

**REQUEST FOR AUTHORITY
TO DISPOSE OF RECORDS**

(See Instructions on Reverse)

TO: **GENERAL SERVICES ADMINISTRATION
NATIONAL ARCHIVES AND RECORDS SERVICE, WASHINGTON, DC 20408**

1. FROM (AGENCY OR ESTABLISHMENT)

Department of the Army

2. MAJOR SUBDIVISION

The Adjutant General Center

3. MINOR SUBDIVISION

Records Management Division

4. NAME OF PERSON WITH WHOM TO CONFER

Lillian B. Faison

5. TEL. EXT.

693-1937

6. CERTIFICATE OF AGENCY REPRESENTATIVE:

LEAVE BLANK	
DATE RECEIVED JUN 10 1976	JOB NO. NC1-ACI-76-55
NOTIFICATION TO AGENCY	
In accordance with the provisions of 44 U.S.C. 3303a the disposal request, including amendments, is approved except for items that may be stamped "disposal not approved" or "with-drawn" in column 10.	
<u>6-30-76</u> (Date)	<u>James B. Rhoads</u> Archivist of the United States

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposal of the agency's records; that the records proposed for disposal in this Request of 1 page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified.

7 June 76 S. J. Pomrenze
Date (Signature of Agency Representative)

Chief, Records Management Division
(Title)

7. ITEM NO.	8. DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods)	9. SAMPLE OR JOB NO.	10. ACTION TAKEN
	<p>FOREIGN NATIONAL OUTPATIENT RECORD FILES (FN 919-03, AR 340-18-9). Documents reflecting outpatient treatment or observation of foreign nationals, except NATO personnel and their dependents. Included are outpatient folders consisting of medical forms and related documents.</p> <p>Destroy after 25 years. Withdraw and retire to National Personnel Records Center (Civilian), 111 Winnebago Street, St. Louis, MO 63118, 3 years after end of the year in which last medical treatment was given.</p> <p>Request authority to establish disposition instructions, as stated above, for FN 919-03. Current disposition instructions present legal problems with the Federal Tort Claims Act and the civil rights of the patient. Discussions with legal counselors in the Office of the Judge Advocate General revealed that the US Government could be in violation of the Civil Rights Act by releasing these medical records to unauthorized individuals; and, should the Army be charged with malpractice, under the Federal Tort Claims Act, records would not be available for preparation of a defense. Therefore, it is imperative that these medical records be retired to the National Personnel Records Center and retained for 25 years.</p>		

Copy to Agency NCP(MPR) 7-7-76