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PRIVACY ACT CONSENT RULE EXCEPTIONS JOB AID

Conditions of Disclosure to Third Parties or the “No Disclosure without Consent Rule”

“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 [subject to 12 exceptions].”

5 U.S.C. § 552a(b)



For an overview of the Privacy Act of 1974, visit the U.S. Department of Justice’s [Office of Privacy and Civil Liberties webpage](#).

THE 12 EXCEPTIONS

1



Need to know within agency that maintains records with a need-to-know basis

2



Required Freedom of Information Act (FOIA) disclosure requests

3



Routine uses identified in the System of Records Notice (SORN) that have been published in the Federal Register

4



Bureau of the Census for purpose of conducting the census

5



Statistical research and reporting that is not identifiable to any individual

6



National Archives and Records Administration for historical preservation if determined the record has a historical value

7



Law enforcement request to transfer records for civil or criminal law purposes

8



Health and safety of an individual for compelling circumstances affecting health or safety

9



Congress to either House of Congress or extent of matter within its jurisdiction

10



Government Accountability Office (GAO) to the Comptroller General or authorized representatives

11



Court order pursuant to the order of a court of competent jurisdiction

12



Debt Collection Act to a consumer reporting agency