

extracted and sent, together with all other such data from other such reports that were received during the previous calendar year for the entire DoD Component, by March 15, to the Defense Manpower Data Center (DMDC) where a consolidated report to Congress is compiled. DMDC will accept data only on computer disk using any common word processing software or ASCII.

13. Section 84.33 is amended by removing paragraphs (a)(1)(ii) and (a)(3) and removing the paragraph designation "(i)" in paragraph (a)(1); by redesignating paragraphs (a)(1)(A) through (a)(1)(C) as paragraphs (a)(1)(i) through (a)(1)(iii); in paragraph (a)(2) by revising "these two statutes" to read "this statute"; in newly designated paragraph (a)(1)(ii) remove "DoD" and add in its place "DoJ"; and by revising paragraph (a) introductory text to read as follows:

§ 84.33 Restrictions on retired military members.

(a) 18 U.S.C. 281(a). This statute restricts the selling activities of retired military officers. The provisions of this statute were suspended by the Federal Acquisition Streamlining Act of 1994 through December 31, 1996.

14. Section 84.36 (d)(1) through (d)(3) are revised to read as follows:

§ 84.36 Reports of DoD and defense related employment (DD Form 1787).

(1) After the Ethics Counselor signs and dates the report, the Ethics Counselor shall send the original to the DoD Component DAEO or designee, who shall forward it, together with all other such reports that were received during the previous calendar year, to SOCO not later than March 15.

(2) The DoD Component DAEO or designee shall ensure that appropriate data from each DD Form 1787 is extracted and sent, together with all other such data from other such reports that were received during the previous calendar year for the entire DoD Component, by March 15 to the Defense Manpower Data Center (DMDC) where a consolidated report to Congress is compiled. DMDC will accept data only on computer disk using any common word processing software or ASCII.

(3) If steps ensuring compliance with applicable law and regulations are not taken by the date established, the Ethics Counselor shall report the matter to the DoD Component DAEO and take whatever other action might be required

in accordance with subchapter J of this part.

§ 84.38 [Amended]

15. Section 84.38 is amended in paragraph (c)(2) by revising "shall" to read "may".

Appendix A to Part 84 [Amended]

16. Appendix A to Part 84 is amended by removing paragraph (f) of section 1.

Dated: April 18, 1995.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

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32 CFR Part 298

[DIS Regulation 01-12]

Defense Investigative Service Freedom of Information Act Program

AGENCY: Defense Investigative Service (DIS), DOD.

ACTION: Final rule.

SUMMARY: This revision regarding implementation of the DIS Freedom of Information Act program makes organizational and administrative changes and conforms these regulations to the DOD Freedom of Information Act program.

EFFECTIVE DATE: April 24, 1995.

FOR FURTHER INFORMATION CONTACT: Mr. Dale L. Hartig, Chief, Office of Information and Public Affairs, (703) 325-5324.

SUPPLEMENTARY INFORMATION: It has been certified that this final rule does not exert a significant economic impact on a substantial number of small entities. This determination is based upon the fact that the rule merely recodifies the procedural aspects of the Defense Investigative Service Freedom of Information Act Program, which includes guidance on how and from whom to request information pertaining to the agency; imposes no new requirements, rights, or benefits on small entities; and will have neither a beneficial nor adverse affect on small entities. This rule conforms to 32 CFR part 286. A notice of proposed rulemaking was published in the **Federal Register** on May 6, 1994 (59 FR 23649).

Interested parties were given until July 5, 1994 to respond. No comments were received.

List of Subjects in 32 CFR Part 298

Freedom of information.

Accordingly, 32 CFR Part 298 is revised to read as follows:

PART 298—DEFENSE INVESTIGATIVE SERVICE (DIS) FREEDOM OF INFORMATION ACT PROGRAM

Sec.

298.1 Purpose.

298.2 Organization.

298.3 Records maintained by DIS.

298.4 Procedure for release of DIS records.

298.5 Information requirements.

Authority: 5 U.S.C. 552.

§ 298.1 Purpose.

This part states the intent of the agency regarding policy and procedures for the public to obtain information from the Defense Investigative Service (DIS) under the Freedom of Information Act (FOIA).

§ 298.2 Organization.

(a) The DIS organization includes a Headquarters located in Alexandria, Virginia; four Regions and one operational area with subordinate operating locations throughout the Continental United States (CONUS), Alaska, Hawaii, and Puerto Rico; the Defense Industrial Security Clearance Office (DISCO), Columbus, Ohio; the Personnel Investigations Center (PIC) and National Computer Center (NCC) in Baltimore, Maryland; Office of Industrial Security International Europe (OISI-E), located in Brussels, Belgium with a subordinate office in Mannheim, Germany; Office of Industrial Security International Far East (OISI-FE) located at Camp Zama, Japan; and the Department of Defense Security Institute, located in Richmond, Virginia.

(b) A copy of the DIS Directory showing the addresses of all offices, is available to the public upon request and may be obtained by following the procedures outlined in § 298.4. The names and duty addresses of DIS personnel serving overseas are not released.

§ 298.3 Records maintained by DIS.

It is the policy of DIS to make publicly available all information which may be released under the Freedom of information Act (FOIA), consistent with its other responsibilities. In implementing this policy, DIS follows the procedures set forth in 32 CFR part 286. DIS maintains the following records which may be of interest to the public:

(a) The Defense Clearance and Investigations Index (DCII), which contains references to investigative records created and held by DoD Components. The records indexed are primarily those prepared by the