

Calendar No. 127

116TH CONGRESS
1ST SESSION

H. R. 1079

[Report No. 116-50]

IN THE SENATE OF THE UNITED STATES

FEBRUARY 12, 2019

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

JUNE 25, 2019

Reported by Mr. JOHNSON, without amendment

AN ACT

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”.

1 **SEC. 2. SENSE OF CONGRESS.**

2 It is the sense of Congress that—

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

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

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

18 **SEC. 3. OMB GUIDANCE ON ELECTRONIC CONSENT AND AC-**
19 **CESS FORMS.**

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

23 (1) Requires each agency to accept electronic
24 identity proofing and authentication processes for
25 the purposes of allowing an individual to provide
26 prior written consent for the disclosure of the indi-

1 vidual’s records under section 552a(b) of title 5,
2 United States Code, or for individual access to
3 records under section 552a(d) of such title.

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

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

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

1 (c) DEFINITIONS.—In this section:

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

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

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

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

13 **SEC. 5. DETERMINATION OF BUDGETARY EFFECTS.**

14 The budgetary effects of this Act, for the purpose of
15 complying with the Statutory Pay-As-You-Go Act of 2010,
16 shall be determined by reference to the latest statement
17 titled “Budgetary Effects of PAYGO Legislation” for this
18 Act, submitted for printing in the Congressional Record
19 by the Chairman of the House Budget Committee, pro-
20 vided that such statement has been submitted prior to the
21 vote on passage.

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