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## F A C T   S H E E T

MEETING OF DOMESTIC COUNCIL COMMITTEE ON THE RIGHT OF PRIVACY

FOR RELEASE 10:00 AM, JULY 10, 1974

CONTACT: Douglas Metz 395-3254

MEMBERSHIP

Chairman: Vice President Gerald R. Ford  
 Members: Secretary of the Treasury William E. Simon  
 Secretary of Defense James R. Schlesinger  
 Secretary of Commerce Frederick B. Dent  
 Secretary of Labor Peter Brennan  
 Secretary of Health, Education, and Welfare,  
 Caspar W. Weinberger  
 The Attorney General William B. Saxbe  
 Director, Office of Management and Budget, Roy L. Ash  
 Director, Office of Telecommunications Policy,  
 Clay T. Whitehead  
 Chairman, Civil Service Commission, Robert E. Hampton  
 Director, Office of Consumer Affairs, Mrs. Virginia Knauer  
 Staff Directors: Executive Director of the Committee, Philip W. Buchen  
 Deputy Executive Director, Douglas Metz

COMMITTEE FUNCTIONS:

The Committee was established February 23, 1974, by President Richard M. Nixon, charged with responsibility for recommending by midyear initial measures which can be taken to ensure that the individual's right to privacy is protected. Philip Buchen was appointed Executive Director by the Vice President March 15, 1974, and shortly formed a small staff which in April initiated projects for immediate attention. The staff believed these projects represented the areas in which action was urgently needed and where possibilities were good for implementation this year.

Interagency task forces, individuals outside the Federal Government, Members of Congress and Congressional Committee staffs contributed to the staff efforts. Today, the Committee on the Right of Privacy will consider 14 proposed initiatives which the staff has recommended.

The Committee will act on proposals to be transmitted by the Vice President to the President for his consideration. The 14 proposed initiatives on privacy which the Committee will consider encompass a broad spectrum of privacy concerns. But they are only a beginning in this field. Further staff recommendations are planned for consideration by the Committee in September.

Not involved are the subjects of wiretapping and electronic surveillance, because they are under study by the Congressionally created National Commission for Review of Federal and State Laws relating to the two subjects as authorized by Title III of the Omnibus Crime Control Act of 1968.

SUMMARY OF INITIATIVES:

Proposed Privacy Initiative No. 1

This initiative is designed to establish practices and procedures within Executive Departments and agencies that will ensure systematic consideration of personal privacy rights in planning and use of Federal data processing and communication systems.

It is recommended that agencies prepare privacy impact statements for data processing or communications systems planned to contain personal data and file such statements for public inspection 30 days BEFORE starting the design and procurement of such systems.

Proposed Privacy Initiative No. 2

This initiative is designed to continue development of standards and guidelines begun by the National Bureau of Standards to safeguard the integrity and confidentiality of personal information in computer systems and networks.

It is recommended that the National Bureau of Standards accelerate the development of standards for safeguarding the security and confidentiality of personal information in computer systems.

Proposed Privacy Initiative No. 3

This initiative is designed to provide further Federal leadership in protecting consumer rights of privacy in transactions.

It is recommended that the Office of Consumer Affairs propose a Declaration of Individual Rights of Privacy in Consumer Transactions. This would establish principles for protecting the privacy of personal information about consumers gathered in connection with consumer transactions. Businesses would be asked to voluntarily subscribe to Fair Information Practices which would protect the privacy rights of any consumer.

Proposed Privacy Initiative No. 4

This initiative is designed to safeguard consumer and personal privacy in cable television systems.

It is recommended that the Committee endorse the privacy provisions of the proposed Cable Communications Act of 1974 which would prohibit cable operators from disclosing personally identifiable information about cable subscribers without a court order.

Proposed Privacy Initiative No. 5

This initiative is designed to ease concern over privacy invasions that could result from the use of Federal mail lists, through an Executive Order encompassing the following:

It is recommended that any individual on a mail list maintained by a Federal Agency be given the right to exclude his name from lists made available for dissemination outside the Federal Government.

Proposed Privacy Initiative No. 6

This initiative is designed to further assure confidentiality and security of data furnished the Internal Revenue Service by the taxpayer.

It is recommended that the Committee encourage the IRS in its efforts to improve security and confidentiality protections for taxpayer data and to develop comprehensive new legislation placing greater restrictions on access to tax returns.

Proposed Privacy Initiative No. 7

This initiative is designed to assure that Federal agencies explain to an individual why he is being asked for information about himself or others.

It is recommended that the Office of Management and Budget require each Executive agency to have procedures which will assure that people are not asked questions about themselves or others without first being told clearly, whether they are legally required to answer and what uses will be made of the answers they give.

Proposed Initiative No. 8

This initiative is designed to help prepare for privacy safeguards which may be needed in the so-called "checkless-cashless society."

It is recommended that the Committee request Federal agencies concerned with this area to undertake special studies of the potential impact on personal privacy of electronic funds transfer systems for handling consumer financial transactions.

Proposed Initiative No. 9

This initiative is designed to establish an individual's right of access to Federal records containing information about himself.

It is recommended that the Committee on Privacy endorse principles embodied in the OMB draft bill which would require each Federal agency to permit individuals to inspect records about themselves and correct or amend inaccurate information, with some exemptions for records relating to national defense and security investigations.

Proposed Initiative No. 10

This initiative is designed to prevent military surveillance of civilians.

It is recommended that the Committee on Privacy endorse and support passage of an acceptable revision of S. 2318 prohibiting military surveillance of civilian political activity, and providing penalties and remedies for violations.

Proposed Initiative No. 11

This initiative is designed to encourage legislation to protect the privacy of civilian employees of the Executive Branch of the Federal Government.

It is recommended that the Committee on Privacy request the Civil Service Commission to prepare, as soon as possible, proposed legislation or executive orders which would protect the privacy of civilian employees of the Executive Branch.

Proposed Initiative No. 12

This initiative is designed to provide a Federal policy that would protect the basic privacy rights of parents and students with respect to school records, as reflected in the Buckley Amendments to the Elementary and Secondary Education Authorization Bill.

It is recommended that the Committee on Privacy support legislation which would assure rights of access to school records for students and parents, and to provide appropriate safeguards against disclosure of such records to third parties.

Proposed Initiative No. 13

This initiative is designed to protect the confidentiality of records that financial institutions maintain about consumers, and to protect legitimate interests of the government in such records.

It is recommended that the Committee on Privacy support the basic concepts of legislation now proposed which would prohibit Federal agencies and state and local governments from obtaining information in records on the customers of financial institutions, unless under a court order or subpoena, an administrative summons, or unless the customer authorizes such a disclosure.

Proposed Initiative No. 14

This initiative is designed to broaden the privacy protections in the Fair Credit Reporting Act.

It is recommended that the Committee on Privacy endorse legislation to amend the Fair Credit Reporting Act to require that the consumer be notified of any consumer-reporting file established on him (except one resulting from his own credit application); to require that the consumer have access to the information in a consumer-reporting file about him and the right to challenge its accuracy; to require that the consumer be notified of adverse action taken by virtue of credit or investigative reports about him; to require that the consumer authorize, in writing, investigative reports about him; and to require that the consumer authorize in writing collection of potentially sensitive medical information about him.

NOTE: The above is not to be construed as endorsement of any specific provision of S. 2360, Committee Print No. 1.

NOTE: PHILIP BUCHEN, EXECUTIVE DIRECTOR OF THE COMMITTEE, WILL BRIEF REPORTERS ON COMMITTEE ACTIONS ON THE ABOVE RECOMMENDATIONS AT 12:00 NOON, VICE PRESIDENT'S CONFERENCE ROOM, OEOB. CLEARANCE NEEDED. CALL MISS McAULAY 456-2364