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**FEDERAL PERSONAL DATA SYSTEMS
SUBJECT TO
THE PRIVACY ACT OF 1974**



**FIRST ANNUAL REPORT
OF THE PRESIDENT
FOR CALENDAR YEAR 1975**

Volume 1

THE WHITE HOUSE

WASHINGTON

July 20, 1976



Dear Mr. Speaker:

This letter forwards the report of executive branch activity in 1975 to comply with the Privacy Act of 1974 in accordance with the provisions of Section 3(p) of the Act.

This is the first annual report under the Act which I signed on December 31, 1974. It includes both a summary description and assessment of agency activities under the Privacy Act, and a list of agency personal data systems subject to the Act.

Sincerely,

GERALD R. FORD

The Honorable
The Speaker
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Nelson A. Rockefeller
President of the Senate
Washington, D.C. 20515

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EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF MANAGEMENT AND BUDGET

THE WHITE HOUSE

WASHINGTON

July 20, 1976

JUL 1 - 1976

The President
The White House

Dear Mr. President:

I am pleased to submit to you for review and approval the First Annual Report to the Congress of activities under the Privacy Act of 1974 (Public Law 93-579). The report

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GERALD R. FORD

We plan to make these two areas the focal points of our efforts for 1976.

Respectfully,

James T. Byrd

The Honorable Nelson A. Rockefeller
President of the Senate
Washington, D.C. 20510

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503



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The President
The White House

Dear Mr. President:

I am pleased to submit for your review and approval the First Annual Report to the Congress of activities under the Privacy Act of 1974 (Public Law 93-579). The report consists of a narrative review of the operation of the Act and a listing of Federal personal data systems subject to the Act.

The report demonstrates substantial effort on the part of agencies to comply with the Act. Our preliminary assessment is that

The magnitude of Federal personal data systems identified dramatizes the need to eliminate unnecessary records and thereby reduce the overhead of Federal agency operations and reporting burden on the public.

It is too early to reach any conclusions about the benefit to the public as a result of the operation of the Act or the costs of its operation.

We plan to make these two areas the focal points of our efforts for 1976.

Respectfully,

James T. Lynn
Director

Enclosure

Introduction

The Privacy Act of 1974 (Public Law 93-579) provides that:

"The President shall submit to the Speaker of the House and the President of the Senate, by June 30 of each calendar year, a comprehensive listing of records contained for each Federal agency in any system of records to which the provisions of this section apply."

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INVENTORY OF FEDERAL PERSONAL DATA SYSTEMS

I. Introduction
The purpose of this report is to provide a comprehensive listing of records contained for each Federal agency in any system of records to which the provisions of this section apply. The report is organized into two parts: a narrative review of the operation of the Act and a listing of Federal personal data systems subject to the Act.

2. The Privacy Act of 1974
The Privacy Act of 1974 (Public Law 93-579) provides that: "The President shall submit to the Speaker of the House and the President of the Senate, by June 30 of each calendar year, a comprehensive listing of records contained for each Federal agency in any system of records to which the provisions of this section apply."



Introduction

The Privacy Act of 1974 (Public Law 93-579) provides that:

"The President shall submit to the Speaker of the House and the President of the Senate, by June 30 of each calendar year, a consolidated report, separately listing for each Federal agency the number of records contained in any system of records which were exempted from the application of this section under the provisions of subsections (j) and (k) of this section during the preceding calendar year, and the reasons for the exemptions, and such other information as indicates efforts to administer fully this section." (5 U.S.C. 552a(p))

This initial report of executive branch activity under the Privacy Act covers operational experience during calendar year 1975. Actions to comply with the Act commenced with the signing of the Act on December 31, 1974. However, because Section 3 1/ of the Act did not become effective until September 27, 1975, experience is, for the most part, limited to the three month period from September 27, 1975 through December 31, 1975.

The report is divided into five parts:

- (1) A description of the scope and nature of Federal personal data systems subject to the Act. 2/
- (2) A description of the operation of the exemption provisions of the Act.
- (3) A description of actions taken to administer the Act.
- (4) A preliminary assessment of the effects of the Act.
- (5) Summary and conclusions.

The reports of the individual agencies upon which this report is based have not been included due to their volume. Complete sets of agency reports have been provided to the House and Senate Government Operations Committees and to the Privacy Protection Study Commission.

1/ Section 3 of the Privacy Act establishes a series of requirements with respect to records about individuals maintained by Federal agencies. All references in this report are to subsections of Section 3 (codified as 5 U.S.C. 552a) unless otherwise indicated. A copy of the Act is contained in Appendix A.

2/ A listing of agency systems subject to the Act, indicating those which have been exempted from certain of the provisions of the Act pursuant to subsections (j) and (k), is contained in Volume 2 of this report.

I. SCOPE AND NATURE OF FEDERAL AGENCY RECORDKEEPING

General

The Privacy Act requires agencies to publish notice of the existence and character of each "system of records" ^{3/} that they maintain.

As of December 31, 1975, 85 agencies subject to the Act had filed notices for 6,723 systems which they maintained containing more than 3.8 billion records about individuals.

TABLE I
Summary of Systems of Records by Agency

Agencies	Systems
Department of Agriculture	215
Department of Commerce	95
Department of Defense	2,141
Department of Health, Education, and Welfare	831
Department of Housing and Urban Development	57
Department of the Interior	278
Department of Justice	175
Department of Labor	73
Department of State	48
Department of Transportation	263
Department of the Treasury	932
ACTION	62
Canal Zone Government	134
Central Intelligence Agency	57
Federal Communications Commission	68
General Services Administration	99
Postal Service	70
Securities and Exchange Commission	99
Small Business Administration	80
Veterans Administration	57
65 other agencies (those with fewer than 45 systems - see Appendix B)	889
Total Systems	6,723

^{3/} A system of records is defined as a group of files of personal information about identifiable individuals from which information is retrieved by reference to name or some other personal identifier.

Table I, which summarizes the number of systems by agency, indicates that:

- ° Fifty-eight percent (3,904) of the systems are maintained by three agencies: the Department of Defense (2,141), the Department of the Treasury (932) and the Department of Health, Education, and Welfare (831).
- ° Twenty cabinet departments and major independent agencies account for 87% of the systems.

These numbers are, necessarily, very preliminary and are the results of the agencies' best efforts to identify and publish notices for all systems that they maintain. These numbers can be expected to change during the next year for several reasons:

- ° In the initial effort to assure that all required notices were published, some agencies reported recordkeeping systems which they subsequently determined were not subject to the Act; these were primarily cases where personal information in reported systems is not individually identifiable.
- ° Conversely, systems of records in existence when the Act became effective have in some cases been overlooked. Notices for some of these systems have been published since December 31, 1975.
- ° After further analysis, agencies may consolidate notices describing related systems to reduce the number of notices and thereby make public access and scrutiny easier. For example, there are a number of systems for which separate notices were published for similar records kept in multiple locations.
- ° With time, agencies will be conducting a more penetrating analysis of the need for each of their systems. Also, the changing nature of Federal activity (the establishment and elimination of programs and organizational/procedural changes) will result in the creation and elimination of systems of records.

Analysis of systems by purpose

The total amount of personal information maintained by Federal agencies was one of the key concerns which precipitated the Privacy Act of 1974. Many questions were raised about the number of systems in existence, the amount of information contained in those systems, the need for the information and the purposes for which it was used.

In order to obtain some preliminary answers to these questions, each system was designated as to the major purpose for which it was used by the agency. Each was classified as to whether it was

- an administrative system - dealing with the internal operation of government, such as personnel records, travel records, or parking permit records;
- a domestic assistance program system - operated in support of a program listed in the 1975 Catalog of Federal Domestic Assistance. A Federal domestic assistance program is generally defined as a function of a Federal agency which provides assistance or benefits which can be requested or applied for by organizations or individuals (OMB Circular No. A-89); or
- any other agency program system - pertaining to an agency's substantive programs other than those included in the Catalog of Federal Domestic Assistance.

TABLE II
Summary of Systems by Purpose

	<u>Systems</u>		<u>Individuals</u> (in billions)	
Administrative	4,548	68%	.8	19%
Domestic Assistance Programs	892	13%	1.4	37%
Other Programs	<u>1,283</u>	<u>18%</u>	<u>1.7</u>	<u>44%</u>
TOTAL	6,723	100%	3.9	100%

The results of this analysis are summarized in Table II. (A more detailed table summarizing systems by purpose for each agency is contained in Appendix B.) These analyses indicate that--

- ° Sixty-eight percent of the personal data systems maintained by Federal agencies are for in-house agency administrative purposes containing principally information pertaining to Federal employees. However, the number of individuals on whom records are maintained in these systems accounts for only 19% of the total number of individuals.

- ° Thirty-one percent of the personal data systems maintained by Federal agencies, representing 81% of the records maintained on individuals, are in support of the operation of various Federal programs. Of these slightly less than half (13% of the systems - 37% of individual records) are in support of programs which provide various forms of assistance to the American public which are described in the Catalog of Federal Domestic Assistance.
- ° More than half of the 3.1 billion individual records maintained for program purposes, however, are contained in only nine systems. These are two Census systems (406 million records), two Social Security systems (480 million records), and five Treasury Department systems (730 million records).

Use of computer technology

In addition to the amount of personal information maintained by Federal agencies, the potential risk posed by more extensive use of computer and communications technology was also a major concern underlying the Privacy Act of 1974.

TABLE III
Summary of Systems - Automated/Non-Automated

	<u>Systems</u>		<u>Individuals</u> (in billions)	
Automated	796	11%	1.4	37%
Hybrid	1,045	16	1.7	44
Manual	<u>4,882</u>	<u>73</u>	<u>.8</u>	<u>19</u>
TOTAL	6,723	100%	3.9	100%

Table III provides a summary of the extent to which computer technology is currently employed in 6,723 personal data systems operated by the Federal Government. It shows that:

- ° Seventy-three percent (73%) of the personal data systems operated by Federal agencies are totally manual systems which do not employ any computer technology.
- ° The remaining 27% of the personal data systems are fully or partially automated (only 11% are categorized as fully automated). However, more than 63% of the total individual records maintained are contained in these systems, since the larger systems, such as those operated

by the Census Bureau, the Social Security Administration and the Internal Revenue Service, necessitate the use of computer technology.

- ° The average number of records in either fully or partially automated systems is 1,732,000 while the average number of records in manual systems is only 142,000.

Analysis of systems by budget function

Each system was also designated as to the governmental function (e.g., health, education, law enforcement, or national defense) which it supports, consistent with the manner in which these functions are classified in the Budget of the United States Government.

The results of this analysis are shown in Table IV.

TABLE IV
Summary of Systems by Function

<u>Budget Function</u>	<u>Systems</u>	<u>Individuals</u> (in millions)
National Defense	2,222	372.0
International Affairs	256	113.2
General Science, Space, and Technology	41	1.1
Natural Resources, Environment, and Energy	424	24.8
Agriculture	180	24.0
Commerce and Transportation	962	626.8
Community and Regional Development	57	9.4
Education, Training, Employment, and Social Services	298	27.1
Health	450	166.4
Income Security	223	1,085.5
Veterans Benefits and Services	60	208.8
Law Enforcement and Justice	509	146.7
General Government	623	1,068.3
Revenue Sharing and General Purpose Fiscal Assistance	12	*
Unspecified or Multiple Functions	406	13.1
Totals	6,723	3,887.4

* Less than 50,000

A summary of systems by budget function and agency is included in Appendix B.

II. OPERATION OF THE EXEMPTION PROVISIONS

The Act defines nine categories of records for which an agency may assert an exemption from certain provisions of the Act. These exemptions, however, are not effective unless the agency has published a rule, in accordance with the Administrative Procedure Act (5 U.S.C. 553), asserting that a system is exempt. Further, even systems for which exemptions can be invoked are not exempt from all provisions of the Privacy Act and are, for example, subject to the requirement to publish a notice of the existence of the system. Agencies may also elect to waive those exemptions invoked in order to grant access to individuals.

TABLE V
Summary of Systems Exempted 4/

<u>Exemption Provision</u>	<u>Systems</u>
Central Intelligence Agency Records (j)(1)	60
Criminal Law Enforcement Agency Records (j)(2)	210
Classified Records (k)(1)	236
Other Law Enforcement Records (k)(2)	545
Protective Services Records (k)(3)	72
Statistical Records (k)(4)	80
Federal Service Suitability Investigative Records (k)(5)	272
Testing or Examination Records (k)(6)	101
Military Service Promotional Potential Records (k)(7)	88
* Total Systems Exempted	889
Total Systems not Exempted	5,834
Total Systems	6,723

*NOTE: The total number of systems exempted is less than the sum of the numbers exempted under each exemption provision because one system may have been exempted under more than one provision.

4/ More detailed data showing the number of systems exempted by agency is contained in Appendix B. Volume 2, the listing of agency systems, also shows for those systems which have been exempted the date and page in the Federal Register of the rule asserting the exemption, and the number of individuals to whom the exemption applies.

Table V shows the number of systems of records for which exemption rules have been published. It shows that

- ° one or more exemption was invoked for 889 (13%) of the 6,723 systems.
- ° seven hundred and fifty-five exemptions were invoked for civil or criminal law enforcement purposes.
- ° four hundred and sixty-one exemptions invoked pertained to Federal service; i.e., suitability investigations, testing and examination records, and potential for promotion in the military service.

III. AGENCY ADMINISTRATION OF THE ACT ^{5/}

Between December 31, 1974, when the Privacy Act was signed by the President, and September 27, 1975, when the operational provisions contained in Section 3 of the Act became effective, a significant effort was required in drafting rules and notices, revising procedures, reviewing agency record holdings, and training agency personnel. Unlike many statutes which impose requirements on a specific agency or deal with a limited function, the Privacy Act affects virtually every organization in the executive branch, since most organizations are either the keepers or users of records subject to the Act.

Office of Management and Budget Actions

The Act provides, at Section 6, that

"The Office of Management and Budget shall-

- "(1) develop guidelines and regulations for the use of agencies in implementing the provisions of section 552a of title 5, United States Code, as added by Section 3 of this Act; and
- "(2) provide continuing assistance to and oversight of the implementation of the provisions of such section by agencies."

^{5/} This section of the report describes what actions were taken by Federal agencies to comply with and administer the provisions of the Act (as distinguished from the effects or results of those actions which are described in section IV.)

OMB issued interpretive guidelines on July 1, 1975 (40 FR 28949, dated July 9, 1975) and a supplement on November 21 (40 FR 56741, dated December 4, 1975) to assist agencies in interpreting the Act, since the Act was passed by both Houses of Congress without a formal conference report.

Questions from the agencies and inquiries from the public proved to be a useful mechanism for identifying areas where existing guidelines might be clarified or supplemental guidance might be issued. For example, guidance on handling of congressional inquiries, first released on October 3, 1975 and later incorporated into the November 21, 1975 supplement to the guidelines, resulted from such inquiries. It should be noted that OMB's interpretive analysis and guidance are advisory; that is, agencies are not legally required to follow them but typically have elected to do so.

OMB Circular No. A-108 was issued on July 1, 1975 (40 FR 28948, dated July 9, 1975) to define responsibilities for implementing the Act. Three amendments to OMB Circular No. A-108 have been issued to establish reporting instructions for the report on new systems and this report, and to clarify reporting requirements.

OMB oversight has been exercised in several ways. Initially, OMB convened an interagency task force to review agency regulations issued pursuant to the Act. The task force provided comments to agencies on their rules. The volume of system notices has precluded a similar comprehensive review of agency systems. Instead, OMB attention has been focused on agency proposals to establish new systems subject to the Act or to alter existing ones, consistent with the emphasis which the Act places on the review of such new or changed systems. ^{6/}

Other "Central Policy" Agency Actions

OMB Circular No. A-108 delegates responsibilities for issuing supplementary guidance to several agencies which have responsibilities for functions which cut across agency lines. These delegations were made for reasons of economy of effort, to use existing and familiar lines of communication, and to use the expertise of those agencies.

^{6/} Subsection (o) requires that agencies give adequate advance notice to the Congress and OMB of any proposal to establish or alter a system of records. During 1975, only eight such reports were received.

The Department of Commerce, consistent with its responsibilities under the Brooks Act (Public Law 89-306) has issued a document entitled "Computer Security Guidelines for Implementing the Privacy Act," Federal Information Processing Standards Publication (FIPS PUB) 41, dated May 30, 1975. This document is intended to provide managers of Federal computer installations with information on the various technical safeguards available to assure adequate security for automated systems subject to the Act.

The General Services Administration has issued directives in several of its areas of responsibility which are affected by the requirements of the Privacy Act.

- ° Federal Procurement Regulations (FPRs) were amended to establish standard contract clauses to be included in agency contracts for the operation of systems of records (40 FR 44502, September 26, 1975).
- ° Federal Property Management Regulations (FPMRs) were amended to assure that the requirements of the Act are considered in the acquisition of computer services (40 FR 48733, October 17, 1975 and 40 FR 49936, October 24, 1975).
- ° Guidelines for agency records management personnel consistent with the Act were issued on August 19, 1975.
- ° An FPMR Bulletin was issued in August 1975 to describe procedures for handling records subject to the Act which are stored in Federal records centers.
- ° Guidelines for preparing the various rules and notices required to be published in the Federal Register were issued (40 FR 25988, June 19, 1975).

The Civil Service Commission has revised the Federal Personnel Manual to reflect changes in personnel recordkeeping practices required by the Privacy Act (40 FR 45904, dated September 30, 1975) and issued regulations for conducting personnel security investigations (40 FR 56651, dated December 4, 1975).

The Commission has also developed and conducted a series of training courses, and incorporated material on the Privacy Act into others. A series of one-day seminars on the Privacy Act was conducted, in cooperation with OMB staff, for agency officials in eleven major cities throughout

the country and was attended by more than 1,500 individuals. Training courses have also been conducted for specific functional groups such as attorneys, personnel specialists, and computer personnel. A two day general course was developed and is being made available to agencies; the Commission is training agency personnel who will, in turn, conduct training courses in their agencies.

Agency Actions

The Privacy Act requires agencies to review and revise their procedures for handling information about individuals, to make the public aware of the nature of the records that they maintain, and to make agency records available to the subjects of those records. The most time-consuming activity during 1975 was the effort involved in identifying systems subject to the Act and preparing required rules and notices.

Since the Act potentially impacts a wide range of agency functions, extensive staff training and orientation was critical for compliance. For smaller agencies, this consisted of staff briefings. For larger ones, a more formal effort was required. Some agencies (including the Departments of Defense, Transportation, and Labor, and the Agency for International Development) developed training films or slide presentations for use in their widely dispersed field organizations to supplement material and courses developed by the Civil Service Commission. Specialized courses were also developed by several other agencies. For example, a course in computer security and the Privacy Act was developed by the Department of Defense Computer Institute. This course, developed for Defense Department computer center managers, is also available to other agencies.

IV. THE EFFECT OF THE ACT

Since this initial report covers only a three-month period of operational experience with the Act (September 27 through December 31, 1975), any assessment as to the effects of the Act on agency recordkeeping practices is, at best, subjective and preliminary. This assessment identifies areas for further review or emphasis during 1976 as well as preliminary observations on whether the Act is accomplishing its objectives.

Reducing the magnitude of Federal personal recordkeeping

One of the objectives underlying the Privacy Act is the elimination of records not clearly necessary for the performance of an agency function on the simple premise that

records not kept cannot be used to abuse the privacy of an individual.

As a result of implementing the Act, 17 agencies reported the elimination of systems. Analysis of the information provided by agencies indicates that

- ° Given the relatively short time available to meet the requirements of the Act, many agencies accepted existing recordkeeping systems "as is," published notices for such systems for public review, and indicated that they plan to make a more comprehensive analysis of these systems at a later date.
- ° Eight agencies indicated that "informal" files and "duplicate" files have been eliminated.
- ° The existence of a comprehensive inventory of personal data systems will permit a reexamination of the need for many of these systems.
- ° Eighteen of 85 agencies indicated that, while no systems have been eliminated in their entirety, the requirements of the Act have caused the agency to review and reduce the amount and nature of information contained on individuals in existing systems. Agencies indicated that data collection forms are being reviewed more closely to assure that only the minimum information necessary is requested. They also indicated that they have removed or plan to remove personal identifiers or the capability of retrieving information by the use of personal identifiers from existing systems.
- ° In addition, three agencies (the Departments of Defense and Justice, and the Central Intelligence Agency) report that they are keeping certain material related to domestic intelligence activities only until congressional assent to its destruction is granted.

Limiting the dissemination of personal information

Another key objective of the Act is to assure that personal information is not used for purposes other than those for which the information was collected without the consent of the individual to whom the information pertains. The Act permits exceptions to this general rule under certain conditions (see 5 U.S.C. 552a(b)).

This provision and the complex set of criteria under which information may be released without the consent of the individual initially caused substantial confusion and

operational problems. For example, the Act permits disclosure of records when they would be "required to be disclosed" under the Freedom of Information Act (FOIA). The intent of this language was to assure that the Privacy Act did not result in the narrowing of the public's right of access under the FOIA. Nevertheless, the criminal sanctions imposed by the Privacy Act on a Federal employee who knowingly and willfully discloses a record to anyone not authorized to receive it caused an initial over-reaction and, in some cases, inappropriate withholding of information. While uncertainty remains as a result of the largely judgmental standards set forth in both Acts, an intensive effort to train agency staff and devise more explicit standards in each agency, and the issuance of supplemental guidelines by OMB have relieved this difficulty.

After the Act became effective, agencies questioned whether they could respond to congressional constituent case work inquiries involving the disclosure of personal information subject to the Privacy Act without the express written consent of the subject of the information. Following discussions among agency and congressional staffs concerned, additional OMB guidance was given that many of these disclosures could properly be considered to be compatible with the purposes for which the information was collected (i.e., a "routine use") and that express written consent was not necessary.

Initially, agencies experienced some difficulty in determining whether certain types of disclosures are compatible with the purposes for which records are maintained and, therefore, could be established as routine uses. Over the years, for example, units of State and local government have become dependent on Federal agencies for verifying entitlement to a variety of programs including food stamps, unemployment compensation, and both federally and locally funded income maintenance and assistance programs. In many cases, initial implementation of the Act resulted in the denial of information needed for the conduct of these programs by State and local governments. In those cases where it was deemed appropriate, "routine uses" have been established to permit the disclosure of this information to units of State and local government without the consent of the individual. In those instances where it has been concluded that the written consent of the subject of a record is required (e.g., access to Social Security records for verifying eligibility for food stamps) state-ments authorizing access to agency records have been incorporated into State or local aid application forms.

Several agencies reported some difficulty initially in obtaining information subject to the Privacy Act from other agencies but indicated that these problems have been resolved, primarily through the establishment of "routine uses."

In two major recordkeeping agencies (Veterans Administration and the Social Security Administration), the Act caused a review of other agency statutes or regulations which limit disclosure with the result that these pre-existing controls are now more strictly enforced; e.g., 38 U.S.C. 3301 on access to VA records which limits the disclosure of VA records.

Informing individuals from whom information is solicited

The Act requires that individuals from whom information about themselves is solicited be apprised of the purposes for which the information is sought so that they can make an informed judgment as to whether to provide it. No agencies reported any measurable change in the willingness of individuals to provide non-mandatory information about themselves.

The Act also provides that, in certain circumstances (e.g., personnel security investigations), the agency may deny the subjects of records access to their records to the extent necessary to protect the identity of a confidential source. Agencies were encouraged to advise third party sources that information which they provided could be made available to the subjects of those reports. Major personnel security investigative organizations have elected to provide such notice to third party sources. This was deemed necessary to keep the confidence of individuals who might otherwise assume that their reports were confidential.

Analysis of the limited experience to date indicates no significant change in the willingness of such third party sources to cooperate with government investigators. Only twelve agencies reported that they had experienced any reluctance of third parties to provide information but none reported serious problems.

Granting individuals access to their records

The Privacy Act establishes substantial new rights for individuals to gain access to Federal agency records pertaining to themselves, to request correction of records

which they consider inaccurate, or expungement of records which they believe should not be maintained by an agency. Most agencies have not reported a substantial number of requests.

Those agencies which have reported perceptible increases in requests for access to records are, for the most part, engaged in law enforcement/investigative activities (e.g., IRS, FBI). They have been unable, however, to segregate requests for access as a result of the Privacy Act from those resulting from the Freedom of Information Act.

Agency reports other than from the law enforcement agencies indicate that most requests for access are being made by Federal employees. This tends to support the assertion that the public at large was not aware of mechanisms established by the Act during the first months after it became effective, and that Federal employees are more informed as a result of extensive training given them incident to implementing the Act.

Safeguarding information

Agency reports indicate that they have been able to develop physical and administrative safeguards for systems subject to the Act.

- ° Eight agencies indicated that no new safeguards were necessary beyond giving specialized instructions to personnel.
- ° Fifty-five agencies outlined security procedures, although not all identified them as new procedures established in response to the Act. For example, many agencies cited security measures such as building guards, lockable rooms and cabinets, and limited access to records, safeguards which in many cases were in existence before September 27, 1975.

Most agencies have apparently concluded that security safeguards already in place, augmented by increased staff awareness of the need for safeguarding personal information, are adequate to meet the requirements of the Privacy Act for the majority of systems which they maintain.

Limiting the sale or rental of mailing lists

The Privacy Act limits the authority of agencies to sell or rent lists of names and addresses. It does not, however, preclude agencies from providing such lists if they

would be required to be released under the Freedom of Information Act; e.g., FCC licensees.

Sixty agencies reported that they have never sold or rented mailing lists.

Only two agencies, the Department of Commerce, National Technical Information Service (NTIS) and the Advisory Commission on Intergovernmental Relations (ACIR), reported that this provision required any change in their policies or practices. Prior to the effective date of the Act, the NTIS bought and sold mailing lists to broaden its customer base, and the ACIR sold its list of State and local public officials. Both NTIS and ACIR have discontinued these practices.

Four agencies, (Federal Communications Commission, Drug Enforcement Administration, Nuclear Regulatory Commission and Veterans Administration) reported that mailing list-type information was being released under the Freedom of Information Act.

Limiting the use of the Social Security Account Number

Section 7 of the Act precludes an agency from denying an individual any right, benefit, or privilege for refusing to provide a Social Security Account Number (SSAN) unless use of the number is required by a statute or by a regulation adopted prior to January 1, 1975 for a pre-existing system. For systems established on or after January 1, 1975, there must be a statute authorizing an agency to require disclosure of the SSAN. The purpose of this provision was to discourage the use of the SSAN as an identifier in systems established after the signing of the Privacy Act.

Seventeen agencies reported that the SSAN has been deleted from certain existing systems in which its continued use was deemed unnecessary or inappropriate (e.g., car pool records).

Allowing public scrutiny of agency recordkeeping systems and procedures for operating them

The Privacy Act, through a variety of mechanisms, provides for public review and comment on agency recordkeeping practices. These include the requirements that agencies publish system notices and procedural rules for individuals to exercise their rights under the Act. In addition, agencies proposing to establish new systems of records or alter existing ones are required to give advance notice to the Congress and OMB.

Forty-one agencies report having received no public comments on their system notices or procedural rules. No agencies reported having received more than three comments. For many agencies the only comments received were those provided by the OMB ad hoc task force which reviewed agency rules. During 1975 only eight reports on new systems were filed with the Congress and OMB.

Cost of implementing the Act

The cost of complying with the Act is difficult to measure. Many of the actions required for initial implementation of the Act, such as preparing rules and notices, were performed by personnel diverted from other activities. In some areas, such as responding to individuals' requests for access to or amendment of records, it is difficult to separate the cost of additional activity attributable to the Privacy Act from that which would have occurred without it (e.g., under the Freedom of Information Act or other procedures for access or contest). A survey of agency costs is planned in 1976.

V. SUMMARY AND CONCLUSIONS

The major operative provisions of the Privacy Act, approved on December 31, 1974, became effective September 27, 1975. Federal agency activity during 1975 was focused primarily on identifying agency systems, establishing procedures, and training personnel to comply with the Act.

- ° Eighty-five agencies published procedural rules and notices covering 6,723 systems of records subject to the Act.
- ° More than two-thirds of these systems are for administrative purposes which are internal to the agency, such as the allocation and management of agency personnel and other resources.
- ° One-fourth of the systems subject to the Act are at least partially computerized, although these tend to be the larger systems.
- ° Exemptions were claimed for all or part of 889 (13%) of the 6,723 systems of records for which notices were published.
- ° Agencies with cross-cutting policy responsibilities have issued a series of guidelines and directives which deal with the effect of the Act on their areas of responsibility.

- ° Each agency has issued internal procedural guidance and conducted training for its personnel.

A comprehensive appraisal of the effectiveness of the Act is not yet possible, given the limited experience in 1975. Following are some preliminary observations based on the first three months' operational experience:

- ° The Act has caused agencies to review and reduce the content of existing systems; to eliminate some duplicate systems, informal files and "extra copy" files; and to examine proposals for new systems more closely.
- ° Refinement of operating practices implementing the provisions of the Act dealing with disclosure requires further attention. Agencies have been criticized both for being overly restrictive in refusing to disclose material required to be released under the Freedom of Information Act and for being unduly permissive in establishing routine uses of their records.
- ° There is only limited evidence that the prospect that the subject of a record may have access to it, is causing third party sources to refuse to provide candid or complete reports in response to agency requests for information.
- ° Restrictions on the sale or rental of mailing lists have not required basic changes in the policies or practices of most agencies.
- ° There has not been a substantial increase in the number of individuals seeking access to their records or seeking to amend them pursuant to the Act and, except for investigative agencies, most requests have come from agency personnel.
- ° Agencies have been able to respond to the administrative requirements of the Privacy Act.
- ° The amount of agency recordkeeping about individuals suggests a need to eliminate unnecessary records, to reduce the cost of government operations, and to reduce the public reporting burden.
- ° Few individuals have to date sought access to their records or commented on agency systems or recordkeeping procedures.
- ° The cost of administering the Privacy Act has not yet been determined.



Public Law 93-579
93rd Congress, S. 3418
December 31, 1974

An Act

To amend title 5, United States Code, by adding a section 552a to safeguard individual privacy from the misuse of Federal records, to provide that individuals be granted access to records concerning them which are maintained by Federal agencies, to establish a Privacy Protection Study Commission, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Privacy Act of 1974".

SEC. 2. (a) The Congress finds that—

(1) the privacy of an individual is directly affected by the collection, maintenance, use, and dissemination of personal information by Federal agencies;

(2) the increasing use of computers and sophisticated information technology, while essential to the efficient operations of the Government, has greatly magnified the harm to individual privacy that can occur from any collection, maintenance, use, or dissemination of personal information;

(3) the opportunities for an individual to secure employment, insurance, and credit, and his right to due process, and other legal protections are endangered by the misuse of certain information systems;

(4) the right to privacy is a personal and fundamental right protected by the Constitution of the United States; and

(5) in order to protect the privacy of individuals identified in information systems maintained by Federal agencies, it is necessary and proper for the Congress to regulate the collection, maintenance, use, and dissemination of information by such agencies.

(b) The purpose of this Act is to provide certain safeguards for an individual against an invasion of personal privacy by requiring Federal agencies, except as otherwise provided by law, to—

(1) permit an individual to determine what records pertaining to him are collected, maintained, used, or disseminated by such agencies;

(2) permit an individual to prevent records pertaining to him obtained by such agencies for a particular purpose from being used or made available for another purpose without his consent;

(3) permit an individual to gain access to information pertaining to him in Federal agency records, to have a copy made of all or any portion thereof, and to correct or amend such records;

(4) collect, maintain, use, or disseminate any record of identifiable personal information in a manner that assures that such action is for a necessary and lawful purpose, that the information is current and accurate for its intended use, and that adequate safeguards are provided to prevent misuse of such information;

(5) permit exemptions from the requirements with respect to records provided in this Act only in those cases where there is an important public policy need for such exemption as has been determined by specific statutory authority; and

(6) be subject to civil suit for any damages which occur as a result of willful or intentional action which violates any individual's rights under this Act.

SEC. 3. Title 5, United States Code, is amended by adding after section 552 the following new section:

Privacy Act
of 1974.
5 USC 552a
note.
Congressional
findings.
5 USC 552a
note.

Statement of
purpose.

88 STAT. 1896
88 STAT. 1897



5 USC 552a.

“§ 552a. Records maintained on individuals

“(a) DEFINITIONS.—For purposes of this section—

5 USC 552.

“(1) the term ‘agency’ means agency as defined in section 552(e) of this title;

“(2) the term ‘individual’ means a citizen of the United States or an alien lawfully admitted for permanent residence;

“(3) the term ‘maintain’ includes maintain, collect, use, or disseminate;

“(4) the term ‘record’ means any item, collection, or grouping of information about an individual that is maintained by an agency, including, but not limited to, his education, financial transactions, medical history, and criminal or employment history and that contains his name, or the identifying number, symbol, or other identifying particular assigned to the individual, such as a finger or voice print or a photograph;

“(5) the term ‘system of records’ means a group of any records under the control of any agency from which information is retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual;

13 USC 8.

“(6) the term ‘statistical record’ means a record in a system of records maintained for statistical research or reporting purposes only and not used in whole or in part in making any determination about an identifiable individual, except as provided by section 8 of title 13; and

“(7) the term ‘routine use’ means, with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which it was collected.

“(b) CONDITIONS OF DISCLOSURE.—No agency shall disclose any record which is contained in a system of records 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 disclosure of the record would be—

“(1) to those officers and employees of the agency which maintains the record who have a need for the record in the performance of their duties;

“(2) required under section 552 of this title;

“(3) for a routine use as defined in subsection (a)(7) of this section and described under subsection (e)(4)(D) of this section;

“(4) to the Bureau of the Census for purposes of planning or carrying out a census or survey or related activity pursuant to the provisions of title 13;

“(5) to a recipient who has provided the agency with advance adequate written assurance that the record will be used solely as a statistical research or reporting record, and the record is to be transferred in a form that is not individually identifiable;

“(6) to the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, or for evaluation by the Administrator of General Services or his designee to determine whether the record has such value;

“(7) to another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency or instrumentality has made a written request to the agency which

maintains the record specifying the particular portion desired and the law enforcement activity for which the record is sought;

“(8) to a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual if upon such disclosure notification is transmitted to the last known address of such individual;

“(9) to either House of Congress, or, to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee;

“(10) to the Comptroller General, or any of his authorized representatives, in the course of the performance of the duties of the General Accounting Office; or

“(11) pursuant to the order of a court of competent jurisdiction.

“(c) ACCOUNTING OF CERTAIN DISCLOSURES.—Each agency, with respect to each system of records under its control, shall—

“(1) except for disclosures made under subsections (b)(1) or (b)(2) of this section, keep an accurate accounting of—

“(A) the date, nature, and purpose of each disclosure of a record to any person or to another agency made under subsection (b) of this section; and

“(B) the name and address of the person or agency to whom the disclosure is made;

“(2) retain the accounting made under paragraph (1) of this subsection for at least five years or the life of the record, whichever is longer, after the disclosure for which the accounting is made;

“(3) except for disclosures made under subsection (b)(7) of this section, make the accounting made under paragraph (1) of this subsection available to the individual named in the record at his request; and

“(4) inform any person or other agency about any correction or notation of dispute made by the agency in accordance with subsection (d) of this section of any record that has been disclosed to the person or agency if an accounting of the disclosure was made.

“(d) ACCESS TO RECORDS.—Each agency that maintains a system of records shall—

“(1) upon request by any individual to gain access to his record or to any information pertaining to him which is contained in the system, permit him and upon his request, a person of his own choosing to accompany him, to review the record and have a copy made of all or any portion thereof in a form comprehensible to him, except that the agency may require the individual to furnish a written statement authorizing discussion of that individual's record in the accompanying person's presence;

Personal review.

“(2) permit the individual to request amendment of a record pertaining to him and—

Amendment request.

“(A) not later than 10 days (excluding Saturdays, Sundays, and legal public holidays) after the date of receipt of such request, acknowledge in writing such receipt; and

“(B) promptly, either—

“(i) make any correction of any portion thereof which the individual believes is not accurate, relevant, timely, or complete; or

“(ii) inform the individual of its refusal to amend the record in accordance with his request, the reason

for the refusal, the procedures established by the agency for the individual to request a review of that refusal by the head of the agency or an officer designated by the head of the agency, and the name and business address of that official;

Review.

"(3) permit the individual who disagrees with the refusal of the agency to amend his record to request a review of such refusal, and not later than 30 days (excluding Saturdays, Sundays, and legal public holidays) from the date on which the individual requests such review, complete such review and make a final determination unless, for good cause shown, the head of the agency extends such 30-day period; and if, after his review, the reviewing official also refuses to amend the record in accordance with the request, permit the individual to file with the agency a concise statement setting forth the reasons for his disagreement with the refusal of the agency, and notify the individual of the provisions for judicial review of the reviewing official's determination under subsection (g) (1) (A) of this section;

Notation of dispute.

"(4) in any disclosure, containing information about which the individual has filed a statement of disagreement, occurring after the filing of the statement under paragraph (3) of this subsection, clearly note any portion of the record which is disputed and provide copies of the statement and, if the agency deems it appropriate, copies of a concise statement of the reasons of the agency for not making the amendments requested, to persons or other agencies to whom the disputed record has been disclosed; and

"(5) nothing in this section shall allow an individual access to any information compiled in reasonable anticipation of a civil action or proceeding.

"(e) AGENCY REQUIREMENTS.—Each agency that maintains a system of records shall—

"(1) maintain in its records only such information about an individual as is relevant and necessary to accomplish a purpose of the agency required to be accomplished by statute or by executive order of the President;

"(2) collect information to the greatest extent practicable directly from the subject individual when the information may result in adverse determinations about an individual's rights, benefits, and privileges under Federal programs;

"(3) inform each individual whom it asks to supply information, on the form which it uses to collect the information or on a separate form that can be retained by the individual—

"(A) the authority (whether granted by statute, or by executive order of the President) which authorizes the solicitation of the information and whether disclosure of such information is mandatory or voluntary;

"(B) the principal purpose or purposes for which the information is intended to be used;

"(C) the routine uses which may be made of the information, as published pursuant to paragraph (4) (D) of this subsection; and

"(D) the effects on him, if any, of not providing all or any part of the requested information;

Publication in Federal Register.

"(4) subject to the provisions of paragraph (11) of this subsection, publish in the Federal Register at least annually a notice of the existence and character of the system of records, which notice shall include—

"(A) the name and location of the system;

"(B) the categories of individuals on whom records are maintained in the system;

"(C) the categories of records maintained in the system;

"(D) each routine use of the records contained in the system, including the categories of users and the purpose of such use;

"(E) the policies and practices of the agency regarding storage, retrievability, access controls, retention, and disposal of the records;

"(F) the title and business address of the agency official who is responsible for the system of records;

"(G) the agency procedures whereby an individual can be notified at his request if the system of records contains a record pertaining to him;

"(H) the agency procedures whereby an individual can be notified at his request how he can gain access to any record pertaining to him contained in the system of records, and how he can contest its content; and

"(I) the categories of sources of records in the system;

"(5) maintain all records which are used by the agency in making any determination about any individual with such accuracy, relevance, timeliness, and completeness as is reasonably necessary to assure fairness to the individual in the determination;

"(6) prior to disseminating any record about an individual to any person other than an agency, unless the dissemination is made pursuant to subsection (b) (2) of this section, make reasonable efforts to assure that such records are accurate, complete, timely, and relevant for agency purposes;

"(7) maintain no record describing how any individual exercises rights guaranteed by the First Amendment unless expressly authorized by statute or by the individual about whom the record is maintained or unless pertinent to and within the scope of an authorized law enforcement activity;

"(8) make reasonable efforts to serve notice on an individual when any record on such individual is made available to any person under compulsory legal process when such process becomes a matter of public record;

"(9) establish rules of conduct for persons involved in the design, development, operation, or maintenance of any system of records, or in maintaining any record, and instruct each such person with respect to such rules and the requirements of this section, including any other rules and procedures adopted pursuant to this section and the penalties for noncompliance;

Rules of conduct.

"(10) establish appropriate administrative, technical, and physical safeguards to insure the security and confidentiality of records and to protect against any anticipated threats or hazards to their security or integrity which could result in substantial harm, embarrassment, inconvenience, or unfairness to any individual on whom information is maintained; and

Confidentiality of records.

"(11) at least 30 days prior to publication of information under paragraph (4) (D) of this subsection, publish in the Federal Register notice of any new use or intended use of the information in the system, and provide an opportunity for interested persons to submit written data, views, or arguments to the agency.

Publication in Federal Register.

"(f) AGENCY RULES.—In order to carry out the provisions of this section, each agency that maintains a system of records shall promulgate rules, in accordance with the requirements (including general notice) of section 553 of this title, which shall—

5 USC 553.

"(1) establish procedures whereby an individual can be notified

in response to his request if any system of records named by the individual contains a record pertaining to him;

"(2) define reasonable times, places, and requirements for identifying an individual who requests his record or information pertaining to him before the agency shall make the record or information available to the individual;

"(3) establish procedures for the disclosure to an individual upon his request of his record or information pertaining to him, including special procedure, if deemed necessary, for the disclosure to an individual of medical records, including psychological records, pertaining to him;

"(4) establish procedures for reviewing a request from an individual concerning the amendment of any record or information pertaining to the individual, for making a determination on the request, for an appeal within the agency of an initial adverse agency determination, and for whatever additional means may be necessary for each individual to be able to exercise fully his rights under this section; and

"(5) establish fees to be charged, if any, to any individual for making copies of his record, excluding the cost of any search for and review of the record.

Fees.

Publication
in Federal
Register.

The Office of the Federal Register shall annually compile and publish the rules promulgated under this subsection and agency notices published under subsection (e) (4) of this section in a form available to the public at low cost.

"(g) (1) CIVIL REMEDIES.—Whenever any agency

"(A) makes a determination under subsection (d) (3) of this section not to amend an individual's record in accordance with his request, or fails to make such review in conformity with that subsection;

"(B) refuses to comply with an individual request under subsection (d) (1) of this section;

"(C) fails to maintain any record concerning any individual with such accuracy, relevance, timeliness, and completeness as is necessary to assure fairness in any determination relating to the qualifications, character, rights, or opportunities of, or benefits to the individual that may be made on the basis of such record, and consequently a determination is made which is adverse to the individual; or

"(D) fails to comply with any other provision of this section, or any rule promulgated thereunder, in such a way as to have an adverse effect on an individual,

Jurisdiction.

the individual may bring a civil action against the agency, and the district courts of the United States shall have jurisdiction in the matters under the provisions of this subsection.

Amendment
of record.

"(2) (A) In any suit brought under the provisions of subsection (g) (1) (A) of this section, the court may order the agency to amend the individual's record in accordance with his request or in such other way as the court may direct. In such a case the court shall determine the matter de novo.

"(B) The court may assess against the United States reasonable attorney fees and other litigation costs reasonably incurred in any case under this paragraph in which the complainant has substantially prevailed.

Injunction.

"(3) (A) In any suit brought under the provisions of subsection (g) (1) (B) of this section, the court may enjoin the agency from withholding the records and order the production to the complainant of any agency records improperly withheld from him. In such a case the court shall determine the matter de novo, and may examine the contents of

any agency records in camera to determine whether the records or any portion thereof may be withheld under any of the exemptions set forth in subsection (k) of this section, and the burden is on the agency to sustain its action.

"(B) The court may assess against the United States reasonable attorney fees and other litigation costs reasonably incurred in any case under this paragraph in which the complainant has substantially prevailed.

"(4) In any suit brought under the provisions of subsection (g) (1) (C) or (D) of this section in which the court determines that the agency acted in a manner which was intentional or willful, the United States shall be liable to the individual in an amount equal to the sum of—

Damages.

"(A) actual damages sustained by the individual as a result of the refusal or failure, but in no case shall a person entitled to recovery receive less than the sum of \$1,000; and

"(B) the costs of the action together with reasonable attorney fees as determined by the court.

"(5) An action to enforce any liability created under this section may be brought in the district court of the United States in the district in which the complainant resides, or has his principal place of business, or in which the agency records are situated, or in the District of Columbia, without regard to the amount in controversy, within two years from the date on which the cause of action arises, except that where an agency has materially and willfully misrepresented any information required under this section to be disclosed to an individual and the information so misrepresented is material to establishment of the liability of the agency to the individual under this section, the action may be brought at any time within two years after discovery by the individual of the misrepresentation. Nothing in this section shall be construed to authorize any civil action by reason of any injury sustained as the result of a disclosure of a record prior to the effective date of this section.

"(h) RIGHTS OF LEGAL GUARDIANS.—For the purposes of this section, the parent of any minor, or the legal guardian of any individual who has been declared to be incompetent due to physical or mental incapacity or age by a court of competent jurisdiction, may act on behalf of the individual.

"(i) (1) CRIMINAL PENALTIES.—Any officer or employee of an agency, who by virtue of his employment or official position, has possession of, or access to, agency records which contain individually identifiable information the disclosure of which is prohibited by this section or by rules or regulations established thereunder, and who knowing that disclosure of the specific material is so prohibited, willfully discloses the material in any manner to any person or agency not entitled to receive it, shall be guilty of a misdemeanor and fined not more than \$5,000.

"(2) Any officer or employee of any agency who willfully maintains a system of records without meeting the notice requirements of subsection (e) (4) of this section shall be guilty of a misdemeanor and fined not more than \$5,000.

"(3) Any person who knowingly and willfully requests or obtains any record concerning an individual from an agency under false pretenses shall be guilty of a misdemeanor and fined not more than \$5,000.

"(j) GENERAL EXEMPTIONS.—The head of any agency may promulgate rules, in accordance with the requirements (including general notice) of sections 553 (b) (1), (2), and (3), (c), and (e) of this title, to exempt any system of records within the agency from any part of this section except subsections (b), (c) (1) and (2), (e) (4) (A) through

5 USC 553.

(F), (e) (6), (7), (9), (10), and (11), and (i) if the system of records is—

“(1) maintained by the Central Intelligence Agency; or

“(2) maintained by an agency or component thereof which performs as its principal function any activity pertaining to the enforcement of criminal laws, including police efforts to prevent, control, or reduce crime or to apprehend criminals, and the activities of prosecutors, courts, correctional, probation, pardon, or parole authorities, and which consists of (A) information compiled for the purpose of identifying individual criminal offenders and alleged offenders and consisting only of identifying data and notations of arrests, the nature and disposition of criminal charges, sentencing, confinement, release, and parole and probation status; (B) information compiled for the purpose of a criminal investigation, including reports of informants and investigators, and associated with an identifiable individual; or (C) reports identifiable to an individual compiled at any stage of the process of enforcement of the criminal laws from arrest or indictment through release from supervision.

5 USC 553.

At the time rules are adopted under this subsection, the agency shall include in the statement required under section 553(c) of this title, the reasons why the system of records is to be exempted from a provision of this section.

“(k) SPECIFIC EXEMPTIONS.—The head of any agency may promulgate rules, in accordance with the requirements (including general notice) of sections 553(b) (1), (2), and (3), (c), and (e) of this title, to exempt any system of records within the agency from subsections (c) (3), (d), (e) (1), (e) (4) (G), (H), and (I) and (f) of this section if the system of records is—

5 USC 552.

“(1) subject to the provisions of section 552(b) (1) of this title;

“(2) investigatory material compiled for law enforcement purposes, other than material within the scope of subsection (j) (2) of this section: *Provided, however,* That if any individual is denied any right, privilege, or benefit that he would otherwise be entitled by Federal law, or for which he would otherwise be eligible, as a result of the maintenance of such material, such material shall be provided to such individual, except to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence;

18 USC 3056.

“(3) maintained in connection with providing protective services to the President of the United States or other individuals pursuant to section 3056 of title 18;

“(4) required by statute to be maintained and used solely as statistical records;

“(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment, military service, Federal contracts, or access to classified information, but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence;

“(6) testing or examination material used solely to determine individual qualifications for appointment or promotion in the

Federal service the disclosure of which would compromise the objectivity or fairness of the testing or examination process; or

“(7) evaluation material used to determine potential for promotion in the armed services, but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence.

At the time rules are adopted under this subsection, the agency shall include in the statement required under section 553 (c) of this title, the reasons why the system of records is to be exempted from a provision of this section.

5 USC 553.

“(1) (1) ARCHIVAL RECORDS.—Each agency record which is accepted by the Administrator of General Services for storage, processing, and servicing in accordance with section 3103 of title 44 shall, for the purposes of this section, be considered to be maintained by the agency which deposited the record and shall be subject to the provisions of this section. The Administrator of General Services shall not disclose the record except to the agency which maintains the record, or under rules established by that agency which are not inconsistent with the provisions of this section.

44 USC 3103.

“(2) Each agency record pertaining to an identifiable individual which was transferred to the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, prior to the effective date of this section, shall, for the purposes of this section, be considered to be maintained by the National Archives and shall not be subject to the provisions of this section, except that a statement generally describing such records (modeled after the requirements relating to records subject to subsections (e) (4) (A) through (G) of this section) shall be published in the Federal Register.

Publication
in Federal
Register.

“(3) Each agency record pertaining to an identifiable individual which is transferred to the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, on or after the effective date of this section, shall, for the purposes of this section, be considered to be maintained by the National Archives and shall be exempt from the requirements of this section except subsections (e) (4) (A) through (G) and (e) (9) of this section.

“(m) GOVERNMENT CONTRACTORS.—When an agency provides by a contract for the operation by or on behalf of the agency of a system of records to accomplish an agency function, the agency shall, consistent with its authority, cause the requirements of this section to be applied to such system. For purposes of subsection (i) of this section any such contractor and any employee of such contractor, if such contract is agreed to on or after the effective date of this section, shall be considered to be an employee of an agency.

“(n) MAILING LISTS.—An individual's name and address may not be sold or rented by an agency unless such action is specifically authorized by law. This provision shall not be construed to require the withholding of names and addresses otherwise permitted to be made public.

“(o) REPORT ON NEW SYSTEMS.—Each agency shall provide adequate advance notice to Congress and the Office of Management and Budget of any proposal to establish or alter any system of records in order to permit an evaluation of the probable or potential effect of such

Notice to
Congress and
OMB.

Report to
Speaker of
the House
and Presi-
dent of the
Senate.

5 USC 552.

5 USC prec.
500.

Privacy Pro-
tection Study
Commission.
Establishment.
5 USC 552a
note.
Membership.

Vacancies.

proposal on the privacy and other personal or property rights of individuals or the disclosure of information relating to such individuals, and its effect on the preservation of the constitutional principles of federalism and separation of powers.

"(p) ANNUAL REPORT.—The President shall submit to the Speaker of the House and the President of the Senate, by June 30 of each calendar year, a consolidated report, separately listing for each Federal agency the number of records contained in any system of records which were exempted from the application of this section under the provisions of subsections (j) and (k) of this section during the preceding calendar year, and the reasons for the exemptions, and such other information as indicates efforts to administer fully this section.

(q) EFFECT OF OTHER LAWS.—No agency shall rely on any exemption contained in section 552 of this title to withhold from an individual any record which is otherwise accessible to such individual under the provisions of this section."

SEC. 4. The chapter analysis of chapter 5 of title 5, United States Code, is amended by inserting:

"552a. Records about individuals."

immediately below:

"552. Public information; agency rules, opinions, orders, and proceedings."

SEC. 5. (a) (1) There is established a Privacy Protection Study Commission (hereinafter referred to as the "Commission") which shall be composed of seven members as follows:

(A) three appointed by the President of the United States,

(B) two appointed by the President of the Senate, and

(C) two appointed by the Speaker of the House of Representatives.

Members of the Commission shall be chosen from among persons who, by reason of their knowledge and expertise in any of the following areas—civil rights and liberties, law, social sciences, computer technology, business, records management, and State and local government—are well qualified for service on the Commission.

(2) The members of the Commission shall elect a Chairman from among themselves.

(3) Any vacancy in the membership of the Commission, as long as there are four members in office, shall not impair the power of the Commission but shall be filled in the same manner in which the original appointment was made.

(4) A quorum of the Commission shall consist of a majority of the members, except that the Commission may establish a lower number as a quorum for the purpose of taking testimony. The Commission is authorized to establish such committees and delegate such authority to them as may be necessary to carry out its functions. Each member of the Commission, including the Chairman, shall have equal responsibility and authority in all decisions and actions of the Commission, shall have full access to all information necessary to the performance of their functions, and shall have one vote. Action of the Commission shall be determined by a majority vote of the members present. The Chairman (or a member designated by the Chairman to be acting Chairman) shall be the official spokesman of the Commission in its relations with the Congress, Government agencies, other persons, and the public, and, on behalf of the Commission, shall see to the faithful execution of the administrative policies and decisions of the Commission, and shall report thereon to the Commission from time to time or as the Commission may direct.

(5) (A) Whenever the Commission submits any budget estimate or request to the President or the Office of Management and Budget, it shall concurrently transmit a copy of that request to Congress.

(B) Whenever the Commission submits any legislative recommendations, or testimony, or comments on legislation to the President or Office of Management and Budget, it shall concurrently transmit a copy thereof to the Congress. No officer or agency of the United States shall have any authority to require the Commission to submit its legislative recommendations, or testimony, or comments on legislation, to any officer or agency of the United States for approval, comments, or review, prior to the submission of such recommendations, testimony, or comments to the Congress.

(b) The Commission shall—

(1) make a study of the data banks, automated data processing programs, and information systems of governmental, regional, and private organizations, in order to determine the standards and procedures in force for the protection of personal information; and

(2) recommend to the President and the Congress the extent, if any, to which the requirements and principles of section 552a of title 5, United States Code, should be applied to the information practices of those organizations by legislation, administrative action, or voluntary adoption of such requirements and principles, and report on such other legislative recommendations as it may determine to be necessary to protect the privacy of individuals while meeting the legitimate needs of government and society for information.

(c) (1) In the course of conducting the study required under subsection (b) (1) of this section, and in its reports thereon, the Commission may research, examine, and analyze—

(A) interstate transfer of information about individuals that is undertaken through manual files or by computer or other electronic or telecommunications means;

(B) data banks and information programs and systems the operation of which significantly or substantially affect the enjoyment of the privacy and other personal and property rights of individuals;

(C) the use of social security numbers, license plate numbers, universal identifiers, and other symbols to identify individuals in data banks and to gain access to, integrate, or centralize information systems and files; and

(D) the matching and analysis of statistical data, such as Federal census data, with other sources of personal data, such as automobile registries and telephone directories, in order to reconstruct individual responses to statistical questionnaires for commercial or other purposes, in a way which results in a violation of the implied or explicitly recognized confidentiality of such information.

(2) (A) The Commission may include in its examination personal information activities in the following areas: medical; insurance; education; employment and personnel; credit, banking and financial institutions; credit bureaus; the commercial reporting industry; cable television and other telecommunications media; travel, hotel and entertainment reservations; and electronic check processing.

(B) The Commission shall include in its examination a study of—

(i) whether a person engaged in interstate commerce who maintains a mailing list should be required to remove an individual's name and address from such list upon request of that individual;

Budget
requests.

Legislative
recommen-
dations.

Study.

Ante, p. 1897.

(ii) whether the Internal Revenue Service should be prohibited from transferring individually identifiable data to other agencies and to agencies of State governments;

(iii) whether the Federal Government should be liable for general damages incurred by an individual as the result of a willful or intentional violation of the provisions of sections 552a (g) (1) (C) or (D) of title 5, United States Code; and

(iv) whether and how the standards for security and confidentiality of records required under section 552a (e) (10) of such title should be applied when a record is disclosed to a person other than an agency.

(C) The Commission may study such other personal information activities necessary to carry out the congressional policy embodied in this Act, except that the Commission shall not investigate information systems maintained by religious organizations.

(3) In conducting such study, the Commission shall—

(A) determine what laws, Executive orders, regulations, directives, and judicial decisions govern the activities under study and the extent to which they are consistent with the rights of privacy, due process of law, and other guarantees in the Constitution;

(B) determine to what extent governmental and private information systems affect Federal-State relations or the principle of separation of powers;

(C) examine the standards and criteria governing programs, policies, and practices relating to the collection, soliciting, processing, use, access, integration, dissemination, and transmission of personal information; and

(D) to the maximum extent practicable, collect and utilize findings, reports, studies, hearing transcripts, and recommendations of governmental, legislative and private bodies, institutions, organizations, and individuals which pertain to the problems under study by the Commission.

(d) In addition to its other functions the Commission may—

(1) request assistance of the heads of appropriate departments, agencies, and instrumentalities of the Federal Government, of State and local governments, and other persons in carrying out its functions under this Act;

(2) upon request, assist Federal agencies in complying with the requirements of section 552a of title 5, United States Code;

(3) determine what specific categories of information, the collection of which would violate an individual's right of privacy, should be prohibited by statute from collection by Federal agencies; and

(4) upon request, prepare model legislation for use by State and local governments in establishing procedures for handling, maintaining, and disseminating personal information at the State and local level and provide such technical assistance to State and local governments as they may require in the preparation and implementation of such legislation.

(e) (1) The Commission may, in carrying out its functions under this section, conduct such inspections, sit and act at such times and places, hold such hearings, take such testimony, require by subpoena the attendance of such witnesses and the production of such books, records, papers, correspondence, and documents, administer such oaths, have such printing and binding done, and make such expenditures as the Commission deems advisable. A subpoena shall be issued only upon an affirmative vote of a majority of all members of the Com-

Religious or-
ganizations,
exception.

Guidelines
for study.

Ante, p. 1897.

mission. Subpenas shall be issued under the signature of the Chairman or any member of the Commission designated by the Chairman and shall be served by any person designated by the Chairman or any such member. Any member of the Commission may administer oaths or affirmations to witnesses appearing before the Commission.

(2) (A) Each department, agency, and instrumentality of the executive branch of the Government is authorized to furnish to the Commission, upon request made by the Chairman, such information, data, reports and such other assistance as the Commission deems necessary to carry out its functions under this section. Whenever the head of any such department, agency, or instrumentality submits a report pursuant to section 552a (o) of title 5, United States Code, a copy of such report shall be transmitted to the Commission.

(B) In carrying out its functions and exercising its powers under this section, the Commission may accept from any such department, agency, independent instrumentality, or other person any individually identifiable data if such data is necessary to carry out such powers and functions. In any case in which the Commission accepts any such information, it shall assure that the information is used only for the purpose for which it is provided, and upon completion of that purpose such information shall be destroyed or returned to such department, agency, independent instrumentality, or person from which it is obtained, as appropriate.

(3) The Commission shall have the power to—

(A) appoint and fix the compensation of an executive director, and such additional staff personnel as may be necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but at rates not in excess of the maximum rate for GS-18 of the General Schedule under section 5332 of such title; and

(B) procure temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, United States Code.

The Commission may delegate any of its functions to such personnel of the Commission as the Commission may designate and may authorize such successive redelegations of such functions as it may deem desirable.

(4) The Commission is authorized—

(A) to adopt, amend, and repeal rules and regulations governing the manner of its operations, organization, and personnel;

(B) to enter into contracts or other arrangements or modifications thereof, with any government, any department, agency, or independent instrumentality of the United States, or with any person, firm, association, or corporation, and such contracts or other arrangements, or modifications thereof, may be entered into without legal consideration, without performance or other bonds, and without regard to section 3709 of the Revised Statutes, as amended (41 U.S.C. 5);

(C) to make advance, progress, and other payments which the Commission deems necessary under this Act without regard to the provisions of section 3648 of the Revised Statutes, as amended (31 U.S.C. 529); and

(D) to take such other action as may be necessary to carry out its functions under this section.

Reports,
transmittal
to Commission.
Ante, p. 1897.

5 USC 5101,
5331.

5 USC 5332
note.

Rules and
regulations.

Compensation.

(f) (1) Each [the] member of the Commission who is an officer or employee of the United States shall serve without additional compensation, but shall continue to receive the salary of his regular position when engaged in the performance of the duties vested in the Commission.

Per diem.

5 USC 5332
note.

(2) A member of the Commission other than one to whom paragraph (1) applies shall receive per diem at the maximum daily rate for GS-18 of the General Schedule when engaged in the actual performance of the duties vested in the Commission.

Travel expenses.

(3) All members of the Commission shall be reimbursed for travel, subsistence, and other necessary expenses incurred by them in the performance of the duties vested in the Commission.

Report to President and Congress.

(g) The Commission shall, from time to time, and in an annual report, report to the President and the Congress on its activities in carrying out the provisions of this section. The Commission shall make a final report to the President and to the Congress on its findings pursuant to the study required to be made under subsection (b) (1) of this section not later than two years from the date on which all of the members of the Commission are appointed. The Commission shall cease to exist thirty days after the date on which its final report is submitted to the President and the Congress.

Penalties.

(h) (1) Any member, officer, or employee of the Commission, who by virtue of his employment or official position, has possession of, or access to, agency records which contain individually identifiable information the disclosure of which is prohibited by this section, and who knowing that disclosure of the specific material is so prohibited, willfully discloses the material in any manner to any person or agency not entitled to receive it, shall be guilty of a misdemeanor and fined not more than \$5,000.

(2) Any person who knowingly and willfully requests or obtains any record concerning an individual from the Commission under false pretenses shall be guilty of a misdemeanor and fined not more than \$5,000.

5 USC 552a
note.

SEC. 6. The Office of Management and Budget shall—

(1) develop guidelines and regulations for the use of agencies in implementing the provisions of section 552a of title 5, United States Code, as added by section 3 of this Act; and

(2) provide continuing assistance to and oversight of the implementation of the provisions of such section by agencies.

5 USC 552a
note.

SEC. 7. (a) (1) It shall be unlawful for any Federal, State or local government agency to deny to any individual any right, benefit, or privilege provided by law because of such individual's refusal to disclose his social security account number.

(2) the provisions of paragraph (1) of this subsection shall not apply with respect to—

(A) any disclosure which is required by Federal statute, or

(B) the disclosure of a social security number to any Federal, State, or local agency maintaining a system of records in existence and operating before January 1, 1975, if such disclosure was required under statute or regulation adopted prior to such date to verify the identity of an individual.

(b) Any Federal, State, or local government agency which requests an individual to disclose his social security account number shall inform that individual whether that disclosure is mandatory or voluntary, by what statutory or other authority such number is solicited, and what uses will be made of it.

SEC. 8. The provisions of this Act shall be effective on and after the date of enactment, except that the amendments made by sections 3 and 4 shall become effective 270 days following the day on which this Act is enacted.

Effective date.
5 USC 552a
note.

SEC. 9. There is authorized to be appropriated to carry out the provisions of section 5 of this Act for fiscal years 1975, 1976, and 1977 the sum of \$1,500,000, except that not more than \$750,000 may be expended during any such fiscal year.

Appropriation.
5 USC 552a
note.

Approved December 31, 1974.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 93-1416 accompanying H.R. 16373 (Comm. on Government Operations).

SENATE REPORT No. 93-1183 (Comm. on Government Operations).

CONGRESSIONAL RECORD, Vol. 120 (1974):

Nov. 21, considered and passed Senate.

Dec. 11, considered and passed House, amended, in lieu of H.R. 16373.

Dec. 17, Senate concurred in House amendment with amendments.

Dec. 18, House concurred in Senate amendments.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 11, No. 1:

Jan. 1, Presidential statement.





DATE PREPARED 06-23-76

AS OF DECEMBER 31, 1975

PRIVACY ACT OF 1974 - ANALYSIS OF SYSTEMS BY PURPOSE

PAGE 1

AGENCY NAME	TOTAL		ADMINISTRATIVE		DOMESTIC ASSISTANCE		OTHER PROGRAMS	
	NO. OF SYSTEMS	NO. OF INDIVIDUALS	NO. OF SYSTEMS	NO. OF INDIVIDUALS	NO. OF SYSTEMS	NO. OF INDIVIDUALS	NO. OF SYSTEMS	NO. OF INDIVIDUALS
OFFICE OF TECHNOLOGY ASSESSMENT	1	716	1	716	0	0	0	0
COUNCIL ON WAGE AND PRICE STABILITY	2	3060	2	3060	0	0	0	0
NATIONAL SECURITY COUNCIL	7	25730	7	25730	0	0	0	0
OFFICE OF MANAGEMENT AND BUDGET	10	6222555	10	6222555	0	0	0	0
OFC. OF SPECIAL REP., TRADE NEGOTIATIONS	4	416	4	416	0	0	0	0
OFFICE OF TELECOMMUNICATIONS POLICY	11	758	8	535	0	0	3	223
INTER-AMERICAN FOUNDATION	5	638	5	638	0	0	0	0
OVERSEAS PRIVATE INVESTMENT CORPORATION	22	4514	20	4294	0	0	2	220
AGENCY FOR INTERNATIONAL DEVELOPMENT	26	209300	26	209300	0	0	0	0
DEPARTMENT OF AGRICULTURE	215	28950277	67	1469896	69	6392924	79	21087457
DEPARTMENT OF COMMERCE	95	439921032	24	1492514	13	194125	58	438234393
DEPARTMENT OF DEFENSE	2141	317196364	2005	292840993	8	408593	128	23946778
CANAL ZONE GOVERNMENT/PANAMA CANAL CO.	134	2249200	121	2142125	0	0	13	107075
DEPARTMENT OF HEALTH EDUCATION & WELFARE	831	1211446369	339	106304188	326	1070045970	166	35096211
DEPARTMENT OF THE INTERIOR	278	14887252	172	1116803	90	12856095	16	914354
DEPARTMENT OF JUSTICE	175	133914676	65	2633460	80	108907766	30	22373450
DEPARTMENT OF LABOR	73	25226936	28	2655726	42	22568801	3	2409
CENTRAL INTELLIGENCE AGENCY	57	24964	41	3021	4	0	12	21943
DEPARTMENT OF STATE	48	110784215	35	72394455	1	170000	12	38219760
DEPARTMENT OF THE TREASURY	932	965941336	516	3750497	8	6174	408	962184665
ENERGY RESEARCH AND DEVELOPMENT ADMIN.	40	7514630	31	7048663	0	0	9	465967
ENVIRONMENTAL PROTECTION AGENCY	7	49616	7	49616	0	0	0	0
DEPARTMENT OF TRANSPORTATION	263	23435638	192	3527847	5	1613	66	19906178
GENERAL SERVICES ADMINISTRATION	99	3724745	71	1459994	8	2190850	20	73901
DEPT. OF HOUSING & URBAN DEVELOPMENT	57	26513189	24	12981500	31	13522489	2	9200
NATIONAL AERONAUTICS & SPACE ADMIN.	25	370715	23	364862	0	0	2	5853
VETERANS ADMINISTRATION	57	216273055	24	58828459	29	157350613	4	93983
ACTION	62	886977	48	536980	14	349997	0	0
ADMINISTRATIVE CONFERENCE OF THE U.S.	6	1425	6	1425	0	0	0	0
COMM ON REV OF NATL POL TOWARD GAMBLING	2	104	2	104	0	0	0	0
ADVISORY COMMITTEE ON FEDERAL PAY	2	8	2	8	0	0	0	0
AMERICAN BATTLE MONUMENTS COMMISSION	4	166	4	166	0	0	0	0
U.S. ARMS CONTROL & DISARMAMENT AGENCY	10	1259	8	1142	0	0	2	117
BOARD FOR INTERNATIONAL BROADCASTING	3	74	3	74	0	0	0	0
CIVIL AERONAUTICS BOARD	12	28665	8	17480	0	0	4	11185
CIVIL SERVICE COMMISSION	13	103292200	13	103292200	0	0	0	0
COMMISSION OF FINE ARTS	2	15	2	15	0	0	0	0
U.S. COMMISSION ON CIVIL RIGHTS	10	29512	4	2328	6	27184	0	0
COMM FOR PURCH. FROM BLIND & SEV. HAND.	3	69	3	69	0	0	0	0
COMMODITY FUTURES TRADING COMMISSION	27	74782	18	69247	2	75	7	5460
COMMUNITY SERVICES ADMINISTRATION	11	6693	10	6618	1	75	0	0
CONSUMER PRODUCT SAFETY COMMISSION	19	40111	18	12611	7	0	1	27500
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION	13	304425	3	4100	10	300325	0	0
FARM CREDIT ADMINISTRATION	17	13180	15	8647	0	0	2	4533

APPENDIX B-1

PRIVACY ACT OF 1974 - ANALYSIS OF SYSTEMS BY PURPOSE

AGENCY NAME	TOTAL		ADMINISTRATIVE		DOMESTIC ASSISTANCE		OTHER PROGRAMS	
	NO. OF SYSTEMS	NO. OF INDIVIDUALS	NO. OF SYSTEMS	NO. OF INDIVIDUALS	NO. OF SYSTEMS	NO. OF INDIVIDUALS	NO. OF SYSTEMS	NO. OF INDIVIDUALS
FEDERAL COMMUNICATIONS COMMISSION	68	9180998	43	29450	2	43339	23	9108209
FEDERAL DEPOSIT INSURANCE CORPORATION	14	65092	14	65092	0	0	0	0
FEDERAL ELECTION COMMISSION	11	16203	1	320	0	0	10	15883
FEDERAL ENERGY ADMINISTRATION	22	30259	22	30259	0	0	0	0
FEDERAL HOME LOAN BANK BOARD	29	1128380	22	1035872	0	0	7	92508
FED LABOR REL COUNC & SERV IMP. PANEL	2	838	2	838	0	0	0	0
FEDERAL MARITIME COMMISSION	19	7213	19	7213	0	0	0	0
FEDERAL MEDIATION & CONCILIATION SERVICE	4	3432	0	0	4	3432	0	0
COMMISSION ON FEDERAL PAPERWORK	3	390	3	390	0	0	0	0
FEDERAL POWER COMMISSION	26	27789	26	27789	0	0	0	0
FEDERAL RESERVE SYSTEM	17	49106	15	49102	0	0	2	4
FEDERAL TRADE COMMISSION	43	558649	13	8701	22	115867	8	434081
FOREIGN CLAIMS SETTLEMENT COMMISSION	31	1246710	5	738899	8	437224	18	70587
ADV COMM ON INTERGOVERNMENTAL RELATIONS	4	24649	3	237	0	0	1	24412
INTERNATIONAL TRADE COMMISSION	4	806	4	806	0	0	0	0
INTERSTATE COMMERCE COMMISSION	12	15141	11	15141	0	0	1	0
MARINE MAMMAL COMMISSION	5	322	5	322	0	0	0	0
NATIONAL CREDIT UNION ADMINISTRATION	19	116215	19	116215	0	0	0	0
NATL FOUND ON THE ARTS & THE HUMANITIES	9	57130	3	7350	6	49780	0	0
NATIONAL LABOR RELATIONS BOARD	17	59155	14	55815	3	3340	0	0
NATIONAL SCIENCE FOUNDATION	40	1112574	30	256178	5	51504	5	804892
NATIONAL TRANSPORTATION SAFETY BOARD	8	1209	8	1209	0	0	0	0
NUCLEAR REGULATORY COMMISSION	40	213278	40	213278	0	0	0	0
JOINT BOARD FOR ENROLLMENT OF ACTUARIES	9	6013	0	0	0	0	9	6013
OCCUPATIONAL SAFETY & HEALTH REV. COMM.	7	16948	7	16948	0	0	0	0
PENNSYLVANIA AVENUE DEVELOPMENT CORP.	6	172	6	172	0	0	0	0
POSTAL SERVICE	70	129742152	43	58364892	0	0	27	71377260
POSTAL RATE COMMISSION	1	92	1	92	0	0	0	0
PRIVACY PROTECTION STUDY COMMISSION	2	195	2	195	0	0	0	0
RAILROAD RETIREMENT BOARD	37	42845617	7	7055	28	42831448	2	7114
RENEGOTIATION BOARD, THE	1	184	1	184	0	0	0	0
SECURITIES AND EXCHANGE COMMISSION	99	2818079	14	38304	1	2800	84	2776975
SELECTIVE SERVICE SYSTEM	9	54732789	3	17357	0	0	6	54715432
SMALL BUSINESS ADMINISTRATION	80	2642475	4	13700	57	1820050	19	808725
PRES COMM ON WHITE HOUSE FELLOWSHIPS	1	2864	1	2864	0	0	0	0
DEFENSE MANPOWER COMMISSION	3	111	3	111	0	0	0	0
TENNESSEE VALLEY AUTHORITY	29	678044	23	654771	4	22375	2	898
UNITED STATES INFORMATION AGENCY	36	265254	24	206465	4	19837	8	38952
UNITED STATES RAILWAY ASSOCIATION	7	11387	6	3384	0	0	1	8003
WATER RESOURCES COUNCIL	3	214	3	214	0	0	0	0
PENSION BENEFIT GUARANTY CORPORATION	6	157149	5	146649	0	0	1	10500
EXPORT-IMPORT BANK	39	20518	38	20057	1	461	0	0
*** TOTAL ***	6723	3887427356	4548	743638967	892	1440695126	1283	1703093263

PRIVACY ACT OF 1974 - SUMMARY OF SYSTEMS EXEMPTED BY AGENCY

AGENCY	TOTAL NUMBER OF SYSTEMS	NUMBER OF EXEMPTED SYSTEMS BY EXEMPTION PROVISION*									
		TOTAL	J-1	J-2	K-1	K-2	K-3	K-4	K-5	K-6	K-7
OFFICE OF TECHNOLOGY ASSESSMENT	1	0	0	0	0	0	0	0	0	0	0
COUNCIL ON WAGE AND PRICE STABILITY	2	0	0	0	0	0	0	0	0	0	0
NATIONAL SECURITY COUNCIL	7	3	0	0	3	0	0	0	0	0	0
OFFICE OF MANAGEMENT AND BUDGET	10	0	0	0	0	0	0	0	0	0	0
OFC. OF SPECIAL REP., TRADE NEGOTIATIONS	4	0	0	0	0	0	0	0	0	0	0
OFFICE OF TELECOMMUNICATIONS POLICY	11	0	0	0	0	0	0	0	0	0	0
INTER-AMERICAN FOUNDATION	5	0	0	0	0	0	0	0	0	0	0
OVERSEAS PRIVATE INVESTMENT CORPORATION	22	0	0	0	0	0	0	0	0	0	0
AGENCY FOR INTERNATIONAL DEVELOPMENT	26	6	0	1	4	4	1	1	5	0	0
DEPARTMENT OF AGRICULTURE	215	44	0	0	0	42	0	0	2	0	0
DEPARTMENT OF COMMERCE	95	29	0	3	12	7	0	6	13	0	0
DEPARTMENT OF DEFENSE	2141	153	0	34	79	53	2	3	60	11	17
CANAL ZONE GOVERNMENT/PANAMA CANAL CO.	134	42	0	30	4	32	0	1	8	7	0
DEPARTMENT OF HEALTH EDUCATION & WELFARE	831	15	0	8	0	6	0	4	2	0	0
DEPARTMENT OF THE INTERIOR	278	19	0	3	0	14	0	0	3	0	0
DEPARTMENT OF JUSTICE	175	86	3	61	35	25	2	1	11	2	1
DEPARTMENT OF LABOR	73	2	0	2	0	2	0	0	0	0	0
CENTRAL INTELLIGENCE AGENCY	57	57	57	0	57	57	57	57	57	57	57
DEPARTMENT OF STATE	48	26	0	15	18	13	9	3	10	2	4
DEPARTMENT OF THE TREASURY	932	208	0	45	2	170	1	1	14	1	0
ENERGY RESEARCH AND DEVELOPMENT ADMIN.	40	11	0	0	8	8	0	0	11	3	0
ENVIRONMENTAL PROTECTION AGENCY	7	3	0	0	1	3	0	0	3	0	0
DEPARTMENT OF TRANSPORTATION	263	25	0	1	2	14	0	0	10	1	9
GENERAL SERVICES ADMINISTRATION	99	3	0	1	0	1	0	0	1	1	0
DEPT. OF HOUSING & URBAN DEVELOPMENT	57	3	0	0	0	2	0	0	3	0	0
NATIONAL AERONAUTICS & SPACE ADMIN.	25	2	0	1	1	1	0	0	1	0	0
VETERANS ADMINISTRATION	57	0	0	0	0	0	0	0	0	0	0
ACTION	62	3	0	0	0	0	0	0	3	0	0
ADMINISTRATIVE CONFERENCE OF THE U.S.	6	0	0	0	0	0	0	0	0	0	0
COMM ON REV OF NATL POL TOWARD GAMBLING	2	0	0	0	0	0	0	0	0	0	0
ADVISORY COMMITTEE ON FEDERAL PAY	2	0	0	0	0	0	0	0	0	0	0
AMERICAN BATTLE MONUMENTS COMMISSION	4	0	0	0	0	0	0	0	0	0	0
U.S. ARMS CONTROL & DISARMAMENT AGENCY	10	2	0	0	1	1	0	0	0	0	0
BOARD FOR INTERNATIONAL BROADCASTING	3	0	0	0	0	0	0	0	0	0	0
CIVIL AERONAUTICS BOARD	12	1	0	0	0	1	0	0	0	0	0
CIVIL SERVICE COMMISSION	13	3	0	0	1	1	0	0	1	3	0
COMMISSION OF FINE ARTS	2	0	0	0	0	0	0	0	0	0	0
U.S. COMMISSION ON CIVIL RIGHTS	10	5	0	0	0	4	0	1	1	1	0
COMM FOR PURCH. FROM BLIND & SEV. HAND.	3	0	0	0	0	0	0	0	0	0	0
COMMODITY FUTURES TRADING COMMISSION	27	2	0	0	0	0	0	0	2	0	0
COMMUNITY SERVICES ADMINISTRATION	11	1	0	0	0	1	0	0	0	0	0
CONSUMER PRODUCT SAFETY COMMISSION	19	1	0	0	0	0	0	1	0	0	0
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION	13	1	0	0	0	1	0	0	0	0	0
FARM CREDIT ADMINISTRATION	17	2	0	0	0	2	0	0	0	0	0
FEDERAL COMMUNICATIONS COMMISSION	68	10	0	0	0	10	0	0	2	0	0

*NOTE: THE TOTAL NUMBER OF SYSTEMS EXEMPTED FOR EACH AGENCY MAY NOT EQUAL THE SUM OF THE NUMBER OF SYSTEMS EXEMPTED UNDER EACH PROVISION SINCE A SINGLE SYSTEM MAY BE EXEMPTED UNDER MORE THAN ONE PROVISION OF THE ACT.

AGENCY	TOTAL NUMBER OF SYSTEMS	NUMBER OF EXEMPTED SYSTEMS BY EXEMPTION PROVISION*									
		TOTAL	J-1	J-2	K-1	K-2	K-3	K-4	K-5	K-6	K-7
FEDERAL DEPOSIT INSURANCE CORPORATION	14	4	0	0	0	2	0	0	1	1	0
FEDERAL ELECTION COMMISSION	11	2	0	0	0	2	0	0	0	0	0
FEDERAL ENERGY ADMINISTRATION	22	3	0	0	0	2	0	1	0	0	0
FEDERAL HOME LOAN BANK BOARD	29	1	0	0	0	1	0	0	0	0	0
FED LABOR REL COUNC & SERV IMP. PANEL	2	0	0	0	0	0	0	0	0	0	0
FEDERAL MARITIME COMMISSION	19	0	0	0	0	0	0	0	0	0	0
FEDERAL MEDIATION & CONCILIATION SERVICE	4	2	0	0	0	0	0	0	2	0	0
COMMISSION ON FEDERAL PAPERWORK	3	0	0	0	0	0	0	0	0	0	0
FEDERAL POWER COMMISSION	26	1	0	0	0	0	0	0	1	0	0
FEDERAL RESERVE SYSTEM	17	11	0	0	0	6	0	0	9	0	0
FEDERAL TRADE COMMISSION	43	5	0	0	0	5	0	0	0	0	0
FOREIGN CLAIMS SETTLEMENT COMMISSION	31	0	0	0	0	0	0	0	0	0	0
ADV COMM ON INTERGOVERNMENTAL RELATIONS	4	0	0	0	0	0	0	0	0	0	0
INTERNATIONAL TRADE COMMISSION	4	0	0	0	0	0	0	0	0	0	0
INTERSTATE COMMERCE COMMISSION	12	2	0	2	0	0	0	0	0	0	0
MARINE MAMMAL COMMISSION	5	0	0	0	0	0	0	0	0	0	0
NATIONAL CREDIT UNION ADMINISTRATION	19	3	0	0	0	1	0	0	2	0	0
NATL FOUND ON THE ARTS & THE HUMANITIES	9	3	0	0	0	0	0	0	3	0	0
NATIONAL LABOR RELATIONS BOARD	17	0	0	0	0	0	0	0	0	0	0
NATIONAL SCIENCE FOUNDATION	40	3	0	0	0	0	0	0	3	0	0
NATIONAL TRANSPORTATION SAFETY BOARD	8	0	0	0	0	0	0	0	0	0	0
NUCLEAR REGULATORY COMMISSION	40	14	0	0	8	2	0	0	11	4	0
JOINT BOARD FOR ENROLLMENT OF ACTUARIES	9	5	0	0	0	5	0	0	0	0	0
OCCUPATIONAL SAFETY & HEALTH REV. COMM.	7	0	0	0	0	0	0	0	0	0	0
PENNSYLVANIA AVENUE DEVELOPMENT CORP.	6	0	0	0	0	0	0	0	0	0	0
POSTAL SERVICE	70	6	0	2	0	1	0	0	4	2	0
POSTAL RATE COMMISSION	1	0	0	0	0	0	0	0	0	0	0
PRIVACY PROTECTION STUDY COMMISSION	2	0	0	0	0	0	0	0	0	0	0
RAILROAD RETIREMENT BOARD	37	0	0	0	0	0	0	0	0	0	0
RENEGOTIATION BOARD, THE	1	0	0	0	0	0	0	0	0	0	0
SECURITIES AND EXCHANGE COMMISSION	99	43	0	0	0	41	0	0	2	0	0
SELECTIVE SERVICE SYSTEM	9	0	0	0	0	0	0	0	0	0	0
SMALL BUSINESS ADMINISTRATION	80	3	0	0	0	0	0	0	3	0	0
PRES COMM ON WHITE HOUSE FELLOWSHIPS	1	0	0	0	0	0	0	0	0	0	0
DEFENSE MANPOWER COMMISSION	3	0	0	0	0	0	0	0	0	0	0
TENNESSEE VALLEY AUTHORITY	29	8	0	1	0	1	0	0	6	5	0
UNITED STATES INFORMATION AGENCY	36	1	0	0	0	1	0	0	1	0	0
UNITED STATES RAILWAY ASSOCIATION	7	0	0	0	0	0	0	0	0	0	0
WATER RESOURCES COUNCIL	3	0	0	0	0	0	0	0	0	0	0
PENSION BENEFIT GUARANTY CORPORATION	6	1	0	0	0	0	0	0	1	0	0
EXPORT-IMPORT BANK	39	0	0	0	0	0	0	0	0	0	0
TOTAL	6723	889	60	210	236	545	72	80	272	101	88

*NOTE: THE TOTAL NUMBER OF SYSTEMS EXEMPTED FOR EACH AGENCY MAY NOT EQUAL THE SUM OF THE NUMBER OF SYSTEMS EXEMPTED UNDER EACH PROVISION SINCE A SINGLE SYSTEM MAY BE EXEMPTED UNDER MORE THAN ONE PROVISION OF THE ACT.

BUDGET FUNCTION	AGENCY NAME	NUMBER OF SYSTEMS	NUMBER OF INDIVIDUALS
NATIONAL DEFENSE	DEPARTMENT OF DEFENSE	2137	317167668
	CENTRAL INTELLIGENCE AGENCY	57	24964
	ENERGY RESEARCH AND DEVELOPMENT ADMIN.	3	57050
	GENERAL SERVICES ADMINISTRATION	12	10556
	RENEGOTIATION BOARD, THE	1	184
	SELECTIVE SERVICE SYSTEM	9	54732789
	DEFENSE MANPOWER COMMISSION	3	111
TOTAL		2222	371993322
INTERNATIONAL AFFAIRS	INTER-AMERICAN FOUNDATION	5	638
	AGENCY FOR INTERNATIONAL DEVELOPMENT	26	209300
	DEPARTMENT OF STATE	48	110784215
	ACTION	54	712214
	U.S. ARMS CONTROL & DISARMAMENT AGENCY	10	1259
	BOARD FOR INTERNATIONAL BROADCASTING	3	74
	FOREIGN CLAIMS SETTLEMENT COMMISSION	31	1246710
	INTERNATIONAL TRADE COMMISSION	4	806
	UNITED STATES INFORMATION AGENCY	36	265254
	EXPORT-IMPORT BANK	39	20518
TOTAL		256	113240988
GENERAL SCIENCE, SPACE AND TECHNOLOGY	ENERGY RESEARCH AND DEVELOPMENT ADMIN.	1	5019
	NATIONAL SCIENCE FOUNDATION	40	1112574
TOTAL		41	1117593
NAT. RESOURCES, ENVIRONMENT & ENERGY	DEPARTMENT OF AGRICULTURE	33	2577032
	DEPARTMENT OF COMMERCE	16	31140
	DEPARTMENT OF THE INTERIOR	232	6342699
	ENERGY RESEARCH AND DEVELOPMENT ADMIN.	36	7452561
	ENVIRONMENTAL PROTECTION AGENCY	7	49616
	VETERANS ADMINISTRATION	1	7452709
	FEDERAL ENERGY ADMINISTRATION	22	30259
	MARINE MAMMAL COMMISSION	5	322
	NUCLEAR REGULATORY COMMISSION	40	213278
	TENNESSEE VALLEY AUTHORITY	29	678044
	WATER RESOURCES COUNCIL	3	214
TOTAL		424	24827874
AGRICULTURE	DEPARTMENT OF AGRICULTURE	163	24034973
	FARM CREDIT ADMINISTRATION	17	13180
TOTAL		180	24048153

BUDGET FUNCTION AGENCY NAME	NUMBER OF SYSTEMS	NUMBER OF INDIVIDUALS
COMMERCE AND TRANSPORTATION		
DEPARTMENT OF COMMERCE	76	439888960
CANAL ZONE GOVERNMENT/PANAMA CANAL CO.	63	409407
DEPARTMENT OF TRANSPORTATION	263	23435638
DEPT. OF HOUSING & URBAN DEVELOPMENT	28	16818800
CIVIL AERONAUTICS BOARD	12	28665
COMMODITY FUTURES TRADING COMMISSION	27	74782
FEDERAL COMMUNICATIONS COMMISSION	68	9180998
FEDERAL DEPOSIT INSURANCE CORPORATION	14	65092
FEDERAL HOME LOAN BANK BOARD	29	1128380
FEDERAL MARITIME COMMISSION	19	7213
FEDERAL POWER COMMISSION	26	27789
FEDERAL TRADE COMMISSION	43	558649
INTERSTATE COMMERCE COMMISSION	12	15141
NATIONAL CREDIT UNION ADMINISTRATION	19	116215
NATIONAL TRANSPORTATION SAFETY BOARD	8	1209
POSTAL SERVICE	70	129742152
POSTAL RATE COMMISSION	1	92
SECURITIES AND EXCHANGE COMMISSION	99	2818079
SMALL BUSINESS ADMINISTRATION	78	2517475
UNITED STATES RAILWAY ASSOCIATION	7	11387
TOTAL	962	626846123
COMMUNITY AND REGIONAL DEVELOPMENT		
DEPARTMENT OF AGRICULTURE	10	1694470
DEPARTMENT OF COMMERCE	3	932
DEPARTMENT OF HEALTH EDUCATION & WELFARE	8	46252
DEPARTMENT OF THE INTERIOR	14	7269420
DEPT. OF HOUSING & URBAN DEVELOPMENT	5	93300
ACTION	7	174763
COMMISSION OF FINE ARTS	2	15
PENNSYLVANIA AVENUE DEVELOPMENT CORP.	6	172
SMALL BUSINESS ADMINISTRATION	2	125000
TOTAL	57	9404324
MANPOWER AND SOCIAL SERVICES		
DEPARTMENT OF HEALTH EDUCATION & WELFARE	200	16611548
DEPARTMENT OF THE INTERIOR	2	374180
DEPARTMENT OF LABOR	62	10009325
DEPT. OF HOUSING & URBAN DEVELOPMENT	1	2700
COMM FOR PURCH. FROM BLIND & SEV. HAND.	3	69
FEDERAL MEDIATION & CONCILIATION SERVICE	4	3432
NATL FOUND ON THE ARTS & THE HUMANITIES	9	57130
NATIONAL LABOR RELATIONS BOARD	17	59155
TOTAL	298	27117539

BUDGET FUNCTION AGENCY NAME	NUMBER OF SYSTEMS	NUMBER OF INDIVIDUALS
HEALTH		
DEPARTMENT OF AGRICULTURE	1	11000
DEPARTMENT OF HEALTH EDUCATION & WELFARE	408	165943808
DEPARTMENT OF THE INTERIOR	15	372544
CONSUMER PRODUCT SAFETY COMMISSION	19	40111
OCCUPATIONAL SAFETY & HEALTH REV. COMM.	7	16948
TOTAL	450	166384411
INCOME SECURITY		
DEPARTMENT OF AGRICULTURE	7	147802
DEPARTMENT OF HEALTH EDUCATION & WELFARE	171	1028179262
DEPARTMENT OF LABOR	2	13281000
DEPT. OF HOUSING & URBAN DEVELOPMENT	7	2213400
RAILROAD RETIREMENT BOARD	30	41523328
PENSION BENEFIT GUARANTY CORPORATION	6	157149
TOTAL	223	1085501941
VETERANS BENEFITS AND SERVICES		
VETERANS ADMINISTRATION	56	208820346
AMERICAN BATTLE MONUMENTS COMMISSION	4	166
TOTAL	60	208820512
LAW ENFORCEMENT AND JUSTICE		
DEPARTMENT OF HEALTH EDUCATION & WELFARE	10	36700
DEPARTMENT OF JUSTICE	175	133914676
DEPARTMENT OF THE TREASURY	293	12425184
ADMINISTRATIVE CONFERENCE OF THE U.S.	6	1425
COMM ON REV OF NATL POL TOWARD GAMBLING	2	104
U.S. COMMISSION ON CIVIL RIGHTS	10	29512
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION	13	304425
TOTAL	509	146712026
GENERAL GOVERNMENT		
OFFICE OF TECHNOLOGY ASSESSMENT	1	716
COUNCIL ON WAGE AND PRICE STABILITY	2	3060
NATIONAL SECURITY COUNCIL	7	25730
OFFICE OF MANAGEMENT AND BUDGET	10	6222555
OFF. OF SPECIAL REP., TRADE NEGOTIATIONS	4	416
OFFICE OF TELECOMMUNICATIONS POLICY	11	758
CANAL ZONE GOVERNMENT/PANAMA CANAL CO.	71	1839793
DEPARTMENT OF HEALTH EDUCATION & WELFARE	1	160
DEPARTMENT OF THE INTERIOR	2	179
DEPARTMENT OF THE TREASURY	380	953118763
GENERAL SERVICES ADMINISTRATION	87	3714189
ADVISORY COMMITTEE ON FEDERAL PAY	2	08
CIVIL SERVICE COMMISSION	13	103292200
FEDERAL ELECTION COMMISSION	11	16203
FED LABOR REL COUNC & SERV IMP. PANEL	2	838
COMMISSION ON FEDERAL PAPERWORK	3	390
ADV COMM ON INTERGOVERNMENTAL RELATIONS	4	24649
JOINT BOARD FOR ENROLLMENT OF ACTUARIES	9	6013
PRIVACY PROTECTION STUDY COMMISSION	2	195
PRES COMM ON WHITE HOUSE FELLOWSHIPS	1	2864
TOTAL	623	1068269679

BUDGET FUNCTION AGENCY NAME	NUMBER OF SYSTEMS	NUMBER OF INDIVIDUALS
REVENUE SHARING AND G. P. FISCAL ASST DEPARTMENT OF THE TREASURY	12	1383
TOTAL	12	1383
MULTIPLE FUNCTIONS		
OVERSEAS PRIVATE INVESTMENT CORPORATION	22	4514
DEPARTMENT OF HEALTH EDUCATION & WELFARE	30	622069
DEPARTMENT OF THE INTERIOR	11	528030
DEPARTMENT OF LABOR	9	1936611
DEPARTMENT OF THE TREASURY	243	394606
DEPT. OF HOUSING & URBAN DEVELOPMENT	16	7384989
NATIONAL AERONAUTICS & SPACE ADMIN.	25	370715
COMMUNITY SERVICES ADMINISTRATION	11	6693
FEDERAL RESERVE SYSTEM	17	49106
RAILROAD RETIREMENT BOARD	7	1322289
TOTAL	391	12619622
UNSPECIFIED FUNCTIONS	15	521866
GRAND TOTAL	6723	3887427356

SYSTEMS BY MAJOR BUDGET FUNCTION AND AGENCY

AS OF DECEMBER 31, 1975

GENERAL EXEMPTIONS	NUMBER OF SYSTEMS	NUMBER OF INDIVIDUALS
J-1 CENTRAL INTELLIGENCE AGENCY RECORDS		
DEPARTMENT OF JUSTICE	3	63406
CENTRAL INTELLIGENCE AGENCY	57	21037
TOTAL	60	84443
J-2 CRIMINAL LAW ENFORCEMENT AGENCY RECORDS		
AGENCY FOR INTERNATIONAL DEVELOPMENT	1	60000
DEPARTMENT OF COMMERCE	3	85971
DEPARTMENT OF DEFENSE	34	4864707
CANAL ZONE GOVERNMENT/PANAMA CANAL CO.	30	591984
DEPARTMENT OF HEALTH EDUCATION & WELFARE	8	32483
DEPARTMENT OF THE INTERIOR	3	810618
DEPARTMENT OF JUSTICE	61	33813714
DEPARTMENT OF LABOR	2	55650
DEPARTMENT OF STATE	15	94060255
DEPARTMENT OF THE TREASURY	45	4693586
DEPARTMENT OF TRANSPORTATION	1	200
GENERAL SERVICES ADMINISTRATION	1	2000
NATIONAL AERONAUTICS & SPACE ADMIN.	1	16300
INTERSTATE COMMERCE COMMISSION	2	624
POSTAL SERVICE	2	2690824
TENNESSEE VALLEY AUTHORITY	1	698
TOTAL	210	141779614
SPECIFIC EXEMPTIONS		
K-1 CLASSIFIED RECORDS		
NATIONAL SECURITY COUNCIL	3	17939
AGENCY FOR INTERNATIONAL DEVELOPMENT	4	158145
DEPARTMENT OF COMMERCE	12	3726189
DEPARTMENT OF DEFENSE	79	3853547
CANAL ZONE GOVERNMENT/PANAMA CANAL CO.	4	66860
DEPARTMENT OF JUSTICE	35	26412408
CENTRAL INTELLIGENCE AGENCY	57	21037
DEPARTMENT OF STATE	18	110560373
DEPARTMENT OF THE TREASURY	2	600140
ENERGY RESEARCH AND DEVELOPMENT ADMIN.	8	3497908
ENVIRONMENTAL PROTECTION AGENCY	1	7500
DEPARTMENT OF TRANSPORTATION	2	5300
NATIONAL AERONAUTICS & SPACE ADMIN.	1	185291
U.S. ARMS CONTROL & DISARMAMENT AGENCY	1	11
CIVIL SERVICE COMMISSION	1	3100000
NUCLEAR REGULATORY COMMISSION	8	8831
TOTAL	236	152221479

PRIVACY ACT OF 1974 - SUMMARY OF EXEMPTIONS BY AUTHORITY AND AGENCY

SPECIFIC EXEMPTIONS	NUMBER OF SYSTEMS	NUMBER OF INDIVIDUALS
K-2 OTHER LAW ENFORCEMENT RECORDS		
AGENCY FOR INTERNATIONAL DEVELOPMENT	4	158145
DEPARTMENT OF AGRICULTURE	42	235819
DEPARTMENT OF COMMERCE	7	128721
DEPARTMENT OF DEFENSE	53	4016407
CANAL ZONE GOVERNMENT/PANAMA CANAL CO.	32	599034
DEPARTMENT OF HEALTH EDUCATION & WELFARE	6	28631
DEPARTMENT OF THE INTERIOR	14	59386
DEPARTMENT OF JUSTICE	25	2363325
DEPARTMENT OF LABOR	2	55650
CENTRAL INTELLIGENCE AGENCY	57	21037
DEPARTMENT OF STATE	13	93878260
DEPARTMENT OF THE TREASURY	170	184990508
ENERGY RESEARCH AND DEVELOPMENT ADMIN.	8	3458884
ENVIRONMENTAL PROTECTION AGENCY	3	18900
DEPARTMENT OF TRANSPORTATION	14	5652422
GENERAL SERVICES ADMINISTRATION	1	240000
DEPT. OF HOUSING & URBAN DEVELOPMENT	2	40318
NATIONAL AERONAUTICS & SPACE ADMIN.	1	185291
U.S. ARMS CONTROL & DISARMAMENT AGENCY	1	600
CIVIL AERONAUTICS BOARD	1	140
CIVIL SERVICE COMMISSION	1	3100000
U.S. COMMISSION ON CIVIL RIGHTS	4	22
COMMUNITY SERVICES ADMINISTRATION	1	56
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION	1	292600
FARM CREDIT ADMINISTRATION	2	268
FEDERAL COMMUNICATIONS COMMISSION	10	5553551
FEDERAL DEPOSIT INSURANCE CORPORATION	2	27975
FEDERAL ELECTION COMMISSION	2	126
FEDERAL ENERGY ADMINISTRATION	2	6952
FEDERAL HOME LOAN BANK BOARD	1	191
FEDERAL RESERVE SYSTEM	6	22692
FEDERAL TRADE COMMISSION	5	381447
NATIONAL CREDIT UNION ADMINISTRATION	1	103
NUCLEAR REGULATORY COMMISSION	2	58
JOINT BOARD FOR ENROLLMENT OF ACTUARIES	5	3857
POSTAL SERVICE	1	401660
SECURITIES AND EXCHANGE COMMISSION	41	1588258
TENNESSEE VALLEY AUTHORITY	1	200
UNITED STATES INFORMATION AGENCY	1	288
TOTAL	545	328781782

PRIVACY ACT OF 1974 - SUMMARY OF EXEMPTIONS BY AUTHORITY AND AGENCY

SPECIFIC EXEMPTIONS	NUMBER OF SYSTEMS	NUMBER OF INDIVIDUALS
K-3 PROTECTIVE SERVICES RECORDS		
AGENCY FOR INTERNATIONAL DEVELOPMENT	1	98100
DEPARTMENT OF DEFENSE	2	352000
DEPARTMENT OF JUSTICE	2	19959270
CENTRAL INTELLIGENCE AGENCY	57	21037
DEPARTMENT OF STATE	9	93877725
DEPARTMENT OF THE TREASURY	1	39622
TOTAL	72	114347754
K-4 STATISTICAL RECORDS		
AGENCY FOR INTERNATIONAL DEVELOPMENT	1	20
DEPARTMENT OF COMMERCE	6	430795344
DEPARTMENT OF DEFENSE	3	1233
CANAL ZONE GOVERNMENT/PANAMA CANAL CO.	1	960
DEPARTMENT OF HEALTH EDUCATION & WELFARE	4	56799577
DEPARTMENT OF JUSTICE	1	19765000
CENTRAL INTELLIGENCE AGENCY	57	21037
DEPARTMENT OF STATE	3	77000
DEPARTMENT OF THE TREASURY	1	1250000
U.S. COMMISSION ON CIVIL RIGHTS	1	3
CONSUMER PRODUCT SAFETY COMMISSION	1	27500
FEDERAL ENERGY ADMINISTRATION	1	3476
TOTAL	80	508741150
K-5 FEDERAL SERVICE SUITABILITY INVESTIGATIVE RECORDS		
AGENCY FOR INTERNATIONAL DEVELOPMENT	5	99541
DEPARTMENT OF AGRICULTURE	2	751800
DEPARTMENT OF COMMERCE	13	74338
DEPARTMENT OF DEFENSE	60	4985053
CANAL ZONE GOVERNMENT/PANAMA CANAL CO.	8	191425
DEPARTMENT OF HEALTH EDUCATION & WELFARE	2	101400
DEPARTMENT OF THE INTERIOR	3	3030
DEPARTMENT OF JUSTICE	11	19990474
CENTRAL INTELLIGENCE AGENCY	57	20997
DEPARTMENT OF STATE	10	1195684
DEPARTMENT OF THE TREASURY	14	666335
ENERGY RESEARCH AND DEVELOPMENT ADMIN.	11	3502714
ENVIRONMENTAL PROTECTION AGENCY	3	18900
DEPARTMENT OF TRANSPORTATION	10	947700
GENERAL SERVICES ADMINISTRATION	1	240000
DEPT. OF HOUSING & URBAN DEVELOPMENT	3	40318
NATIONAL AERONAUTICS & SPACE ADMIN.	1	185291
ACTION	3	122635
CIVIL SERVICE COMMISSION	1	3100000

PRIVACY ACT OF 1974 - SUMMARY OF EXEMPTIONS BY AUTHORITY AND AGENCY

SPECIFIC EXEMPTIONS	NUMBER OF SYSTEMS	NUMBER OF INDIVIDUALS
K-5 FEDERAL SERVICE SUITABILITY INVESTIGATIVE RECORDS		
U.S. COMMISSION ON CIVIL RIGHTS	1	3
COMMODITY FUTURES TRADING COMMISSION	2	2400
FEDERAL COMMUNICATIONS COMMISSION	2	1010
FEDERAL DEPOSIT INSURANCE CORPORATION	1	130
FEDERAL MEDIATION & CONCILIATION SERVICE	2	2487
FEDERAL POWER COMMISSION	1	1500
FEDERAL RESERVE SYSTEM	9	32312
NATIONAL CREDIT UNION ADMINISTRATION	2	4
NATL FOUND ON THE ARTS & THE HUMANITIES	3	38064
NATIONAL SCIENCE FOUNDATION	3	52423
NUCLEAR REGULATORY COMMISSION	11	20263
POSTAL SERVICE	4	3052643
SECURITIES AND EXCHANGE COMMISSION	2	3300
SMALL BUSINESS ADMINISTRATION	3	10000
TENNESSEE VALLEY AUTHORITY	6	332797
UNITED STATES INFORMATION AGENCY	1	288
PENSION BENEFIT GUARANTY CORPORATION	1	5765
TOTAL	272	39793024
K-6 TESTING OR EXAMINATION RECORDS		
DEPARTMENT OF DEFENSE	11	902009
CANAL ZONE GOVERNMENT/PANAMA CANAL CO.	7	73864
DEPARTMENT OF JUSTICE	2	19890934
CENTRAL INTELLIGENCE AGENCY	57	21037
DEPARTMENT OF STATE	2	48000
DEPARTMENT OF THE TREASURY	1	400000
ENERGY RESEARCH AND DEVELOPMENT ADMIN.	3	43830
DEPARTMENT OF TRANSPORTATION	1	750
GENERAL SERVICES ADMINISTRATION	1	1000
CIVIL SERVICE COMMISSION	3	19109500
U.S. COMMISSION ON CIVIL RIGHTS	1	3
FEDERAL DEPOSIT INSURANCE CORPORATION	1	210
NUCLEAR REGULATORY COMMISSION	4	5830
POSTAL SERVICE	2	2960413
TENNESSEE VALLEY AUTHORITY	5	332197
TOTAL	101	43789577

SPECIFIC EXEMPTIONS

NUMBER OF
SYSTEMS

NUMBER OF
INDIVIDUALS

PRIVACY ACT OF 1974 - SUMMARY OF EXEMPTIONS BY AUTHORITY AND AGENCY

PRIVACY ACT OF 1974 - SUMMARY OF EXEMPTIONS BY AUTHORITY AND AGENCY

SPECIFIC EXEMPTIONS	NUMBER OF SYSTEMS	NUMBER OF INDIVIDUALS
K-7 MILITARY SERVICE PROMOTION POTENTIAL RECORDS		
DEPARTMENT OF DEFENSE	17	439220
DEPARTMENT OF JUSTICE	1	209664
CENTRAL INTELLIGENCE AGENCY	57	21037
DEPARTMENT OF STATE	4	21270000
DEPARTMENT OF TRANSPORTATION	9	935700
TOTAL	88	22875621