

shall be processed in accordance with this part and 32 CFR part 310.

(d) DISA System Managers will be:

(1) Responsible for complying with the provisions contained in 32 CFR 310.8 relating to the disclosure to others of personal records, obtaining the written consent of individuals to whom the record pertains, and for keeping an accurate accounting of each disclosure of a record.

(2) Responsible for providing to the Civilian Assistant to the Chief of Staff the information requested in 32 CFR 310.5. However, the information will be reported on a quarterly basis with the first report due to the Civilian Assistant to the Chief of Staff by 31 December 1975.

(e) The Assistant to the Director for Administration, Headquarters, DCA will:

(1) Be responsible for furnishing written guidelines to assist System Managers and other DISA officials in evaluating and implementing paperwork management procedures required under the Privacy Act of 1974. In this regard it should be noted that the Act establishes a number of requirements. Among these are the requirements:

(i) To disclose records contained in a system of records only under conditions specified in the law,

(ii) To maintain an accounting of such disclosures,

(iii) To establish procedures for the disclosure to an individual of his record or information pertaining to him,

(iv) For reviewing a request concerning the amendment of such record, and

(v) For permitting individuals to file a statement of disagreement which will be forwarded with subsequent disclosures.

The guidelines will cover those portions of the Privacy Act which requires paperwork systems for implementation. In preparing those guidelines the Assistant to the Director for Administration will make use of the "Records Management System for Implementing the Privacy Act" as provided by the GSA and National Archives and Records Service, Office of Records Management. The GSA and NARA procedures and guidelines will be adapted and modified as required to meet DISA needs.

(2) Be responsible for providing the "Forms" which are required to comply with 32 CFR 310.9(b).

(f) The Assistant to the Director for Personnel, Headquarters, DISA will:

(1) Be responsible for development, within DISA, of an appropriate training program for all DISA personnel whose duties involve responsibilities for systems of records affected by the Privacy Act.

(2) Assure that DISA personnel involved in the design, development, operation, or maintenance of any system of records, as defined in 32 CFR 310.6 are informed of all requirements to protect the privacy of the individuals who are subjects of the records. The criminal penalties and civil suit aspects of the Privacy Act will be emphasized.

(3) Assure that within DISA administrative and physical safeguards are established to protect information from unauthorized or unintentional access, disclosure, modification or destruction and to insure that all persons whose official duties require access to or processing and maintenance of personal information are trained in the proper safeguarding and use of such information.

[40 FR 55535, Nov. 28, 1975. Redesignated and amended at 57 FR 6074, Feb. 20, 1992; 62 FR 26389, May 14, 1997]

§316.7 Questions.

Questions on both the substance and procedure of the Privacy Act and the DISA implementation thereof should be addressed to the DISA Counsel by the most expeditious means possible, including telephone calls.

[40 FR 55535, Nov. 28, 1975. Redesignated at 57 FR 6074, Feb. 20, 1992, as amended at 62 FR 26390, May 14, 1997]

§316.8 Exemptions.

Section 5 U.S.C. 552a (3)(j) and (3)(k) authorize an agency head to exempt certain systems of records or parts of certain systems of records from some of the requirements of the act. This part reserves to the Director, DISA, as head of an agency, the right to create exemptions pursuant to the exemption provisions of the act. All systems of records maintained by DISA shall be exempt from the requirements of 5

U.S.C. 552a (d) pursuant to 5 U.S.C. 552a(3)(k)(1) to the extent that the system contains any information properly classified under Executive Order 11652, "Classification and Declassification of National Security Information and Material," dated March 8, 1972 (37 FR 10053, May 19, 1972) and which is required by the executive order to be kept secret in the interest of national defense or foreign policy. This exemption, which may be applicable to parts of all systems of records, is necessary because certain record systems not otherwise specifically designated for exemptions may contain isolated information which has been properly classified.

[42 FR 20298, Apr. 19, 1977. Redesignated at 57 FR 6074, Feb. 20, 1992, as amended at 62 FR 26390, May 14, 1997]

PART 317—DEFENSE CONTRACT AUDIT AGENCY PRIVACY ACT PROGRAM

Subpart A—General Provisions

- Sec.
317.1 Purpose.
317.2 Applicability and scope.
317.3 Definitions.
317.4 Policy.
317.5 Responsibilities.
317.6 Procedures.

Subpart B—Systems of Records

- 317.10 General.
317.11 Federal Government contractors.
317.12 Safeguarding information in systems of records.

Subpart C—Collecting Information About Individuals

- 317.20 General considerations.
317.21 Forms.

Subpart D—Access to Records

- 317.30 Individual access to records.
317.31 Reproduction fees.
317.32 Denying individual access.
317.33 Privacy Act case files.

Subpart E—Amendment of Records

- 317.40 Individual review and amendment.
317.41 Amending records.
317.42 Burden of proof.
317.43 Verifying identity.
317.44 Limits on amending judicial and quasi-judicial evidence and findings.

- 317.45 Standards for amendment request determinations.
317.46 Time limits.
317.47 Granting an amendment request in whole or in part.
317.48 Denying an amendment request in whole or in part.
317.49 Appeal procedures.
317.50 Requests for amending OPM records.
317.51 Individual's statement of disagreement.
317.52 Agency's statement of reasons.

Subpart F—Disclosure of Records

- 317.60 Conditions of disclosure.
317.61 Non-consensual disclosures.
317.62 Disclosures to commercial enterprises.
317.63 Disclosing health care records to the public.
317.64 Accounting for disclosures.

Subpart G—Publication Requirements

- 317.70 Federal Register publication.
317.71 Exemption rules.
317.72 System of records notices.
317.73 New and altered record systems.
317.74 Amendment and deletion of system notices.

Subpart H—Training Requirements

- 317.80 Statutory training requirements.
317.81 DCAA training programs.

Subpart I—Computer Matching Program Procedures

- 317.90 General.
317.91 Federal personnel or payroll record matches.
317.92 Federal benefit matches.
317.93 Matching program exclusions.
317.94 Conducting matching programs.
317.95 Providing due process to matching subjects.
317.96 Matching program agreement.
317.97 Cost-benefit analysis.
317.98 Appeals of denials of matching agreements.
317.99 Proposals for matching programs.

Subpart J—Enforcement Actions

- 317.110 Administrative remedies.
317.111 Civil court actions.
317.112 Criminal penalties.
317.113 Litigation status report.
317.114 Annual review of enforcement actions.

Subpart K—Reports

- 317.120 Report requirements.
317.121 Reports.