeals and when such service member has petitioned the Judge Advocate General pursuant to Article 69(b), Uniform Code of Military Justice, for review.

**Categories of records in the system:**

Files contain individual service member's petition together with all forwarding endorsements and copy of action taken by the Judge Advocate General with supporting memorandum.

**Authority for maintenance of the system:**

5 U.S.C. 301, Departmental Regulations; Article 69, Uniform Code of Military Justice, 10 U.S.C. 869; and 42 U.S.C. 10601 et seq., Victim's rights and Restitution Act of 1990 as implemented by DoD Instruction 1030.2, Victim and Witness Assistance Procedures.

**Purpose(s):**

To complete appellate review as required under 10 U.S.C. 869(b) and to provide a central repository accessible to the public who may request information concerning the appellate review or want copies of individual public records.

To provide information and support to victims and witnesses in compliance with the Victim and Witness Assistance Program, the Sexual Assault Prevention and Response

Program, and the Victims' Rights and Restitution Act of 1990.

**Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

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

To victims and witnesses of a crime for purposes of providing information consistent with the requirements of the Victim and Witness Assistance Program, regarding the investigation and disposition of the offense.

The DoD 'Blanket Routine Uses' that appear at the beginning of the Navy's compilation of systems of records apply to this system.

**Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:**

**Storage:**

File folders.

**Retrievability:**

Records are maintained in chronological calendar order with alphabetical cross-referencing system.

**Safeguards:**

Files are maintained in file cabinets and other storage devices under the control of authorized personnel during working hours; the office spaces in which the file cabinets and storage devices are located are locked outside official working hours.

**Retention and disposal:**

Records are maintained in the office for four years and then destroyed.

**System manager(s) and address:**

Assistant Judge Advocate General (Military Law), Office of the Judge Advocate General, Department of the Navy, 716 Sicard Street SE, Suite 1000, Washington Navy Yard, DC 20374-5047.

**Notification procedure:**

Individuals seeking to determine whether this system contains information about themselves should address written inquiries to the Division Director, Administrative Support Division, Navy and Marine Corps Appellate Review Activity, Office of the Judge Advocate General, Department of the Navy, 716 Sicard Street SE, Suite 1000, Washington Navy Yard, DC 20374-5047.

The request should contain full name and address of the individual concerned and should be signed.

Personal visits may be made to the Administrative Support Division, Navy-marine Corps Appellate Review Activity, Office of the Judge Advocate General, Department of the Navy, 716 Sicard Street SE, Suite 1000, Washington Navy Yard, DC 20374-5047. Individuals making such visits should be able to provide some acceptable identification, e.g. Armed Forces' identification card, driver's license etc.

**Record access procedures:**

Individuals seeking access to information about themselves contained in this system should address written inquiries to the Division Director, Administrative Support Division, Navy and Marine Corps Appellate Review Activity, Office of the Judge Advocate General, Department of the Navy, 716 Sicard Street SE, Suite 1000, Washington Navy Yard, DC 20374-5047.

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be able to provide some acceptable identification, e.g. Armed Forces' identification card, driver's license etc.

**Contesting record procedures:**

The Navy's rules for accessing records, and for contesting contents and appealing initial agency determinations are published in Secretary of the Navy Instruction 5211.5; 32 CFR part 701; or may be obtained from the system manager.

**Record source categories:**

The records comprise of the following source materials: (1) Petitions for relief, (2) forwarding endorsements thereon by petitioner's commanding officer and convening/supervisory authorities of courts-martial (above information is omitted if petitioner is former service member), and (3) action of the Judge Advocate General on petition.

**Exemptions claimed for the system:**

None.