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Reversing the Rush to 1984

Privacy — yours and mine — is in jeopardy. On all sides, we are numbered, registered, recorded and collected. Information on millions of Americans is stored in data banks in government and private agencies, usually without their knowledge.

Our defenses against this assault on the right to be left alone are uncomfortably few. Complain a lot, maybe,

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to whoever will listen. And worry that George Orwell's 1984 world is arriving a little early.

People did complain a lot about one recent instance. In a polling place in Minneapolis, an election judge checked a voter's registration record. That was routine. Then he requested the voter's Social Security number. That was new. Why? the voter inquired with some hostility. The election judge did not know.

A call to a city official revealed that a 1973 state law asks voters for both Social Security and telephone numbers. It is not mandatory to provide the information, although the election judge did not say so.

What use will be made of those personal numbers? The Social Security data is expected to be computerized, making it easier to keep track of registered voters and prevent fraud. The list will be available for a fee. State law limits the list's use to purposes of elections, politics and law enforcement. But enforcing that law is not the easiest task, and the penalties for violation are inconsequential. As for the telephone numbers, they will

be made available to political parties.

Is there any harm in this? Maybe not. But in such ways—and often to suit someone else's convenience—privacy diminishes. A bit here, a bit there, until, as so many things we take for granted, it is unexpectedly gone.

In a disturbing article, John Shattuck, national staff counsel for the American Civil Liberties Union (ACLU), talks about the threats of our "dossier society." We are besieged on all sides, he claims, with governmental and private activity to counter perceived threats of crime and subversion. Keeping records on people has become a "growth industry."

There are, for example, about 2,500 credit bureaus with records on more than 131 million persons. Those records are regularly sold and widely disseminated. The Fair Credit Protection Act of 1970 gives an individual the right to know he is being investigated, but no right to see the reports or know who provided the information.

Bank records, which most of us assume are private, are available to the Secretary of the Treasury under the oddly named Bank Secrecy Act of 1970. The secretary can ask for records of all checking transactions, and he, in turn, can make them available to other government agencies.

In the area of political surveillance (and yes, it does happen here), the Defense Department and the FBI have a computerized index of more than 25 million names of participants in civil-rights or antiwar activities between 1968 and 1972. The federal Civil Service Commission has files on more than a million persons suspected of "subversive activities" and therefore blacklisted for employment.

Shattuck, an authority on government secrecy and surveillance litigation, tells of one ACLU client, a former post office employee, who was forced to resign while under investigation for

mailing obscene letters. He was cleared of the charge, but the post office would not rehire him. It agreed, however, to note in his Civil Service file that he was exonerated. Several years later, the man was disqualified for state employment because a routine file check turned up evidence of prior "immoral conduct." Apparently his clearance never had been computerized with the rest of his record.

His case, unfortunately, is not unique. There are thousands of men and women caught in a "record prison" from which they are unable to escape. Of more than 7.5 million arrests each year, 3.5 million do not end in convictions. But they continue to be duly filed and widely circulated for a variety of purposes, including employment screening.

So concerned has the ACLU become with all the record-gathering that it has begun a surveillance project of its own. In Washington, the ACLU staff is assigned to bird-dog federal agencies that keep records on individuals. It has to be a more than eight-hour-a-day job.

Shattuck's list of what needs to be done is a long one. It includes a flat prohibition against gathering and storing information about an individual's lawful political activity. Legislation outlawing the storage and sharing of hearsay or anonymous defamatory information also is required. In addition, there should be procedures that permit a person to get a "discharge" from his tabulated past. And finally, every person should have the right to see information compiled about him and to check its accuracy and propriety.

Is it too late to reverse the rush to 1984? Not yet. But if we value our privacy, many more of us must be prepared to make a concerted outcry that will be heard in political offices all the way to the White House.