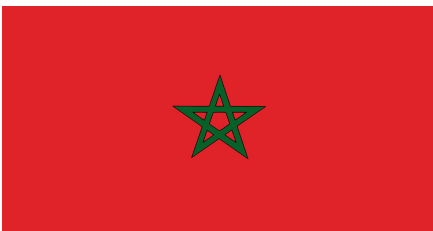


UNITED STATES OF AMERICA REPUBLIC

Continental Congress Assembled



PUBLIC LAW 93-579

Amended: 13 May 2018

PRIVACY ACT

Pursuant to the United States of America Republic Constitution Amendment 19, Section 2, Clause 2, wherein it states; “*The United States of America Republic shall make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States of America Republic, or any Department or Officer thereof*”, there shall hereby be designated “Privacy Act” provisions to serve this purpose. This amendment shall go into immediate force.

Introduced as **Senate Joint Resolution 93**, with **55** co-sponsors and as **House Joint Resolution 579** with **55** co-sponsors, a request was delivered before the Continental Congress to honor and therefore establish laws for our Privacy Act.

The resolution suffered no amendments, no exclusions, no demands that it became law.

The 1st Continental Congress of the United States of America Republic publicly declared 2015 the national "Year of the United States of America Republic". The document known as Public Law **PUBLIC LAW 93-579** was signed and enacted into law on **13 May 2018** by the following **SIGNATORIES to this Legislative Act in Attendance;**

General Congress Assembled, United States of America Republic

- 1. President, Province of Illinois, Christopher-Cannon: Bey*
- 2. Speaker of the House, Province of Missouri, Sharon-Green: El*
- 3. USA R Secretary of State, Province of Missouri, Ross Woody Jr,: Bey*
- 4. U.S.A.R. Attorney General, Province of Georgia, Christopher Hill: Bey*
- 5. U.S.A.R. Treasurer, Province of Arizona, Michelle-Bravo: Bey*
- 6. Asst. Treasurer – Province of Illinois Damien Holman Bey*
- 7. U.S.A.R. Vicegerent/Marshal Commissioner, Province of Virginia, Leonard-Lassiter: Bey*

8. Chief Justice, Province of Alabama, Brenda-Muhammad: Bey
9. Chief Justice, Province of Illinois, Romulus Dorsey: El
10. Chief Justice, Province of Illinois, Emmett-Marshall: Bey
11. Chief Justice, Province of Illinois, Taiwuan Smith: Bey
12. Chief Justice, Province of Ontario, Talib-Morris: Bey (abstained) (nay)
13. U.S.A.R. Assistant Atty. General – Province of Alabama – Eric-Ingram: Bey
14. U.S.A.R. Comptroller, Province of Indiana- Shaisla-Reel: Bey
15. Attorney General, Province of Georgia - Tara-Hill: Bey
16. Atty. General – Province of Illinois - Larry Taylor: Bey
17. Atty. General – Province of Virginia – Harwetta-Lassiter: Bey
18. Asst. Atty. Gen – Province of Texas, Aaron-Gohert: El
19. Asst. Attorney General – Province of Indiana - Bruce Kimbrough Bey
20. Attorney General, Province of Indiana, Jorge-Bravo: Bey
21. Foreign Affairs Minister, Province of Texas, Rafael-Vazquez: El
22. Office of Inspector General, Province of Illinois, Steven Segura: Bey
23. Dir. of Business Development, Province of Khalifa, Dadrrian-Anderson: Bey
24. Asst. Dir. of BMV, Province of Illinois, Clayton-Henderson: El
25. Governor, Province of Alabama, D. Maurice-Parham: Bey
26. Governor, Province of Colorado, Kakuyon Afi Solwazi: El
27. Governor, Province of Georgia, Albert Terraine-Griffin: Bey
28. Governor, Province of Indiana, Dexter-Johnson: Bey
29. Governor, Province of Khalifa, G. Riller: El
30. Governor, Province of Michigan, George-Bond: Bey
31. Governor, Province of Minnesota, Vicie Christine-Williams: Bey
32. Governor, Province of Missouri, Travis-Austin: Bey
33. Governor, Province of Ohio, Daryl Van-Brown: Bey
34. Governor, Province of Texas, LaShawn-Earl: Bey
35. Governor, Province of Virginia, Darnell-Brown: Bey
36. Lt. Governor, Province of Indiana, Dierre Woodard: Bey
37. SOS, Province of Ontario, Aldrey Williams El
38. Secretary of State, Province of Arizona, Stephanie-Clark: Bey
39. Secretary of State, Province of Illinois, Lewanda-Hazelett: Bey
40. Secretary of State, Province of No. Carolina, Trevis-Flaskins: El
41. Secretary of State, Province of So. Carolina, Brittney-Kenner: Bey
42. Secretary of State, Province of Virginia, Rich Wilson: Bey
43. Public Minister, Province of Florida, William L.-Salter III,: Bey

- 44. *Public Minister, Province of Missouri, Linda Ann-Bashful: El*
- 45. *Public Minister, Province of Ontario, Canada, Steven-Richards: Bey*
- 46. *Representative, Province of Indiana, Sharonda-Johnson: Bey*
- 47. *Senator, Province of Georgia, Ronnel Gray: Bey*
- 48. *Senator, Province of Ohio, Reginald-Purnell: Bey*
- 49. *Senator, Province of Illinois, J.-Sept: El*
- 50. *Vicegerent Commissioner, Province of Illinois, Leslie-Atkins: El*
- 51. *Vicegerent Chief, Province of Indiana, Saadiq: Bey*
- 52. *Vicegerent, Province of Colorado, Evelyn-Gordon: Bey*
- 53. *Vicegerent Commissioner, Province of Michigan, Damon-Lewis: El*
- 54. *Vicegerent Commissioner, Province of Minnesota, Bryce Lee-Williams: Bey*
- 55. *Vicegerent, Province of Ohio, Dana-Coggins: Bey*
- 56. *Don-Marcus Mitchell Bey – Province of Indiana - SOS*

It reads as follows:

PUBLIC LAW PUBLIC LAW 93-579, on 13 May 2018

JOINT RESOLUTION

Authorizing and requesting the President

to proclaim and establish provisions in accordance with the Constitution and Laws of the United States of America Republic.

WHEREAS, the United States of America Republic, being a perpetual corporation is an autonomous State government lawfully incorporated and chartered for the benefit and protection of “We The Moorish American People”, by its Declaration, National Constitution and By-Laws, and aforementioned Articles;

WHEREAS the United States of America Republic’s official language is the English language;

WHEREAS the Moorish American People have made a unique contribution in shaping the United States of America Republic as a distinctive and blessed nation of people and citizens;

WHEREAS the Moorish American People are a People of deeply-held religious convictions springing from the Holy Scriptures of the Holy Koran of the Moorish Science Temple of America and the Learning, Teachings and Truth of the Holy Prophet Noble Drew Ali. The Holy Prophet Noble Drew Ali led his People back to the Principles and standards of their ancient forefathers’ Free National Principles and Standards;

WHEREAS the Principles of Love, Truth, Peace, Freedom and Justice inspired concepts of civil government that are contained in our Declaration of Independence and Constitution of the United States of America Republic;

WHEREAS the Moorish American People, are now in great comprehension that, as a Nation of People being Nationwide in scope to achieve peace as well as unity as a single harmonious Nation,

there must be uniform Laws for the Nation. The **Constitution and Laws of the United States of America Republic** are "*the Rock on which our Republic rests*";

WHEREAS the history of our Nation clearly illustrates the value of a Nation to be able to create and pass its own Laws are beneficial to a Society to Enforce the Laws of the Nation. This is not to remove or change **The Moorish American People** from voluntarily applying and extending the learning, teachings and truth of the Holy Koran of the Moorish Science Temple of America in the lives of individuals, families, or in their society as a nation of People;

WHEREAS this Nation now faces great challenges that will test this Nation as it has never been tested before; and

WHEREAS that renewing our knowledge of Law, Divine and National and having faith in Our Universal Creator through Holy Scriptures of the Holy Koran of the Moorish Science Temple of America, the Holy Bible and the Great Qu'ran of Mohammed as we honor all the divine Prophets Jesus, Mohammed, Buddha and Confucius. Therefore, the **Constitution and Laws of the United States of America Republic** and knowledge of the aforementioned Holy Scriptures can only strengthen our nation. I, President Christopher H- Cannon: Bey, therefore establish with the consent of the Continental Congress the provisions as the **Laws of the United States of America Republic**:

NOW, THEREFORE, be it Resolved by the Continental Congress of the United States of America Republic in Continental Congress assembled, That the President is authorized and requested to designate the administration of said laws.

LEGISLATIVE HISTORY 93 Res.:579 CONGRESSIONAL RECORD, Vol. #(2018):	13 May 2018 considered and passed by the Continental Congress.
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TITLE I – Criminal Code
Public Law 93-579
Chapter 67
The U.S.A.R. Privacy Act

Be it enacted by the Senate and House of Representatives of the United States of America Republic in Continental Congress assembled, that this law may be cited as the "U.S.A.R. Privacy Act."

SECTION 1

- (a) The Continental Congress finds that –
- (1) the privacy of an individual is directly affected by the collection, maintenance, use, and dissemination of personal information by National 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 for the United States of America Republic; and
 - (5) in order to protect the privacy of individuals identified in information systems maintained by National agencies, it is necessary and proper for the Continental Congress to regulate the collection, maintenance, use, and dissemination of information by such agencies.
- (b) The purpose of this Act is to provide certain safeguards for an individual against an invasion of personal privacy by requiring National 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 the public records National, Federal, County or State agency, 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 such requirements with respect to records provided in this Law 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 Law.

SECTION 2 - Records maintained on individuals

(a) DEFINITIONS

For purposes of this section –the term "**National agency**" means an agency of U.S.A.R., i.e., such as State Department, Department of Justice, Department of Security (Vicegerent/Marshals), etc.

- (1) the term "**agency**" means each authority of the Government of the United States of America Republic, whether or not it is within or subject to review by another agency, but does not include— (A) the Continental Congress; (B) the courts of the United States of America Republic; (C) the governments of the territories or possessions of the United States of America Republic; (D) agencies composed of representatives of the parties or of representatives of organizations of the parties to the disputes determined by them; (F)courts martial and military commissions of the United States of America Republic; (G) military authority exercised and approved by the United States of America Republic
- (2) the term "**individual**" means a citizen of the United States of America Republic 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 any U.S.A.R. census law.
- (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-National 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 National benefit programs, or
 - (II) recouping payments or delinquent debts under such National benefit programs, or
 - (III) two or more automated National personnel or payroll systems of records or a system of National personnel or payroll records with non-National 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 National 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 National, Federal, County or State personnel; or
- (vi) matches performed for foreign counter-intelligence purposes or to produce background checks for security clearances of National Federal, County or State personnel or National Federal, County or State contractor personnel;
- (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-National agency**" means any Federal, 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 Federal, State or local government, or agency thereof, which discloses records to be used in a matching program;
12. the term "**National benefit program**" means any program administered or funded by the National Government, or by any agent Federal or State on behalf of the National

Government, providing cash or in-kind assistance in the form of payments, grants, loans, or loan guarantees to individuals; and

13. the term "**National personnel**" means officers and employees of the Government of the United States of America Republic, 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 of America Republic (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 undersubsection (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;
- (5) to a recipient who has provided the agency with advance adequate written assurance that the record will be used solely as a statistical research or reporting record, and the record is to be transferred in a form that is not individually identifiable;
- (6) to the National Archives of the United States of America Republic as a record which has sufficient historical or other value to warrant its continued preservation by the United States of America Republic Government, or for evaluation by the Archivist of the United States of America Republic or his designee to determine whether the record has such value;
- (7) to another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States of America Republic 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 Continental Congress, or, to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee of Continental 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 the prescribed laws.

(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 --
 - 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;
 - 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 --
 - 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
 - promptly, either --
 - make any correction of any portion thereof which the individual believes is not accurate, relevant, timely, or complete; or
 - 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

- (1) Each agency that maintains a system of records shall --
 - 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 National 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 the disclosure of such information is mandatory or voluntary; the principal purpose or purposes for which the information is intended to be used;
 - (B) the routine uses which may be made of the information, as published pursuant to paragraph (4)(D) of this subsection; and 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 National 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; the categories of individuals on whom records are maintained in the system;

- (B) the categories of records maintained in the system;
 - (C) each routine use of the records maintained in the system, including the categories of users and the purpose of such use;
 - (D) the policies and practices of the agency regarding storage, retrievability, access controls, retention, and disposal of the records; the title and business address of the agency official who is responsible for the system of records;
 - (E) the agency procedures whereby an individual can be notified at his request if the system of records contains a record pertaining to him;
 - (F) 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
 - (G) 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 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 National 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-National agency, with respect to any establishment or revision of a matching program, at least 30 days prior to conducting such program, publish in the National 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 National 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) CIVIL REMEDIES

- (1) 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 (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 of America Republic 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 case the court shall determine the matter de novo.
- (B) The court may assess against the United States of America Republic 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 of America Republic 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 of America Republic 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.
- (11) An action to enforce any liability created under this section may be brought in the district court of the United States of America Republic 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 any agency has materially and willfully misrepresented any information required under this section to be disclosed to an individual and the information so misrepresented is material to establishment of the liability of the agency to the individual under this section, the action may be brought at any time within two years after discovery by the individual of the misrepresentation. Nothing in this section shall be construed to authorize any civil action by reason of any injury sustained as the result of a disclosure of a record prior to the effective date of this section.

(h) RIGHTS OF LEGAL GUARDIANS

For the purpose 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) CRIMINAL PENALTIES

- (1) 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 National or 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, parole and probation status;
 - (B) information compiled for the purpose of a criminal investigation; including reports of informants and investigations, and associated with an identifiable individual; or
 - (C) reports identifiable to an individual compiled at any stage of the process of enforcement of 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 National 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 protection services to the President of the United States of America Republic or other individuals pursuant to section 3056 of title 1;
- (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 National civilian employment, military service, National 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 National 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.

(I) ARCHIVAL RECORDS

- (1) Each agency record which is accepted by the Archivist of the United States of America Republic for storage, processing, and servicing in accordance 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 the The Archivist of the United States of America Republic 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 of America Republic as a record which has sufficient historical or other value to warrant its continued preservation by the United States of America Republic 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 National Register.
- (3) Each agency record pertaining to an identifiable individual which is transferred to the National Archives of the United States of America Republic as a record which has sufficient historical or other value to warrant its continued preservation by the United States of America Republic Government, on or after the effective date of this section, shall be considered to be maintained by the National Archives and shall be exempt from the requirements of this section except subsections (e)(4)(A) through (G) and (e)(9) of this section.

(m) GOVERNMENT CONTRACTORS

- (1) 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 (a) of shall not be considered a contractor for purposes of this section.

(a) the information disclosed to the consumer reporting agency is limited to—

- (i) information necessary to establish the identity of the person, including name, address, and taxpayer identification number;
- (ii) the amount, status, and history of the claim; and
- (iii) the agency or program under which the claim arose

(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-National agency for use in a computer matching program except pursuant to a written agreement between the source agency and the recipient agency or non-National 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 National benefit programs, and
 - (ii) applicants for and holders of positions as National 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-National 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-National 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-National 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 non-National 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 1 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-National agency, or source agency may suspend, terminate, reduce, or make a final denial of any financial assistance or payment under a National 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-National 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 National 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 time 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 of non-National 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-National 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 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 Management and Budget pursuant to section 6 of the Privacy Act of 2018 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 other such information concerning administration of this section as may be necessary or useful to the Continental Congress in reviewing the effectiveness of this section in carrying out the purposes of the U.S.A.R. Privacy Act.

(t) EFFECT OF OTHER LAWS

Relationship of the Privacy Act to the Freedom of Information Act.

- (1) No agency shall rely on any exemption contained in 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 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, and agency agreements, and assess the cost 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 the 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.
- (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 an 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

- (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 Continental 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 Continental 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.

SECTION 6 [To be legislated]

***SECTION 7**

- (a) (1) It shall be unlawful for any National, state, or local government agency to deny to any individual any right, benefit, or privilege provided by law because of such individual's refusal to disclose his social security account number.
- (2) the provisions of paragraph (1) of this subsection shall not apply with respect to--
 - (A) any disclosure which is required by National statute, or
 - (B) the disclosure of a social security number to any National, 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 National, 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.

RULES OF CONSTRUCTION

Nothing in the amendments made by this Act 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 maintained by other National agencies;
- (2) the direct linking of computerized systems of record maintained by National agencies;
- (3) the computer matching of records not otherwise authorized by law; or
- (4) the disclosure of records for computer matching except to a National, State, or local agency.

EFFECTIVE DATES

- (a) **IN GENERAL.** Except as provided in subsection (b), the amendments made by this Act shall take effect 9 months after the date of enactment of this Act.
- (b) **EXCEPTIONS.** The amendments reflected in subsections (f), (r), (v), and (s) shall take effect upon enactment.

* Originally part of the Privacy Act but not codified

[End of Resolution]