Guidance on of Privacy Act applicability to the Clearinghouse

## Q&A

Is the Clearinghouse subject to the Privacy Act requirements?

## Guidance:

Yes. The Clearinghouse is subject to certain provisions of the Privacy Act. For example, the Agency will verify the driver’s consent for the release of information prior to allowing an employer to access the driver’s Clearinghouse record. Drivers have the right to request inaccurate information in their Clearinghouse record be corrected or removed. In addition, the Federal Motor Carrier Safety Administration (FMCSA) will notify employers if previously-released Clearinghouse information has been subsequently corrected or removed.