

or to be collected, reviewed, gathered, analyzed, or used in conjunction with the data mining activity, to the extent applicable in the context of the data mining activity.

(G) A thorough discussion of the policies, procedures, and guidelines that are in place or that are to be developed and applied in the use of such data mining activity in order to—

(i) protect the privacy and due process rights of individuals, such as redress procedures; and

(ii) ensure that only accurate and complete information is collected, reviewed, gathered, analyzed, or used, and guard against any harmful consequences of potential inaccuracies.

**(3) Annex**

**(A) In general**

A report under subparagraph (A)<sup>2</sup> shall include in an annex any necessary—

- (i) classified information;
- (ii) law enforcement sensitive information;
- (iii) proprietary business information; or
- (iv) trade secrets (as that term is defined in section 1839 of title 18).

**(B) Availability**

Any annex described in clause (i)—

(i) shall be available, as appropriate, and consistent with the National Security Act of 1947 (50 U.S.C. 401 et seq.), to the Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, the Select Committee on Intelligence, the Committee on Appropriations, and the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Homeland Security, the Committee on the Judiciary, the Permanent Select Committee on Intelligence, the Committee on Appropriations, and the Committee on Financial Services of the House of Representatives; and

(ii) shall not be made available to the public.

**(4) Time for report**

Each report required under subparagraph (A)<sup>2</sup> shall be—

(A) submitted not later than 180 days after August 3, 2007; and

(B) updated not less frequently than annually thereafter, to include any activity to use or develop data mining engaged in after the date of the prior report submitted under subparagraph (A).<sup>2</sup>

(Pub. L. 110-53, title VIII, §804, Aug. 3, 2007, 121 Stat. 362.)

REFERENCES IN TEXT

The National Security Act of 1947, referred to in subsec. (c)(3)(B)(i), is act July 26, 1947, ch. 343, 61 Stat. 495. For complete classification of this Act to the Code, see Short Title note set out under section 401 of Title 50, War and National Defense, and Tables.

**CHAPTER 21F—PROHIBITING EMPLOYMENT DISCRIMINATION ON THE BASIS OF GENETIC INFORMATION**

Sec.  
2000ff. Definitions.

- Sec.
- 2000ff-1. Employer practices.
- 2000ff-2. Employment agency practices.
- 2000ff-3. Labor organization practices.
- 2000ff-4. Training programs.
- 2000ff-5. Confidentiality of genetic information.
- 2000ff-6. Remedies and enforcement.
- 2000ff-7. Disparate impact.
- 2000ff-8. Construction.
- 2000ff-9. Medical information that is not genetic information.
- 2000ff-10. Regulations.
- 2000ff-11. Authorization of appropriations.

**§ 2000ff. Definitions**

In this chapter:

**(1) Commission**

The term “Commission” means the Equal Employment Opportunity Commission as created by section 2000e-4 of this title.

**(2) Employee; employer; employment agency; labor organization; member**

**(A) In general**

The term “employee” means—

- (i) an employee (including an applicant), as defined in section 2000e(f) of this title;
- (ii) a State employee (including an applicant) described in section 2000e-16c(a) of this title;
- (iii) a covered employee (including an applicant), as defined in section 1301 of title 2;
- (iv) a covered employee (including an applicant), as defined in section 411(c) of title 3; or
- (v) an employee or applicant to which section 2000e-16(a) of this title applies.

**(B) Employer**

The term “employer” means—

- (i) an employer (as defined in section 2000e(b) of this title);
- (ii) an entity employing a State employee described in section 2000e-16c(a) of this title;
- (iii) an employing office, as defined in section 1301 of title 2;
- (iv) an employing office, as defined in section 411(c) of title 3; or
- (v) an entity to which section 2000e-16(a) of this title applies.

**(C) Employment agency; labor organization**

The terms “employment agency” and “labor organization” have the meanings given the terms in section 2000e of this title.

**(D) Member**

The term “member”, with respect to a labor organization, includes an applicant for membership in a labor organization.

**(3) Family member**

The term “family member” means, with respect to an individual—

- (A) a dependent (as such term is used for purposes of section 1181(f)(2) of title 29) of such individual, and
- (B) any other individual who is a first-degree, second-degree, third-degree, or fourth-degree relative of such individual or of an individual described in subparagraph (A).