

(ii) The amount, status, and history of the claim.

(iii) The agency or program under which the claim arose.

(3) The Federal Claims Collection Act of 1966, as amended (31 U.S.C. 952(d)) specifically requires that the system notice for the system of records from which the information will be disclosed indicates that the information may be disclosed to a "consumer reporting agency."

[51 FR 2364, Jan. 16, 1986. Redesignated at 56 FR 55631, Oct. 29, 1991, as amended at 56 FR 57800, Nov. 14, 1991; 62 FR 26389, May 14, 1997]

§ 310.42 Disclosures to commercial enterprises.

(a) *General policy.* (1) Make releases of personal information to commercial enterprises under the criteria established by the DoD Freedom of Information Program (32 CFR part 286).

(2) The relationship of commercial enterprises to their clients or customers and to the Department of Defense are not changed by this part.

(3) The DoD policy on personal indebtedness for military personnel is contained in 32 CFR part 43a and for civilian employees in the Office of Personnel Management, Federal Personnel Manual (5 CFR part 550).

(b) *Release of personal information.* (1) Any information that must be released under the Freedom of Information (5 U.S.C. 552) may be released to a commercial enterprise without the individual's consent (see paragraph (b) of § 310.41 of this subpart).

(2) Commercial enterprises may present a signed consent statement setting forth specific conditions for release of personal information. Statements such as the following, if signed by the individual, are considered valid:

I hereby authorize the Department of Defense to verify my Social Security Number or other identifying information and to disclose my home address and telephone number to authorized representatives of (name of commercial enterprise) so that they may use this information in connection with my commercial dealings with that enterprise. All information furnished will be used in connection with my financial relationship with (name of commercial enterprise).

(3) When a statement of consent as outlined in paragraph (b)(2) of this sec-

tion is presented, provide the requested information if its release is not prohibited by some other regulation or statute.

(4) Blanket statements of consent that do not identify specifically the Department of Defense or any of its Components, or that do not specify exactly the type of information to be released, may be honored if it is clear that the individual in signing the consent statement intended to obtain a personal benefit (for example, a loan to buy a house) and was aware of the type of information that would be sought. Care should be exercised in these situations to release only the minimum amount of personal information essential to obtain the benefit sought.

(5) Do not honor request from commercial enterprises for official evaluation of personal characteristics, such as evaluation of personal financial habits.

§ 310.43 Disclosures to the public from health care records.

(a) *Section applicability.* This section applies to the release of information to the news media or the public concerning persons treated or hospitalized in DoD medical facilities and patients of nonfederal medical facilities for whom the cost of the care is paid by the Department of Defense.

(b) *General disclosure.* Normally, the following may be released without the patient's consent.

(1) Personal information concerning the patient. See 32 CFR part 286, The DoD Freedom of Information Act Program and paragraph (c) of § 310.41.

(2) Medical condition:

(i) Date of admission or disposition;

(ii) The present medical assessment of the individual's condition in the following terms if the medical doctor has volunteered the information:

(A) The individual's condition is presently (stable) (good) (fair) (serious) or (critical), and

(B) Whether the patient is conscious, semiconscious, or unconscious.

(c) *Individual consent.* (1) Detailed medical and other personal information may be released in response to inquiries from the news media and public if the patient has given his or her informed consent to such a release.