

(a) of this section, he or she shall so inform the requester, and the appropriate Council official shall comply with the procedures set forth in § 1850.38(a)(1)(ii) and (iii).

(e) If the General Counsel determines in accordance with paragraphs (b) and (c) of this section not to grant all or any portion of a request on an appeal submitted under paragraph (a) of this section, he or she shall inform the requester:

(1) Of this determination and the reasons for it;

(2) Of the requester's right to file a concise statement of reasons for disagreement with the determination of the General Counsel;

(3) That such statements of disagreement will be made available to anyone to whom the record is subsequently disclosed, together with (if the General Counsel deems it appropriate) a brief statement summarizing the General Counsel's reasons for refusing to amend the record;

(4) That prior recipients of the disputed record will be provided with a copy of the statement of disagreement together with (if the General Counsel deems it appropriate) a brief statement of the General Counsel's reasons for refusing to amend the record, to the extent that an accounting of disclosure is maintained under 5 U.S.C. 552a(c); and

(5) Of the requester's right to file a civil action in Federal district court to seek a review of the determination of the General Counsel in accordance with 5 U.S.C. 552a(g).

(f) The General Counsel shall ensure that any statements of disagreement submitted by a requestor are made available or distributed in accordance with paragraphs (e)(3) and (4) of this section.

#### **§ 1850.40 Disclosure of Record to Person Other than the Individual to Whom it Pertains.**

The Counsel shall not disclose any record which is contained in a system of records it maintains, by any means of communication to any person or to another agency, except pursuant to a written request by, or with the prior written consent of the individual to whom the record pertains, unless the disclosure is authorized by one or more provisions of 5 U.S.C. 552a(b).

#### **§ 1850.41 Fees.**

(a) No fee shall be charged for searches necessary to locate records. No charge shall be made if the total fees authorized are less than \$1.00. Fees shall be charged for services rendered under this subpart as follows:

(1) For copies made by photocopy—\$0.05 per page (maximum of 10 copies). For copies prepared by computer, such as tapes or printouts, the Council will charge the direct cost incurred by the agency, including operator time. For other forms of duplication, the Council will charge the actual costs of that duplication.

(2) For attestation of documents—\$25.00 per authenticating affidavit or declaration.

(3) For certification of documents—\$50.00 per authenticating affidavit or declaration.

(b) All required fees shall be paid in full prior to issuance of requested copies of records. Requestors must pay fees by check or money order made payable to the "Treasury of the United States."

#### **§ 1850.42 Penalties.**

The criminal penalties which have been established for violations of the Privacy Act of 1974 are set forth in 5 U.S.C. 552a(i). Penalties are applicable to any officer or employee of the Council; to contractors and employees of such contractors who enter into contracts with the Council, and who are considered to be employees of the Council within the meaning of 5 U.S.C. 552a(m); and to any person who knowingly and willfully requests or obtains any record concerning an individual from the Council under false pretenses.

#### **Will D. Spoon,**

*Program Analyst, Gulf Coast Ecosystem Restoration Council.*

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**BILLING CODE 3510-EA-P**

## **GENERAL SERVICES ADMINISTRATION**

### **48 CFR Part 536**

**[GSAR Case 2008-G509; Docket 2008-0007; Sequence 24]**

**RIN 3090-AI81**

### **General Services Administration Acquisition Regulation (GSAR); GSAR Case 2008-G509; Rewrite of GSAR Part 536, Construction and Architect-Engineer Contracts**

**AGENCY:** Office of Acquisition Policy, General Services Administration (GSA).

**ACTION:** Proposed rule; withdrawal.

**SUMMARY:** GSA has decided to withdraw GSAR Case 2008-G509; Rewrite of General Services Acquisition Regulation (GSAR) Part 536, Construction and Architect-Engineer Contracts. This rule is being withdrawn because the General

Services Administration believes that an agency review of the current implementation plan for this GSAR case is appropriate to address the variety of issues included in the GSAR Part 536 Rewrite and to address strong stakeholder interest.

**DATES:** *Effective:* February 9, 2015 the proposed rule published December 2, 2008 at 73 FR 73199 is withdrawn.

**FOR FURTHER INFORMATION CONTACT:** For clarification about content, contact Ms. Christina Mullins, General Services Acquisition Policy Division, GSA, by phone at 202-969-4066 or by email at [Christina.Mullins@gsa.gov](mailto:Christina.Mullins@gsa.gov). For information pertaining to status or publication schedules, contact the Regulatory Secretariat by mail at 1800 F Street NW., Washington, DC 20405, or by phone at 202-501-4755. Please cite GSAR Case 2008-G509, Proposed Rule; Withdrawal.

**SUPPLEMENTARY INFORMATION:** GSA has decided to withdraw GSAR Case 2008-G509; Rewrite of GSAR Part 536, Construction and Architect-Engineer Contracts, which was published in the **Federal Register** at 73 FR 73199, December 2, 2008.

This rule was a result of the GSA Acquisition Manual (GSAM) Rewrite initiative undertaken by GSA to revise the GSAM to maintain consistency with the FAR and implement streamlined and innovative acquisition procedures. This rule proposed amendments to the GSAR to update text addressing GSAR Part 536: Subpart 536.101, Applicability; Subpart 536.201, Evaluation of Contractor Performance; Subpart 536.202, Specifications; Subpart 536.270, Exercise of Options; Subpart 536.271, Project Labor Agreements; Subpart 536.5, Contract Clauses; and Subpart 536.602, Selection of Firms for Architect-Engineer Contracts.

GSA is opening a series of new GSAR cases to separately address these issues and update the GSAM Part 536 coverage. The new GSAR cases will focus on the areas that require immediate modernization to position GSA to meet current and future needs of contracting activities.

#### **List of Subjects in 48 CFR Part 536.**

Government procurement.

Dated: February 3, 2015.

**Jeffrey A. Koses,**

*Senior Procurement Executive, Office of Acquisition Policy, Office of Government-wide Policy.*

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