

**The original documents are located in Box 25, folder “Privacy” of the Ron Nessen Papers at the Gerald R. Ford Presidential Library.**

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**THE WHITE HOUSE**

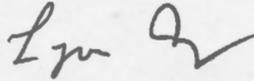
**WASHINGTON**

**June 6, 1975**

**MEMORANDUM FOR BILL GREENER**

**FROM:**

**LYNN MAY**



**SUBJECT:**

**The Ford Administration's Accomplishments in  
the Privacy Field**

**Per our telephone conversation, I am forwarding you background material  
on the Ford Rowan article on privacy and Federal computer networks.**

**Attachment**



DOMESTIC COUNCIL COMMITTEE ON THE RIGHT OF PRIVACY

WASHINGTON, D.C. 20504

June 6, 1975

MEMORANDUM FOR: LYNN MAY  
STAFF ASSISTANT

FROM: GEORGE B. TRUBOW 

SUBJECT: ACTIVITIES ON BEHALF OF PERSONAL  
PRIVACY

You have asked for some information that the President's press office can use in citing the President's commitment to and action in behalf of the right of privacy. This memorandum recounts, somewhat in news release fashion, the background of privacy activities. The ending paragraphs identify some additional privacy priorities in the event there is a desire to expand.

The President's activities in this respect began when he, as Vice President, was the first Chairman of the Domestic Council Committee on the Right of Privacy. This Committee, established in early 1974, provides leadership and policy coordination among the various Executive agencies, and the Chairmanship of the Committee has now been assumed by Vice President Rockefeller.

On the 12th of August last year, in the State of the Union message, President Ford pledged his Administration to "hot pursuit of tough laws" to prevent unwarranted invasions of personal privacy. In doing so, the President reaffirmed the important initial steps that the Congress and the Executive branch had taken during the previous six months on behalf of the privacy rights of Americans.

Throughout the last year, the Administration and the Congress have together made significant progress toward assuring that personal privacy will not become a victim of our society's

increasing complexity and its increasing dependence on powerful information technologies. Administration and legislative steps taken to date include:

- . Rescission of an Executive order that could have given the Department of Agriculture direct access to the income tax returns of farmers;
- . Cancellation of the FEDNET plan for a massive Federal data communications network capable of linking the vast computerized files of many Federal agencies;
- . Enactment of the Family Educational Rights and Privacy Act guaranteeing student and parent access to school records and restricting disclosures of such records;
- . Issuance of an Executive order restricting White House access to income tax returns;
- . Appointment of several special committees, including one chaired by the Vice-President, to investigate alleged abuses by agencies with intelligence gathering functions;
- . Enactment of a landmark statute, the Privacy Act of 1974, to safeguard the privacy rights of individuals who, for one reason or another, are subjects of records maintained by Federal agencies.

In addition, efforts have been made to respond to State and local government concern about the protection of personal privacy. At a meeting last December, sponsored by the Council of State Governments and the Domestic Council Privacy Committee, there was an evident desire to address the problem in Statehouses, county seats, and city halls all across the country.

Plans are also underway to arouse business interest and to seek voluntary private sector cooperation in areas not now covered by the Fair Credit Reporting Act. Steps that need to be taken by State government and the private sector will also be central to the work of the Privacy Protection Study Commission created by the Privacy Act of 1974.

The Administration is anxious to continue the partnership that has been forged with the Congress in this important area, so that 1975 will be an even better year for the Constitutionally protected right of personal privacy.

August 11, 1976

RON --

On the George Wiley Freedom of Information  
action:

In October of 1975 Justice sent back a  
letter saying that before they went any  
further in their investigation, they would  
need a deposit.

They never heard anything back on it, so  
it has been dropped.

(Per Barry Roth)

connie



THE WHITE HOUSE

WASHINGTON

August 5, 1976

MEMORANDUM FOR BARRY ROTH

FROM: Connie Gerrard

As I mentioned to you on the phone today, Ron wondered ~~if the Justice Dept. knows~~ how close the Justice Department is to releasing the file of George Wiley to his widow, Wretha Wiley Hanson, who has asked for it under the Freedom of Information Act. She requested it about a year ago.

He has no interest in the file itself -- was inquiring how close it is to being given out. Also, he is not pushing for it to be given out. Just a status report of the timing of it.

Thanks, Barry. Do you think we could get this information by the close of Monday?



~~xxxx~~

~~that shirt~~

~~social pool~~

~~Batteries for my tape recorder (4)~~

10/25  
Boring Ruth

Mich Kelly; Wretha Wily Pearson  
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net n g rds.

Er see ap 13

WRETHA WILEY

HANSON

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FOI ~~request~~ =  
request  
About a year ago.  
D.O.J.

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For George Wiley  
bill.

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Arbockup.

2/20

THE WHITE HOUSE

WASHINGTON

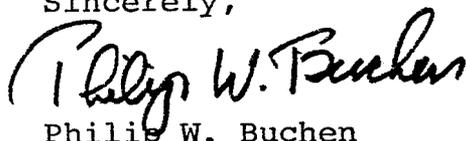
September 3, 1975

Dear Mr. Haley:

This is in response to your letter of August 27, 1975, in which you request, on the basis of the Freedom of Information Act, 5 U.S.C. 552, "access to Presidential tapes that were made on May 15th, 1972, between the hours of 4 P.M. and midnight of that day, or, if the tapes themselves cannot be produced, of transcripts of any conversations on that date between Charles Colson and Mark Felt, or Mr. Colson and E. Howard Hunt."

The materials which you seek, if any do exist, would appear to be "Presidential materials of the Nixon Administration" which are subject to the Order of the United States District Court for the District of Columbia, entered October 21, 1974, as amended, in Nixon v. Sampson, et al., Civil Action No. 74-1518. This Order enjoins any search, disclosure, transfer or disposal of these materials except for certain limited purposes not present in your request. Therefore, we are unable to examine these materials in order to respond to your request. For your information, one issue in this litigation is the availability of the papers and other materials of a former President under the Freedom of Information Act. In addition, the White House is not an agency for the purpose of that Act, and is, therefore, not subject to its mandatory disclosure provisions.

Sincerely,



Philip W. Buchen  
Counsel to the President

Mr. Harold Haley  
Producer  
Special Reports  
CBS News  
524 West 57 Street  
New York, New York 10019

cc: Ron Nease ✓

# CBS NEWS

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(212) 765-4321

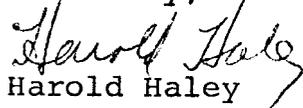
Dear Mr. Buchen:

CBS News is preparing a documentary on the shooting of Governor George Wallace by Arthur Bremer on May 15th, 1972. This letter is being written in accordance with the Freedom of Information Act to request access to information in the control of the President that is of major importance to this broadcast.

I request access to Presidential tapes that were made on May 15th, 1972, between the hours of 4 P.M. and midnight of that day, or, if the tapes themselves cannot be produced, of transcripts of any conversations on that date between Charles Colson and Mark Felt, or Mr. Colson and E. Howard Hunt.

I look forward to hearing from you within ten days.

Sincerely,



Harold Haley  
Producer  
Special Reports

Mr. Philip Buchen  
Counsel to the President  
The White House  
1600 Pennsylvania Avenue  
Washington, D.C. 20500

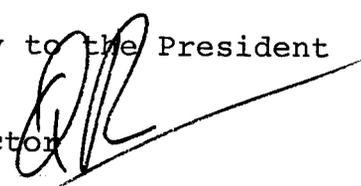
August 27, 1975

DOMESTIC COUNCIL COMMITTEE ON THE RIGHT OF PRIVACY

WASHINGTON, D.C. 20504

October 31, 1975

MEMORANDUM FOR:                   RON NESSEN  
  Press Secretary to the President

FROM:                                QUINCY RODGERS  
  Executive Director 

SUBJECT:                            Presidential Privacy Actions  
  and Achievements

The memo is provided to give you a thumb nail sketch of the record of President Ford and the Ford Administration in the area of protection of personal privacy.

Major actions taken by the President and the Administration include:

- \* Blocked direct access by the Department of Agriculture to income tax records of farmers by recinding Executive Order 11773.
- \* Restricted White House access to income tax returns (Executive Order 11805).
- \* Supports administration legislation which would further protect IRS tax returns and confidential IRS information (this legislation has been forwarded to Congress for introduction within the next few weeks, pending formal completion of OMB clearence process).
- \* Barred implementation of FEDNET, a plan to create a Federal data network capable of linking thousands of automated file systems of numerous Federal systems.
- \* Opposed the use of the Social Security System to create a nationwide parent locator network with broad access to Federal records, on the ground that such a network raises major privacy considerations.

- \* Supported and signed the Privacy Act of 1974, covering Federal Record systems and providing disclosure limitations on individual records and a right of access for the individual citizen whose files are in such data systems.
- \* Supports legislation on criminal justice information which is now pending in Congress.
- \* Supported and signed Family Educational Rights and Privacy Act of 1974 (Buckley Amendments), providing parent and student access to school records.
- \* Appointed a Commission on CIA activities which investigated and exposed abuses, including invasions of privacy, by the CIA.
- \* Continued the Domestic Council Committee on the Right of Privacy, a policy unit of the Administration for privacy which President Ford previously chaired, and asked Vice-President Rockefeller to assume the Chairmanship.

We will periodically provide you with an update of this information for your files.

For a fuller explanation of any of these items, please have your staff call Kent Larsen (202) 395-3254.

THE WHITE HOUSE

WASHINGTON

October 7, 1974

MEMORANDUM FOR: Bill Timmons

FROM: Phil Buchen

SUBJECT: Presidential Statement on Pending  
General Privacy Legislation

Attached is a proposed form of release to be made by the President on the above subject (see Tab A).

The basis for it is described in the memorandum to me from Doug Metz (see Tab B).

Attachments

cc: Don Rumsfeld  
Ron Nessen ✓  
Bob Marik  
Phil Areeda  
Bill Casselman

Tab  
A

October 7, 1974

Office of the White House Press Secretary

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THE WHITE HOUSE

STATEMENT BY THE PRESIDENT

Legislation to protect personal privacy is making significant progress in the Congress. I am delighted about the prospect of House and Senate action at this session.

Renewed national efforts to strengthen protections for personal privacy should begin in Washington. We should start by enacting uniform fair information practices for the agencies of the Federal government. This will give us invaluable operating experience as we continue to examine and recommend needed actions at the State and local level and in the private sector.

The immediate objective should be to give every citizen the right to inspect, challenge and correct, if necessary, information about him contained in Federal agency records and to assure him a remedy for illegal invasions of privacy by Federal agencies accountable for safeguarding his records. In legislating, the right of privacy, of course, must be balanced against equally valid public interests in freedom of information, national defense, foreign policy, law enforcement, and in a high quality and trustworthy Federal work force.

Immediately after I assumed the chairmanship, as Vice President, of the Cabinet-level Domestic Council Committee on the Right of Privacy, I asked the Office of Management and Budget to work jointly with the Committee staff, the Executive agencies and the Congress to work out realistic and effective legislation at the earliest possible time. Substantial progress has been made by both the Senate and the House on bills extending personal privacy protections to tens of millions of records containing personal information in hundreds of Federal data banks.

H. R. 16373, the Privacy Act of 1974, has my enthusiastic support, except for the provisions which allow unlimited individual access to records vital to determining eligibility and promotion in the Federal service and access to classified information. I strongly urge floor amendments permitting workable exemptions to accommodate these situations.

The Senate, also, has made substantial progress in writing privacy legislation. S. 3418 parallels the House bill in many respects, but I believe major technical and substantive amendments are needed to perfect the bill. I do not favor establishing a separate Commission or Board bureaucracy empowered to define privacy in its own terms and to second guess citizens and agencies. I vastly prefer an approach which makes Federal agencies fully and publicly accountable for legally mandated privacy protections and which gives the individual adequate legal remedies to enforce what he deems to be his own best privacy interests.

The adequate protection of personal privacy requires legislative and executive initiatives in areas not addressed by H. R. 16373 and S. 3418. I have asked Executive branch officials to continue to work with the Congress to assure swift action on measures to strengthen privacy and confidentiality in income tax records, criminal justice records and other areas identified as needed privacy initiatives by the Domestic Council Committee on the Right of Privacy.

# # #

Tab  
B

DOMESTIC COUNCIL COMMITTEE ON THE RIGHT OF PRIVACY

WASHINGTON, D.C. 20504

October 7, 1974

MEMORANDUM FOR: Phil Buchen

FROM: Doug Metz *Dum*

SUBJECT: Presidential Statement on Pending  
General Privacy Legislation

There is immediate need for an explicit Presidential position on the privacy legislation scheduled to be taken up by the House and Senate possibly as early as Tuesday of this week. The publication of such a statement for general use will save everyone's time, avoid any appearance of "pussy-footing" on an issue of announced top priority concern of the President, and crystallize the results of five months of intense study and interaction within the Administration and with the Congress.

Attached is a proposed statement. There should be minimal need for protracted coordination, particularly on the question of Administration commitment with specific reservations to H. R. 16373. As you know, prior to consideration by the House Committee on Government Operations, Bob Marik, after coordination with Messrs. Shepard, Ebner, Casselman, you and me, assured Congressmen Moorhead, Erlenborn, and Horton that the Administration could support H. R. 16373 provided the Committee (1) accepted our technical amendments, (2) eliminated punitive damages, and (3) restored an exemption for certain Civil Service records. The Committee went along on (1) and (2) but not (3).

In summary, the following steps should be taken:

- Transmission of this memorandum and/or attached statement, with your covering comments to Bill Timmons and others for immediate action.

- . Release of the statement in advance of floor action by either the Senate or House to assure that the President's position is known before floor amendments are taken up.
- . Distribution of the statement to each Congressional office in advance or concurrent with release of the White House Press office.

DWM/fme

Attachment