

# 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](#)