

§ 105-64.602

The systems of records GSA/PBS-3, GSA/ADM-24, and GSA/ADM-25 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.

[50 FR 43139, Oct. 24, 1985, as amended at 70 FR 14560, Mar. 23, 2005]

§ 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.

(d) Internal Evaluation Case Files, GSA/ADM-25.

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 identity of a Government source of information where 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

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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 internal security law enforcement duties or responsibilities in the areas of Federal employment, Government contracts, and access to security classified information.

[50 FR 43139, Oct. 24, 1985, as amended at 70 FR 14560, Mar. 23, 2005]

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 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

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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)

Sec.

105-68.25 How is this part organized?

105-68.50 How is this part written?

105-68.75 Do terms in this part have special meanings?

Subpart A—General

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105-68.105 Does this part apply to me?

105-68.110 What is the purpose of the nonprocurement debarment and suspension system?

105-68.115 How does an exclusion restrict a person's involvement in covered transactions?

105-68.120 May we grant an exception to let an excluded person participate in a covered transaction?

105-68.125 Does an exclusion under the nonprocurement system affect a person's eligibility for Federal procurement contracts?

105-68.130 Does exclusion under the Federal procurement system affect a person's eligibility to participate in nonprocurement transactions?

105-68.135 May the General Services Administration exclude a person who is not currently participating in a nonprocurement transaction?

105-68.140 How do I know if a person is excluded?

105-68.145 Does this part address persons who are disqualified, as well as those who are excluded from nonprocurement transactions?

Subpart B—Covered Transactions

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105-68.205 Why is it important to know if a particular transaction is a covered transaction?

105-68.210 Which nonprocurement transactions are covered transactions?

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105-68.220 Are any procurement contracts included as covered transactions?

105-68.225 How do I know if a transaction in which I may participate is a covered transaction?

Subpart C—Responsibilities of Participants Regarding Transactions

DOING BUSINESS WITH OTHER PERSONS

105-68.300 What must I do before I enter into a covered transaction with another person at the next lower tier?

105-68.305 May I enter into a covered transaction with an excluded or disqualified person?

105-68.310 What must I do if a Federal agency excludes a person with whom I am already doing business in a covered transaction?

105-68.315 May I use the services of an excluded person as a principal under a covered transaction?

105-68.320 Must I verify that principals of my covered transactions are eligible to participate?

105-68.325 What happens if I do business with an excluded person in a covered transaction?

105-68.330 What requirements must I pass down to persons at lower tiers with whom I intend to do business?

DISCLOSING INFORMATION—PRIMARY TIER PARTICIPANTS

105-68.335 What information must I provide before entering into a covered transaction with the General Services Administration?

105-68.340 If I disclose unfavorable information required under §105-68.335, will I be prevented from participating in the transaction?

105-68.345 What happens if I fail to disclose the information required under §105-68.335?

105-68.350 What must I do if I learn of the information required under §105-68.335 after entering into a covered transaction with the General Services Administration?

DISCLOSING INFORMATION—LOWER TIER PARTICIPANTS

105-68.355 What information must I provide to a higher tier participant before entering into a covered transaction with that participant?

105-68.360 What happens if I fail to disclose the information required under §105-68.355?

105-68.365 What must I do if I learn of information required under §105-68.355 after entering into a covered transaction with a higher tier participant?

Subpart D—Responsibilities of GSA Officials Regarding Transactions

105-68.400 May I enter into a transaction with an excluded or disqualified person?