

Fear Privacy Act Will Put All At Mercy Of Computers

CHICAGO—The Johnson Administration's proposed Right of Privacy Act does little to allay the fear that invading electronic computers may make public confidential records about American citizens, a University of Michigan professor says.

Prof. Arthur R. Miller told a national symposium on privacy at the University of Chicago that "the computer, with its insatiable appetite for information, its image of infallibility, its inability to forget anything that has been put into it, may become the heart of a

surveillance system that will turn society into a transparent world."

MILLER, a frequent critic of the proposed national data center, leveled his first attack at the Freedom of Information Act, which went into effect last year.

"That dubious statute," he said, "requires disclosure of a number of broad categories of government records to anyone."

The proposed Right of Privacy Act, falls to come together with the problems thus posed.

In the computer area it would protect against transmissions by wire, but not microwave relay systems. And it would not deal with problems of information gathering and processing or with direct intrusions on the computer systems themselves.

The existing Freedom of Information Act, Miller noted, was passed "in furtherance of the public's right to know—a marvelous cliché effectively manipulated by the mass communications media."

But it may have the effect "of forcing disclosure of a great

deal of information that originally was given the government with the understanding that it would be kept confidential, and a considerable amount of personal data that many a sensitive citizen would consider private."

THE ACT, he said, represented a "complete reversal of our past presumption in favor of privacy" in that it requires disclosure of personal data within specified categories "unless it would constitute a clearly unwarranted invasion of personal privacy."

"If individual privacy is to be given any meaningful protection against the computer," Miller asserted, "it must be available at the point of information gathering. The key is appropriate limitations on input" rather than the development of legal remedies after the fact.

"What is essential is the development of a comprehensive set of rules of information gathering, disclosure and confidentiality, as well as legislative standards of care for information processing that will supplement, to the extent feasible, the existing crazy-quilt of reg-

ulations and fill the existing statutory gaps."

MILLER CALLED on Congress to establish "reasonable precise standards regarding the information that a federal data center can record...information gathered without specific Congressional authorization should be denied access to a data center."

And without an absolutely overpowering demonstration that the preservation of sensitive highly personal information is essential to national policy, "the data should be per-

mitted to be lost to man's memory or simply be retained on a decentralized confidential basis."

Miller cautioned that with a data center, information would be not only centralized but also more probing and sophisticated. Greater magnification and mechanization of information gathering, he said, would certainly increase the risk of errors in reporting, recording and indexing; the risk of information distortion, the risk of abuse and misuse of information by persons who have any access to it.

"Our success or failure in life," he said, "ultimately may turn on what other people put in our file and an unknown programmer's ability or inability—to evaluate, process, and interrelate information."

Until the quality of the center's operations and the risks to individual privacy are better perceived, "the center's activities should be restricted to processing purely factual data with no evaluation content."

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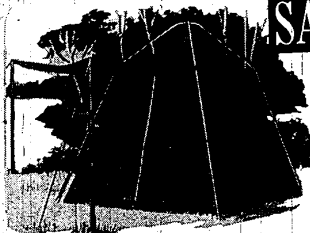


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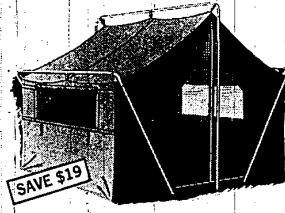
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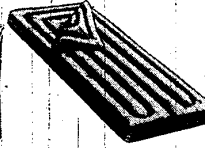
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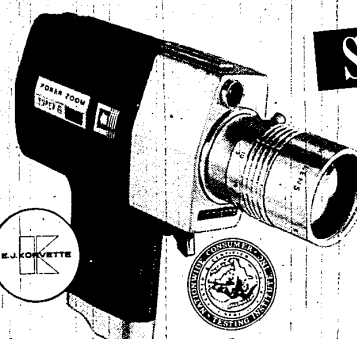
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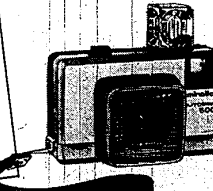
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