

§ 105-64.503 Effective date of new systems of records or alteration of an existing system of records.

When there is no objection to establishing or changing a system of records, it becomes effective 30 calendar days after the notice is published in the FEDERAL REGISTER.

Subpart 105-64.6—Exemptions

§ 105-64.601 General exemptions.

The following systems of records are exempt from the Privacy Act of 1974, except subsections (b); (c) (1) and (2); (e)(4) (A) through (F); (e) (6), (7), (9), (10), and (11); and (i) of the Act:

(a) Incident Reporting System, GSA/PBS-3.

(b) Investigation Case Files, ADM-24. The systems of records GSA/PBS-3 and GSA/ADM-24 are exempt to the extent that information in them relates to enforcing the law, including police efforts to prevent, control, or reduce crime or to apprehend criminals; to the activities of prosecutors, courts, and correctional, probation, pardon, or parole authorities; and to (1) information compiled to identify criminal offenders and alleged offenders, consisting of records of arrests, disposition of criminal charges, sentencing, confinement, release, parole, and probation; (2) information compiled for a criminal investigation, including reports of informants and investigators that identify a person; or (3) reports that identify a person and were prepared while enforcing criminal laws, from arrest or indictment through release from parole. The law exempts these systems to maintain the effectiveness and integrity of the Federal Protective Service and the Office of Inspector General.

§ 105-64.602 Specific exemptions.

The following systems of records are exempt from subsections (c)(3); (d); (e)(1); (e)(4) (G), (H), and (I); and (f) of the Privacy Act of 1974;

(a) Incident Reporting System, GSA/PBS-3.

(b) Investigation Case Files, GSA/ADM-24.

(c) Security Files, HSA/HRO-37.

The systems are exempt (1) if they contain investigatory material compiled

for law enforcement. However, if anyone is denied a right, privilege, or benefit for which they would otherwise be eligible because of the material, it should be provided to the person, except if it discloses the identify of a Government source of information which there is an express promise of confidentiality or before the effective date of this section, under an implied promise of confidentiality and (2) investigatory material compiled solely to decide suitability, eligibility, or qualification for Federal employment, military service, Federal contracts, or access to classified information, when disclosing the material would reveal the identity of a confidential Government informant, or prior to the effective date of this section, under an implied promise that their identity is to be held in confidence. The systems are exempted to maintain the effectiveness and integrity of investigations conducted as part of the Federal Protective Service, Office of Inspector General, and Office of Internal Security law enforcement duties or their responsibilities in the areas of Federal employment, Government contracts, and access to security classified information.

Subpart 105-64.7—Assistance and Referrals

§ 105-64.701 Requests for assistance and referral.

Requests for assistance and referral to a system manager or other GSA employee charged with implementing these regulations are made to the GSA Privacy Officer (ATRAI), General Services Administration, Washington, DC 20405.

PART 105-67—SALE OF PERSONAL PROPERTY

Sec.

105-67.100 Scope of subpart.

105-67.101 Debarred, suspended and ineligible contractors.

AUTHORITY: 40 U.S.C. 486(c).

§ 105-67.100 Scope of subpart.

This subpart prescribes policies and procedures governing the debarment or

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suspension of contractors from purchases of Federal personal property (see FPMR part 101-45).

[51 FR 13500, Apr. 21, 1986]

§ 105-67.101 Debarred, suspended and ineligible contractors.

The policies, procedures and requirements of subpart 509.4 of the General Services Administration Acquisition Regulation (GSAR) are incorporated by reference and made applicable to contracts for, and to contractors who engage in, the purchase of Federal personal property.

[51 FR 13500, Apr. 21, 1986]

PART 105-68—GOVERNMENTWIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT) AND GOVERNMENTWIDE REQUIREMENTS FOR DRUG-FREE WORKPLACE (GRANTS)

Subpart 105-68.1—General

Sec.

- 105-68.100 Purpose.
- 105-68.105 Definitions.
- 105-68.110 Coverage.
- 105-68.115 Policy.

Subpart 105-68.2—Effect of Action

- 105-68.200 Debarment or suspension.
- 105-68.205 Ineligible persons.
- 105-68.210 Voluntary exclusion.
- 105-68.215 Exception provision.
- 105-68.220 Continuation of covered transactions.
- 105-68.225 Failure to adhere to restrictions.

Subpart 105-68.3—Debarment

- 105-68.300 General.
- 105-68.305 Causes for debarment.
- 105-68.310 Procedures.
- 105-68.311 Investigation and referral.
- 105-68.312 Notice of proposed debarment.
- 105-68.313 Opportunity to contest proposed debarment.
- 105-68.314 Debarring official's decision.
- 105-68.315 Settlement and voluntary exclusion.
- 105-68.320 Period of debarment.
- 105-68.325 Scope of debarment.

Subpart 105-68.4—Suspension

- 105-68.400 General.
- 105-68.405 Causes for suspension.
- 105-68.410 Procedures.

- 105-68.411 Notice of suspension.
- 105-68.412 Opportunity to contest suspension.
- 105-68.413 Suspending official's decision.
- 105-68.415 Period of suspension.
- 105-68.420 Scope of suspension.

Subpart 105-68.5—Responsibilities of GSA, Agency and Participants

- 105-68.500 GSA responsibilities (information dissemination).
- 105-68.505 GSA responsibilities.
- 105-68.510 Participants' responsibilities.

Subpart 105-68.6—Drug-Free Workplace Requirements (Grants)

- 105-68.600 Purpose.
- 105-68.605 Definitions.
- 105-68.610 Coverage.
- 105-68.615 Grounds for suspension of payments, suspension or termination of grants, or suspension or debarment.
- 105-68.620 Effect of violation.
- 105-68.625 Exception provision.
- 105-68.630 Certification requirements and procedures.
- 105-68.635 Reporting of and employee sanctions for convictions of criminal drug offenses.

APPENDIX A TO PART 105-68—CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS—PRIMARY COVERED TRANSACTIONS

APPENDIX B TO PART 105-68—CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION—LOWER TIER COVERED TRANSACTIONS

APPENDIX C TO PART 105-68—CERTIFICATION REGARDING DRUG-FREE WORKPLACE REQUIREMENTS

AUTHORITY: E.O. 12549; sec. 5151-5160 of the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D; 41 U.S.C. 701 *et seq.*); 40 U.S.C. 486(c).

SOURCE: 53 FR 19198, 19204, May 26, 1988, unless otherwise noted. Redesignated at 54 FR 4962, Jan. 31, 1989.

CROSS REFERENCE: See also Office of Management and Budget notices published at 55 FR 21679, May 25, 1990, and 60 FR 33036, June 26, 1995.

EDITORIAL NOTES 1. For additional information, see related documents published at 53 FR 19160, May 26, 1988, and 53 FR 34474, Sept. 6, 1988.

2. For nomenclature changes affecting this part, see 53 FR 19198 and 19204, May 26, 1988.