

FOR IMMEDIATE RELEASE

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Office of the White House Press Secretary

THE WHITE HOUSE

FACT SHEET

In a statement, President Ford noted that the Privacy Act, a law intended to constrain government recordkeeping about individuals, took effect on Saturday, September 27, 1975. The Privacy Act (Public Law 93-579) was signed by the President on December 31, 1974. Cooperative efforts by the Congress, Executive Branch, federal agencies and the Domestic Council Committee on the Right of Privacy, which was chaired by Mr. Ford as Vice President, resulted in enactment of this landmark legislation.

Purposes of the Act. The Privacy Act gives Americans a greater say in the way records about them are kept and eliminate needless intrusions on personal privacy through the keeping of extraneous records. It is intended to assure that --

- there are no Federal Government personal record-keeping systems whose very existence is secret.
- Federal personal information files are limited to those which are clearly necessary.
- individuals have an opportunity to see what information about them is kept and to challenge its accuracy.
- personal information collected for one purpose not be used for another purpose without the consent of the individual.

Key Provisions. Federal agencies are required to:

- Limit personal information to that which is "relevant and necessary" to a purpose required by law.
- restrict disclosure of personal data.
- inform individuals from whom it collects information how it is to be used.
- publish in the Federal Register notices of the existence and nature of each personal data system.
- publish in the Federal Register the procedures for complying with the Act (e.g., procedures for an individual to review his records).
- with certain limited exceptions maintain no records respecting individuals' exercise of rights of free speech and expression.

Limitations

- The Act permits certain limited exemptions (e.g., for classified material and certain investigative files) but no system is automatically exempt. The agency head must publish a notice of intent to exempt a system and no system can be exempted from the requirement to publish a public notice.

- The Act applies to Federal government record-keeping systems.

Private Sector and State and Local Records

- While the private sector is not addressed by the Act, certain firms may be subject to the Act if they keep records for a Federal agency under contract.
- The Act establishes a Privacy Protection Study Commission which will be making recommendations to the President and the Congress, in part, on the applicability of the principles of the Act to the private sector and State and local government. The Commission consists of seven members, two each appointed by the House and Senate, and three appointed by the President. They are --

David Linowes, Chairman
 Willis Ware, Vice Chairman
 William B. Dickinson
 William O. Bailey
 Congressman Edward I. Koch
 Congressman Barry Goldwater, Jr.
 Robert J. Tennsessen

Privacy Act Implementation Actions to Date

- Approximately 90 Federal agencies have published their rules and procedures for complying with the Act.
- More than 6,000 system notices have been published.
- Agencies have conducted extensive training to prepare their staffs for compliance.

Next Steps

- The Office of the Federal Register is preparing a digest and compilation of all of the Federal agency rules and notices for release later this year to make them more useful to the public.

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