

116TH CONGRESS
1ST SESSION

H. R. 1079

To require the Director of the Office of Management and Budget to issue guidance on electronic consent forms, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 7, 2019

Mr. GRAVES of Louisiana (for himself and Mr. KENNEDY) introduced the following bill; which was referred to the Committee on Oversight and Reform

A BILL

To require the Director of the Office of Management and Budget to issue guidance on electronic consent forms, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Creating Advanced
5 Streamlined Electronic Services for Constituents Act of
6 2019” or the “CASES Act”.

7 **SEC. 2. SENSE OF CONGRESS.**

8 It is the sense of Congress that—

1 (1) congressional offices provide crucial services
2 to constituents by acting as a liaison between the
3 constituents and the respective agencies;

4 (2) this includes assisting constituents by mak-
5 ing inquiries and working toward resolutions on be-
6 half of the constituent with the respective agencies;
7 and

8 (3) this process should be simplified through
9 the creation of electronic forms that may be sub-
10 mitted under section 552a of title 5, United States
11 Code (commonly referred to as the Privacy Act),
12 thus modernizing the process for constituents and
13 improving access and efficiency of Government serv-
14 ices and agencies in order to expedite the resolution
15 of the problem for which constituents sought help.

16 **SEC. 3. OMB GUIDANCE ON ELECTRONIC CONSENT AND AC-**
17 **CESS FORMS.**

18 (a) GUIDANCE.—Not later than 1 year after the date
19 of the enactment of this Act, the Director shall issue guid-
20 ance that does the following:

21 (1) Requires each agency to accept electronic
22 identity proofing and authentication processes for
23 the purposes of allowing an individual to provide
24 prior written consent for the disclosure of the indi-
25 vidual's records under section 552a(b) of title 5,

1 United States Code, or for individual access to
2 records under section 552a(d) of such title.

3 (2) Creates a template for electronic consent
4 and access forms and requires each agency to post
5 the template on the agency website and to accept the
6 forms from any individual properly identity proofed
7 and authenticated in accordance with paragraph (1)
8 for the purpose of authorizing disclosure of the indi-
9 vidual's records under section 552a(b) of title 5,
10 United States Code, or for individual access to
11 records under section 552a(d) of such title.

12 (3) Requires each agency to accept the elec-
13 tronic consent and access forms described in para-
14 graph (2) from any individual properly identity
15 proofed and authenticated in accordance with para-
16 graph (1) for the purpose of authorizing disclosure
17 of the individual's records to another entity, includ-
18 ing a congressional office, in accordance with section
19 552a(b) of title 5, United States Code, or for indi-
20 vidual access to records under section 552a(d).

21 (b) AGENCY COMPLIANCE.—Each agency shall com-
22 ply with the guidance issued pursuant to subsection (a)
23 not later than 1 year after the date on which such guid-
24 ance is issued.

25 (c) DEFINITIONS.—In this section:

1 (1) AGENCY; INDIVIDUAL; RECORD.—The terms
2 “agency”, “individual”, and “record” have the
3 meanings given those terms in section 552a(a) of
4 title 5, United States Code.

5 (2) DIRECTOR.—The term “Director” means
6 the Director of the Office of Management and Budg-
7 et.

8 **SEC. 4. NO ADDITIONAL FUNDS AUTHORIZED.**

9 No additional funds are authorized to carry out the
10 requirements of this Act. Such requirements shall be car-
11 ried out using amounts otherwise authorized.

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