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Answer

The Racketeer Influenced and Corrupt Organizations (RICO) Act and the Privacy Act of 1974 are two distinct federal laws with different purposes and applications. While they don't directly overlap, understanding both can provide insight into federal efforts to combat organized crime and protect personal information.

RICO Act

The RICO Act, passed in 1970, was designed to combat organized crime. It allows prosecutors to target criminal organizations as a whole, rather than just individual crimes. Key aspects of RICO include:

- It covers a wide range of criminal activities, including arson, bribery, counterfeiting, drug distribution, embezzlement, extortion, gambling, homicide, kidnapping, mail fraud, money laundering, robbery, wire fraud, and witness tampering.
- To be charged under RICO, a person must have committed at least two predicate crimes within a 10-year period, connected to an enterprise.
- Penalties for RICO violations can be severe, including up to 20 years in prison, fines of \$250,000 or double the illicit proceeds, and forfeiture of assets.

Privacy Act of 1974

The Privacy Act of 1974 is a federal law that regulates how government agencies handle personal information. Its main features include:

- It establishes guidelines for the collection, storage, maintenance, and dissemination of records by federal agencies.
- The Act gives individuals the right to request their records, seek amendments to inaccurate records, and be protected from unwarranted invasions of privacy.
- It prohibits the disclosure of personal information without the individual's consent, except under specific circumstances.

While the RICO Act and the Privacy Act of 1974 serve different purposes, they both aim to protect individuals - RICO from organized criminal activities and the Privacy Act from misuse of personal information by government agencies. It's important to note that violations of the Privacy Act typically result in civil remedies, but in some cases, they can lead to criminal charges.

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Answer

The Privacy Act of 1974 protects against misuse of personal information by establishing a code of fair information practices for federal agencies. Here are the key ways it safeguards personal data:

1. Restricted disclosure: The Act prohibits federal agencies from disclosing records about individuals from their systems of records without the individual's written consent, with some exceptions ² ⁶ .
2. Access rights: Individuals have the right to review records about themselves, find out if these records have been disclosed, and request corrections or amendments ⁵ .
3. Fair information practices: Agencies must follow principles for collecting, maintaining, using, and disseminating personal information ⁴ . These include:
 - Collecting only lawful and authorized information
 - Ensuring accuracy, relevance, timeliness, and completeness of records
 - Safeguarding information appropriately
4. Transparency: Agencies must publish notices in the Federal Register when creating or modifying systems of records ⁴ .
5. Purpose limitation: Agencies must obtain consent before using records collected for one purpose for other incompatible purposes ³ .
6. Accountability: Individuals can sue the government for violating the Act's provisions ¹ .

By implementing these protections, the Privacy Act of 1974 aims to balance the government's need to maintain information about individuals with the rights of individuals to be protected against unwarranted invasions of their privacy ⁵ .

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