

October 23, 1972

B. Johnson

CONSENSUS QUESTIONS - CIVIL RIGHTS AND LIBERTIES

PRIVACY AND RECORD KEEPING

1. Should there be controls on private and/or governmental organizations which gather information on individuals relating to the collection and use of that information.

If so, what kinds of controls? What should be the sources of control?

2. Under what circumstances, if any, should federal, state and local governmental agencies have access to personal data in the records of banks, credit bureaus, schools and other public and private organizations?
3. Should there be controls on the pooling of information on individuals? On the use of such pools? If so, what kinds and what sources of controls?
4. What concerns do you have about the collection, pooling and use of information on private individuals? On public officials?
5. Do an individual's civil rights and liberties include the right to control the collection and use of information about himself?
 - a. Should an individual be informed by information-gathering/keeping agencies that files exist on him?
 - b. Should an individual be permitted to examine any/all files on him? To amend any/all files?
 - c. Should an individual be informed of the use to which his records are put by an agency?
 - d. Should an individual be informed when an organization releases his records or any part of them to a third party?
 - e. Should an individual's authorization be required for such release?

Please put answers on separate pages.

RETURN BY JANUARY 20, 1973.

ANSWERS TO CONSENSUS QUESTIONS - CIVIL RIGHTS & LIBERTIES

PRIVACY AND RECORD KEEPING

1. Yes, there should be controls on both government and private organizations. First, we would encourage self-regulation. Then, we would like to see legislation to:
(1) Prevent collection of data not relevant to the purpose for which it is being collected, especially in such areas as religion, politics, private family matters and sex habits. (2) We would require federal and state registration of all data banks. (3) We would require data banks to send a copy of the file to each person on whom the file is kept. (4) We would require a log kept on use of files. (5) We would ask for a periodic purging of files.
2. None. We believe a subpoena should always be required.
3. Yes. ^{Yes.} We felt a person's consent should be required.
4. Our concern is that unnecessary material ^{should not be} ~~is not~~ collected. For example, extremely personal data or data unrelated to the object of the file. Our league did not seem too concerned for public officials. We seemed to feel this is the price of public life.
5. A. ^{Yes} Yes, always.
B. Yes, with the exception of a file maintained by a professional person such as a doctor or lawyer, that is only for his own use and never used by anyone else.
C. Yes.
D. Yes.
E. No. We felt if the input was controlled and laws were passed to protect an individual, then authorization should not be required. We felt this would especially hamper law enforcement agencies.

Board approved
except M. Dodge
(on vacation)
Brenda ok'd changes
1/18/73

December, 1972

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Brenda


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Laura
Individual
notified
when
material
is sent
under
SIC

Sawth. Question 3

December, 1972

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