

POLICY MANUAL	POLICY NUMBER	SUPERSEDES/RESCINDS
INFORMATION MANAGEMENT MANUAL	RM 6.3.19	6.3.6; 6.3.7, 6.4.2; 6.4.3; 18.2.1; 18.2.2; 18.2.3
SUBJECT	POLICY EFFECTIVE DATE	SUPERSEDE/RESCIND DATE
Military Discharge Records Requests	April 2, 2018	March 30, 2018
AUTHORITY	NEXT REVIEW DATE	LAST REVIEWED DATE
ORS Chapter 192 ; OAR Chapter 166 ; ORS Chapter 408	April 2, 2020	March 29, 2018
HISTORY/BACKGROUND The Records Management Manual has been renamed as the Information Management Manual. This policy has been converted to the new Policy and Procedure revised form to conform to the new format and process to rescind obsolete policy and procedures. The original policies 6.3.6 Retrieve and Route Records Stored in ODVA, 6.3.7 Retrieve and Route Records Stored by State, 6.4.2 Scan and Microfilm, 6.4.3 Retrieve and Route Microfilm Records, 18.2.1 Information Disclosure, 18.2.2 Loan Account Information Disclosure, and 18.2.3 Information Disclosure Exemptions have been rescinded. The policies' contents regarding military discharge records (DD214s) were pulled, revised, combined and the renamed and renumbered as policy RM 6.3.19 Military Discharge Records Requests, effective April 2, 2018. This process establishes the process to request and receive stored military discharge records, regardless of storage location or medium, and the guidelines for disclosure of nonpublic information.		POLICY CROSS-REFERENCE DAS 107-001-020 ; RM 6.3.0; RM 6.3.5; RM 6.3.8
APPROVED BY OREGON STATE ARCHIVIST Oregon State Archives Review Meeting		DATE APPROVED March 29, 2018

Policy Statement:

It is the policy of the Oregon Department of Veterans' Affairs (ODVA) that in keeping with [ORS 192.355\(42\)](#), personally identifiable information and contact information of veterans as defined in [ORS 408.225](#), is exempt from disclosure. ODVA may adopt additional policies in order to protect military discharge papers from malicious or unlawful use and policies regarding copying of discharge papers.

Requests for copies of military discharge records in the custody of ODVA may be processed upon proper positive identification of the requester (“authorized and verified requester”) and can be requested by following certain criteria. The request must be submitted using form *RM4014 Request for Military Discharge Record*. Restrictions may be placed upon where information will be delivered or made available for inspection.

This policy does not create a cause of action and may not be asserted as the basis of a per se negligence claim.

Overview:

Military Discharge Records (DD214s) received by ODVA at the time of benefits eligibility processing prior to July 1, 1980, are retained in paper form at the Oregon State Records Center (SRC). Some may also be available on microfilm in the Loan Files Application of the OpenText File360 Hybrid Micrographic/Document Management System.

Discharge documents received from 1951-1956 as part of the World War II Bonus Files-Paid Claims Records are on microfilm.

Discharge documents received by ODVA as the State Director of Veterans Affairs-Copy 6 recipient after July 1, 1979, are digitally scanned into the DD214 Application of the OpenText File360 Hybrid Micrographic/Document Management System.

Any ODVA employee with the appropriate security access levels to the DD214 Application and/or Loan Files Application may view the scanned documents.

If a copy of a DD214 is needed, the request **must** be submitted using form *RM4014 Request for Military Discharge Record*.

Purpose:

The purpose of this process is to retrieve a record which has been stored in an ODVA storage area, at the SRC, or a record which has been microfilmed. All other scanned digital images are available online through the OpenText File360 Hybrid Micrographic/Document Management System.

Implementation Procedures:

Requesting Military Discharge Records

ORS 192.355(42) allows personally identifiable information and contact information of veterans and of persons serving on active duty or as reserve members with the Armed Forces of the United States, National Guard or other reserve component that was obtained by the Oregon Department of Veterans' Affairs in the course of performing its duties and functions to be exempt from disclosure.

Military discharge records (DD214s) contain personally identifiable information and as such cannot be requested as "public" records. They can, however, be requested by following certain criteria. Requests for copies of military discharge records in the custody of ODVA may be processed upon proper positive identification of the requester.

Restrictions may be placed on where information will be delivered or made available for inspection. For example: the person requesting the information may be told that he or she will have to go to the Salem office to get the information, or the requested records will be sent to the County Veteran Service Office nearest the requester so that proper identification can be shown before the information is released. An electronic copy of the DD214 may be emailed to an authorized and verified requester through an encrypted **secure** email link.

In most cases, if the discharge is needed for a federal use, a certified paper copy is provided. A certified copy may be mailed to the requester upon verification of status. If paper copies (certified or not certified) are requested by the veteran, spouse/dependent, or next of kin (NOK), they will be sent via USPS mail. **Note: ALL** copies of documents are the best copies available.

Per ODVA policy *RM 6.3.8 Records Retrieval*, all retrieving and routing of agency records, whether stored in an ODVA storage location, at the State

Records Center (SRC), and/or on a microform (microfilm or microfiche) will be completed by Records and Information Management Services (RIMS) personnel.

Access to the records stored in agency records storage areas is restricted to RIMS staff or ODVA personnel authorized access by the Records Officer or designee. All non-ODVA employees authorized to receive access for business purposes will be accompanied by an ODVA employee at all times when accessing an ODVA records storage area.

Military discharge records in the custody of ODVA may be requested by submitting a completed, signed, and dated form *RM4014 Request for Military Discharge Record*. The request will only be processed upon proper positive identification of the requester.

The following are the acceptable submission methods for the completed request form *RM4014*:

- Email the completed form via **secure** uplink only to:
ODVA_Public_Records@odva.state.or.us.
- Mail the completed form to:
Oregon Department of Veterans' Affairs
Records Officer
700 Summer Street NE
Salem, OR 97301-1285
- Fax the completed form to the ODVA Records Officer at (503) 373-2156.

Note: A confirmation of receipt of the request will be sent to the requester when received.

Each request for copies of military discharge papers will be produced if the request contains the following required information:

- Veteran's full name (First, Middle, Last, Suffix, any prior last names);
- Veteran's date of birth;
- Veteran's social security number;
- Veteran's military service number (requester may not be able to provide); and
- Veteran's branch of service.

The request must also contain at least two of the following verifying information items:

- Date of Entry;
- Place of Entry (City/State);
- Discharge Date or Year;
- Station Separated (City/State);

- Date of Rank;
- Grade, Rate or Rank;
- Pay Grade;
- Primary Specialty

The request **must** be made by one of the following:

- Military veteran or military service member - **MUST** provide verifying information referenced above;
- Veteran's spouse or dependent - **MUST** provide verifying information referenced above;
- Deceased veteran's next of kin (unremarried surviving spouse, Father, Mother, Son, Daughter, Sister, Brother) - **MUST** submit Proof of Death and **MUST** provide verifying information referenced above;
- Veteran's legal guardian, conservator, or authorized representative – **MUST** submit copy of Court Appointment, Authorization Letter, Power of Attorney, etc.;
- A veteran service officer (VSO), National Service Officer (NSO) or county veteran service officer (CVSO);
- A licensed funeral establishment or cemetery;
- Authorized government representative [United States Department of Veterans' Affairs (USDVA), National Archives (NARA), National Personnel Record Center (NPRC), ODVA, Oregon Veterans' Homes (OVH), or other state agencies or representatives].

The purpose of the request*:

- Employment
- ODVA Home Loan Program
- ODVA Educational Aid
- Oregon Veterans' Home (OVH) Entry
- VA Hospital Entry
- Burial
- Benefits (explain)
- Other (explain)

*(Providing information about the purpose of the request is strictly voluntary; however, it may help to provide the best possible response and may result in a faster, more accurate reply. Information provided will in no way be used to make a decision to deny the request).

Requesting Discharge Records Stored at the SRC

RIMS staff receives a request to retrieve a discharge record stored at the SRC. The request must be submitted using form *RM4014 Request for Military Discharge Record*.

RIMS staff receives the request and does the following:

- Determines the storage site and location for the requested record by reviewing the following:
 - Records Management System
 - *RM 6.3 RD-10 Paper and Electronic Records Filing Systems*
 - ODVA Eligibility Microfiche Index
 - *RM 6.3 RT-13 State Record Center Eligibility Files Accessions*
 - World War II Bonus File-Paid Claims Index
 - OpenText File360 DD214 Application
 - OpenText File360 Loan Application
- Completes a *State Records Center Request Fax* form to order the requested record (a limit of six (6) retrieval and six (6) refile requests may be made to the SRC in a 24-hour period).
 - No Rush requests will be accepted after 4:00 p.m. each day – all rush/expedite requests will be done first. Make a note on the request form by the file name if it is a Rush and/or if it needs to be picked up.
 - Completes form *AF0884 Fax Transmittal*. Faxes the forms to the SRC.
- Places the request forms in the suspense file.
- Receives the incoming SRC envelope with the requested discharge file(s).
 - Matches the DD214 request with the documents received.
 - Checks the request for any special instructions, such as the number of copies needed, the number of certified copies needed, etc.
- If document certification is needed, photocopies the records to come out on an 8½” x 14” (legal) paper with at least two inches of clean white paper at the bottom for the certification information (4” x 2” label). Makes the best copy possible.
- Once the copies are made, files the discharge folder in the suspense cabinet.
- The copy of the DD214 should be stapled behind the original request form with any accompanying documentation.
- Certifies the documents and sends to the requester.

RIMS staff returns the original discharge file to the SRC according to their guidelines.

Definitions:

“**Access**” is the availability of or permission to use records.

“**Authorized and verified requester**” is a person whose identity has been verified per appropriate procedure, to the satisfaction of ODVA, and is thereby authorized to request and receive discharge documents from ODVA, including via secure email.

“**Client**” is an individual who requests or receives services from ODVA.

“**Computer Assisted Retrieval**” (*CAR*) is the use of a computer created and maintained index to access material recorded on microfilm.

“**Computer Output Microfilm**” (*COM*) is microfilm containing data converted and recorded directly from a computer.

“**Confidential Information**” is information of a private nature that is protected by law from public disclosure.

“**Digital Imaging System**” is a system (including people, machines, methods of organization, and procedures) which provides input, storage, processing, communications, output, and control functions for digitized representations of original public records.

“**Digitization**” is the process of putting microfilm into digital form or of transforming analog material into electronic form, especially for storage and use in a computer.

“**Disclosure**” means the release, transfer, provision of access to, or divulging in any other manner of information outside the entity holding the information.

“**Document Certification**” A certified copy is a copy (often a photocopy) of a primary document, that has on it an endorsement or certificate that it is a true copy of the primary document. It does not certify that the primary document is genuine, only that it is a true copy of the primary document.

“**Electronic Record**” means any information recorded in a form that requires a machine to process and to access the information.

“**Files**” is a term used to describe some or all records and non-record materials of an office or department.

“**Filing System**” is a set of policies, procedures, and methods used for organizing and identifying files or records to increase their speed of retrieval, use, and disposition.

“**Hard Copy**” is a paper copy of the enlarged microfilm image or a printout of data stored in a computer.

“**Hybrid Micrographic System**” means a system that combines a micrographic/microfilm analog system with electronic, digital technology.

“**Image**” is any representation of a document or data produced by radiant energy.

“**Microfilm**” is a fine grain, high resolution photographic film used specifically for the capture of document images.

“**Official Copy**” is that version of a public record that has been designated by

the agency as the record of a transaction or event, and which is subject to the requirements of laws, rules and the records retention schedule authorized by the State Archivist.

“Physical Form” includes paper, electronic, microfilm, microfiche, audio, and video recordings, photographs, optical/digital disks, CD-ROM, and other recording media. Retention periods are calculated on the basis of the records content and function and not its physical form. For example, vouchers, whether retained on paper, microfilm, or in electronic format, are retained for 6 years before being destroyed.

“Record” is any paper, book, photograph, film, reproduction, sound recording, tabulation, card, map, drawing, micrographic, electronic data processing information storage medium, or other information media prepared or received in the course of agency business.

“Record Series” is an itemized listing on a records retention schedule which identifies a single record or a group of records for purposes of retention and disposition.

“Records Officer” refers to the person designated by a state agency or political subdivision in accordance with ORS 192.105(2)(a). Records Officers organize and coordinate the agency’s Records Management Program. Records Officers also serve as their agency’s primary liaison with the State Archivist and receive training from the State Archivist in performing their duties. Typical duties include planning, controlling, directing, organizing, training, promoting the program, and other activities involving the life cycle of information including records scheduling, retirement, storage and destruction.

“Rescind” means to revoke, cancel, or repeal a law, order, or agreement, or to declare void; to take something (such as a rule or contract) out of effect. Example: The agency will rescind the policy because many people are dissatisfied with it.

“Supersede” means to take the place of, as by reason of superior worth or right; or to set something aside. Example: A recently enacted statute that repeals an older law is said to supersede the prior legislation.

Policy Security Level:	ODVA policies are designated as Data Classification Level 1 Published (SL1).
Access Security Level:	The processes involved in implementing this policy are classified as SL3 Restricted.
Records Retention:	ODVA Special Records Retention Schedule; State Archives State Agency General Records Retention Schedules.
References:	ORS Chapter 192; 5 USC Section 552 Chapter 5 (Freedom of Information and Right to Privacy), 12 USC Section 3401 Chapter 35 (Financial Privacy Act), 42 CFR, Part II; OAR 166-306-010
Forms:	<i>State Records Center Request Fax</i> <i>AF0884 Fax Transmittal</i> <i>RM4014 Request for Military Discharge Record</i>

Desk Manuals: Internal processes and procedures that support compliance, deter abuse and detect violations of this policy may be included in written desk manuals for individual or program sections.