

The Freedom of Information And Privacy Acts

	FREEDOM OF INFORMATION REFORM ACT OF 1986 (P.L. 93-570)	PRIVACY ACT OF 1974 (P.L. 93-579, DEC. 1974)
PURPOSE	<i>To allow access by the public to government records.</i>	<i>To provide safeguards for an individual against invasion of personal privacy.</i>
SCOPE	<p><i>Applies to all Federal agencies, including executive and military departments and independent regulatory agencies.</i></p> <p><i>Pertains to:</i></p> <ul style="list-style-type: none"> ▪ <i>methods whereby public may obtain records;</i> ▪ <i>types of records available to the public;</i> ▪ <i>exemptions that permit agencies to withhold certain types of records.</i> 	<p><i>Applies to all Federal agencies, including executive and military departments and independent regulatory agencies.</i></p> <p><i>Pertains to:</i></p> <ul style="list-style-type: none"> ▪ <i>any system of records from which information is retrieved by an individual's name, identifying number, or other identifying particular assigned to an individual;</i> ▪ <i>any system of records maintained by a government contractor if the agency provides by contract for the "operation by or on behalf of the agency to accomplish an agency function."</i>
REQUIREMENTS	<p>Requires Federal agencies to:</p> <ul style="list-style-type: none"> ▪ <i>publish in the Federal Register organizational descriptions and locations of agency records;</i> ▪ <i>make all Agency opinions, orders, policy statements, manuals, and instructions available for public inspection and copying;</i> ▪ <i>publish rules stating time, place, fees (as authorized), and procedure to be followed for requesting records;</i> ▪ <i>make records promptly available to any person following the established guidelines for requesting such records;</i> ▪ <i>make available for public inspection a record of the final votes of each member in every Agency proceeding, except as exempted;</i> ▪ <i>release all portions of records not covered by FOIA exemptions. Exemptions that may apply to grants records include those permitting the deletions of commercial information, information that would invade personal privacy, and internal government options and advice.</i> 	<p>Requires Federal agencies to:</p> <ul style="list-style-type: none"> ▪ <i>permit individuals to determine what records pertaining to them the agency collects, maintains, uses, or disseminates;</i> ▪ <i>permit individuals to prevent records pertaining to them obtained for a particular purpose from being used or made available for another purpose without their consent;</i> ▪ <i>permit individuals to gain access to information pertaining to them in agency records, to have a copy made of their records, and to correct or amend their records;</i> ▪ <i>collect, maintain, use, or disseminate records 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 information;</i> ▪ <i>be subject to civil or criminal sanctions as a result of willful or intentional actions which violate any individual's rights under the Act;</i> ▪ <i>publish annually a notice in the Federal Register indicating the existence and character of the system records.</i>
SUMMARY	<i>Makes possible disclosure of policy, procedures, and records to the public.</i>	<i>Safeguards the privacy of individuals in the face of disclosure.</i>