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SOURCE: 69 FR 954, Jan. 7, 2004, unless otherwise noted.

Subpart A—Overview of the Privacy Act Program

§ 806b.1 Summary of revisions.

This part moves responsibility for the Air Force Privacy Program from Air Force Communications and Information Center to the Air Force Chief Information Officer; prescribes Air Force Visual Aid 33–276, Privacy Act Label as optional; adds the E-Gov Act of 2002 requirement for a Privacy Impact Assessment for all information systems that are new or have major changes; changes appeal processing from Air Force Communications and Information Center to Air Force Legal Services Agency; adds Privacy Act warning language to use on information systems subject to the Privacy Act, includes guidance on sending personal information via e-mail; adds procedures on complaints; and provides guidance on recall rosters; social rosters; consent statements, systems of records operated by a contractor, and placing information on shared drives.

§ 806b.2 Basic guidelines.

This part implements the Privacy Act of 19741 and applies to records on living U.S. citizens and permanent resident aliens that are retrieved by name or

§ 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