

## Subpart 24.3 - Privacy Training

**Parent topic:** [Part 24 - Protection of Privacy and Freedom of Information](#)

### 24.301 Privacy training.

(a) Contractors are responsible for ensuring that initial privacy training, and annual privacy training thereafter, is completed by contractor employees who-

- (1) Have access to a system of records;
- (2) Create, collect, use, process, store, maintain, disseminate, disclose, dispose, or otherwise handle personally identifiable information on behalf of the agency; or
- (3) Design, develop, maintain, or operate a system of records (see FAR subpart [24.1](#) and [39.105](#)).

(b) Privacy training *shall* address the key elements necessary for ensuring the safeguarding of personally identifiable information or a system of records. The training *shall* be role-based, provide foundational as well as more advanced levels of training, and have measures in place to test the knowledge level of users. At a minimum, the privacy training *shall* cover-

- (1) The provisions of the Privacy Act of 1974 ([5 U.S.C. 552a](#)), including penalties for violations of the Act;
- (2) The appropriate handling and safeguarding of personally identifiable information;
- (3) The authorized and official use of a system of records or any other personally identifiable information;
- (4) The restriction on the use of unauthorized equipment to create, collect, use, process, store, maintain, disseminate, disclose, dispose, or otherwise access personally identifiable information;
- (5) The prohibition against the unauthorized use of a system of records or unauthorized disclosure, access, handling, or use of personally identifiable information; and
- (6) Procedures to be followed in the event of a suspected or confirmed breach of a system of records or unauthorized disclosure, access, handling, or use of personally identifiable information (see Office of Management and Budget guidance for Preparing for and Responding to a Breach of Personally Identifiable Information).

(c) The contractor *may* provide its own training or use the training of another agency unless the *contracting* agency specifies that only its agency-provided training is acceptable (see [24.302\(b\)](#)).

(d) The contractor is required to maintain and, upon request, to provide documentation of completion of privacy training for all applicable employees.

(e) No contractor employee *shall* be permitted to have or retain access to a system of records, create, collect, use, process, store, maintain, disseminate, disclose, or dispose, or otherwise handle personally identifiable information, or design, develop, maintain, or operate a system of records,

unless the employee has completed privacy training that, at a minimum, addresses the elements in paragraph (b) of this section.

## **24.302 Contract clause.**

(a) The *contracting officer shall* insert the clause at FAR 52.224-3, Privacy Training, in *solicitations* and contracts when, on behalf of the agency, contractor employees will-

(1) Have access to a system of records;

(2) Create, collect, use, process, store, maintain, disseminate, disclose, dispose, or otherwise handle personally identifiable information; or

(3) Design, develop, maintain, or operate a system of records.

(b) When an agency specifies that only its agency-provided training is acceptable, use the clause with its *Alternate I*.