



## Privacy Act Exceptions

### Information Disclosure Guidance

**The Privacy Act of 1974, as amended, prohibits agencies from disclosing information about an individual without the individual's written consent, unless the disclosure is pursuant to one of the 12 statutory exceptions. The 12 exceptions allow disclosure:**

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. When disclosure is made under the Freedom of Information Act (FOIA);
3. For an established routine use identified in the System of Records Notice (SORN) that has been published in the Federal Register;
4. To the Census Bureau for purpose of planning or carrying out a census or survey;
5. To a recipient who has provided the agency with adequate written assurance that the record will be used solely for 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 (NARA) for historical preservation if the Archivist determines the record has historical value;
7. To another agency or to an instrumentality of any governmental jurisdiction, within or under the control of the U.S. 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 Accountability Office;
11. Pursuant to the order of a court of competent jurisdiction;
12. To a consumer reporting agency in accordance with the Debt Collection Act.

#### Most Commonly Used Exceptions

**(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.**

Make sure all disclosures to HUD officers and employees are necessary and allowed by the SORN that has been published on the [Federal Register](#).

**(2) When disclosure is made under the Freedom of Information Act (FOIA).**

If you are unsure if a request falls under the FOIA Act, please contact the FOIA specialist for your office.

**(3) For an established routine use identified in the System of Records Notice (SORN) that has been published in the [Federal Register](#).**

Always check the SORN for the system of records you are using.