

UNITED STATES ARMY COURT OF CRIMINAL APPEALS
Office of the Clerk of Court
9275 Gunston Road
Fort Belvoir, VA 22060-5546

PRIVACY ACT REQUEST FORM

Upon request made to the custodian of the record, an individual, or his or her designated agent or legal guardian, will be granted access to a record pertaining to that individual, maintained in a system of records, unless—

- (1) The record is subject to an exemption which has been invoked, or
- (2) The record is information compiled in reasonable anticipation of a civil action or proceeding.

The Office of the Clerk of Court is the custodian for all general courts-martial records and those special courts-martial records in which a bad conduct discharge was part of the approved sentence for Army trials convened since 1939. The following information is necessary in order to file a Privacy Act request. Failure to provide necessary information, such as your SSN, may delay your request.

Your full name: _____

Other names used: _____

Your current address:

Date of birth: _____ Place of birth: _____

SSN: _____ (Optional; however, failure to provide it could delay identification of your record)

Email address: _____

Daytime telephone number: _____

Fax number: _____

Describe the court-martial record(s) you are requesting as specifically as possible (transcript, promulgating order, etc.).

Fees. Ordinarily there will be no charge for the first copy of a record made by an individual to whom the record pertains. For example, an Army service member tried by court-martial is provided with a free copy of the record of trial in his or her case once the record is prepared at the conclusion of the court-martial. Additional copies requested from the Office of the Clerk of Court will not be provided free of charge.

If, however, the record of trial reflects that the service member did not receive his or her copy of the record, one copy may be provided free of charge one time. The first 100 pages of reproduction are provided free of charge. Thereafter, fees are computed in accordance with the rules in Army Regulation 25-55, Chapter 6, at \$.15/page. Privacy Act requesters will be charged only for reproduction of requested documents.

Relationship between the Privacy Act and the Freedom of Information Act. In accordance with Army regulations, a Privacy Act request for access to records will also be processed as a Freedom of Information Act request.

Third Party Information. Third party information pertaining to the individual who has requested his or her own record may not be deleted from the record when the individual requests access or a copy, unless there is an established exemption. Personal data such as SSN and home address of a third party in the individual's record do not pertain to the individual and therefore may be withheld. Information about the relationship between the individual and the third party would normally be disclosed as pertaining to the individual. Courts-martial files are exempt from certain provisions of the Privacy Act under 5 U.S.C. Section 552a(j)(2), and information subject to an exemption may be withheld under the Privacy Act.

I understand that any falsification of this statement is punishable under the provisions of Title 18, United States Code (U.S.C.), Section 1001 by a fine of not more than \$10,000 or by imprisonment of not more than five years, or both; and that requesting or obtaining any record(s) under false pretenses is punishable under the provisions of Title 5, U.S.C., Section 552a(i)(3) as a misdemeanor and by a fine of not more than \$5,000.

SIGNATURE

DATE

A legible and original signature and a legible copy of a government-issued identification card are required. Legal representatives must also present an original proof of legal representation, signed by the subject of the Privacy Act request.