

**Acquisition Plan Attachment  
PRIVACY ACT MEMO**

FROM : \_\_\_\_\_, Project Officer

SUBJECT: Privacy Act Applicability to Contract

Project Title: \_\_\_\_\_

NIDA Reference Number: \_\_\_\_\_

TO: \_\_\_\_\_, Contracting Officer

This memorandum certifies that I have reviewed the above referenced document and find that the work to be performed by the contractor:

( ) is subject to the Privacy Act and HHSAR Clause 352.224-70 Confidentiality of Information will be inserted in the contract.

( ) is not subject to the Privacy Act because:

( ) a. No information on individuals is to be maintained under the contract. The contract provides for \_\_\_\_\_ and no work under the contract will involve the collection or use of information about individuals.

( ) b. The gathering of data on individuals is incidental to performance of the contract; however no information on individuals will be maintained by or retrieved by personal identifier. The Confidentiality of Information clause prescribed by HHSAR 324.70 ( ) is, ( ) not required to be inserted in the contract.

( ) c. The contract provides for the performance of work which will require the contractor to collect, maintain or use information on individuals. However, for the following reason(s) the records do not constitute a system of records subject to the Privacy Act.

\_\_\_\_\_ Inclusion of the confidentiality of Information clause prescribed by HHSAR 324.70 will provide sufficient protection of privacy interests.

\_\_\_\_\_  
Project Officer

\_\_\_\_\_  
Date

( ) Contracting Officer concurs that Privacy Act is not applicable \_\_\_\_\_ (CO initials)

If subject to the Privacy Act, the Privacy Act Coordinator must complete the following:

\_\_\_\_\_  
Privacy Act Coordinator

( ) concur

\_\_\_\_\_  
Date

( ) non-concur

Applicable System of Records Number \_\_\_\_\_