

§ 505.9

to train the appropriate personnel with respect to the privacy rules including the penalties for non-compliance (See 5 U.S.C. 552a(e)(9)).

(2) To meet the training requirements, three general levels of training must be established. They are—

(i) *Orientation.* Training that provides basic understanding of this part as it applies to the individual's job performance. This training will be provided to personnel, as appropriate, and should be a prerequisite to all other levels of training;

(ii) *Specialized training.* Training that provides information as to the application of specific provisions of this part to specialized areas of job performance. Personnel of particular concern include, but are not limited to, personnel specialists, finance officers, DOD personnel who may be expected to deal with the news media or the public, special investigators, paperwork managers, individuals working with medical and security records, records managers, computer systems development personnel, computer systems operations personnel, statisticians dealing with personal data and program evaluations, contractors and anyone responsible for implementing or carrying out functions under this part. Specialized training should be provided on a periodic basis; and

(iii) *Managerial training.* Training designed to identify for responsible managers (such as senior system managers, Denial Authorities, and functional managers described in this section) issues that they should consider when making management decisions affected by the Privacy Act Program.

(b) *Training tools.* Helpful resources include—

(1) Privacy Act training slides for Major Commands and Privacy Act Officers: Contact the DA FOIA/P Office, or slides can be accessed at the Web site <https://www.rmda.belvoir.army.mil/rmdaxml/rmda/FPHomePage.asp>.

(2) The "DOJ Freedom of Information Act Guide and Privacy Act Overview": The U.S. Department of Justice, Executive Office for United States Attorneys, Office of Legal Education, 600 E. Street, NW., Room 7600, Washington, DC 20530, or training programs can be

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accessed at the Web site www.usdoj.gov/usao/eousa/ole.html.

§ 505.9 Reporting requirements.

The Department of the Army will submit reports, consistent with the requirements of DOD 5400.11-R, OMB Circular A-130, and as otherwise directed by the Defense Privacy Office. Contact the DA FOIA/P Office for further guidance regarding reporting requirements.

§ 505.10 Use and establishment of exemptions.

(a) *Three types of exemptions.* (1) There are three types of exemptions applicable to an individual's right to access permitted by the Privacy Act. They are the Special, General, and Specific exemptions.

(2) Special exemption (d)(5)—Relieves systems of records from the access provision of the Privacy Act only. This exemption applies to information compiled in reasonable anticipation of a civil action or proceeding.

(3) General exemption (j)(2)—Relieves systems of records from most requirements of the Act. Only Army activities actually engaged in the enforcement of criminal laws as their primary function may claim this exemption.

(4) Specific exemptions (k)(1)–(k)(7)—Relieves systems of records from only a few provisions of the Act.

(5) To find out if an exemption is available for a particular record, refer to the applicable system of records notices. System of records notices will state which exemptions apply to a particular type of record. System of records notices that are applicable to the Army are contained in DA Pam 25-51 (available at the Army Publishing Directorate Web site <http://www.usapa.army.mil/>), the Defense Privacy Office's Web site <http://www.defenselink.mil/privacy/>), or in this section). Some of the system of records notices apply only to the Army and the DOD and some notices are applicable government-wide.

(6) Descriptions of current exemptions are listed in detail at appendix C of this part.

(b) *Exemption procedures.* (1) For the General and Specific exemptions to be applicable to the Army, the Secretary