

records, or who are engaged in the development of procedures for handling records, must be taught the requirements of the Privacy Act and must be trained in the agency's procedures for the implementation of the Privacy Act.

(2) Personnel to be trained include, but are not limited to, those engaged in the following:

- (i) Personnel management.
- (ii) Personnel finance.
- (iii) Medical care.
- (iv) Investigations of personnel.
- (v) Records management (reports, forms, records, and related functions).
- (vi) Computer systems development and operation.
- (vii) Communications.
- (viii) Statistical data collection and analysis, and
- (ix) Performing other functions subject to this rule.

(b) *Types of training.* The agency shall establish the following three levels of training for those persons who are involved with the design, development, operation, or maintenance of any system of records. The training shall be provided to persons before or shortly after assuming the duties associated with the level of involvement.

(1) *Orientation training.* Orientation training that provides a general understanding of the individual's rights under the Privacy Act.

(2) *Specialized training.* Training concerning the application of this part to specialized areas of job performance.

(3) *Management training.* Training concentrated on factors affecting decisions made by managers under the Privacy Program, such as system managers, denial authorities, and managers of the specific functions listed.

(c) *Methods of training.* The agency is responsible for developing training methods that will meet this criteria. Such methods may include formal and informal (on-the-job) programs, if those personnel giving the training have, themselves, been trained.

Subpart I—Computer Matching Program Procedures

§317.90 General.

(a) *Scope.* The Privacy Act and this rule are applicable to certain types of

computer matching--the computer comparison of automated systems of records.

(b) *Compliance.* Although the Privacy Act provides for specific procedures, the Act is not in itself authority for carrying out any matching activity. Compliance with this chapter does not relieve the agency of the obligation to comply with any other requirements of the Privacy Act and this part.

(c) *Matching programs covered by the Privacy Act.* There are two specific kinds of matching programs that are fully governed by the Privacy Act and this part. These are:

(1) Matches using records from Federal personnel or payroll systems of records. See also definitions of this part.

(2) Matches involving Federal benefit programs to accomplish one or more of the following purposes:

(i) To determine eligibility for a Federal benefit.

(ii) To comply with benefit program requirements.

(iii) To effect recovery of improper payments or delinquent debts from current or former beneficiaries.

(d) *Automated comparisons.* The record comparison must be a computerized comparison, manual comparisons are not covered, involving records from:

(1) Two or more automated systems of records (i.e., systems of records maintained by Federal agencies that are subject to the Privacy Act); or,

(2) An agency's automated system of records and automated records maintained by a non-Federal agency (i.e., state or local government or agent thereof).

(e) *Features of a matching program.* A covered computer matching program entails not only the actual computerized comparison, but also preparing and executing a written agreement between the participants, securing approval of the Defense Data Integrity Board, publishing a matching notice in the FEDERAL REGISTER before the match begins, ensuring that investigation and due process are completed, and taking ultimate action, if any.