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A Push for Privacy *pot 8/25/74*

Until President Ford mentioned it in his address before Congress, not many people knew or cared that there was an outfit called the Domestic Council Committee on the Right of Privacy, and that Mr. Ford, as Vice President, headed it.

Yet the committee has been doing significant work, and the most important, it now appears, may have been educating the future President in the vital need to protect each citizen's right to privacy.

"As Vice President, at the request of the President, I addressed myself to the individual rights of Americans in the area of privacy," Mr. Ford said in his speech. "There will be no illegal tappings, eaves-droppings, buggings or break-ins by my administration. There will be hot pursuit of tough laws to prevent illegal invasions of privacy in both government and private activities."

As Mr. Ford indicated, the committee was indeed set up by President Nixon. Mr. Nixon must have known that many people would find it ludicrous for the administration of the Watergate break-in and secret tapes to be figuring out ways to safeguard privacy but, to his credit, he ordered the effort anyhow.

In a special-radio talk in February, Mr. Nixon declared that government data systems employing new computer technology had become "a national problem that could potentially affect every American." He asked his still new Vice President to head a Cabinet level committee that would by mid-year begin suggesting answers.

From the outset, Mr. Ford took the assignment most seriously. To show he meant business and wanted a positive response from hitherto indifferent or even resistant bureaucrats, he put two crack men in charge. He installed as executive director Philip Buchen, his close friend who is now his White House counsel, and to be Mr. Buchen's deputy he borrowed management expert Douglas Metz from Booz, Allen and Hamilton.

Staffed by a handful of professionals, the committee quickly set up inter-agency task forces to work on privacy questions in the Executive Branch and on bills pending in Congress. Mr. Ford succeeded in reversing a White House order that had given the Agriculture Department permission to examine farmers' tax records, delivered the coup de grace to a General Services Administration plan for a massive new government data bank, and helped persuade a reluctant House of Representatives to accept a Senate plan permitting parents to inspect and challenge information in their children's school records

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At a July 10 meeting, the Ford committee okayed 14 specific staff proposals for action. Included were initiatives to emphasize privacy in the procurement of new government data processing systems: get businesses to promise to protect the confidentiality of personal information obtained about customers; give consumers more power to see and correct credit files; and shield information about the viewing habits of cable TV subscribers.

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A few times sounded like typical bureaucratic cop-outs—directives to an agency to move faster or try harder. "But at least the agencies are now awake to the problem and the need to do better," Mr. Buchen argues. "We've opened up some new avenues of thought and given direction to some efforts that were floundering or not moving very rapidly." And, shrewdly, the committee set definite early deadlines for performance.

A few veteran privacy warriors remain skeptical of just how much the committee is really accomplishing, but most are inclined to give it high marks so far.

"All this has got to be a plus," says Douglass Lea, director of the American Civil Liberties Union's privacy project. "Directives go out, and even if they're pretty general, there's a billiard ball effect and people down at the bottom eventually get activated." Declares William Phillips, staff chief for a House subcommittee working on privacy legislation: "They have probably done as much as anyone to call attention to the dimensions of this issue."

Until he took on the privacy chore, Mr. Ford, like most congressmen, had little background on the subject. Several speeches as Vice President told how the intensive investigation he was subjected to after his nomination helped awaken him to the privacy problem "in a very real and personal sense." And in an interview with Ohio

Rep. Charles Mosher just two days before he was sworn in as President, he recited with some alarm how a Virginia bank statement on his daughter's savings account had been erroneously mailed to a family in Florida.

"The computer made a mistake," Mr. Ford related. "Now it wasn't significant because the amount of money was inconsequential, but it might have been if it had been somebody in different circumstances. . . . If it had gotten in the hands of the wrong party, it could have been a very serious mistake."

Whatever the reason, somewhere along the line Mr. Ford seems to have become a true believer. Says friend Buchen: "It's been a real learning experience for him. He's begun to realize the scope of the privacy problem, how vast it is, and how there aren't pat, easy answers, either."

Though Mr. Ford and Mr. Buchen have now moved to the White House, the committee remains extremely active—working with Senate and House committees last week, for example, to write legislation guarding the privacy of personal data in government files; checking on how agencies are progressing on the deadlines set in July; preparing for another committee session in September to target new problems for attention, such as the spreading use of the Social Security number as a near-universal identification device.

"In fact," reports Mr. Metz, "in a way we're busier than ever, because some privacy bills that were dying when Congress was preoccupied with impeachment have now been revived."

Presumably Mr. Ford will ask Vice President Rockefeller to take over as head of the privacy committee. It's hard to think of any assignment worth more of Mr. Rockefeller's time and effort.