## 5 U.S.C. § 552 :

## US Code - Section 552:

## Public information; agency rules, opinions, orders, records, and proceedings

(a) Each agency shall make available to the public information as

follows:

(1) Each agency shall separately state and currently publish in

the Federal Register for the guidance of the public -

(A) descriptions of its central and field organization and the

established places at which, the employees (and in the case of a

uniformed service, the members) from whom, and the methods

whereby, the public may obtain information, make submittals or

requests, or obtain decisions;

(B) statements of the general course and method by which its

functions are channeled and determined, including the nature and

requirements of all formal and informal procedures available;

(C) rules of procedure, descriptions of forms available or the

places at which forms may be obtained, and instructions as to the

scope and contents of all papers, reports, or examinations;

(D) substantive rules of general applicability adopted as

authorized by law, and statements of general policy or

interpretations of general applicability formulated and adopted

by the agency; and

(E) each amendment, revision, or repeal of the foregoing.

Except to the extent that a person has actual and timely notice of

the terms thereof, a person may not in any manner be required to

resort to, or be adversely affected by, a matter required to be

published in the Federal Register and not so published. For the

purpose of this paragraph, matter reasonably available to the class

of persons affected thereby is deemed published in the Federal

Register when incorporated by reference therein with the approval

of the Director of the Federal Register.

(2) Each agency, in accordance with published rules, shall make

available for public inspection and copying -

(A) final opinions, including concurring and dissenting

opinions, as well as orders, made in the adjudication of cases;

(B) those statements of policy and interpretations which have

been adopted by the agency and are not published in the Federal

Register;

(C) administrative staff manuals and instructions to staff that

affect a member of the public;

(D) copies of all records, regardless of form or format, which

have been released to any person under paragraph (3) and which,

because of the nature of their subject matter, the agency

determines have become or are likely to become the subject of

subsequent requests for substantially the same records; and

(E) a general index of the records referred to under

subparagraph (D);

unless the materials are promptly published and copies offered for

sale. For records created on or after November 1, 1996, within one

year after such date, each agency shall make such records

available, including by computer telecommunications or, if computer

telecommunications means have not been established by the agency,

by other electronic means. To the extent required to prevent a

clearly unwarranted invasion of personal privacy, an agency may

delete identifying details when it makes available or publishes an

opinion, statement of policy, interpretation, staff manual,

instruction, or copies of records referred to in subparagraph (D).

However, in each case the justification for the deletion shall be

explained fully in writing, and the extent of such deletion shall

be indicated on the portion of the record which is made available

or published, unless including that indication would harm an

interest protected by the exemption in subsection (b) under which

the deletion is made. If technically feasible, the extent of the

deletion shall be indicated at the place in the record where the

deletion was made. Each agency shall also maintain and make

available for public inspection and copying current indexes

providing identifying information for the public as to any matter

issued, adopted, or promulgated after July 4, 1967, and required by

this paragraph to be made available or published. Each agency shall

promptly publish, quarterly or more frequently, and distribute (by

sale or otherwise) copies of each index or supplements thereto

unless it determines by order published in the Federal Register

that the publication would be unnecessary and impracticable, in

which case the agency shall nonetheless provide copies of such

index on request at a cost not to exceed the direct cost of

duplication. Each agency shall make the index referred to in

subparagraph (E) available by computer telecommunications by

December 31, 1999. A final order, opinion, statement of policy,

interpretation, or staff manual or instruction that affects a

member of the public may be relied on, used, or cited as precedent

by an agency against a party other than an agency only if -

(i) it has been indexed and either made available or published

as provided by this paragraph; or

(ii) the party has actual and timely notice of the terms

thereof.

(3)(A) Except with respect to the records made available under

paragraphs (1) and (2) of this subsection, and except as provided

in subparagraph (E), each agency, upon any request for records

which (i) reasonably describes such records and (ii) is made in

accordance with published rules stating the time, place, fees (if

any), and procedures to be followed, shall make the records

promptly available to any person.

(B) In making any record available to a person under this

paragraph, an agency shall provide the record in any form or format

requested by the person if the record is readily reproducible by

the agency in that form or format. Each agency shall make

reasonable efforts to maintain its records in forms or formats that

are reproducible for purposes of this section.

(C) In responding under this paragraph to a request for records,

an agency shall make reasonable efforts to search for the records

in electronic form or format, except when such efforts would

significantly interfere with the operation of the agency's

automated information system.

(D) For purposes of this paragraph, the term "search" means to

review, manually or by automated means, agency records for the

purpose of locating those records which are responsive to a

request.

(E) An agency, or part of an agency, that is an element of the

intelligence community (as that term is defined in section 3(4) of

the National Security Act of 1947 (50 U.S.C. 401a(4))) shall not

make any record available under this paragraph to -

(i) any government entity, other than a State, territory,

commonwealth, or district of the United States, or any

subdivision thereof; or

(ii) a representative of a government entity described in

clause (i).

(4)(A)(i) In order to carry out the provisions of this section,

each agency shall promulgate regulations, pursuant to notice and

receipt of public comment, specifying the schedule of fees

applicable to the processing of requests under this section and

establishing procedures and guidelines for determining when such

fees should be waived or reduced. Such schedule shall conform to

the guidelines which shall be promulgated, pursuant to notice and

receipt of public comment, by the Director of the Office of

Management and Budget and which shall provide for a uniform

schedule of fees for all agencies.

(ii) Such agency regulations shall provide that -

(I) fees shall be limited to reasonable standard charges for

document search, duplication, and review, when records are

requested for commercial use;

(II) fees shall be limited to reasonable standard charges for

document duplication when records are not sought for commercial

use and the request is made by an educational or noncommercial

scientific institution, whose purpose is scholarly or scientific

research; or a representative of the news media; and

(III) for any request not described in (I) or (II), fees shall

be limited to reasonable standard charges for document search and

duplication.

(iii) Documents shall be furnished without any charge or at a

charge reduced below the fees established under clause (ii) if

disclosure of the information is in the public interest because it

is likely to contribute significantly to public understanding of

the operations or activities of the government and is not primarily

in the commercial interest of the requester.

(iv) Fee schedules shall provide for the recovery of only the

direct costs of search, duplication, or review. Review costs shall

include only the direct costs incurred during the initial

examination of a document for the purposes of determining whether

the documents must be disclosed under this section and for the

purposes of withholding any portions exempt from disclosure under

this section. Review costs may not include any costs incurred in

resolving issues of law or policy that may be raised in the course

of processing a request under this section. No fee may be charged

by any agency under this section -

(I) if the costs of routine collection and processing of the

fee are likely to equal or exceed the amount of the fee; or

(II) for any request described in clause (ii) (II) or (III) of

this subparagraph for the first two hours of search time or for

the first one hundred pages of duplication.

(v) No agency may require advance payment of any fee unless the

requester has previously failed to pay fees in a timely fashion, or

the agency has determined that the fee will exceed $250.

(vi) Nothing in this subparagraph shall supersede fees chargeable

under a statute specifically providing for setting the level of

fees for particular types of records.

(vii) In any action by a requester regarding the waiver of fees

under this section, the court shall determine the matter de novo:

Provided, That the court's review of the matter shall be limited to

the record before the agency.

(B) On complaint, 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, has jurisdiction to enjoin the agency

from withholding agency records and to order the production of any

agency records improperly withheld from the complainant. In such a

case the court shall determine the matter de novo, and may examine

the contents of such agency records in camera to determine whether

such records or any part thereof shall be withheld under any of the

exemptions set forth in subsection (b) of this section, and the

burden is on the agency to sustain its action. In addition to any

other matters to which a court accords substantial weight, a court

shall accord substantial weight to an affidavit of an agency

concerning the agency's determination as to technical feasibility

under paragraph (2)(C) and subsection (b) and reproducibility under

paragraph (3)(B).

(C) Notwithstanding any other provision of law, the defendant

shall serve an answer or otherwise plead to any complaint made

under this subsection within thirty days after service upon the

defendant of the pleading in which such complaint is made, unless

the court otherwise directs for good cause shown.

[(D) Repealed. Pub. L. 98-620, title IV, Sec. 402(2), Nov. 8,

1984, 98 Stat. 3357.]

(E) The court may assess against the United States reasonable

attorney fees and other litigation costs reasonably incurred in any

case under this section in which the complainant has substantially

prevailed.

(F) Whenever the court orders the production of any agency

records improperly withheld from the complainant and assesses

against the United States reasonable attorney fees and other

litigation costs, and the court additionally issues a written

finding that the circumstances surrounding the withholding raise

questions whether agency personnel acted arbitrarily or

capriciously with respect to the withholding, the Special Counsel

shall promptly initiate a proceeding to determine whether

disciplinary action is warranted against the officer or employee

who was primarily responsible for the withholding. The Special

Counsel, after investigation and consideration of the evidence

submitted, shall submit his findings and recommendations to the

administrative authority of the agency concerned and shall send

copies of the findings and recommendations to the officer or

employee or his representative. The administrative authority shall

take the corrective action that the Special Counsel recommends.

(G) In the event of noncompliance with the order of the court,

the district court may punish for contempt the responsible

employee, and in the case of a uniformed service, the responsible

member.

(5) Each agency having more than one member shall maintain and

make available for public inspection a record of the final votes of

each member in every agency proceeding.

(6)(A) Each agency, upon any request for records made under

paragraph (1), (2), or (3) of this subsection, shall -

(i) determine within 20 days (excepting Saturdays, Sundays, and

legal public holidays) after the receipt of any such request

whether to comply with such request and shall immediately notify

the person making such request of such determination and the

reasons therefor, and of the right of such person to appeal to

the head of the agency any adverse determination; and

(ii) make a determination with respect to any appeal within

twenty days (excepting Saturdays, Sundays, and legal public

holidays) after the receipt of such appeal. If on appeal the

denial of the request for records is in whole or in part upheld,

the agency shall notify the person making such request of the

provisions for judicial review of that determination under

paragraph (4) of this subsection.

(B)(i) In unusual circumstances as specified in this

subparagraph, the time limits prescribed in either clause (i) or

clause (ii) of subparagraph (A) may be extended by written notice

to the person making such request setting forth the unusual

circumstances for such extension and the date on which a

determination is expected to be dispatched. No such notice shall

specify a date that would result in an extension for more than ten

working days, except as provided in clause (ii) of this

subparagraph.

(ii) With respect to a request for which a written notice under

clause (i) extends the time limits prescribed under clause (i) of

subparagraph (A), the agency shall notify the person making the

request if the request cannot be processed within the time limit

specified in that clause and shall provide the person an

opportunity to limit the scope of the request so that it may be

processed within that time limit or an opportunity to arrange with

the agency an alternative time frame for processing the request or

a modified request. Refusal by the person to reasonably modify the

request or arrange such an alternative time frame shall be

considered as a factor in determining whether exceptional

circumstances exist for purposes of subparagraph (C).

(iii) As used in this subparagraph, "unusual circumstances"

means, but only to the extent reasonably necessary to the proper

processing of the particular requests -

(I) the need to search for and collect the requested records

from field facilities or other establishments that are separate

from the office processing the request;

(II) the need to search for, collect, and appropriately examine

a voluminous amount of separate and distinct records which are

demanded in a single request; or

(III) the need for consultation, which shall be conducted with

all practicable speed, with another agency having a substantial

interest in the determination of the request or among two or more

components of the agency having substantial subject-matter

interest therein.

(iv) Each agency may promulgate regulations, pursuant to notice

and receipt of public comment, providing for the aggregation of

certain requests by the same requestor, or by a group of requestors

acting in concert, if the agency reasonably believes that such

requests actually constitute a single request, which would

otherwise satisfy the unusual circumstances specified in this

subparagraph, and the requests involve clearly related matters.

Multiple requests involving unrelated matters shall not be

aggregated.

(C)(i) Any person making a request to any agency for records

under paragraph (1), (2), or (3) of this subsection shall be deemed

to have exhausted his administrative remedies with respect to such

request if the agency fails to comply with the applicable time

limit provisions of this paragraph. If the Government can show

exceptional circumstances exist and that the agency is exercising

due diligence in responding to the request, the court may retain

jurisdiction and allow the agency additional time to complete its

review of the records. Upon any determination by an agency to

comply with a request for records, the records shall be made

promptly available to such person making such request. Any

notification of denial of any request for records under this

subsection shall set forth the names and titles or positions of

each person responsible for the denial of such request.

(ii) For purposes of this subparagraph, the term "exceptional

circumstances" does not include a delay that results from a

predictable agency workload of requests under this section, unless

the agency demonstrates reasonable progress in reducing its backlog

of pending requests.

(iii) Refusal by a person to reasonably modify the scope of a

request or arrange an alternative time frame for processing a

request (or a modified request) under clause (ii) after being given

an opportunity to do so by the agency to whom the person made the

request shall be considered as a factor in determining whether

exceptional circumstances exist for purposes of this subparagraph.

(D)(i) Each agency may promulgate regulations, pursuant to notice

and receipt of public comment, providing for multitrack processing

of requests for records based on the amount of work or time (or

both) involved in processing requests.

(ii) Regulations under this subparagraph may provide a person

making a request that does not qualify for the fastest multitrack

processing an opportunity to limit the scope of the request in

order to qualify for faster processing.

(iii) This subparagraph shall not be considered to affect the

requirement under subparagraph (C) to exercise due diligence.

(E)(i) Each agency shall promulgate regulations, pursuant to

notice and receipt of public comment, providing for expedited

processing of requests for records -

(I) in cases in which the person requesting the records

demonstrates a compelling need; and

(II) in other cases determined by the agency.

(ii) Notwithstanding clause (i), regulations under this

subparagraph must ensure -

(I) that a determination of whether to provide expedited

processing shall be made, and notice of the determination shall

be provided to the person making the request, within 10 days

after the date of the request; and

(II) expeditious consideration of administrative appeals of

such determinations of whether to provide expedited processing.

(iii) An agency shall process as soon as practicable any request

for records to which the agency has granted expedited processing

under this subparagraph. Agency action to deny or affirm denial of

a request for expedited processing pursuant to this subparagraph,

and failure by an agency to respond in a timely manner to such a

request shall be subject to judicial review under paragraph (4),

except that the judicial review shall be based on the record before

the agency at the time of the determination.

(iv) A district court of the United States shall not have

jurisdiction to review an agency denial of expedited processing of

a request for records after the agency has provided a complete

response to the request.

(v) For purposes of this subparagraph, the term "compelling need"

means -

(I) that a failure to obtain requested records on an expedited

basis under this paragraph could reasonably be expected to pose

an imminent threat to the life or physical safety of an

individual; or

(II) with respect to a request made by a person primarily

engaged in disseminating information, urgency to inform the

public concerning actual or alleged Federal Government activity.

(vi) A demonstration of a compelling need by a person making a

request for expedited processing shall be made by a statement

certified by such person to be true and correct to the best of such

person's knowledge and belief.

(F) In denying a request for records, in whole or in part, an

agency shall make a reasonable effort to estimate the volume of any

requested matter the provision of which is denied, and shall

provide any such estimate to the person making the request, unless

providing such estimate would harm an interest protected by the

exemption in subsection (b) pursuant to which the denial is made.

(b) This section does not apply to matters that are -

(1)(A) specifically authorized under criteria established by an

Executive order to be kept secret in the interest of national

defense or foreign policy and (B) are in fact properly classified

pursuant to such Executive order;

(2) related solely to the internal personnel rules and

practices of an agency;

(3) specifically exempted from disclosure by statute (other

than section 552b of this title), provided that such statute (A)

requires that the matters be withheld from the public in such a

manner as to leave no discretion on the issue, or (B) establishes

particular criteria for withholding or refers to particular types

of matters to be withheld;

(4) trade secrets and commercial or financial information

obtained from a person and privileged or confidential;

(5) inter-agency or intra-agency memorandums or letters which

would not be available by law to a party other than an agency in

litigation with the agency;

(6) personnel and medical files and similar files the

disclosure of which would constitute a clearly unwarranted

invasion of personal privacy;

(7) records or information compiled for law enforcement

purposes, but only to the extent that the production of such law

enforcement records or information (A) could reasonably be

expected to interfere with enforcement proceedings, (B) would

deprive a person of a right to a fair trial or an impartial

adjudication, (C) could reasonably be expected to constitute an

unwarranted invasion of personal privacy, (D) could reasonably be

expected to disclose the identity of a confidential source,

including a State, local, or foreign agency or authority or any

private institution which furnished information on a confidential

basis, and, in the case of a record or information compiled by

criminal law enforcement authority in the course of a criminal

investigation or by an agency conducting a lawful national

security intelligence investigation, information furnished by a

confidential source, (E) would disclose techniques and procedures

for law enforcement investigations or prosecutions, or would

disclose guidelines for law enforcement investigations or

prosecutions if such disclosure could reasonably be expected to

risk circumvention of the law, or (F) could reasonably be

expected to endanger the life or physical safety of any

individual;

(8) contained in or related to examination, operating, or

condition reports prepared by, on behalf of, or for the use of an

agency responsible for the regulation or supervision of financial

institutions; or

(9) geological and geophysical information and data, including

maps, concerning wells.

Any reasonably segregable portion of a record shall be provided to

any person requesting such record after deletion of the portions

which are exempt under this subsection. The amount of information

deleted shall be indicated on the released portion of the record,

unless including that indication would harm an interest protected

by the exemption in this subsection under which the deletion is

made. If technically feasible, the amount of the information

deleted shall be indicated at the place in the record where such

deletion is made.

(c)(1) Whenever a request is made which involves access to

records described in subsection (b)(7)(A) and -

(A) the investigation or proceeding involves a possible

violation of criminal law; and

(B) there is reason to believe that (i) the subject of the

investigation or proceeding is not aware of its pendency, and

(ii) disclosure of the existence of the records could reasonably

be expected to interfere with enforcement proceedings,

the agency may, during only such time as that circumstance

continues, treat the records as not subject to the requirements of

this section.

(2) Whenever informant records maintained by a criminal law

enforcement agency under an informant's name or personal identifier

are requested by a third party according to the informant's name or

personal identifier, the agency may treat the records as not

subject to the requirements of this section unless the informant's

status as an informant has been officially confirmed.

(3) Whenever a request is made which involves access to records

maintained by the Federal Bureau of Investigation pertaining to

foreign intelligence or counterintelligence, or international

terrorism, and the existence of the records is classified

information as provided in subsection (b)(1), the Bureau may, as

long as the existence of the records remains classified

information, treat the records as not subject to the requirements

of this section.

(d) This section does not authorize withholding of information or

limit the availability of records to the public, except as

specifically stated in this section. This section is not authority

to withhold information from Congress.

(e)(1) On or before February 1 of each year, each agency shall

submit to the Attorney General of the United States a report which

shall cover the preceding fiscal year and which shall include -

(A) the number of determinations made by the agency not to

comply with requests for records made to such agency under

subsection (a) and the reasons for each such determination;

(B)(i) the number of appeals made by persons under subsection

(a)(6), the result of such appeals, and the reason for the action

upon each appeal that results in a denial of information; and

(ii) a complete list of all statutes that the agency relies

upon to authorize the agency to withhold information under

subsection (b)(3), a description of whether a court has upheld

the decision of the agency to withhold information under each

such statute, and a concise description of the scope of any

information withheld;

(C) the number of requests for records pending before the

agency as of September 30 of the preceding year, and the median

number of days that such requests had been pending before the

agency as of that date;

(D) the number of requests for records received by the agency

and the number of requests which the agency processed;

(E) the median number of days taken by the agency to process

different types of requests;

(F) the total amount of fees collected by the agency for

processing requests; and

(G) the number of full-time staff of the agency devoted to

processing requests for records under this section, and the total

amount expended by the agency for processing such requests.

(2) Each agency shall make each such report available to the

public including by computer telecommunications, or if computer

telecommunications means have not been established by the agency,

by other electronic means.

(3) The Attorney General of the United States shall make each

report which has been made available by electronic means available

at a single electronic access point. The Attorney General of the

United States shall notify the Chairman and ranking minority member

of the Committee on Government Reform and Oversight of the House of

Representatives and the Chairman and ranking minority member of the

Committees on Governmental Affairs and the Judiciary of the Senate,

no later than April 1 of the year in which each such report is

issued, that such reports are available by electronic means.

(4) The Attorney General of the United States, in consultation

with the Director of the Office of Management and Budget, shall

develop reporting and performance guidelines in connection with

reports required by this subsection by October 1, 1997, and may

establish additional requirements for such reports as the Attorney

General determines may be useful.

(5) The Attorney General of the United States shall submit an

annual report on or before April 1 of each calendar year which

shall include for the prior calendar year a listing of the number

of cases arising under this section, the exemption involved in each

case, the disposition of such case, and the cost, fees, and

penalties assessed under subparagraphs (E), (F), and (G) of

subsection (a)(4). Such report shall also include a description of

the efforts undertaken by the Department of Justice to encourage

agency compliance with this section.

(f) For purposes of this section, the term -

(1) "agency" as defined in section 551(1) of this title

includes any executive department, military department,

Government corporation, Government controlled corporation, or

other establishment in the executive branch of the Government

(including the Executive Office of the President), or any

independent regulatory agency; and

(2) "record" and any other term used in this section in

reference to information includes any information that would be

an agency record subject to the requirements of this section when

maintained by an agency in any format, including an electronic

format.

(g) The head of each agency shall prepare and make publicly

available upon request, reference material or a guide for

requesting records or information from the agency, subject to the

exemptions in subsection (b), including -

(1) an index of all major information systems of the agency;

(2) a description of major information and record locator

systems maintained by the agency; and

(3) a handbook for obtaining various types and categories of

public information from the agency pursuant to chapter 35 of

title 44, and under this section.

U.S. Code

-CITE- 5 USC Sec. 552a 01/16/96

-EXPCITE-

TITLE 5 - GOVERNMENT ORGANIZATION AND EMPLOYEES

PART I - THE AGENCIES GENERALLY

CHAPTER 5 - ADMINISTRATIVE PROCEDURE

SUBCHAPTER II - ADMINISTRATIVE PROCEDURE

-HEAD-

Sec. 552a. Records maintained on individuals

-STATUTE-

(a) Definitions. - For purposes of this section -

(1) the term "agency" means agency as defined in section

552(e) (FOOTNOTE 1) of this title;

(FOOTNOTE 1) See References in Text note below.

(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;

(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;

(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;

(8) the term "matching program" -

(A) means any computerized comparison of -

(i) two or more automated systems of records or a system of

records with non-Federal records for the purpose of -

(I) establishing or verifying the eligibility of, or

continuing compliance with statutory and regulatory

requirements by, applicants for, recipients or

beneficiaries of, participants in, or providers of services

with respect to, cash or in-kind assistance or payments

under Federal benefit programs, or

(II) recouping payments or delinquent debts under such

Federal benefit programs, or

(ii) two or more automated Federal personnel or payroll

systems of records or a system of Federal personnel or

payroll records with non-Federal records,

(B) but does not include -

(i) matches performed to produce aggregate statistical data

without any personal identifiers;

(ii) matches performed to support any research or

statistical project, the specific data of which may not be

used to make decisions concerning the rights, benefits, or

privileges of specific individuals;

(iii) matches performed, by an agency (or component

thereof) which performs as its principal function any

activity pertaining to the enforcement of criminal laws,

subsequent to the initiation of a specific criminal or civil

law enforcement investigation of a named person or persons

for the purpose of gathering evidence against such person or

persons;

(iv) matches of tax information (I) pursuant to section

6103(d) of the Internal Revenue Code of 1986, (II) for

purposes of tax administration as defined in section

6103(b)(4) of such Code, (III) for the purpose of

intercepting a tax refund due an individual under authority

granted by section 464 or 1137 of the Social Security Act; or

(IV) for the purpose of intercepting a tax refund due an

individual under any other tax refund intercept program

authorized by statute which has been determined by the

Director of the Office of Management and Budget to contain

verification, notice, and hearing requirements that are

substantially similar to the procedures in section 1137 of

the Social Security Act;

(v) matches -

(I) using records predominantly relating to Federal

personnel, that are performed for routine administrative

purposes (subject to guidance provided by the Director of

the Office of Management and Budget pursuant to subsection

(v)); or

(II) conducted by an agency using only records from

systems of records maintained by that agency;

if the purpose of the match is not to take any adverse

financial, personnel, disciplinary, or other adverse action

against Federal personnel;

(vi) matches performed for foreign counterintelligence

purposes or to produce background checks for security

clearances of Federal personnel or Federal contractor

personnel; or

(vii) matches performed pursuant to section 6103(l)(12) of

the Internal Revenue Code of 1986 and section 1144 of the

Social Security Act;

(9) the term "recipient agency" means any agency, or

contractor thereof, receiving records contained in a system of

records from a source agency for use in a matching program;

(10) the term "non-Federal agency" means any State or local

government, or agency thereof, which receives records contained

in a system of records from a source agency for use in a matching

program;

(11) the term "source agency" means any agency which

discloses records contained in a system of records to be used in

a matching program, or any State or local government, or agency

thereof, which discloses records to be used in a matching

program;

(12) the term "Federal benefit program" means any program

administered or funded by the Federal Government, or by any agent

or State on behalf of the Federal Government, providing cash or

in-kind assistance in the form of payments, grants, loans, or

loan guarantees to individuals; and

(13) the term "Federal personnel" means officers and

employees of the Government of the United States, members of the

uniformed services (including members of the Reserve Components),

individuals entitled to receive immediate or deferred retirement

benefits under any retirement program of the Government of the

United States (including survivor benefits).

(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 and Records Administration 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 Archivist of the United States or the

designee of the Archivist 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;

(11) pursuant to the order of a court of competent

jurisdiction; or

(12) to a consumer reporting agency in accordance with section

3711(f) of title 31.

(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;

(2) permit the individual to request amendment of a record

pertaining to him and -

(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;

(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;

(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;

(4) subject to the provisions of paragraph (11) of this

subsection, publish in the Federal Register upon establishment or

revision 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;

(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;

(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; and

(12) if such agency is a recipient agency or a source agency in

a matching program with a non-Federal agency, with respect to any

establishment or revision of a matching program, at least 30 days

prior to conducting such program, publish in the Federal Register

notice of such establishment or revision.

(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 -

(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.

The Office of the Federal Register shall biennially 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, 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.

(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.

(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 -

(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

September 27, 1975.

(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 (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.

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 -

(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;

(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.

(l) Archival Records. - Each agency record which is accepted by

the Archivist of the United States 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 Archivist of the United States

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.

(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.

(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)(1) 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.

(2) A consumer reporting agency to which a record is disclosed

under section 3711(f) of title 31 shall not be considered a

contractor for the purposes of this section.

(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) Matching Agreements. - (1) No record which is contained in a

system of records may be disclosed to a recipient agency or

non-Federal agency for use in a computer matching program except

pursuant to a written agreement between the source agency and the

recipient agency or non-Federal agency specifying -

(A) the purpose and legal authority for conducting the program;

(B) the justification for the program and the anticipated

results, including a specific estimate of any savings;

(C) a description of the records that will be matched,

including each data element that will be used, the approximate

number of records that will be matched, and the projected

starting and completion dates of the matching program;

(D) procedures for providing individualized notice at the time

of application, and notice periodically thereafter as directed by

the Data Integrity Board of such agency (subject to guidance

provided by the Director of the Office of Management and Budget

pursuant to subsection (v)), to -

(i) applicants for and recipients of financial assistance or

payments under Federal benefit programs, and

(ii) applicants for and holders of positions as Federal

personnel,

that any information provided by such applicants, recipients,

holders, and individuals may be subject to verification through

matching programs;

(E) procedures for verifying information produced in such

matching program as required by subsection (p);

(F) procedures for the retention and timely destruction of

identifiable records created by a recipient agency or non-Federal

agency in such matching program;

(G) procedures for ensuring the administrative, technical, and

physical security of the records matched and the results of such

programs;

(H) prohibitions on duplication and redisclosure of records

provided by the source agency within or outside the recipient

agency or the non-Federal agency, except where required by law or

essential to the conduct of the matching program;

(I) procedures governing the use by a recipient agency or

non-Federal agency of records provided in a matching program by a

source agency, including procedures governing return of the

records to the source agency or destruction of records used in

such program;

(J) information on assessments that have been made on the

accuracy of the records that will be used in such matching

program; and

(K) that the Comptroller General may have access to all records

of a recipient agency or a non-Federal agency that the

Comptroller General deems necessary in order to monitor or verify

compliance with the agreement.

(2)(A) A copy of each agreement entered into pursuant to

paragraph (1) shall -

(i) be transmitted to the Committee on Governmental Affairs of

the Senate and the Committee on Government Operations of the

House of Representatives; and

(ii) be available upon request to the public.

(B) No such agreement shall be effective until 30 days after the

date on which such a copy is transmitted pursuant to subparagraph

(A)(i).

(C) Such an agreement shall remain in effect only for such

period, not to exceed 18 months, as the Data Integrity Board of the

agency determines is appropriate in light of the purposes, and

length of time necessary for the conduct, of the matching program.

(D) Within 3 months prior to the expiration of such an agreement

pursuant to subparagraph (C), the Data Integrity Board of the

agency may, without additional review, renew the matching agreement

for a current, ongoing matching program for not more than one

additional year if -

(i) such program will be conducted without any change; and

(ii) each party to the agreement certifies to the Board in

writing that the program has been conducted in compliance with

the agreement.

(p) Verification and Opportunity to Contest Findings. - (1) In

order to protect any individual whose records are used in a

matching program, no recipient agency, non-Federal agency, or

source agency may suspend, terminate, reduce, or make a final

denial of any financial assistance or payment under a Federal

benefit program to such individual, or take other adverse action

against such individual, as a result of information produced by

such matching program, until -

(A)(i) the agency has independently verified the information;

or

(ii) the Data Integrity Board of the agency, or in the case of

a non-Federal agency the Data Integrity Board of the source

agency, determines in accordance with guidance issued by the

Director of the Office of Management and Budget that -

(I) the information is limited to identification and amount

of benefits paid by the source agency under a Federal benefit

program; and

(II) there is a high degree of confidence that the

information provided to the recipient agency is accurate;

(B) the individual receives a notice from the agency containing

a statement of its findings and informing the individual of the

opportunity to contest such findings; and

(C)(i) the expiration of any time period established for the

program by statute or regulation for the individual to respond to

that notice; or

(ii) in the case of a program for which no such period is

established, the end of the 30-day period beginning on the date

on which notice under subparagraph (B) is mailed or otherwise

provided to the individual.

(2) Independent verification referred to in paragraph (1)

requires investigation and confirmation of specific information

relating to an individual that is used as a basis for an adverse

action against the individual, including where applicable

investigation and confirmation of -

(A) the amount of any asset or income involved;

(B) whether such individual actually has or had access to such

asset or income for such individual's own use; and

(C) the period or periods when the individual actually had such

asset or income.

(3) Notwithstanding paragraph (1), an agency may take any

appropriate action otherwise prohibited by such paragraph if the

agency determines that the public health or public safety may be

adversely affected or significantly threatened during any notice

period required by such paragraph.

(q) Sanctions. - (1) Notwithstanding any other provision of law,

no source agency may disclose any record which is contained in a

system of records to a recipient agency or non-Federal agency for a

matching program if such source agency has reason to believe that

the requirements of subsection (p), or any matching agreement

entered into pursuant to subsection (o), or both, are not being met

by such recipient agency.

(2) No source agency may renew a matching agreement unless -

(A) the recipient agency or non-Federal agency has certified

that it has complied with the provisions of that agreement; and

(B) the source agency has no reason to believe that the

certification is inaccurate.

(r) Report on New Systems and Matching Programs. - Each agency

that proposes to establish or make a significant change in a system

of records or a matching program shall provide adequate advance

notice of any such proposal (in duplicate) to the Committee on

Government Operations of the House of Representatives, the

Committee on Governmental Affairs of the Senate, and the Office of

Management and Budget in order to permit an evaluation of the

probable or potential effect of such proposal on the privacy or

other rights of individuals.

(s) Biennial Report. - The President shall biennially submit to

the Speaker of the House of Representatives and the President pro

tempore of the Senate a report -

(1) describing the actions of the Director of the Office of

Management and Budget pursuant to section 6 of the Privacy Act of

1974 during the preceding 2 years;

(2) describing the exercise of individual rights of access and

amendment under this section during such years;

(3) identifying changes in or additions to systems of records;

(4) containing such other information concerning administration

of this section as may be necessary or useful to the Congress in

reviewing the effectiveness of this section in carrying out the

purposes of the Privacy Act of 1974.

(t)(1) 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.

(2) No agency shall rely on any exemption in this section to

withhold from an individual any record which is otherwise

accessible to such individual under the provisions of section 552

of this title.

(u) Data Integrity Boards. - (1) Every agency conducting or

participating in a matching program shall establish a Data

Integrity Board to oversee and coordinate among the various

components of such agency the agency's implementation of this

section.

(2) Each Data Integrity Board shall consist of senior officials

designated by the head of the agency, and shall include any senior

official designated by the head of the agency as responsible for

implementation of this section, and the inspector general of the

agency, if any. The inspector general shall not serve as chairman

of the Data Integrity Board.

(3) Each Data Integrity Board -

(A) shall review, approve, and maintain all written agreements

for receipt or disclosure of agency records for matching programs

to ensure compliance with subsection (o), and all relevant

statutes, regulations, and guidelines;

(B) shall review all matching programs in which the agency has

participated during the year, either as a source agency or

recipient agency, determine compliance with applicable laws,

regulations, guidelines, and agency agreements, and assess the

costs and benefits of such programs;

(C) shall review all recurring matching programs in which the

agency has participated during the year, either as a source

agency or recipient agency, for continued justification for such

disclosures;

(D) shall compile an annual report, which shall be submitted to

the head of the agency and the Office of Management and Budget

and made available to the public on request, describing the

matching activities of the agency, including -

(i) matching programs in which the agency has participated as

a source agency or recipient agency;

(ii) matching agreements proposed under subsection (o) that

were disapproved by the Board;

(iii) any changes in membership or structure of the Board in

the preceding year;

(iv) the reasons for any waiver of the requirement in

paragraph (4) of this section for completion and submission of

a cost-benefit analysis prior to the approval of a matching

program;

(v) any violations of matching agreements that have been

alleged or identified and any corrective action taken; and

(vi) any other information required by the Director of the

Office of Management and Budget to be included in such report;

(E) shall serve as a clearinghouse for receiving and providing

information on the accuracy, completeness, and reliability of

records used in matching programs;

(F) shall provide interpretation and guidance to agency

components and personnel on the requirements of this section for

matching programs;

(G) shall review agency recordkeeping and disposal policies and

practices for matching programs to assure compliance with this

section; and

(H) may review and report on any agency matching activities

that are not matching programs.

(4)(A) Except as provided in subparagraphs (B) and (C), a Data

Integrity Board shall not approve any written agreement for a

matching program unless the agency has completed and submitted to

such Board a cost-benefit analysis of the proposed program and such

analysis demonstrates that the program is likely to be cost

effective. (FOOTNOTE 2)

(FOOTNOTE 2) So in original. Probably should be

"cost-effective."

(B) The Board may waive the requirements of subparagraph (A) of

this paragraph if it determines in writing, in accordance with

guidelines prescribed by the Director of the Office of Management

and Budget, that a cost-benefit analysis is not required.

(C) A cost-benefit analysis shall not be required under

subparagraph (A) prior to the initial approval of a written

agreement for a matching program that is specifically required by

statute. Any subsequent written agreement for such a program shall

not be approved by the Data Integrity Board unless the agency has

submitted a cost-benefit analysis of the program as conducted under

the preceding approval of such agreement.

(5)(A) If a matching agreement is disapproved by a Data Integrity

Board, any party to such agreement may appeal the disapproval to

the Director of the Office of Management and Budget. Timely notice

of the filing of such an appeal shall be provided by the Director

of the Office of Management and Budget to the Committee on

Governmental Affairs of the Senate and the Committee on Government

Operations of the House of Representatives.

(B) The Director of the Office of Management and Budget may

approve a matching agreement notwithstanding the disapproval of a

Data Integrity Board if the Director determines that -

(i) the matching program will be consistent with all applicable

legal, regulatory, and policy requirements;

(ii) there is adequate evidence that the matching agreement

will be cost-effective; and

(iii) the matching program is in the public interest.

(C) The decision of the Director to approve a matching agreement

shall not take effect until 30 days after it is reported to

committees described in subparagraph (A).

(D) If the Data Integrity Board and the Director of the Office of

Management and Budget disapprove a matching program proposed by the

inspector general of an agency, the inspector general may report

the disapproval to the head of the agency and to the Congress.

(6) The Director of the Office of Management and Budget shall,

annually during the first 3 years after the date of enactment of

this subsection and biennially thereafter, consolidate in a report

to the Congress the information contained in the reports from the

various Data Integrity Boards under paragraph (3)(D). Such report

shall include detailed information about costs and benefits of

matching programs that are conducted during the period covered by

such consolidated report, and shall identify each waiver granted by

a Data Integrity Board of the requirement for completion and

submission of a cost-benefit analysis and the reasons for granting

the waiver.

(7) In the reports required by paragraphs (3)(D) and (6), agency

matching activities that are not matching programs may be reported

on an aggregate basis, if and to the extent necessary to protect

ongoing law enforcement or counterintelligence investigations.

(v) Office of Management and Budget Responsibilities. - The

Director of the Office of Management and Budget shall -

(1) develop and, after notice and opportunity for public

comment, prescribe guidelines and regulations for the use of

agencies in implementing the provisions of this section; and

(2) provide continuing assistance to and oversight of the

implementation of this section by agencies.

-SOURCE-

(Added Pub. L. 93-579, Sec. 3, Dec. 31, 1974, 88 Stat. 1897;

amended Pub. L. 94-183, Sec. 2(2), Dec. 31, 1975, 89 Stat. 1057;

Pub. L. 97-365, Sec. 2, Oct. 25, 1982, 96 Stat. 1749; Pub. L.

97-375, title II, Sec. 201(a), (b), Dec. 21, 1982, 96 Stat. 1821;

Pub. L. 97-452, Sec. 2(a)(1), Jan. 12, 1983, 96 Stat. 2478; Pub. L.

98-477, Sec. 2(c), Oct. 15, 1984, 98 Stat. 2211; Pub. L. 98-497,

title I, Sec. 107(g), Oct. 19, 1984, 98 Stat. 2292; Pub. L.

100-503, Sec. 2-6(a), 7, 8, Oct. 18, 1988, 102 Stat. 2507-2514;

Pub. L. 101-508, title VII, Sec. 7201(b)(1), Nov. 5, 1990, 104

Stat. 1388-334; Pub. L. 103-66, title XIII, Sec. 13581(c), Aug. 10,

1993, 107 Stat. 611.)

-REFTEXT-

REFERENCES IN TEXT

Section 552(e) of this title, referred to in subsec. (a)(1), was

redesignated section 552(f) of this title by section 1802(b) of

Pub. L. 99-570.

Section 6103 of the Internal Revenue Code of 1986, referred to in

subsec. (a)(8)(B)(iv), (vii), is classified to section 6103 of

Title 26, Internal Revenue Code.

Sections 464, 1137, and 1144 of the Social Security Act, referred

to in subsec. (a)(8)(B)(iv), (vii), are classified to sections 664,

1320b-7, and 1320b-14, respectively, of Title 42, The Public Health

and Welfare.

For effective date of this section, referred to in subsecs.

(k)(2), (5), (7), (l)(2), (3), and (m), see Effective Date note

below.

Section 6 of the Privacy Act of 1974, referred to in subsec.

(s)(1), is section 6 of Pub. L. 93-579, which was set out below and

was repealed by section 6(c) of Pub. L. 100-503.

For classification of the Privacy Act of 1974, referred to in

subsec. (s)(4), see Short Title note below.

The date of enactment of this subsection, referred to in subsec.

(u)(6), is the date of enactment of Pub. L. 100-503 which enacted

subsec. (u) of this section, and which was approved Oct. 18, 1988.

-COD-

CODIFICATION

Section 552a of former Title 5, Executive Departments and

Government Officers and Employees, was transferred to section 2244

of Title 7, Agriculture.

-MISC3-

AMENDMENTS

1993 - Subsec. (a)(8)(B)(vii). Pub. L. 103-66 added cl. (vii).

1990 - Subsec. (p). Pub. L. 101-508 amended subsec. (p)

generally, restating former pars. (1) and (3) as par. (1), adding

provisions relating to Data Integrity Boards, and restating former

pars. (2) and (4) as (2) and (3), respectively.

1988 - Subsec. (a)(8) to (13). Pub. L. 100-503, Sec. 5, added

pars. (8) to (13).

Subsec. (e)(12). Pub. L. 100-503, Sec. 3(a), added par. (12).

Subsec. (f). Pub. L. 100-503, Sec. 7, substituted "biennially"

for "annually" in last sentence.

Subsecs. (o) to (q). Pub. L. 100-503, Sec. 2(2), added subsecs.

(o) to (q). Former subsecs. (o) to (q) redesignated (r) to (t),

respectively.

Subsec. (r). Pub. L. 100-503, Sec. 3(b), inserted "and matching

programs" in heading and amended text generally. Prior to

amendment, text read as follows: "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 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."

Pub. L. 100-503, Sec. 2(1), redesignated former subsec. (o) as

(r).

Subsec. (s). Pub. L. 100-503, Sec. 8, substituted "Biennial"

for "Annual" in heading, "biennially submit" for "annually

submit" in introductory provisions, "preceding 2 years" for

"preceding year" in par. (1), and "such years" for "such

year" in par. (2).

Pub. L. 100-503, Sec. 2(1), redesignated former subsec. (p) as

(s).

Subsec. (t). Pub. L. 100-503, Sec. 2(1), redesignated former

subsec. (q) as (t).

Subsec. (u). Pub. L. 100-503, Sec. 4, added subsec. (u).

Subsec. (v). Pub. L. 100-503, Sec. 6(a), added subsec. (v).

1984 - Subsec. (b)(6). Pub. L. 98-497, Sec. 107(g)(1),

substituted "National Archives and Records Administration" for

"National Archives of the United States", and "Archivist of the

United States or the designee of the Archivist" for

"Administrator of General Services or his designee".

Subsec. (l)(1). Pub. L. 98-497, Sec. 107(g)(2), substituted

"Archivist of the United States" for "Administrator of General

Services" in two places.

Subsec. (q). Pub. L. 98-477 designated existing provisions as

par. (1) and added par. (2).

1983 - Subsec. (b)(12). Pub. L. 97-452 substituted "section

3711(f) of title 31" for "section 3(d) of the Federal Claims

Collection Act of 1966 (31 U.S.C. 952(d))".

Subsec. (m)(2). Pub. L. 97-452 substituted "section 3711(f) of

title 31" for "section 3(d) of the Federal Claims Collection Act

of 1966 (31 U.S.C. 952(d))".

1982 - Subsec. (b)(12). Pub. L. 97-365, Sec. 2(a), added par.

(12).

Subsec. (e)(4). Pub. L. 97-375, Sec. 201(a), substituted "upon

establishment or revision" for "at least annually" after

"Federal Register".

Subsec. (m). Pub. L. 97-365, Sec. 2(b), designated existing

provisions as par. (1) and added par. (2).

Subsec. (p). Pub. L. 97-375, Sec. 201(b), substituted provisions

requiring annual submission of a report by the President to the

Speaker of the House and President pro tempore of the Senate

relating to the Director of the Office of Management and Budget,

individual rights of access, changes or additions to systems of

records, and other necessary or useful information, for provisions

which had directed the President to 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 indicate efforts to administer fully this

section.

1975 - Subsec. (g)(5). Pub. L. 94-183 substituted "to September

27, 1975" for "to the effective date of this section".

-CHANGE-

CHANGE OF NAME

Committee on Government Operations of House of Representatives

treated as referring to Committee on Government Reform and

Oversight of House of Representatives by section 1(a) of Pub. L.

104-14, set out as a note under section 21 of Title 2, The

Congress.

-MISC4-

EFFECTIVE DATE OF 1993 AMENDMENT

Amendment by Pub. L. 103-66 effective Jan. 1, 1994, see section

13581(d) of Pub. L. 103-66, set out as an Effective Date note under

section 1320b-14 of Title 42, The Public Health and Welfare.

EFFECTIVE DATE OF 1988 AMENDMENT

Section 10 of Pub. L. 100-503, as amended by Pub. L. 101-56, Sec.

2, July 19, 1989, 103 Stat. 149, provided that:

"(a) In General. - Except as provided in subsections (b) and

(c), the amendments made by this Act (amending this section and

repealing provisions set out as a note below) shall take effect 9

months after the date of enactment of this Act (Oct. 18, 1988).

"(b) Exceptions. - The amendment made by sections 3(b), 6, 7,

and 8 of this Act (amending this section and repealing provisions

set out as a note below) shall take effect upon enactment.

"(c) Effective Date Delayed for Existing Programs. - In the case

of any matching program (as defined in section 552a(a)(8) of title

5, United States Code, as added by section 5 of this Act) in

operation before June 1, 1989, the amendments made by this Act

(other than the amendments described in subsection (b)) shall take

effect January 1, 1990, if -

"(1) such matching program is identified by an agency as being

in operation before June 1, 1989; and

"(2) such identification is -

"(A) submitted by the agency to the Committee on

Governmental Affairs of the Senate, the Committee on Government

Operations of the House of Representatives, and the Office of

Management and Budget before August 1, 1989, in a report which

contains a schedule showing the dates on which the agency

expects to have such matching program in compliance with the

amendments made by this Act, and

"(B) published by the Office of Management and Budget in the

Federal Register, before September 15, 1989."

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-497 effective Apr. 1, 1985, see section

301 of Pub. L. 98-497, set out as a note under section 2102 of

Title 44, Public Printing and Documents.

EFFECTIVE DATE

Section 8 of Pub. L. 93-579 provided that: "The provisions of

this Act (enacting this section and provisions set out as notes

under this section) shall be effective on and after the date of

enactment (Dec. 31, 1974), except that the amendments made by

sections 3 and 4 (enacting this section and amending analysis

preceding section 500 of this title) shall become effective 270

days following the day on which this Act is enacted."

SHORT TITLE OF 1990 AMENDMENT

Section 7201(a) of Pub. L. 101-508 provided that: "This section

(amending this section and enacting provisions set out as notes

below) may be cited as the 'Computer Matching and Privacy

Protection Amendments of 1990'."

SHORT TITLE OF 1989 AMENDMENT

Pub. L. 101-56, Sec. 1, July 19, 1989, 103 Stat. 149, provided

that: "This Act (amending section 10 of Pub. L. 100-503, set out

as a note above) may be cited as the 'Computer Matching and Privacy

Protection Act Amendments of 1989'."

SHORT TITLE OF 1988 AMENDMENT

Section 1 of Pub. L. 100-503 provided that: "This Act (amending

this section, enacting provisions set out as notes above and below,

and repealing provisions set out as a note below) may be cited as

the 'Computer Matching and Privacy Protection Act of 1988'."

SHORT TITLE

Section 1 of Pub. L. 93-579 provided: "That this Act (enacting

this section and provisions set out as notes under this section)

may be cited as the 'Privacy Act of 1974'."

-TRANS-

DELEGATION OF FUNCTIONS

Functions of Director of Office of Management and Budget under

this section delegated to Administrator for Office of Information

and Regulatory Affairs by section 3 of Pub. L. 96-511, Dec. 11,

1980, 94 Stat. 2825, set out as a note under section 3503 of Title

44, Public Printing and Documents.

-MISC5-

PUBLICATION OF GUIDANCE UNDER SUBSECTION (P)(1)(A)(II)

Section 7201(b)(2) of Pub. L. 101-508 provided that: "Not later

than 90 days after the date of the enactment of this Act (Nov. 5,

1990), the Director of the Office of Management and Budget shall

publish guidance under subsection (p)(1)(A)(ii) of section 552a of

title 5, United States Code, as amended by this Act."

LIMITATION ON APPLICATION OF VERIFICATION REQUIREMENT

Section 7201(c) of Pub. L. 101-508 provided that: "Section

552a(p)(1)(A)(ii)(II) of title 5, United States Code, as amended by

section 2 (probably means section 7201(b)(1) of Pub. L. 101-508),

shall not apply to a program referred to in paragraph (1), (2), or

(4) of section 1137(b) of the Social Security Act (42 U.S.C.

1320b-7), until the earlier of -

"(1) the date on which the Data Integrity Board of the Federal

agency which administers that program determines that there is

not a high degree of confidence that information provided by that

agency under Federal matching programs is accurate; or

"(2) 30 days after the date of publication of guidance under

section 2(b) (probably means section 7201(b)(2) of Pub. L.

101-508, set out as a note above)."

EFFECTIVE DATE DELAYED FOR CERTAIN EDUCATION BENEFITS COMPUTER

MATCHING PROGRAMS

Pub. L. 101-366, title II, Sec. 206(d), Aug. 15, 1990, 104 Stat.

442, provided that:

"(1) In the case of computer matching programs between the

Department of Veterans Affairs and the Department of Defense in the

administration of education benefits programs under chapters 30 and

32 of title 38 and chapter 106 of title 10, United States Code, the

amendments made to section 552a of title 5, United States Code, by

the Computer Matching and Privacy Protection Act of 1988 (Pub. L.

100-503) (other than the amendments made by section 10(b) of that

Act) (see Effective Date of 1988 Amendment note above) shall take

effect on October 1, 1990.

"(2) For purposes of this subsection, the term 'matching

program' has the same meaning provided in section 552a(a)(8) of

title 5, United States Code."

IMPLEMENTATION GUIDANCE FOR 1988 AMENDMENTS

Section 6(b) of Pub. L. 100-503 provided that: "The Director

shall, pursuant to section 552a(v) of title 5, United States Code,

develop guidelines and regulations for the use of agencies in

implementing the amendments made by this Act (amending this section

and repealing provisions set out as a note below) not later than 8

months after the date of enactment of this Act (Oct. 18, 1988)."

CONSTRUCTION OF 1988 AMENDMENTS

Section 9 of Pub. L. 100-503 provided that: "Nothing in the

amendments made by this Act (amending this section and repealing

provisions set out as a note below) shall be construed to authorize

-

"(1) the establishment or maintenance by any agency of a

national data bank that combines, merges, or links information on

individuals maintained in systems of records by other Federal

agencies;

"(2) the direct linking of computerized systems of records

maintained by Federal agencies;

"(3) the computer matching of records not otherwise authorized

by law; or

"(4) the disclosure of records for computer matching except to

a Federal, State, or local agency."

CONGRESSIONAL FINDINGS AND STATEMENT OF PURPOSE

Section 2 of Pub. L. 93-579 provided that:

"(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 (enacting this section and

provisions set out as notes under this section) 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."

PRIVACY PROTECTION STUDY COMMISSION

Section 5 of Pub. L. 93-579, as amended by Pub. L. 95-38, June 1,

1977, 91 Stat. 179, which established the Privacy Protection Study

Commission and provided that the Commission study data banks,

automated data processing programs and information systems of

governmental, regional and private organizations to determine

standards and procedures in force for protection of personal

information, that the Commission report to the President and

Congress the extent to which requirements and principles of section

552a of title 5 should be applied to the information practices of

those organizations, and that it make other legislative

recommendations to protect the privacy of individuals while meeting

the legitimate informational needs of government and society,

ceased to exist on September 30, 1977, pursuant to section 5(g) of

Pub. L. 93-579.

GUIDELINES AND REGULATIONS FOR MAINTENANCE OF PRIVACY AND

PROTECTION OF RECORDS OF INDIVIDUALS

Section 6 of Pub. L. 93-579, which provided that the Office of

Management and Budget shall develop guidelines and regulations for

use of agencies in implementing provisions of this section and

provide continuing assistance to and oversight of the

implementation of the provisions of such section by agencies, was

repealed by Pub. L. 100-503, Sec. 6(c), Oct. 18, 1988, 102 Stat.

2513.

DISCLOSURE OF SOCIAL SECURITY NUMBER

Section 7 of Pub. L. 93-579 provided that:

"(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 (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."

AUTHORIZATION OF APPROPRIATIONS TO PRIVACY PROTECTION STUDY

COMMISSION

Section 9 of Pub. L. 93-579, as amended by Pub. L. 94-394, Sept.

3, 1976, 90 Stat. 1198, authorized appropriations for the period

beginning July 1, 1975, and ending on September 30, 1977.

-EXEC-

CLASSIFIED NATIONAL SECURITY INFORMATION

For provisions relating to a response to a request for

information under this section when the fact of its existence or

nonexistence is itself classified or when it was originally

classified by another agency, see Ex. Ord. No. 12958, Sec. 3.7,

Apr. 17, 1995, 60 F.R. 19835, set out as a note under section 435

of Title 50, War and National Defense.

-SECREF-

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 552b, 1212, 3111, 7133,

8148 of this title; title 7 section 2204b; title 10 sections 424,

1102, 1588; title 12 section 1715z; title 14 section 645; title 15

section 278g-3; title 16 sections 410cc-35, 1536; title 19 section

1631; title 20 sections 1080a, 9010; title 22 section 4355; title

25 section 3205; title 26 sections 6103, 7852; title 31 sections

3701, 3711, 3718, 3729, 3733; title 38 sections 3684A, 5701; title

39 section 410; title 42 sections 300aa-25, 402, 405, 904, 1306,

3544, 9660; title 44 sections 2906, 3501, 3504, 3506; title 46

sections 7702, 9303; title 49 sections 111, 30305; title 50 App.

section 2159.