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personal identifier. This part also provides guidance on collecting and disseminating personal information in general.

(a) Records that are retrieved by name or personal identifier are subject to Privacy Act requirements and are referred to as Privacy Act systems of records. The Air Force must publish notices in the FEDERAL REGISTER, describing the collection of information for new, changed or deleted systems to inform the public and give them an opportunity to comment before implementing or changing the system. (see appendix B to this part).

(b) An official system of records is:

(1) Authorized by law or Executive Order.

(2) Needed to carry out an Air Force mission or function.

(3) Published in the FEDERAL REGISTER.

(c) The Air Force will not:

(1) Keep records on how a person exercises First Amendment rights. Exceptions are when: The Air Force has the permission of that individual or is authorized by Federal statute; or the information pertains to, and is within the scope of, an authorized law enforcement activity. First Amendment rights include, but are not limited to, freedom of religion, freedom of political beliefs, freedom of speech, freedom of the press, the right to assemble, and the right to petition.

(2) Penalize or harass an individual for exercising rights guaranteed under the Privacy Act. We must reasonably help individuals exercise their rights under the Privacy Act.

(d) Air Force members will:

(1) Keep paper and electronic records that are retrieved by name or personal identifier only in approved Privacy Act systems published in the FEDERAL REGISTER.

(2) Collect, maintain, and use information in such systems, for purposes described in the published notice, to support programs authorized by law or Executive Order.

(3) Safeguard the records in the system and keep them the minimum time required.

(4) Ensure records are timely, accurate, complete, and relevant.

(5) Amend and correct records on request.

(6) Allow individuals to review and receive copies of their own records unless the Secretary of the Air Force approved an exemption for the system; or the Air Force created the records in anticipation of a civil action or proceeding (5 U.S.C. 552a(d)(5)).

(7) Provide a review of decisions that deny individuals access to or amendment of their records through appellate procedures.

§ 806b.3 Violation penalties.

An individual may file a civil law suit against the Air Force for failing to comply with the Privacy Act. The courts may find an individual offender guilty of a misdemeanor and fine that individual offender not more than $5,000 for:

(a) Willfully maintaining a system of records that doesn't meet the public notice requirements.

(b) Disclosing information from a system of records to someone not entitled to the information.

(c) Obtaining someone else's records under false pretenses.

§ 806b.4 Privacy Act complaints.

(a) Process Privacy Act complaints or allegations of Privacy Act violations through the appropriate base or Major Command Privacy Act office, to the local systems manager. The base or Major Command Privacy Act officer directs the process and provides guidance to the system manager. The local systems manager will investigate complaints, or allegations of Privacy Act violations; will establish and review the facts when possible; interview individuals as needed; determine validity of the complaint; take appropriate corrective action; and ensure a response is sent to the complainant through the Privacy Act Officer. In cases where no system manager can be identified, the local Privacy Act officer will assume these duties. Issues that cannot be resolved at the local level will be elevated to the Major Command Privacy Office. When appropriate, local system managers will also: refer cases for more formal investigation, refer cases for