

## 39.105 Privacy.

Agencies *shall* ensure that contracts for *information technology* address protection of privacy in accordance with the Privacy Act ([5 U.S.C.552a](#)) and [part 24](#). In addition, each agency *shall* ensure that contracts for the design, development, or operation of a system of records using commercial *information technology* services or *information technology* support services include the following:

- (a) Agency rules of conduct that the contractor and the contractor's employees *shall* be required to follow.
- (b) A list of the anticipated threats and hazards that the contractor *must* guard against.
- (c) A description of the safeguards that the contractor *must* specifically provide.
- (d) Requirements for a program of Government *inspection* during performance of the contract that will ensure the continued efficacy and efficiency of safeguards and the discovery and countering of new threats and hazards.

**Parent topic:** [Subpart 39.1 - General](#)