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(iii) Coordinating with the local Staff Judge Advocate to determine whether a more formal investigation such as a commander's inquiry or an AR 15–6 investigation is appropriate; and

(iv) Ensuring the decision at the local level from either the Privacy Act Officer or other individual who directed a more formal investigation is provided to the complainant in writing.

(2) The decision at the local level may be appealed to the next higher command level Privacy Act Officer.

(3) A legal review from the next higher command level Privacy Act Officer's servicing Staff Judge Advocate is required prior to action on the appeal.

§ 505.13 Computer Matching Agreement Program.

(a) *General provisions*. (1) Pursuant to the Privacy Act and this part, DA records may be subject to computer matching, *i.e.*, the computer comparison of automated systems of records.

(2) There are two specific kinds of Matching Programs covered by the Privacy Act—

(i) Matches using records from Federal personnel or payroll systems of records; and

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

(A) To determine eligibility for a Federal benefit;

(B) To comply with benefit program requirements; and

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

(3) The comparison of records must be computerized. Manual comparisons are not covered.

(4) Any activity that expects to participate in a Computer Matching Program must contact the DA FOIA/P Office immediately.

(5) In all cases, Computer Matching Agreements are processed by the Defense Privacy Office and approved by the Defense Data Integrity Board. Agreements will be conducted in accordance with the requirements of 5 U.S.C. 552a, and OMB Circular A–130.

(b) *Other matching*. Several types of computer matching are exempt from the restrictions of the Act such as matches used for statistics, pilot programs, law enforcement, tax administration, routine administration, background checks, and foreign counterintelligence. The DA FOIA/P Office should be consulted if there is a question as to whether the Act governs a specific type of computer matching.

§ 505.14 Recordkeeping requirements under the Privacy Act.

(a) *AR 25–400–2, The Army Records Information Management System (ARIMS)*. To maintain privacy records are required by the Army Records Information Management System (ARIMS) to provide adequate and proper documentation of the conduct of Army business so that the rights and interests of individuals and the Federal Government are protected.

(b) A full description of the records prescribed by this part and their disposition/retention requirements are found on the ARIMS Web site at *https://www.arims.army.mil*.

APPENDIX A TO PART 505—REFERENCES

(a) The Privacy Act of 1974 (5 U.S.C. 552a, as amended).

(b) OMB Circular No. A–130, Management of Federal Information Resources.

(c) AR 25–55, The Department of the Army Freedom of Information Program.

(d) DA PAM 25–51, The Army Privacy Program—System of Records Notices and Exemption Rules.

(e) DOD Directive 5400.11, Department of Defense Privacy Program.

(f) DOD 5400.11–R, Department of Defense Privacy Program.

(g) AR 25–2, Information Assurance

(h) AR 25–400–2, The Army Records Information Management System (ARIMS).

(i) AR 27–10, Military Justice.

(j) AR 40–66, Medical Record Administration and Health Care Documentation.

(k) AR 60–20 and AFR 147–14, Army and Air Force Exchange Service Operating Policies.

(l) AR 190–45, Law Enforcement Reporting.

(m) AR 195–2, Criminal Investigation Activities.

(n) AR 380–5, Department of Army Information Security Program.

(o) DOD Directive 5400–7, DOD Freedom of Information Act (FOIA) Program.

(q) DOD 5400.7–R, DOD Freedom of Information Program.

(r) DOD 6025.18–R, DOD Health Information Privacy Regulation (HIPAA).

(s) U.S. Department of Justice, Freedom of Information Act Guide and Privacy Act Overview.