Transcript of Proceedings

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

SECRETARY'S ADVISORY COMMITTEE

on

AUTOMATED PERSONAL DATA SYSTEMS

NEW -- PRIVILEGED

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DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

SECRETARY'S ADVISORY COMMITTEE

on

AUTOMATED PERSONAL DATA SYSTEMS

Fogarty International Center
Building 16
NIH
Bethesda, Maryland

Thursday, August 17, 1972
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MS. GROMMERS: I think probably the other members that are not here yet are either tied up on the freeway in the accident. I think I will stand up over this black eye that is looking at me here.

I have a very few points of reminder. In your folder, the first thing is, you've got the agenda and you also have a calendar. I think if you would fill in the calendar sheets, then we can figure out all the rest of the meeting dates.

By the end of this meeting, we will have for you a list of the dates of all the other meetings. If you could, fill that out and hand that in to Carol today, or to Ron Lett today at noon.

The second thing is that in your folders, I have written a sheet for you which is essentially on planning. But if you would, write on there any other presentations that you would like to see made that you know of. You don't have to fill this in if you don't have any. But this will be probably your last opportunity to influence what is actually presented at the meetings because we are also going to try to schedule all the rest of the other meetings shortly.

Tomorrow, as you know, all of our meetings are open to the press. And, tomorrow, I have been told that we will be live, or taped and then live, on a public service radio program. I presume that is because the FBI program is
going to be presented by -- I don't really know yet.

But, however, you are aware that the press may be here at any time and you can take that into consideration. We have checked with legal counsel and there is no way that we can distinguish between various members of the press and, therefore, someone may want to come in and televise us. We will, equally, have no basis for telling them they couldn't.

MR. WARE: Can we at least know when they are around?

MS. GROMMERS: I think you have to presume that they are all around. As far as I know, they are not here now.

We do have -- where is Mr. Bride? Mr. Bride is a staff writer for the Computer World, so that he is here and he is therefore a reporter. But all of our meetings at all national advisory counsel meetings are entirely open to the public and it can be presumed that the press will be here or that any of the transcripts may be later put into press.

In addition to Mr. Bride, we have the following visitors here with us. We have Mr. Frank -- is that a V? -- Seubold.

MR. SEUBOLD: Seubold.

MS. GROMMERS: Mr. Frank V. Seubold from the HMO Service Department of HEW, the director of the planning division. We have Bonnie Wan, an attorney with the division
of Consumer Credit of the Federal Trade Commission. We have

Stephen La Boueff --

MR. LA BOUEFF: La Boueff.

MS. GROMMERS: -- Stephen La Boueff, the executive assistant director for program formulation of the Indian Health Service --

MR. LA BOUEFF: Indian Health Service.

MS. GROMMERS: -- representing the Office of Indian Affairs; and Faith Schwartz of the Institute on Law/Urban --

MS. SCHWARTZ: Studies.

MS. GROMMERS: -- Studies. Mrs. Schwartz, as you know, has been coming to our meetings.

The next meeting has been scheduled for the 14th and 15th of September.

I want to call your attention to a report which you have a draft of in your folders, and it is one that looks like this with "draft" up in the corner and this is a report which is due in to the Secretary’s office on August 1 on Saturday. When we bring up committee meetings, we will be ratifying this report.

So if you have any additions, if you will, pencil them in and then we will present them at that time and add them. There are three omissions which we have already noted on the report and, on Saturday, when I present the report to you, I will fill them in. They were the presentations by
Senor Anglero and Professor Weizenbaum and --

MR. MARTIN: Bob Nizely.

MS. GROMMERS: -- Bob Nizely. Saturday morning, we were told that Sheila Smodd will indeed be with us and we will have on our way the presentation on the identifier, and Mr. Taylor who is going to speak to us today on that one topic will also be able to be back with us on Saturday.

At that time, we are going to divide up into two working groups so that you can decide which one you want to be on, if you have any preference, in order to get some business really accomplished.

Some of you people worked with Mr. Taylor and he will be there as necessary to try to present additional information you need to know in order to be able to present in the report our position on the social security number and the NC standard and the problem of the universal identifier.

Others of you may wish to help work on organization of the regional hearings that we are going to be in on.

Mrs. Silver has asked me if she might present a couple of things in the way of a proposal.

Before she speaks, I would like to say that my eyes are struck by the beautiful tie that one of our members is wearing today.

Mrs. Silver.

MS. SILVER: Thank you. There are just a couple of
things I would like to read and make a proposal.

This is from the *Newsletter from Action on Smoking and Health*:

"Acting in response to demands made by Action on Smoking and Health on behalf of aggrieved employees, the Department of Health, Education, and Welfare announced in mid-February new regulations designed to curtail smoking in HEW occupied buildings.

"Secretary Elliot L. Richardson, who promised last October to take such steps, reported in a letter to ASH Executive Director John F. Banzhaf III that a new department-wide directive includes these specifics:

"No smoking shall be permitted in conference rooms and auditoriums. Prompt action shall be taken to post appropriate 'no smoking' signs in these areas.

"No smoking areas are to be established in cafeterias......based on an estimate of smoking and non-smoking patrons served. Careful evaluations should be made after designating separate areas and further adjustments as to size made, based on experience.......".

"Supervisors should plan work space in such a way that preference of employees who request a no smoking area can be accommodated.

"Banzhaf commented that the rules mean that HEW employees no longer will be assaulted by unhealthy tobacco
fumes against their will.

"Secretary Richardson's decision represents the first breakthrough in our campaign to convince the federal government that it should be a pacesetter in recognizing the rights of nonsmokers.

"He added, 'In view of the January acknowledgement by Mr. Richardson's subordinate, the Surgeon General, that ambient smoke can be physically harmful to nonsmokers, it is only proper that HEW take the lead in enacting these regulations.

"Secretary Richardson's belated but welcome initiative sets an example for all of government. While the HEW bureaucracy moved painfully slow in enacting these rules, I nevertheless commend the secretary for making good on his October promise to improve working conditions for his employees. ASH will move promptly to have the HEW regulations adopted government wide, and to monitor their effectiveness at HEW so that full enforcement will result.'

"Further, the serious danger that cigarettes pose to nonsmokers as well as to smokers was officially acknowledged for the first time, albeit belatedly -- by the U. S. Government in mid-January when it issued the annual update of the 1964 Surgeon General's report on the health consequences of smoking.

"One-fourth of the 226-page study was devoted to
the harmful effects of smoke in the air. It noted that carbon monoxide, the deadly killer released by auto exhausts, is an important component of tobacco smoke, and when combined with oxygen-carrying elements of the blood, can be seriously harmful.

"The level of carbon monoxide attained in experiments using rooms filled with tobacco smoke has been shown to equal, and at times to exceed, the legal limits for maximum air pollution permitted for ambient air quality in several localities, the report points out. An average cigarette pours into the air about 23 milligrams of carbon monoxide, it says, adding that in smoke-filled rooms, harmful consequences may result which 'would be particularly significant for people who are already suffering from chronic broncopulmonary disease and coronary heart disease.'

"Surgeon General Jesse Steinfeld said, 'I have a very strong feeling that we have too long neglected the right of the nonsmoker. We have exposed him to annoyance and in some cases hazard by subjecting him to other people's smoke where he works, where he dines and where he travels.'

"Steinfeld also commented on the 'ample proof that those who complain of discomfort in smoke-filled rooms are not disagreeable malcontents but can have a legitimate cause for their complaint.'

"The new report also notes that pipe and cigar" --
MS. GROMMERS: Mrs. Silver --

MS. SILVER: I have one small further point here.

" -- that pipe and cigar smokers, who seldom inhale, produce even more air pollutants than cigarette smokers. It cites an experiment in which a smoke from one cigar neutralized the effect of an electrostatics home air filtration device for a full hour."

I would like to move that smoking be banned from this or any other conference room for the remainder of this Committee, not only during the sessions but also during the breaks so that when the meetings resume after breaks, we don't have to return to a smoke-filled room, to stale smoke air.

MS. GROMMERS: Thank you very much. I have two other small announcements. The Bill which you have on your desk here, the HR 1 5613 is the Koch Bill.

MR. MARTIN: Koch.

MS. GROMMERS: Koch Bill, is that how you pronounce it? This Bill provides that persons be made known of their rights, and some of the Committee members asked for it at the meeting, and I think they also asked for the Bayh Bill.

We couldn't get enough copies of the Bayh Bill and I think one is in the House; right, the Bayh Bill, at least a comparable Bill.

Can we get it?

MR. MARTIN: Yes.
MS. GROMMERS: We will try to get it to you as soon as we can, a copy of the Bayh Bill.

My last announcement, before we go to Mr. Taylor, is that Mr. Impara is very shortly to be Doctor Impara. When is that going to be?

MR. IMPARA: Well, the degree will be in December. My dissertation was August 2nd and --

MS. GROMMERS: August 2nd, and when will you be receiving your degree?

MR. IMPARA: In December.

MS. GROMMERS: In December.

MR. MUCHMORE: Madam Chairman, Mrs. Silver did make a motion.

MS. GROMMERS: Well, she proposed it. Would you like to second it?

MR. MUCHMORE: She made the motion and I’ll second it.

MS. GROMMERS: It has been moved and seconded, and would you repeat your motion, Mrs. Silver.

MS. SILVER: I would like to move that smoking be banned from this or any other conference room for the remainder of this Committee, not only during the sessions but also during the breaks so that when the meetings resume after breaks, we don't have to return to a smoke-filled room.

MS. GROMMERS: Is there any discussion?
MS. GAYNOR: I disagree with the motion. I think I have a right to smoke as well as anyone who is a nonsmoker.

MS. LANPHERE: What about smokers' rights? Do we have any?

MS. GROMMERS: I think it's a very good question to be raised. There are ashtrays provided and this is not really a conference room or an auditorium.

We could perhaps do what the airlines do, have a smoking section and a nonsmoking section.

MS. CROSS: I wonder if that wouldn't be a reasonable compromise. As an ex-smoker, I think both sides have a point, and it seems to me it might be taken care of through seating arrangements. As close as we are seated, I agree it is a little bit annoying to have smoke blowing in your face.

MR. MUCHMORE: Since Trans World Airlines is coming in on the Airline Reservation System presentation, maybe they can give us some advice on this.

MR. WARE: They answer though is they don't know how to do it either.

MS. GROMMERS: Is there any further discussion? Would someone like to entertain an amendment for a nonsmoking section and a smoking section? Or if there's no motion for that, no amendment for that, we could vote on the motion.

MS. CROSS: I will move to amend, but I think we have to vote on the amendment first. I will move to amend so
that will try to arrange it so that there was a smoking and
a nonsmoking arrangement here.

MR. DE WEESE: I'll second it.

MS. GROMMERS: It has been moved and seconded that
the motion of Mrs. Silver be amended to arrange for a smoking
and a nonsmoking section in the conference room and, also,
presumably, during the breaks and at lunch.

MR. DE WEESE: Just in here though?

MS. CROSS: Yes, just in here.

MR. DE WEESE: You didn't mean outside the confines.

MS. SILVER: I didn't mean that much. I felt since
we have to sit here and concentrate, that --

MS. GROMMERS: Just in this room then. Is there
any discussion on this amendment?

MR. ANGLERO: Let's say instead of having one
section, let's have one smoking place, that's all. Not no
smoking. A place for a smoking place.

MS. GROMMERS: Not a nonsmoking place, but a
smoking place, that small amendment. Let's put the nonsmokers
at a place so we know how we can organize that, if that is
your wish. We can organize that in such a way that we will
not be giving prejudice or placement to other smokers, or the
organized members could rotate if this is what you wish.

Is there any discussion further on the amendment?

All those in favor, "aye."
(Chorus of ayes.)
All opposed?
(Chorus of nays.)

MR. WEIZENBAUM: If Mrs. Silver will accept it as a placement amendment, we won't have to vote on the amendment.

MS. GROMMERS: Would you like to accept it? You don't need to.

MS. SILVER: Well, if that's the wish of the Committee, I'll accept it. But if you can somehow manage to keep the smoking section smoke from drifting around.

MR. DE WEESE: How about if the nonsmokers go to Puerto Rico.

(Laughter.)

MS. GROMMERS: Would you like to vote on the amendment? Nonsmokers or smokers, I'm not sure who would like to go.

MS. GAYNOR: Well, eliminate the members of the Committee who smoke and maybe we'll solve the problem that way.

MS. GROMMERS: Pardon me?

MS. GAYNOR: Eliminate the members of the Committee who smoke, maybe we'll solve the problem that way.

MS. GROMMERS: All those in favor of the amendment to the motion, please say aye.

(Chorus of ayes.)
Opposed, like sign.

MS. GAYNOR: I am opposed to the motion and the amendment.

MS. GROMMERS: Now, we will vote on the amended motion. The amendment is carried. We will vote on the motion as amended, that smoking therefor would be limited to the smoking area of this conference room.

All those in favor, raise your right hand. One, two, three, four, five, six, seven.

All opposed, raise your right hand. Twelve.

The motion is carried.

I will try to organize that. Now, let me ask you, who all are smokers? One, two, three --

MR. DE WEESE: I think two weeks of preventative detention would --

(Laughter.)

MR. MUCHMORE: Well, it wouldn't take more than a few months to build a little room out there.

(Laughter.)

MS. LANPHERE: You want us to pick up now and leave?

MS. GROMMERS: That's what I'm wondering.

(Laughter.)

MS. GAYNOR: I think this is an invasion of my constitutional rights.
MS. GROMMERS: I think you might be correct.

MS. GAYNOR: I really mean that. I am most upset and, by the same token, if they are measuring the quantity of carbon monoxide, maybe I ought to take all the automobiles off the road, too.

MR. MUCHMORE: We can't very well do that.

MS. GAYNOR: Why not?

MS. GROMMERS: I'll tell you what. May I have a few minutes to think about this and I will talk to Florence about it and see what we can come up with.

I doubt that it is unconstitutional because they can do it in airplanes and let me get counsel to look into this situation, and why don't we do that at the coffee break.

MR. MUCHMORE: Maybe we can take care of the cars, too, at coffee break.

MS. GAYNOR: I have always smoked and this is a principle; that's why I say it. This is terrible, taking away everything I have. My God.

MS. GROMMERS: In any event, I think we shall go on with our business. I would like to present to you Mr. Alan Taylor who is the president of The Society of Certified Data Processors of Framingham, Massachusetts, who will be speaking to you this morning; really, speaking to the problem that we have had in our presentations or in our discussions of the presentation, we have come to the understanding...
or the feeling that there is some kind of computer related

dimension to the automated personal data systems problem which

is really quite different than is the case if there was no

computer.

Mr. Taylor's presentation I think will enable us
to pinpoint very, very specifically just exactly how that can
come about and what is really different about computer
processing.

Mr. Taylor.

MR. TAYLOR: Thank you, Madam Chairman, members,
thank you very much for your invitation to appear here this
morning.

The problems of data bases and data records which
are connected through the data bases are particularly
important in computers because they are involved with the
connection of records created for one purpose and then trying
to be interpreted for other purposes that were not anticipated
at the time the records were created.

Myself, I'm trying to keep as many of my records
of computers as I can. But I can't manage it all together.
My wife and myself have abandoned credit cards, charge accounts,
book clubs and a number of other items for reasons which we
feel to be sufficient. We have minimized the activity as
much as possible.

Even so, we are on a number of computer records,
and I'd like to share a few of them with you.

(Slides.)

For instance, one came in last week. It came in very careful form. It is this top one here.

Can you drop it down at all, do you think? (To projector operator.)

I hope you could manage to see it. Now, unlike most computer records, this is a very carefully prepared one and even legislatively approved. It is approved by the Commissioner of Corporations and Taxations of the Commonwealth of Massachusetts. It is a very adequate form for its purpose, which is to take taxes from me, and they want $1300.

But even so, although it is adequate, it is inaccurate. The form bears the date June 1st, 1972. It was not prepared on January 1st, 1972. It was prepared approximately on August the 10th.

The form says that the taxes are due and payable on July the 1st, which means that I am now a tax delinquent and have been for some weeks, some seven or eight weeks.

More to the point, I don't even have the money because I have already paid it over to the mortgage company. It is in escrow but they are not going to pay it until the end of October because as long as it is paid before November the 1st, there is no interest payable.

The form says it is addressed to Allen B. Taylor, head of M; well, there's a head of M maybe but there's no
Allen B. Taylor. And yet, the form is quite adequate.

The bill was sent out on the 17th, not on that date. The addressee is wrong and the tax isn't delinquent. It is therefore a perfectly adequate bill for its purpose, but it has many inaccuracies in areas I am not going to bother about. I am not going to go to Mr. Cole, who takes these taxes and tell him to get my name right. I am not going to create havoc over it. I am not going to bother about these dates.

So they will remain inaccurate and, yet, if this were in the data bank and someone looked it up, they will find that I am tax delinquent. If this were in a data bank, seriously tax delinquent and I have claimed to own that house, they would say, "Official records say it's not owned by you."

So there is a possibility of computer records which, in their own, are functionally adequate but are quite inaccurate and containing a lot of inaccurate statements. That is an interesting point.

It brings up the immediate question: Do we have the opposite possibility of computer records that are accurate but are inadequate?

Well, it so happens that I have something here for myself. You can get this a little bit higher so they can see this. This is an interesting one, Master Charge.

I wonder how many of you will pay this particular
bill. The previous balance was $8.78. The new charges were
$61.40. The finance charge was $.13. So they would now like
me to pay $719.20.

This is a perfectly genuine bill. I have to
explain a little bit because it does cause a bit of confusion
here.

You see the statement date was on the 7th of
December, 1970, and they would like me to pay it by the 1st
of January, only eleven months early, before the statement.

Now, on the whole, that wasn't actually -- if we
took 18 months to find out what was really behind this cause,
they have really no good way of getting the data back and it
wasn't all that far wrong, but another credit card has been
closed down and the balance has been transferred some nine
months earlier and had gotten lost and, all of a sudden, it
appears this way. The form just didn't have the capability
of doing things like this. But it was very aggravating, I
thought.

It was inadequate for its purpose, if its purpose
was to get me to pay $719.20. It was sufficiently wrong. I'm
glad I didn't. It was wrong on that side (indicating). And
the forms that came off of this were even "wronger" for months
and months. But this was the key one. But it was adequate
or nearly adequate with a few minor inaccuracies with the state-
ment of tax and things like that.
So we have another class of computer records and, of course, these are computer records that can be accurate but inadequate.

Now, consider what happens when this goes through. Well, what did happen? I didn't want to pay them. They said we didn't have to pay it until they explained it. But in the meantime, I couldn't rent a car even with the fact that I had hundreds of dollars on me, or the fact that the National Shoreman Bank had my accounts -- two of my savings accounts and checking accounts; a personal and a business one -- didn't prevent them, Avis, from checking this. Therefore, you can't rent a car no matter what evidence you offer.

So I was quite seriously hurt during the period, needing the car, and now think it was very awkward to do -- now that I am trying to do without it. So there's this second pattern. The pattern of computer records that can be -- I am only one person -- that can be accurate but inadequate. So adequate is the answer. It was simply unpayable.

Now, looking at these two patterns, and this one illustrates both -- you see that one, that's a typical sort of thing. Someone just didn't think to change year dates. No one is going to bother about that.

Look at these two patterns. We can see that within the data record on the one hand, there's going to be a prime area -- the amount that you have to pay or the amount that I
have to pay there -- $719.20, and the other there, the amount
people will have to pay, that people will care about. But
there is also going to be a whole series of areas, I swear,
which they don't care about.

I haven't got it here, but for instance -- and which
that record will continue -- for instance, the same bank quite
recently proceeded to lose the tapes. They start running
through the deposits. So they lost one of my deposits. They
promptly decided I was in the red and not merely that, they
decided to correct it, you see. But, unfortunately, they
duplicated the error. So I was really in the red.

And when they eventually got it right, the
accountants, all they had done was they had corrected the
balance. But the number of times that they have served me
is calculated by the number of entries they have. It doesn't
bother them whether or not it is an entry they have created
or I have created. So they charged me for the service charges
because the other techniques in many computer systems are
simply inadequate.

They are reversing one part of it; the balance and
not bothering about the incidental factors. So we have this
fact that you will have this in this area, the prime area, you
will have the case of inadequacy although it may be accurate.
And in the rest of the thing, you will have inaccuracies
which people will not bother about which, therefore, will
continue as a pattern of systems.

Number three, please.

(Slide.)

Now, another one that came in last week -- no, about a month ago, this one, it belongs to the book club. It's not really a book club. It is the very top one, if we can get that down a little more.

Encyclopaedias, which we get year books from, and we get the year book this year and with it came an invoice. It came from Funk and Wagnalls, and on it, I find a mailing charge of 42 cents.

I have a reason to look for this because I am a bit of a computer man and the printing here looks very funny. Some of the numbers, the center part is only half there, and this number here can be quickly read as an eight, a six or a two. It's a type of printing style. The thing is dropping dots in and out. If you tried to do a microfilm of that, goodness knows that we're going to get when we take that out, as to what that was, and you will also find you have punched holes that go over numbers which causes confusion. So I wasn't pleased with these people with this as a quality output, and I noticed the mailing cost was 42 cents.

Well, mailing, to me, means postage, but the mailing on the package was 21 cents, only half the amount. I get very suspicious when I see halves and doubles, and so I thought of
looking for my records and then I realized that I haven't
got a record. You see, this is a punched card and they ask
you to return it. So you are left without a record. So I
wasn't able to see whether they said package and cost and
just made a minor mistake of mailing and packaging.

But then I noticed up here -- 1, 2, 3, 4, -- an
eight-nine thing, very fine print saying, with a checkmark,
pay, with checkmark. The printing is for that. You can't be
able to read it but down at this point here, there's an order
for 22 volumes at $3.98 each per volume, plus 22 cents
mailing.

I don't see why mine was that much more, and you
can cancel it if you return it fast. But to do that, to order
them, you must give them back the only copy of the contract --
That is $88 worth of equipment -- because there's no other
copy on any of the other brochures that mention anything more
than the first two volumes of $1 each.

So here we have a different type of thing. This
is a standard thing in computer line. We call it "turn-around
document" -- they produce punched cards, send it to you, you
send it back to us.

Now, this is a different type of problem. It is
an aggravation problem. It means that I am left rather
aggravated because I don't know what I say and I can't
remember. You've got it. I don't have it.
So here we have a type of problem that is caused by the media used; this type of system that we use, a turn-around document causes aggravation. That's another problem. By aggravation, this is one of the points that you have in your charter to consider, the problems of the public reaction to things like the use of the SS and case worker. It happens quite a bit.

Here's another pair of documents. These were a bit earlier. Can we move it so we can see the other one?

This is about March and April that these came to me. They come from the Blue Cross, Blue Shield about a claim that is apparently my claim. But I have never made it. And when I asked Blue Cross, Blue Shield for it, they said I couldn't have it. So I guess it is not my claim. It is Claim 817164. So is this one. 0811764. This is the same date on the 11th of February -- or, April of this year, the 11th of April. This one says that the claim cannot be approved. This one says, "Your Blue Shield claim has been approved."

Well, you know, it is very frustrating to try to understand this type of work and find out what it is, and there you start looking at it and you wonder what claim it is and you see the reporting doctor is Primo. Never heard of a doctor called Doctor Primo. I'm sure he's not a medical practitioner. I'm sure he's not a doctor at all but we call him so here. It is a name of a partnership. This is what
happens when you truncate in this. You lose the meaning, which I have never heard of, and which hasn't got the name of it all but happens to be the name that they use for a claim.

Of course, over here, I've got a bit of an idea it is Thurman who is the doctor; but again, it is an inadequacy but a different kind of inadequacy. You see, we are very short when we use our letters. We don't have films out on it. Where's the decent language that has "hes and shes" and this and that and all the others? We don't have any decent turnouts. We get fed up when we have to send it. We have to think it. This is the type of shorthand that doesn't really mean "Doctor." We mean something else.

We mean the person that made the claim. And you know when you do that, you often get wrong statements. When I first came over from England, I was driving along and I met a sign and I mashed on my brakes although there was nothing in sight. I didn't understand it, but a very definite order: Do not pass. So I stopped.

I'm afraid I'm little minded about it, but that's what it says. I mean, this is the sort of problem. We run into ambiguity, particularly on things like this. That really is all. Okay. Let's put the lights on now.

These areas, inadequacy and inaccuracy, also particularly on the interpretation -- and interpretation, of
course, is the key element -- are important. When an item is created for one purpose and is put into a data base and used for another purpose, we have no knowledge of it at the time of its creation.

Mailing is a typical problem. That word "mailing cost", what did they mean? Now, it's obvious what mailing is as opposed to the cost of the books. But when you get down to look at it in fine print, whether it means packaging and when we are so careless with our words, as to use "doctor" when we mean "claimant", it leads to people looking up a dictionary of words and finding the other people are using a different thing which is a very aggravating operation.

So we do get, as patterns in single computer applications that create records, records which may later be placed into a data base. We get ambiguity.

What, for instance, is the color of a white wine? The record will say it is white. But I'm sure that the painter won't. It is a label. The painter will say it is yellow.

But we will have it down in the record as being white.

So we have aggravation. We have inadequacy, inaccuracy, and a lot of A's and they all add up to one final A, from the point of the user or the usee. Here it's called the usee. "Computer victim" just doesn't sound nice. It seems
to be arrogant.

He sees something that he cannot cope with that has always got excuses. There are very good reasons for that, because computers always do have excuses. In other words, this is not one that involves myself, personally.

A couple of months ago, where the key punch girl made a mistake and put the letter C in a punch card where they expected a number, when it got into the computer, which it did, the mathematical genius of the computer turned into a mathematical mora because the computer thinks you can add C's to numbers and it just does. It doesn't bother to tell anyone that it is doing things like that.

(Laughter.)

The computer is literally a mathematical mora. The programmers promptly blamed the key punch girl although they could have just as easily checked this. After all, they were using basically defective machinery, something that could add things that were inadequate. They were using defective machinery because they were expecting to have a very fine card, but, unfortunately, our card readers don't read the verification mark and can't discriminate. We have inadequate input.

But before anything really dangerous happens, there is almost always a coincidence of some human error and some computer error, and so we can always pick it up and say,
"Ah, made a mistake."

So we have a very easy excuse. It is weird, though, that we can ask humans to be 100 percent perfect, and we who have the capability of programming them to be 100 percent perfect do not get the professional responsibility to do so. These then are the patterns of accuracy, inaccuracy, adequacy and inadequacy that ought to be found within the records that are kept by data applications for their own purpose.

Consider them the problem when they are taken into a data base for some reason that they may not know, and the question is raised, "Are they accurate? Accurate for what?" We cannot tell.

Accurate for checking as to whether or not someone is suitable to be nominated as a vice president of the United States? I sincerely hope not.

That would have said he was tax delinquent and then proved it. (indicating slide)

Protect it. How? We do not, for instance, store records and, yet, we cannot expect people to understand this outside the profession. Your very charter, the first sentence there assumes or uses the word that we store records. Well, you know, you can store a record. It has been done throughout the ages. We have a copy of the Magna Charta stored and we have the Declaration of Independence stored,
but data processing doesn't work that way. We take a copy of it and then we throw away the original and then we get a copy of the copy, and we take a copy of the copy of the copy of the copy of the copy. But we have thrown away the other ones. They are not records, and our accuracies may not be perfect.

For instance, we may check for something which we call parity, which is merely that the numbers are to be read, which is not a very good check. But supposing we find a parity error. Perhaps we decide now not to check, just in checking, about parity. As a matter of fact, we do that sometimes and you cannot tell me that you would never find out what really happened on March the 14th, 1970, but unless you have that order trained, you cannot genuinely say it is a record.

Now, this is the type of protection that cannot be asked from the user because we simulate stories very well, simulate it, but then they do not do it. So therefore, the question comes up, if we have files which are open to cumulative lead poisonings -- I mean, cumulative data on poisoning which we do, how do we know that anything is accurate? Surely it depends upon the importance of the use to which it is being put, the data application that the data base is being used for.

But in that case, our control points to establish
whether or not a thing is adequate and must be placed not before the data is sent in to the data bank, but -- we may have some control points, I sincerely hope we do, not in the setting up of the data bank, but literally, then only can they be effectively put after the application that the particular data is being put to is known for us to be able to define whether or not the accuracy that the situation requires, the protection that it requires or it is supposed to have, is being provided.

This brings me to one final point before a recommendation. These items that I have shown are all my personal ones in the last couple of months, a few months, except for one, which was a credit card which is over a year. There are many other people who have stories somewhat like these, and I fully understand that the time of the committee is valuable, but I do feel that in more direct recognition of some of these stores and the understanding as to what has happened, these kinds of incidents of errors have happened behind the scenes, and it may help you design and evaluate the control systems that are suggested to you.

If the control systems are inadequate to prevent the type of stories that have already occurred in the single application where we literally design the data application to be adequate for this particular purpose, where the auditors, if they look at it, know what the purpose is and, therefore,
can set reasonable standards of accuracy, how much less are they going to be able to be adequate for placing into a data base with inadequate controls?

In a data base, we are placing records in for items that we do not know what they are going to be used for. Data bases are going to occur, in my opinion.

The values that are there are erroneous. The need is enormous. They are, I imagine, going to be a problem. But to be safe then, we are going to need the controls.

I would like to make a suggestion, therefore, that this committee recommend that the Social Security number be legislated as being an acceptable method of handling data. If, and only if, appropriate controls as determined to be necessary are included in the data base systems, it is my belief that one part of the budget of any data base system should be for quality control at some percentage, varying from 2 percent to 5 percent, depending upon the importance of the system and the danger of its contents being abused.

I would suggest that there is a continuing work for Health, Education, and Welfare to provide for proper definitions of controls, proper inspection of them, and reporting to the public of their success or failure.

We cannot afford to pass up the opportunity of data bases, but equally, we cannot afford to have them
abused, any more than we can afford to have fewer
quality drugs on the market.

Thank you for your attention. If there's any-
thing the society can do, we will only be too delighted to
do so. If there are any questions that you would like to
ask, I will be glad to -- we have, by the way, copies
here. We have some draft standards dealing with the use
of data going into the bases being stored, classification
data items being stored in data bases. Here is, too, the
data processing activities, based upon data items used.

I am afraid the printers knew that we would
get together for this meeting because they were not due out
for another five or six weeks, but they may give you some
idea of some of the problems and some of the descriptions
of the data we will need to have before we can know whether
or not the use that the item is being put to is adequate,
is adequately protected. So there are copies of these
behind you-all.

Thank you very much.

MS. GROMMERS: Thank you very much, Mr. Taylor.

If we could just have someone move this black eye out of
the center, then we can get on to some questions.

I would like to start the questioning with
Professor Weizenbaum, and we will proceed around the table.

MR. WEIZENBAUM: I have quite a bit of questions,
but I will end with one question. I made a few notes here while Mr. Taylor was talking.

I think in the first place, an observation is that life is a whisk, and there can be no absolute safety, and I think the real question is who has the right to impose what whisk on whom, and for what allegedly overriding purpose?

Secondly, I do not believe that in a computer system or any other system, for that matter, that every error that occurs has to come to be understood absolutely in order for the system to be corrected. I think that kind of remedy that requires an absolute diagnosis of exactly what happens down to the very last audit trail and all that sort of thing is not always necessarily, certainly that sort of thing is not used in real life whereby real life -- I mean, the life using information systems, they are not computerized.

Finally, I think consistent with that is one has to get into this if we are not going to worship systems as essentially autonomous and separate from ourselves, and that is those who are affected by stored information must be part of a feedback group of the entire system.

Now, there would not have to be a feedback group if, in fact, the system were perfect. As an analogy, for example, people find it hard to understand sometimes how one can aim a rocket at a particular point, say, at the moon or to put it in orbit and calculate the advance, how carefully,
just exactly how much fuel has to be used, just exactly how
long it has to be burned and so forth. The answer is, it
cannot be done. It cannot be done.

What happens is the system is committed to make
errors, but these errors are monitored and there is a feed-
back system and, as the error occurs, the corrections are
made. So that, ultimately, the result is what you want it to
be.

The problem with real life, of course, involving
people, is that there is no ultimate. It is just as a sense
for some people to travel from one point to another, so to
speak, that is, to endure the journey to wherever they are
going. Then it may be to get there, and that is when the
whisk end of the responsibility comes in. Those are my
comments.

I have a question which I am not sure is relevant.
I am not sure it is, but I think you started out by saying
that you and your wife have abandoned all credit cards and
so on and so forth, and I would like to know why. I would
also like to know with what success.

The purpose behind my question is, I wonder how
difficult it is for a person in a relatively privileged
position as you are, compared to, say, the 10-year old son
of a migrant worker, say, how easy or difficult it is for a
person like that to just up and out of a part of a system and
still function?

MR. TAYLOR: Thank you, Professor. To answer your question, it is quite hard, particularly if I do quite a bit of traveling. I often have to ring up from the airport to the firm I am going to, and say, "Please tell these rental people that I do exist," or something like that. It is quite hard, for instance, when I go to the Benjamin Franklin Hotel in Philadelphia and one of our favorite hotels, I might say, but it is now owned by a banker's place. There, I am saying that I will pay cash, and it means that if I order anything in room service, half an hour later the manager will be on to me. "You have ordered so and so, and you are down here" -- I can't remember the phrasing. Anyway, it means not credit-worthy, and I am not allowed to sign for it.

It would be quite impossible if I had to keep up with the Joneses in many ways if I didn't have the privileges of being able to let my business colleagues know that I have done this type of thing.

MR. WEIZENBAUM: Well, why did you do this?

MR. TAYLOR: Oh, the aggravation, total aggravation. It was causing trouble in the house. My wife was constantly unable to check the bills. She was constantly annoyed. She was writing letters and getting no response. When she did get responses, they were not adequate responses,
and being fairly bright, she could see they were not adequate. She rang up, telephoned, and she found that the people assumed that as she was just a woman, they could give her any old statement, like the computer did it, as though that was the reason and the responsibility.

So it was a matter of getting divorced or leaving the credit card business.

(Laughter.)

I would like to say that I do support your point. I do believe there is an absolute. I believe the type of control is little like we used to use in our missile work, homing missiles. Now, we have, today, the smart bombs, and I do remember one instance, the only time when -- particularly when I was working by simulation MIST, which was when the RAF ordered us to fly directly at the target. It never came out of the nose cone and we never found it until we had gone past it. We just didn't see the target as we were directly on course.

So I agree with you, and I feel that the control technique basically is one of knowing how far off and making certain we have already got the system together ourselves back on, that, to HEW is the function. It has the control technique.

MS. GROMMERS: Mrs. Silver.

MS. SILVER: I haven't any questions.
MS. GROMMERS: Mr. Muchmore.

MR. MUCHMORE: Pass.

MS. GROMMERS: Professor Miller.

MR. MILLER: Pass.

MS. GROMMERS: Mrs. Lanphere.

MS. LANPHERE: Well, you have already partially answered my question. I was going to ask you how difficult you found it to correct these errors, this one of 700 and some dollars and so forth. You already said you had much letter-writing done, and I ask this because this is an area of concern. When you do get wrong data, how do you get in there and correct it? Did you ever succeed there?

MR. TAYLOR: Not entirely. It was not the letter-writing that costs. It was the pure aggravation, the worry that made me sick that I apparently -- to continue my livelihood -- I had to accept it and if I hadn't been able to have luckily been working on a long-term contract, I do not think I would have done very well.

MS. GROMMERS: Mr. Gallati.

MR. GALLATI: I would just like to ask one question, if I may, and that is, if I understood you correctly, you recommended the use of the universal identifier number subject to controls of the data itself.

I was just wondering if that is correct, if you have also given some consideration to the problem of getting
the correct person involved. You usually identify them.

That is the point, provided the person who is supposed to
have that number always uses it properly and nobody else
uses it, or it is not in any way interpolated in the process.

MR. TAYLOR: I personally didn't address this
point. One of our committees is working on this point, and
it will be available on Saturday morning to give some comments
on that.

MR. GALLATI: Thank you.

MS. GROMMERS: Mrs. Gaynor.

MS. GAYNOR: I pass.

MS. GROMMERS: Miss Cross.

MS. CROSS: I guess the thing that surprises me
is, given the forcefulness of your presentation, I am
surprised by the mildness of your recommendation.

If I understood your recommendation, it was to
allow a tolerance of 2 to 5 percent error, depending on the
use to which the record would be put. And as I understand it,
one of the major problems is, we cannot really tell to what
use any given thing may be put. Now, am I misunderstanding
your recommendation, or am I correct?

MR. TAYLOR: Yes, I am afraid you are. You are
mistaken. My recommendation was that of the finances that
were involved in running a data base or putting it up, if
the data base costs 1 million a year, that 2 to 5 percent
of that amount was -- or some other appropriate amount --
should be put over to the ombudsman to the control function,
and which has a license for running a million a year data
base system, then 20 to 50,000 dollars must go into the
control function which does not directly report to them: It
must go to the HEW or someone else. That is the cost of
the license, not 2 to 5 percent. Boo.

MS. GROMMERS: There's another comment on that.
I think that is what you call a sleeper, the "if," and only
"if" clause in Mr. Taylor's presentation is a very -- it is
the strongest logical distinction that can be made, and what
he is really implying that if there is a question at all,
that these controls can or cannot be accurately, adequately
policed and made, and then it falls out. One must not use
the Social Security numbers.

MS. CROSS: All right. I am glad I asked the
question because I really misunderstood your recommendation.

MS. GROMMERS: Did I present that right?

MR. TAYLOR: Very accurately.

MS. GROMMERS: Mr. Davis.

MR. DAVIS: Pass.

MS. GROMMERS: We don't play bridge. Senor Anglero.

MR. ANGLERO: We met this morning. I didn't
realize you were the speaker.
I have only one question. Why is it, given that all these are errors, the systems are subject to errors, us being human beings and subject to making errors in the samples that you have shown us, those that we have seen, and these are business people or enterprises, why is it -- what happens that these enterprises, these firms do not, by themselves, study some kind of controls instead of leaving that to us as a recommendation to have somebody, some ombudsman, whoever it is, to find this control part of it? Is it that even they make these errors? Is it that always they have to or they work inclusive for profits, or is it that it happens that there is a deficit or a reducing progress, they would do something different?

MR. TAYLOR: Naturally, I cannot directly answer that, but I do have to say that one of the major reasons is that our profession, a dotted process thing as opposed to producing and selling data processing equipment, has only just begun to explain what the standards and the problems are. And the application is, therefore, proceeding and in protection of the problems. I think it is because we are young, rather than -- though, the other point you bring out, doubtlessly play their part. It is only as to -- let us, for instance, consider the network system, the retail credit system. If you set up a network or a master charge where you set up a network, you often have a result to the fact
that the network is under one responsibility and the people
at the end, at the ends, and another are in a different type
of skill. These are all in between.

Now, the network needs, in order to sell itself,
the capability of taking data from position A to position --
adapting it to B, C, D, E, F, and all the others. It is a
swapping one, and that is the basis of its being. But it
does not have the capability.

Mr. Dean Hock, who is the president of the
National Bank of Americard, about three months ago was telling
me that for political reasons, they do not have the
responsibility or the capability of insisting that the work
at the outside is done properly, even though they know how to
do it.

Equally, in contract reporting, very often the
contract calls for you to hand over all your records, but it
does not need to be certified to be any particular quality
because that would require an enormous job. That might delay
things.

I do not think it is so much the little bit of
profit, but whether or not the system works at all. The
network system cannot work unless the network is there
completely.

Does this answer your question? I'm sorry.

MR. ANGLERO: Well, I will say that I do not get
an adequate answer in terms of the reaction of management
to their product of these missiles -- I forget the word of
all these cards, what makes all these cards.

MR. TAYLOR: Okay. The reaction of the manage-
ment, in my opinion, is that as long as the computer people
take the responsibility of saying that the computer did it,
or finding some other excuse, there is no need to take any
action.

And if the computer people take the responsibility
of saying that they cannot do anything about it, then
management is quite happy to accept this point and just
carry on.

MR. ANGLERO: I have seen that, but my question
is, why? I have seen that. I have gone through that.

MR. TAYLOR: I cannot answer that one. I suggest
you address it to someone else.

MR. MARTIN: Do you want to follow up on that,
Mr. Davey?

MR. DAVEY: Yes, I would like to respond to that
a little bit. I think that is a broad statement and I know
a number of management companies whose managements do feel
to have a keen control of excellence where it is not up
to the management of data processing people, and I think
that is just too broad a statement to let go past.

MR. TAYLOR: Okay. I was basing it on a
statement -- there are certainly exceptions, but equally,
there are not many.

MR. DAVEY: You can argue either way, but I do
not think it is all one way as you say.

MR. TAYLOR: Oh, no, I didn't mean to imply it was
all one way. I was taking it in the cases where these occurred.

MR. DAVEY: Okay. In the cases where these were
occurring --

MR. TAYLOR: No.

MR. DAVEY: -- sometimes?

MR. TAYLOR: Yes.

MR. DAVEY: Well, it cannot be your particular
case. There are other companies that may be doing a great
deal of effort towards correcting things and doing whatever
is required.

MR. TAYLOR: Anyway, we can help them, give more
strength to them. Let's give them credit. Find them and
give them credit.

MR. MARTIN: Mr. Impara.

MR. IMPARA: Yes, sir. To follow up Senor
Anglero's point of view for just a moment, are you suggesting
perhaps that in a network type of system, instead of a single
company -- and I think Mastercharge or Bankamericard is a
good example -- a central location and all, but the bank
that is making entries or handling the transaction, those
transactions, share only to a limited extent -- that is, to the Bankamericard profit -- share a limited extent because that is handled in some center some place else, as I understand the way the corporation is established.

So Mr. Anglero's suggestion was that if the progress were reduced substantially enough over a period of time, that if they wanted to continue in business, that they would have to make it work.

MR. ANGLERO: Sure.

MR. DAVEY: But the profits are so distributed. Is this what you are suggesting, that the profits are so distributed, that one or two errors even on -- persistently on a single account wouldn't have a significant enough effect on any of the points along the network to affect profits that much?

MR. TAYLOR: No. That wasn't the point I was addressing myself to. I was addressing a particular technical point which rather worries me, that the Bankamericard Corporation, or whatever it is called -- I am not certain of its proper name -- and the people who you are dealing with are two separate entities.

I think you are dealing with a general entity, but factually you are dealing with one of many ones, all of which have different controls, different profit pictures, different items, and the network does not have the power,
so I am told, I believe, to be able to insist on these
keeping up to any standards, though they have the legal
power.

MR. DAVEY: Thank you. Now, that leads me to my
second question which, given this kind of networking situ-
tion with the technical problems or corporate problems
involved therein, I think Mr. Anglero's point was, let us
let businesses regulate themselves. It is through their
own catalytic motives rather than have government enforce-
ment. How would things, given the problems you suggested,
how would it be enforced? Are you suggesting a way of
enforcement?

MR. TAYLOR: I also suggest HEW will be involved
in providing it. I certainly think that an ombudsman
approach with the complaint coming in and an evaluation and
then as Professor Weizenbaum says, a request to them to
improve their ways, once shown an enforceable request,
and if they fail to do so and just constantly go on that
way, I do not think it is the making of a state by itself --
you could say autonomous -- I know how impossible it is to
run programs without funds, but once it is brought to their
notice, once it has gone through an ombudsman's evaluation
and found to be valid, then I think someone can say it can
be built in and then it should be. Find the error and react
to it. That is the approach.
MR. IMPARA: Thank you.

MR. MARTIN: Mr. DeWeese.

MR. DE WEESE: Yes. I don't have a question, but just a brief comment on Mr. Taylor's suggestion. I think it is a very strong suggestion and I believe that I never had too much doubt that the committee would come up with sound recommendations to control these data systems. But I have had some concern about how we can put those into practical operation, particularly with the very many systems that function outside of the federal government at the state level and in the private businesses, and we have heard over and over again how many people outside the federal govern ment, outside of HEW, have come to rely on the Social Security number as a universal number, to coordinate their various files and records and so forth.

Therefore, I think that we should give very strong consideration to a suggestion that we condition the use of the Social Security number on these various data systems that we are adopting, the kinds of controls which then it would become our responsibility to recommend.

In that sense, I think that is a powerful way, from a practical standpoint, to see that whatever recommendations we have are actually put into operation.

I think that is a powerful lever that we should use, and I just wanted to add my support to that kind of
suggestion as Mr. Taylor outlined it today.

MR. MARTIN: Mr. Ware, welcome.

MR. WARE: Thank you, David. I don't wish to
treat you unkindly, Mr. Taylor, but I must say your
presentation troubled me. I don't know whether the examples
that you picked and which you write about every month in
*Computer World* represent 1 percent of your total inter-
ffaces with the computer system, or a half percent, but they
certainly do not represent a hundred percent.

I think it is appropriate to observe that some
of the semantic looseness that you criticized designers of
forms for is present in your own presentation.

For example, you were willing to indict the
computer system or the keypunch operator as a source of the
error or the programmer when, in fact, the problem may very
well lie with the budget that was available to design the
system or the calendar time in which the system was designed
or the management that happened to order the system or any
other number of places.

I would think as a computer person, you would be
a little more reluctant to use the computer as the scapegoat
for so much trouble which frequently lies elsewhere.

Now, you did make an interesting point that I
think is worthy stating more succinctly; namely, that data
which is sufficiently accurate in one system may be
unsatisfactorily accurate for another one. So there is a system interface problem that needs to be thought about in that context.

Now, as it relates to your proposal, aren't you talking to the wrong end of the animal? If one tries to legislate controls around something, one finds himself in a cat-and-mouse game. You say do it this way, and profit-oriented industry will find 19 ways to circumvent what you have told them to do.

The way you deal with the problem is to make it financially unattractive to misbehave rather than legislate specific "thou shalts".

So I would argue that you have got the horse and the cart reversed. The way that you get at these systems is to make it risky for them to misbehave, and the way you make it risky for them to misbehave is to make it a legal hassle for the damaged individual or the offended individual to get to them, legally, and for damages. And industry will understand that message and will respond.

MR. TAYLOR: I am not quite certain I heard you correctly, sir. On this point of the keypunch girl, did you think that I was blaming the keypunch girl and not the computer, or the management and the budget and not the computer?

MR. WARE: Well, your words were to the effect
that the keypunch girl made an error and therefore the
programmers were unwise in how they implemented it because
they failed to put error checks on the keypunch process.

MR. TAYLOR: I must have misput myself badly.
I was trying to say that far from the keypunch girl being
the scapegoat for the computer, that in fact it is the basic
lack of quality within the computer and within our
programmers -- by the way, it only takes two instructions
to do this particular check -- to have included this, and what
we were doing was making the keypunch girl a scapegoat; I
feel I meant to say that we should have taken more
responsibility. I really should have quoted a Miss Jane Jones
who pointed this out in one of the letters to the editor. I
did not mean to make the keypunch girl the scapegoat.

MR. WARE: I think you missed the point. If you
tell a programmer to go design the whing-ding, then you get
a whing-ding. If you give a programmer a precise set of
coding specs which include appropriate error checks, you
will get them. You cannot tie the cam on his tail.

MR. TAYLOR: So if I ask a professional doctor
to give me clean skin, am I asked to also tell him that I
should not have poisoned that?

MR. WARE: If you ask an automobile designer to
give you a safe vehicle, do you get it?

MR. TAYLOR: I would prefer not to answer that
particular statement, sir.

With regard to your precise point as to the
technique of control, we were not recommending against that.
We were certainly not recommending against it.

The recommendation was not to be read as avoiding
damages, as avoiding discovery or any of these things. It
was simply that resources should be available for control
and that the control should be able to be effective; damages,
et cetera, and certainly no --

MR. WARE: I understand that point very well, and
I am telling you you are trying to achieve that in the wrong
way. You cannot legislate it into existence.

MR. TAYLOR: Well, we will willingly abide to
the opinion of the committee.

MR. WARE: And, moreover, you get to it at the
design stage.

MR. TAYLOR: Which design stage, sir?

MR. WARE: The system design stage, the informa-
tion system design stage. That is the point in which one
worries about systematic linkages and controls and error
checks and what-have-you.

MR. TAYLOR: But as in the data banks, by
definition, it is when it gathers records that it can be
created by system designs for one function and it applies
them.
MR. WARE: I admit that point. I will restate it.

MR. TAYLOR: Oh.

MR. WARE: That there is a system interface problem that relates to accuracy good enough in one place, but not necessarily in another.

MR. TAYLOR: It is for this reason that we do not see how the systems design of the original or even of the setting up of the data bank -- it is the system design of the setting up of the application, and that is why in these standards we are recommending what we just said wholeheartedly so that system designers at the application level will be able to access the information they need to be able to provide proper data.

I agree with you on system design factors.

MR. MARTIN: Mr. Dobbs.

MR. DOBBS: A couple of comments and then to the question relating to the credit card issue, I think you and Jim were concerned about, how industry views these things certainly in terms of management and motivation.

There was at least one national credit card supplier who, in terms of his own business objective, is perfectly prepared to accept the 7 percent per year loss rate in clientele due to this kind of problem; that is to say, given his current growth rate and his rate of return
on his investment. He is perfectly prepared to lose 7 percent of his clients due to errors, what-have-you, of the kind that Mr. Taylor described.

And from his point of view, in business practice, that is a legitimate objective and a legitimate operation as long as his stockholders are happy.

So that is at least one kind of motivation.

I think another thing which is of interest in pointing this out is that in that particular area since we brought it up, it is the fact that in those systems, there does not appear to be a requirement for the use of a Social Security number as an identifier, and they seem to behave reasonably well for the purpose they were designed. So much for the credit card.

The question that I wanted to ask really relates a little bit -- well, relates a lot, I think, to what Willis was driving at, and it related to the problem that you both have reiterated, that is, of the adequacy/accuracy of the data which has been corrected for one purpose and is used in a different context. I heard Willis sort of trying to spread the responsibility, if you will, for failure to consider adequately, be it in the system design phase or in the system use, the implications of this phenomenon and, I guess the question I have for you in your role of head of the Certified Data Processors is, to what degree do you
believe that the professional, whatever that may mean, data processors ought to have the same kind of ethical base? -- Number one -- in the classic tradition that we demand, say, in medicine and in law.

Secondly, to what extent do you think you ought to have legal responsibility which might derive from his inappropriate use?

I see Willis shaking his head, but you will get your chance, Willis.

MR. WARE: I was just thinking about the Bureau of Labor rules. They are not for the professionals.

MR. DOBBS: It is a different sort, but that is the question.

MR. TAYLOR: May I answer them separately?

MR. DOBBS: Yes.

MR. TAYLOR: The first one I can answer from the point of view of society and the parent community because we have done surveys on this matter.

The opinion of the data processing practitioner and members of our society is that he should have full -- and has full ethical responsibilities, period.

With regard to the legal factor, this is only just beginning to be discussed with us. There is a major problem in that almost all of us, unlike the other professionals, authorities are implied, and it is a matter that under our
code of ethics of some of our professional societies, they talk greatly about the responsibility to the employer. This is in contrast with the legal, accounting, engineering, professions where the statement has been that the responsibility is to the client or to -- the profession seems to be moving into more professional operations.

One of our past presidents was talking to Senator Muskie on this matter last week and was advised that we were going into this process and before we can do this, we must first create the standards and then ask for these to be approved, and then ask for the professionals to accept legal responsibility for maintaining the standards, and we are moving in this direction.

They said come back in five years' time, we may be able to give you an answer.

On the other hand, and by contrast, in the same way that the accountants become a profession, when society turned around and said, "We require that you be prepared to do this," the moment we get the request to do this and then this committee, as well as anyone, could give us the request, we could do it.

Perhaps the thing that is holding us back from doing it is the fact that we have not yet been asked.

MR. WARE: Who is that "we"?

MR. TAYLOR: Practicing data processors.
MS. GROMMERS: Senator Aronoff.

MR. ARONOFF: I pass.

MS. GROMMERS: Miss Noreen.

MS. NOREEN: I pass also.

MS. GROMMERS: Now, we are ready for other questions.

MR. WARE: Could we come back again to this certification question?

MS. GROMMERS: Certainly.

MR. WARE: Excuse me, Joe.

MR. WEIZENBAUM: I would like to come back to it just to follow up what Mr. Dobbs said. This business of professionalization and so on.

I think in the recognized professions that have publicly recognized standards or at least publicly recognized to have standards, whether the standards are recognized is another question, one chief criterion seems to be that the professional has a right to say, indeed a duty to say, "No."

To take a certified public accountant, his client asks him to do something, and he says, "No, I cannot do this. I will not do it." So will be the position of a lawyer.

Perhaps that isn't practiced often enough, but in any case, that is his duty.

In your society, is this part of the professionalization that you now have, or that you seek?
Can you comment on that?

MR. TAYLOR: Yes, sir. It is part of the professionalization that we seek when we know, but the idea is to find the steps first.

MR. WEIZENBAUM: You haven't found them, I take it, from what you said.

MR. TAYLOR: The first ones are behind us, but we have not defined it down to that level yet.

MR. WEIZENBAUM: Well, the ones you have talked about are, in effect, directions to us, to the outside world; not to yourselves? You say you could do this. You could ask us to do that and so on. I'm talking about your own people, the internalization of your own standards as you feel them to be.

Will your society, for example, support a certified data processor who gets in trouble with his employer because he asserts that his professional standards would be violated if he were to do such and such for his employer? Would your society then support it?

MR. TAYLOR: Yes, sir.

MR. WEIZENBAUM: Has this ever happened?

MR. TAYLOR: No, it has not yet happened. We have gone along and found unprofessional practices where people were unprofessional practitioners, and we have now adopted that there are certain practices which we believe
to be unprofessional.

So far, no one has reported to us that they have refused to do so and they have been disciplined accordingly. Should they so report, we would certainly support them.

MS. GROMMERS: Could you give us an example of your professional --

MR. TAYLOR: Certainly. Providing a bill where arithmetically a publicly available document which does not arithmetically add out as a result of a standard piece of program, as we believe to be unprofessional. Providing a -- this is something that is unprofessional, really.

MR. WARE: Like a wrong middle initial?

MR. TAYLOR: No. That is not it. Part of it.

MR. WEIZENBAUM: That is not what I had in mind, certainly. What I had in mind is just as simple as if I, as a systems programmer, said, "I am hired by some firm to set up some automatic data processing system that is going to have some impact on the public that deals with that firm," and I am given a set of specifications, I am given a budget, not only a money budget, but a time budget, and I, as a professional, conclude that under those circumstances, the system that I will want to design will have certain difficulties which I believe ought not to be imposed on the public and may have adequate or accurate or error checks, perhaps, or whatever -- well, whatever -- okay? I as a
professional go to my employer who may have given me a
contract, for all I know, and say I cannot do this. Okay.

This will be a system that ought not to be
imposed on the public. It is unprofessional and, furthermore,
if you -- and then I then refuse to do it, the employer may
then fire me and hire someone else to do it. I might even
then say that, "Well, I will blow the whistle. I will tell
the society for Certified Data Processors what you are about
here, what you are doing. This ought not to be done."

Just as, for example, I assume a certified public
accountant who knows that another certified public accountant
is being hired to do a job that ought not to be done, he
might inform his professional society in order to initiate
some sort of remedial action.

MR. TAYLOR: The way we are trying to approach
this is, for instance, another unprofessional act is to
provide, annually, data to an activity in which in any way
it breaches the law. If there was something that was
adequate enough to be able to blow the whistle on, I believe
it would have already fallen into our current unprofessional
practices.

If it was not, we would go to our own grass roots,
to our membership, describe the problem and request them to
determine whether or not after discussion it was an un-
professional practice. If he could convince us that it
wasn't, we would support him.

MR. WEIZENBAUM: Well, one should not have to look that far. I certainly agree that many, many systems today that are of the highest professional standards, that do have the highest professional standards, they have them monitored and corrected and so on.

Nevertheless, certainly, there are many, many systems that fall so far below that special profession, and that it must be sold, that the people who design them and maintain them and so on; simply do not deserve to be called professionals.

MR. TAYLOR: We were trying to deal with this in an opposite direction. When we receive complaints, we are coming in with statements that such and such a system appears to be unprofessional. The lawyers have written, today, a careful letter to us and we are then proceeding to draw attention this way.

We have a case at the moment in Washington. Also, we are then presenting it to the NC for approval as a standard for certification under the NC programs. But the current voting of the professionals is that we will protest but not resign. I regret to have to say so.

On the other hand, I do have to note that the problem of getting continued employment in the profession is very serious. If you want a few points, there are
letters to employees of large companies, and I would also
ask the customers of large companies or the people who rely
on the employees of large companies -- there's one of our
members who has not authorized me to give his name, but has
done this directly -- he informs me that the lack of
information which one large company was prepared to give
was sufficient to blacklist him from employment in a very
large city. He had a bit of initiative and he proceeded
to start a company, and he is now doing just over a million.

But because of when asked, the representative
said, "We prefer not to comment on this," we had the power
of negative information, and this is an area that you do have
to consider, the power of the refusal of the confirmation.

But the fact is that you may be right. We are
not professionals until we are prepared to resign.

MS. GROMMERS: Mr. Ware.

MR. WARE: Joe, I think, essentially surrounded
the problem and points thereto I wanted to raise.

This business of certifying programmers or data
processors or what-have-you has been long discussed in many
of the professional society circles and they have been talking
about it. It has never gotten off the ground. It isn't
clear in a lot of people's minds. Well, it wouldn't do any
harm, but it isn't clear. It won't do any good, either.

On the other hand, I am not saying you should
quit trying, but I think I would like to make the following observation. In the other professions, excluding medicine and law, which have some degree of professionalization and legislation to control them, such as engineering, one unfortunately has good theoretical background on which he can act, and the laws of physics will tell you how to design bridges and what-have-you. So it never gets down very seriously to a question of subjective judgment about whether someone did something wrong or not.

In the information-handling process business, there is no theoretical base. It is always subjective judgments and that is part of why I think many people feel that the professionalization and the certification business, either, it is a very long uphill fight, or it is a hopeless fight. It is a controversial question.

MR. MUCHMORE: Willis, the question I raised about under the subject of data certification of people, primarily in most states, it is a state function rather than it is a profession, and I am wondering why the profession hasn't gone to the states and asked them to set up systems.

For instance, in California, there will be 20 legislators that carry the bill and I am certain it is passed the first time around. I am certain the cost may go through if that went through. Now that the question has been
raised, I think it may go through.

MR. WARE: Part of the problem, Don, is that when you are talking about the project design, it is clear the public is at risk in this case. It is not clear that safety means --

MR. MUCHMORE: The certification I'm talking about is the individual having not adequate training and having certain standards which he is examined on, taking courses, et cetera, in a particular field.

MR. WARE: Data processing is not a profession as --

MR. MUCHMORE: No. There are thickets (?) around them now.

MR. ARONOFF: I am sorry, Madam Chairman, but I can think of a heck of a lot of areas that are far less sophisticated than data processing that have licensing requirements. In Ohio, I think there are something like 240 various kinds of professions, quote, unquote, that constantly come forward for licensing, such as garbage collectors, auctioneers, bartenders -- you name it.

MR. WARE: Hold it. There's a difference between licensing and certifying.

MR. ARONOFF: That's true, but --

MR. WARE: Does the garbage collector take a can and show that it is done properly, certifying?
MR. ARONOFF: Well, exactly. It may be a miserable example, a way-out example. But the answer is, yes, and then he becomes a certified garbage collector. (Laughter.)

Following up on what was said about these things happening in legislature only because the group in question has agreed upon a general procedure and the legislature says if you want to upgrade yourself, quote, unquote, why should we try to stop you? And I think the question that was raised here was, why doesn't a sophisticated group such as data processors that have such a massive control of these meetings, that is in reference to these meetings, why haven't they come forward and asked for their own certification procedures since they themselves would, in effect, be writing it for the legislatures?

MR. WARE: That's a good question. DP&A would put on a major effort to get it certified and they do it themselves. They conduct exams, pass out certificates.

MR. TAYLOR: The question, I think, was, why didn't it go to the legislature? We, ourselves, are the products, as you know, of the DPA exams.

The point, I think, is that the professional societies have so far elected to pay -- are nonprofit and, as such, are, therefore, I believe, exclusively scientific, et cetera, and therefore are not in a position, I believe, to
request legislation. Our society, by contrast, is very
seriously considering doing so, just as soon as we can find
we feel we are qualified. We are not doing so until we have
qualified.

MR. MILLER: Without trying to practice law, I
would guess that that notion that you are not qualified to
seek licensing from state legislatures is erroneous. I
think what Stan and Don are talking about is a very valuable
and important halfway house for an organization such as
yours to pursue, because you are probably on the borderland
between and among unionization, licensing, certification,
and professionalization. God knows what you are and what
you will end up being.

But at least if you seek a licensing regulation
which Stan generously characterizes as a method of up-
grading, but quote frequently is a method of excluding
people from a profession or a business, we pass that -- but
they pass that, and if you seek licensing from a state
legislature, at least you are starting the interaction
between the legal system and your own activities, and it
provides a sort of a forum for them seeking a higher
standard of conduct being insisted upon by a law-giving
organization which will, in turn, give you a lever to use
against employers.

And by the way, I find the alleged disparity
which is very often trotted out at the ACM type meetings between the lawyer and his client, and the data processor and his employer to be totally unconvincing. I don't think there is that great a discrepancy.

Indeed, just as an aside, most lawyers are employed. They are not independent contractors with clients. They work for companies and they have to maintain, in theory, the same professional standards as does the lawyer with his client. There is a lot that could be done, and I think I agree with Willis in a sense. It is not clear where you are going, but keep on the old treadmill.

MR. TAYLOR: Well, may I assure you that these points will go straight to our executive council and we will very seriously take them into consideration. If anyone knows the names of those 20 or so legislators who will be interested in carrying the bill to California or any others, I would be just too pleased to have them.

MR. WARE: Ask Bill Bagley.

MR. MUCHMORE: Bill will be carrying them.

MS. GROMMERS: Thank you very much. A most interesting presentation.

We will now pause for a coffee break, and I have been asked to ask the gentlemen to keep their coats on during the formal parts of our meetings.

Mr. Ware would like the floor.
MR. WARE: I am very conscious of that shutterbug back there. Now, I understand that this is a public meeting and I would argue that none of us are public figures, however. I am just curious as to what the role of photographers in these so-called public meetings are. What is the relevant role? Are they privileged to take pictures and publish them as they see fit?

MR. MUCHMORE: You missed the last meeting. The answer was made clear.

MS. GROMMERS: I think the answer is, yes, you will be on the front page of Computer World by executive order.

MR. WEIZENBAUM: I think you are a public figure. I don't think there is any question of that, being a member of this committee.

MR. ARONOFF: And I just read about you.

MR. MUCHMORE: I did, too, in the budget report.

(Laughter.)

MR. GALLATI: Why? Have you worn that tie before and you don't want them to see it in the picture again?

(Laughter.)

MS. GROMMERS: We can have coffee now and return at 11:15.

(Coffee break.)

MS. GROMMERS: The presentation that we are going
to have now, really, I thought you would like to know, is
the question of the Secretary.

This presentation was made at a recent staff
meeting, and he thought it was so interesting that he asked
for suggestions or said would we not like to have it? And,
of course, we were very delighted that Mr. Chadwick and Mr.
Garratt and Mr. Leach were able to come and join us. Those
of you who saw the meeting would instantly recognize the
film star in the back and the other gentlemen who are here.

Mr. Chadwick, may I ask you to introduce --

where is Mr. Chadwick?

MR. CHADWICK: Here I am.

MS. GROMMERS: I'm afraid I can't read the signs,
the nameplates there. The light is shining on them.

MR. CHADWICK: I am H. V. Chadwick, the deputy
director of Indian Health Service, also filling in for
Dr. Johnson for the moment, who had a bit of a vacation, or
thought he did, and became a patient instead, and he hasn't
quite gotten back to work yet.

With me is Dr. Garratt -- obviously located in
the Washington area. Dr. Garratt is head of our chief,
Office of Management Information Systems, Health Program
Systems Center, on my left, and from our Tucson Area
Development Center, Dr. Rice Leach, on my right, director,
Indian Health Service Unit on the Papago Reservation, Sells,
Arizona, and we have Mr. William B. Mason in the back who
is from our headquarters system and is working on our data
here.

To give you a brief description of what we are,
first, that is, the Indian Health program, the health program
of the Indians' program was transferred from the Department
of the Interior to the Department of HEW in 1955.

It is within Public Health Service.

Specifically, it is one of the programs under
the health services of Mental Administration under Dr.
Wilson. We conduct our program which is made up of some
51 hospitals, 76 health centers, and several hundred health
stations through the mechanism of 10 area offices and some
84 service units.

Indian Health Service obviously is a totality of
the program, and area is a smaller piece of the geography
of the total program, and the service unit is that Indian
community, still pieces of geography. Contained in these
geographies, of course, is our medical facilities.

The health program for the Indian people is a
total health program. It is not one of delivering the
service just from a medical facility. Rather, it is
inclusive of sanitation facilities in their homes and the
environment and the totality of health.

When we were seeking health information of our
Indian people to work with that would be meaningful, obviously we needed something broader than that data contained within the brick and mortar structure of a medical facility. We are also being mindful of the migratory nature of the Indian people, some of which have as many as six or more Social Security numbers because it is easier to get a new number than it is to carry the old one with them. And for convenience they do it the quickest way.

Therefore, they will visit not a facility, but facilities across the geography we serve.

We were looking for a way to package that total information about that person in a common data base that we would have something meaningful to work with. As we do business in Indian health service, called managing the program, our program is managed in concert with the Indian people and their involvement in the program and the President's Program of Self-Determination of Indian People.

Therefore, the system we have and the film that some of you saw was co-sponsored by the Indian people and the Indian Health Service. The system that we have was co-sponsored by sitting down with the Indian people, identifying that which we had in mind, that which would be made available and the ability to maintain the confidentiality in all parts of it.

We don't move in this program in any way without
moving with the Indian people and in concert with their wishes.

Now, this gives you a frame. We are a program under the Health Service Administration of the Department of HEW which, prior to 1955, was under the Department of the Interior of the Bureau of Indian Affairs.

In respect to your time and the specific information that you would want on this system, I will now let Dr. Garratt take over from here.

DR. GARRATT: Thank you. I am going to be speaking from the front of the room, and I apologize for those that will need to move because I would like to be up here next to this. We are going to be using slides. I have a lot of items I am going to cover in a reasonably short period of time, covering the system.

(Slides.)

I recognize some of you have seen the film and have seen the material written. There is, in addition to what you have seen, a great deal in red, and I will attempt to cover those points with a minimum amount of overlapping.

We are talking about the health information system that is operational out of the Sells Service Unit out in southern Arizona. It has been operational for three years at the present time.

Before telling you about some of the characteristics
of the system, I want to take a moment or two to try to
set the background and explain to you why the Indian
Health Service got involved in development. I think this is
very critical to understanding the system.

As Mr. Chadwick mentioned, the Indian Health
Service is composed of about 84 distinct service units,
the service units being the lowest administrative, down to
each echelon which has total responsibility for the population
group here.

The typical service unit has a number of
characteristics that make it very difficult at the service
unit level to deliver effective health care, and one of the
problems that is typical of the service unit is that there is
a very complex health team, multiple facilities on the same
reservation, multiple health patient clinics, hospitals,
referral facilities, contract health care, both inpatient
and outpatient outside the reservation.

On the reservation, there are physicians, nurses,
social workers, sanitarians, and mental health workers,
alcohol workers, 15 or 20 different disciplinary groups
all providing health care to the same population group, and
typically, not talking to one another. There is very little
communication and exchange of information between disciplines,
typically, in providing health care. Each of them is busy
on his own program, giving efforts and energies in the best
way they can, in an independent and uncoordinated manner.

There is a lack of information even between outpatient facilities on the same reservation in the same service unit. Typically, every provider of health care who provides health care to the patient provides that care in terms of the parity that he has collected previously when he had encountered it with that patient.

Across the totality of the health system, a tremendous amount of work is developed and generally it is not viable to anyone because it is fragmented. It is distributed among data bases that are facility-oriented and very difficult with this kind of information system to provide comprehensive health care.

Other problems that are typical of the communications service with our own unit are that approximately 65 percent of the Papagos speak no English. We've got a communication problem there, not only because of the language differences, but the fact that many concepts were not translated to Papago. There simply are no terms, no Papagos to express their health concepts that we can state explicitly in English.

There is a problem that the Papgos in their context very much differ in view than we do. The Papagos are very reluctant to discuss it and it is very difficult to elicit information from them. It is almost impossible
to elicit meaningful data because of language differences, cultural differences, and the normal reticence of the type we are talking about.

So we entirely are dependent on the data. There is a mobility on the reservation, largely on the reservation, in response to seasonal agriculture, of the types of mining, one thing and another, and the mobility tends to fragment the record of any individual more closely for morbidities and mortalities in the disciplines of the health service.

Of course, the health problems are greater for the Indians of the United States population, as a whole. Some of these difficulties lead to fairly difficult problems and, again, they are very typical of the average service units.

The outpatient care is chiefly care-oriented. What I mean by this is that a patient arrives at the clinic and presents himself with a laceration on his wrist.

The typical physician will say, "How did you get it?"

"I cut it on a nail."

The physician will then give him a tetanus shot, and bandage it and tell him to come back. The physician may not be aware that this patient happens to be a diabetic and has not got a file for him as a diabetic. This patient
may have a chronic heart condition, or this patient may have had a previous history of suicide and this type of information, all of these things that may be done for the patient that may influence the chief care that is to be done is a problem. Wrist lacerations, suicide attempts, you want to look a little more carefully than at face value than, "I scratched it on a nail." He may have an emotional problem.

Many things can be done for the patient on the first encounter to make the information available, to make it possible to get this done. But the resources that are available do not make that possible. We want to break it out and move into a mode of comprehensive health care.

All of our physicians are two-year men. We get them through the courtesy of the draft law. If the draft law expires, we have got another very serious problem to face. At the present time, even with the draft law, our physicians are all two-year men. We lose half of our staff each year. We get new, young men coming in with new thoughts of new ways of delivering health care. The training, knee-deep, is obvious.

In general, Indian health care standards are not designed. There is no rule to say if a patient presents himself that he has got these kinds of conditions or definable conditions. Then you must provide these kinds of
health care either on an individual or team basis.

Typically, everyone that provides training has
to go on background no matter how tired he is, no matter how
many patients are waiting. Who knows how many other factors
are concerned in a very personalized health care.

In general, because there is no communication
among disciplines, not enough communication, because the
care is not comprehensive, there is generally not good
follow-up on patients. I can quote you chapter and verse
of persons with serious problems that have been seen and
left the outpatient clinic and the follow-up was not adequate
because there was not the interdisciplinary communication to
make follow-up possible.

The field personnel to go out in the field are
another problem. Most disciplinaries I talked to, that is,
the social workers, the sanitarians, the physicians, health
workers, all these people that go out to the field to
deliver health care to the homes, they are faced with the
lack of communication, the lack of standards. But most
importantly, they are saddled with the problem that they
don't have enough information on where the problems are in
the population group. You have got to know who is there,
what the requirements are, if you are going to extend a
limited field of resource in a typical way. Typically, that
kind of information to provide that kind of support is not
available.

Management has the same kind of problems. Obviously, if you are talking about mounting health problems within a service unit, you have got to know what the problems are, how severe they are, what the distributions are, what the changes are, all kinds of things to give you the basis of deciding what kind of health programs to mount and how you are going to allocate your limiting resources to priority health programs. All of these problems have at least one thing in common, and obviously all are related problems.

All of these problems can at least be eased if we can provide the right kind of information to the right people at the right point and time.

I am not saying that we can solve all of them, but we can solve some. We can respond to this set of needs which are not typical to Indian health at all. They are very generic health care for any population group.

It is in response to this kind of set of problems in relation to the health system that we have developed an approach. The approach, obviously, is a computerized system. First, in the sense that all information, all contacts from any given patient across the facility and the disciplines of health of every team is all integrated in that one single structured record which is maintained by the computer record.
It is a patient system, also, and it is important that the primary objective of this system is to improve the quality of the health care delivered to the individual patient. These are functions of planning research, but these are not the basic objectives. The objectives are how can we make use of information and information technology to provide better health care to the individual patient in the system?

The system accepts the fact that the health care in the Indian Health Service is crisis-oriented, episodic chief complaint care, and the system provides the information that you build onto this system to evolve the system that is more towards comprehensive health care in scope and has more primary orientation towards prevention of disease, early detection and early treatment of disease when the impact is both minimal on the patient and on the service system.

The system development began in July of 1968. By July of 1969, the initial basic system had been designed, hardware installed, the communication system improved, and the system became operational in the field in July of 1969. It has been operating therefore for a little better than three years. It has evolved tremendously during these three years, improved tremendously. It is operating in southern areas on the Sells' Unit which includes the Papago and San Xavier Reservations. The main reservation, the Papago
Reservation, is as large as the state of Connecticut with 6000 people living on it and 50 small scattered villages all over, with not very many roads, telephones. There are major areas without electricity, without running water. Employment levels and educational levels are low and, in general, it is a disadvantaged population group by any standard. Something like 65 percent of the housings are substandard on the reservation at the present time.

The health delivery system for this reservation consists of a 50-bed hospital located at Sells. There are also outpatient clinics there. There is an outpatient clinic located at Santa Rosa and an outpatient clinic located at San Xavier. These are three fixed facilities.

There are intermittent field clinics held in many of the communities or church buildings, one or two half days a week.

The health information system, what we are talking about here, makes use of a computer facility located in Tucson, Arizona. There are leased lines into each of the three fixed facilities here. There's a 30 character second -- per second character at the end of the record response or one or two seconds to provide information at these points, to the point of the computer, at the point of the computer to the patient care.

In addition, a great number of portable computers
can be carried in any part of the reservation, a power
outlet can tie into the computer hand telephone. We have
one of those now where Bill Mason is sitting. We've got
it tied in with the computer in Arizona.

At the end of this presentation, if there are
quick questions, we can show you how the system works. It
is a reading that we will be retrieving from the system in
Tucson.

On this film, this service we are operating is
on the population group and basically the outlying hardware
system. The system is a multi-facility, multi-disciplinary
system. Every point of contact between the patient and
the health system generates data collection and goes into
the system. We make use of it.

Since we cannot have existing forms of Indian
Health Service, we have some forms we have developed. It is
our outpatient form. This form, in one version or another, --
and there's 869 or something like that -- this form has been
in use in one version or another a little better than three
years now. It is a three-part form on pressure-sensitive
paper. When it is completed, it then gets signed by the
physician, and the record becomes a permanent record.
The first copy comes into us for coding and data extraction
for entry into the system. The second copy or the third
page, if you will, can be used as a referral form for
Public Health or the bottom torn off and used as an appointment slip for the patient.

The patient that enters the outpatient clinic, there is a plastic tape that identifies the patient. The information is entered by clerical people. The physician enters data, such as chief complaints and findings here. Lab tests, information entered by the nurses and diagnosis and problems are here. I will come back to it later. But on this part of the form, they completely manipulate the problems in a sense where they can change the status where other problems come into the picture, venereal problems and so forth, where this can be effectively computerized.

That problem can be done by the computer. That is, immunization treatments, a referral field whereby they can make other disciplines' linkage of the problem and then we pick it up and turn it into the scheduled system which is a part of the total system, a revisit area data, all this other data, and it also goes in that system. It is a complete set of data collected at the outpatient.

We've got 130,000 at the system now. A large number of them are on the data base at the present time, but I have copies of this form I would like to make available. I believe this is also printed in their brochure that you have.

As I mentioned before, earlier, there is a single
integrated record maintained for each patient. This record is structured basically in this way. A lot of identification, demographic data in the first part of the record statistically encountered are medical profiles, et cetera. The data is stored. All diagnoses for this patient is stored in this part of the record. The most recent one first, and all injuries as an outpatient, and then contract health care referral hospitals elsewhere.

The same thing is done with medications; immunizations, skin tests, all this information is stored. The database at the present time contains records for about 14,000 people. We have an active service population of about 10,000. We have about 50 million characters of data at the present time. Almost all of the data is coded. It is coded to make it possible so that we can respond to users to such questions as, "How many cases of these seven diseases have we had in these nine communities between May and April of last year and in those females between the ages of 5 and 7?"

We can respond to a batch data program in all cases that satisfy these types of conditional constraints.

It is the coding system that does this. Now, it also suppresses them, but minimally.

We mentioned before the basic objective of this system is patient care. All diagnoses are carried in physician entry inputs, however he states that narrative
diagnosis, it goes into the system, is coded, of course.
The narrative to all outputs to the physician is that
narrative. Any Indian having a problem, their narrative
is preserved and goes on the list. It is not standardized.
It is coded, of course.

All purposes for referrals are carried, and all
revisits are carried because we feel the specificity is
inherent in the way the problem is stated, et cetera, or
purpose of visit is made which is important to the health of
the patient, that is really the prime business we are in.

I mentioned before the retrieval system. We have
terminal devices at each of the systems and we have about
40 different types of retrievals that are possible. It is
called a medical summary. It is a frequently used retrieval.
It is a standard mandatory retrieval, and what the medical
summary gives you is a block of identification data, a set
of measurement data, a measurement taken of the five months'
recent data of this encounter, the patient's active and in-
active problem list; date of entry, the code of the original
problem, entering that problem and the narrative of the
problem as entered by the health team member, the active
and inactive, the patient's medication, all medications
given the patient since we have been on the system.

Here we display on it the active, but our ground
meals, medications, that is active for two months or twice
the rate of prescriptions, whichever is greater. These are
the ones we displayed here with this big German name, and
the amount actually given the patient.

In addition, we show the five months' recent
patient encounters, the dates, the facilities where it took
place, the diagnosis. The three months' recent hospitalizations
with administration discharge, the date, facilities, and
date the three months' recent field encounters, the differences,
the purpose of the visit, the existence of these conditions,
skin tests, that status, including results for appropriate
series numbers and the usual.

Finally, the surveillance system. The surveillance
system is a set of about 40 procedures including immuniza-
tions, laboratory tests, Pap smears, EKGs, and a series of
special exams which are scheduled for all member groups
grade to grade. We will synchronize a measure for all
populations, and there are three things: To assure that
minimum levels of preventive health care are provided all
groups. Secondly, to permit us to routinely collect that
information which is necessarily to detect at an early stage
those types of diseases which are existing, the major health
problems, and the kind of health problems that will respond
to early treatment. Finally, the third objective of this
system is to provide data that will feed into a high risk
program which I will get into as quickly as I can later.
What we print out is each printout for all of those procedures, all of the totality which are your past records for this patient indicated by the asterisk and which will become due next year as a collective list. This is the information to help this patient, on a long-term basis, and we need to collect the information. The patient may be here for a scratch on the wrist, but this is one of the other things that needs to be done for that patient.

We get this in terms of health care, all this information. We keep the files locked. I'll just take a moment on this and we will talk to you about this in a moment.

There is a perfectly legitimate request for summary information. If you come to a terminal, all you will get is that, because the files are locked and it gives you a lock number. It is a random number, say, 734, and there is a key to that that you must do along with a mental arithmetical method. It may be twice the second number, a three, a buzz, and then the three again, or some of these are fairly arithmetical algebraics that can be followed.

You unlock the files. When you are through, you lock the files again. Various other things will automatically lock the files. But in general, the portable
type devices can be left in your base control. If you
tap into something, you may think, "Gee. I wonder if
Cousin Charlie has got his problems listed," and the privacy
against this type of access does remain. We will talk more
about that later.

In addition to the real time capabilities of
the system, we have got a wide range of reports that are
generated, weekly reports to all members of the health care
system, scheduled encountered, referrals, revisits. We've
got a total of 200 programs that operate against this data
base in various ways to provide information relative to the
patient, relative to management service units as to planning,
to research, various ways that we can control some of our
reports which are generated with patient identification --
the majority of patients without patient identification.

We have ways of identifying patients with pseudo-
identification so you can research for information against
multiple patients without linkage to any individual patient.

Very quickly, because I want to leave some time
for Dr. Leach, let me just say a couple of words on this
one. Comprehensive health care. Our main key to providing
health care, the most indication of comprehensive health
care is the problem on the example of the medical summary I
showed you. It is a multi-facility, multi-disciplinary
problem, and all members of the health team are encouraged
to enter any problem on this problem list that they feel can be added to any health team and patient. They are entering it in their own narrative. They manipulate the problems, add linkage, change status -- in all, to do most of the things with the status.

The purpose of the summary is that we want everyone who sees the patient to be faced with the fact that this is the problem the patient has.

He may come in with a scratch on his wrist and he's got maybe suicide attempts previously, has a chronic disease, whatever it is, and in response to the health care needs of the individual, these are the problems.

I mentioned the health surveillance system. It won't take you too much time to show you some slides.

Continuity of care obviously is fostered by the ability to change, make interdisciplinary information, let each member of all the members of the team know what each are working on.

I will use probably only two minutes on this. There are a series of programs and one is development. In the developmental area, we get into the higher program, higher risk program identified by a series of advisory committees working with us now. We identify people, population, subsets of the greater risks, follow disease problems so we can focus and see the higher risk categories.
For the people in the higher risk category and the categories themselves, we are staging this in terms of objectivity, stages for severity of the diseases, and following in the higher risk category, and for each of these stages, we are finding a management care on an interdisciplinary team basis. They must be related to all people that fall into each of these disease categories. I think it is a tremendous approach for us to be talking about some minimum standardized care across the population and to use all members of the unit, the health unit, in operating in a most effective way as a team to provide health care to individual health patients. I think it has never been done before, and I think it should be done.

Our main thrust of this is through the higher risk programs.

I am going to stop there and leave some time for Rice and I will await and we can discuss more during the questioning. If you would like.

May I introduce again, Dr. Rice Leach.

MS. GROMMERS: Could one of you gentlemen address just very briefly a few words that really explains this? I think I am a physician, but some of the members may not be aware of, really, the severity and the type of health problems that the Indians face, and I think that would set the context for what your work is accomplishing.

DR. LEACH: I would like to stand up, if I
might. If I sound a little sleepy, my wife was running on mountain standard time, and I got up at 4:00 o'clock.

I am Dr. Rice Leach. I am the director of the Sells Service Unit. I am part of the Indian Health Service organization.

I have line authority over budget of about a million dollars to take care of a state the area of the size of Connecticut with 6000 people that Dr. Garratt described.

My function is to sift between many, many systems and about 10,000 patients. He has described one system. HEW is another system. The state of Arizona is another system.

The Papago people have within their own group several systems, all of which want something and need something from the Public Health Service and from our service unit.

My duties are to administer that budget as the people see fit, as HEW sees fit, as I as a physician see fit, and we do not always see fit the same way.

Geographically we are located between Tucson and Yuma. On the east, we have the high Chaparral territory, and on the west, we have the bombing range.

The diseases we deal with are those of people without a whole lot of resources in terms of economic and
physical resources. They have tremendous human
resources in that if you can imagine any of us trying to
live in the 120° heat with no water and no roads and no
phones and no money, and sometimes keep a family alive,
keep a population growing, and produce leaders, that's the
kind of people we have.

The diseases we have are the same kinds of
diseases that the United States had when our grandmothers
were little. You still catch your death of pneumonia out
there. You still can get lockjaw, but not very often.
There's still a lot of TB. People still spend a lot of time
in the hospitals without TB. A lot of babies die because
of diarrhea.

I remember when I was little, my mother used to
worry about diarrhea. So that is not that far back.

Recently, we had a traumatic sad experience.
This week, one of the young men in the Papago tribe who
was going to be a leader, ran out into the road and got
killed. He was not drinking. Neither was the other guy,
but we have had a lot of deaths, a lot of injuries,
rehabilitation from alcoholism, drunken driving which, in
my opinion, it is not a fact -- it is my opinion -- it is
secondary to why try to find something different. There
are certain limitations that, no matter how hard you try,
you don't get anywhere. Those are the problems.
Infectious, communicable diseases, trauma, and some of the emotional problems of a group of people who, for at least 300 years, have been getting -- again, in my opinion -- somewhat the short end of the stick.

Dr. Garratt has described very well a beautiful system that can do something about all this. My problem is, am I, as a doctor, going to do anything about it? Because he lays in front of me, every time I see a patient, that yellow thing in the last four or five slides with lots of information. But somebody has got to do something with a lot of all that information.

I have to, as a doctor, and the nurses have to, as public health nurses, the mental health service has to -- we have to do something about it. This is where the issue is, and this system has got to work if any good can come out of it.

The potential value of it, I think, is fantastic. What we have done with it, actually, is what I will try to describe.

We doctors are said to be the worst airplane pilots and some of the worst investment people in the world because we know how to do everything better than anyone else. That's what some people will say. I have the job of directing, orienting a lot of young physicians, of which I am still one, to use a systematic approach rather
than an extremely individual approach to the patient. In other words, use that information.

If somebody needs certain preventive functions done, get used to doing them. Get used to telling the computer that you did them, and then you get into the personal hang-up. We have some things that are recommended to be done that grandmothers and grandfathers out on the reservation just don't want done, and Rice Leach just doesn't do them if they just don't want them done.

If the computer tells me that an 85 year old lady needs a very personal examination, and she doesn't want it, she doesn't get it unless it is a life-threatening or urgent situation. We don't treat the computer, as Dr. Garratt said. We treat the patient.

The encounter form provides a terrific reminder to doctors to write down what they have been taught to write down since the day of medical school. Dr. Grommers will back me up. We know a lot of things we are supposed to write down, but if the reminder is not there in front of you, it slips your mind.

We have documentary evidence we are entering as a lot of pertinent information on patients in the hospital. What gets done on it depends on doctors who are used to working this way that use that information, provide updating, more surveillance.
Surveillance is a word I use not like the FBI uses it, but it is the same thing, in a way. It is paying attention to the medical needs in future probabilities of the patient.

In the outpatient department, the thing is extremely useful.

As Dr. Garratt mentioned, we have patients coming from several different locations, and sometimes they come in the emergency room at night, sometimes in the day time.

Five days ago we can have information in the computer, and five days ago, they were seen for a chief complaint at one of the field stations and, now, they come into a full blown thing, let's say it is weakness in the left arm, and if they come in with a pain in the neck, that tells me one thing about the weakness in the arm. Otherwise, I will have to start over. You can go to the wrist doctor, the hip doctor, and then it turns out it is the heel doctor you should have seen in the first place.

This field has the potential, some; but by no means all cases, given us the time line of how these things develop. Those are the ones that progress into a more serious illness.

Many of your patients have complaints that never progressed to a serious illness, but they get medicines for whatever they came in for, and I don't want to give
somebody who is on a drug that will make their blood not clot as fast, something that may aggravate that. I don't want to give somebody who I know from someone in the field states has got a drug problem, and that is going to calm them down. I don't want to give them one to calm them down further, not knowing about it.

The physical distance for traveling and carrying information back and forth are pretty severe. If any of you happened to see the television show "High Chaparral" that is where we are. Old Tucson studio is just 20 miles from the reservation. We are out there with the cactus and rattlesnakes and the gila monsters and a lot of good other people.

The other thing I was told to address myself to is what about the confidentiality. We have got 150,000 --- did you say -- encounters on people? That is a lot of information. The access to the machine Dr. Garratt has described, I will try to describe the access that the pieces of paper the machine gives back to us. We have some problems that we are working on.

This thing started three years ago with not very many printouts, not very many piles of information, and it wasn't a problem because it could fit in the record. But computers can grind out an awful lot of paper in an awfully short period of time, and as one of my
teachers said, Joan Myan, in the United States, instead of saying e pluribus unum, we need more data, and the doctors are the same way. We have gotten literally cartons of data and we have just arranged for another room to lock them in. We have arranged for Dr. Garratt to stop putting names and addresses on those printouts that don't matter.

Why not have the name and address? We start to think, why have the name and address? It doesn't matter.

If I want to know how many cases of TB are down in the southwestern corner of that map, I don't want to know who they are for the screening and program. I need to know who they are for the treatment. We are going in that direction, getting the addresses involved, locking the stuff up.

We have instituted, as of two months ago, that anybody that wants data has got to send it through me, so that I know at least what is coming back so I can ask the medical record librarian not "are we keeping the record secure," but "where did you put that huge package so and so wanted for such and such a program?" We are taking those steps. I would not be telling you the absolute truth that there is no way that the data can get out of your ability -- out of our record room into another section of the hospital, and if it is another section of the hospital,
it is not under that 24 hour a day personal surveillance, or lock and key surveillance. But we are pulling them back in. Those are the things I think I would say to you.

Oh, one third point.

I am a manager now. I just got through with a degree in administration and I see one thing that hasn't been mentioned in the presentation, and that is as a person in charge of 115 or so employees on a relatively large budget, we have the problem of what to do to get the most out of the most money for the most people at the level everybody thinks it will do good, the most good.

Dr. Garratt has a very well defined one that may involve this. He may have to break this down or whatever. Whatever we can get is whatever the resources or whatever you put the problems to, and resources for, whatever together where I think you can come up with more rational decisions to allocate resources. Of course, these rational decisions will depend on what the tribe wants, what the current thinking of the people in the United States is on what health is, water purification, and if the emphasis is on mental health, I will come up with mentally pure water.

(Laughter.)

That is what my job is. Did I describe, Dr. Grommers, what we are up against? We are up against the
diseases of poverty.

MS. GROMMERS: Have you got any rates in the far west?

DR. LEACH: Yes, somewhere.

MS. GROMMERS: We know they have an extremely high rate.

DR. LEACH: I can tell you the diseases that are higher. I don't know whether they would fall third or fifth in line. They would have a lot of lymphatic leukemia, arthritis, 50 percent of the adult population is diabetic. But they are not diabetic like here, for some reason, the diabetic way of life. We rarely see people in coma, even though we don't have as many people on medication as you would on a well-defined population, as people out here. I don't know if we have more alcoholism as the rest of the country, because alcohol is up there in car wrecks, running around town, getting caught drunk. We don't have too many people getting Old Forester down here. If they have to get it, they have to go 60 miles to buy it. Certainly they have well paid bootleggers. I don't know whether they have got more of it or not. It is certainly more obvious.

MR. CHADWICK: I will certainly give you an interesting figure. National mortality is significant. When we first brought this program to the Bureau of Indian Affairs in 1955, the index for infant
mortality was 62.5. We reached a point where we thought we had really accomplished a great deal when we cut that in half to something less than 32.

Our tentative figure at this point that we have for the current period indicates that it is around 24.

Tuberculosis had the highest index level of any place known to man, I guess, in Alaska at that time. I believe that one out of 30 had some evidence of TB.

We had a recent, most recent year where we didn't have one death in Alaska for a year. Currently, at several times, we are just about 20 years behind the population as a whole. Just about anything you mention in a sense, one generation at a time.

A greater number of infants are born in hospitals of the Indian people now than in non-Indian. We have gone that far.

The infant mortality of the Indian baby for the first month of life is considerably less than a non-Indian, and then next, eleven months, three to four times greater.

Environment, environment, environment.

The infant mortality has improved that much, I told you. We are reaching a point in the health field across the board, infant mortality being in the field, so how far can you carry health above the environment?

We have sanitation, sewage and water facilities
now and about 50 percent of our work is done in that field. The other half is yet to come, and I told you earlier we are conducting this program with and through Indian people.

We are now contracting more than $10 million of health services from the Indian people themselves, the community health representative. You will hear mention that is a health professional, trained, Indian people, not federal employees, by contracting these services.

This not only has a great effect on the health itself, but it has an economic impact, health in every direction.

DR. LEACH: I just noticed two things I wanted to say that I left out.

One of the strong things I see on this computer business that also has not been mentioned is that given the situation we have as a health organization and given the situation that the Papago people live in, the chances for extremely rapid change in either of those, including massive resources coming tomorrow, are fairly remote. So what can we do to get more health out? You can get more land, labor material. We keep increasing that. But if we can increase technology and start making 1970 model machines as opposed to 1910 machines, start using 1970 type of approach systems to allocating resources, to using manpower, to the maximum extent possible, instead of going along
on a one-to-one basis, this is my idea, this is your base.

Then we can speed up this process, and I think again, from my point of view, as the manager of this place of the service unit that really appeals to me -- and I don't say we are going to use people as a machine. I was going to compare a model A to a current Ford, but there are people that would rather have the Model A. That is what I was -- an assembly line, rapid to the point delivery health service is just sort of rolling along in any direction without being able to assess what you want, and knowing for sure where you want to go, and without the ability to simulate and analyze data in a hurry on a lot of people, we cannot do it.

If we do have the ability to assess and simulate a lot of data on a lot of people in a hurry, then we can approach statistical, quality approach as in any production that is trained, like, say, the physicists, where they have an example of being trained, and you can tell where they are doing better than they were on a relatively prior example. We can know what we were doing with health, what is going on better or worse.

We have an indicator, what made it get better. On the other hand, if things get worse, we have an indicator to look at and maybe see what made them worse. We can try and eliminate that happening again.
MS. GROMMERS: Gentlemen, thank you very much. I think we will ask you some questions. I will start with Senor Anglero.

MR. ANGLERO: I will say the system you have, you have a lot of approaches. I will help the rest of the group address ourselves to other parts of it.

I gather from your presentation that this is a federal grant program. That is clear. I will ask how much money is put into this service.

MR. CHADWICK: Our current experience is that -- let me back up just a moment. We have this operation under one service unit. We hope to expand it and expect to expand it into two others. This year, our current costs for the system is $10 per capita.

MR. ANGLERO: Is this system, as such, on the disk cost, on the way the approach of being federally administered, is it transferred out to any other community? It is just for Indian reservations?

DR. GARRATT: No. Part of the development is in the public domain. Anyone that wants to use it, there is nothing proprietary in any point of the system. There are other areas concerned. HMO is looking and evaluating the potential of this system in their environments. So in this point of view, there's nothing that would inhibit the movement out.
MR. ANGLERO: But it will be, really, one acceptable by other committees in this approach?

DR. GARRATT: I think obviously, when you get outside the Indian Health Service, you must recognize that the implementation at Sells Service Unit was done on the basis of agreement between the Office of Research and Development, and the Papago tribal council. It was set up, agreed upon, and they understood after sufficient explaining what this development program was. They agreed. They wanted to participate. We never have gone to the level of getting individual consensus of the patients. We are operating on the consent of the tribal government, tribal council for the use of this. You could not do this on the outside.

You are talking about extending to where we are to go to a different type of social environment. I think the problems become more considerably severe than they are now. It is, one, because we have less problems in this area that we can do this type of development, that we can get this type of impact on the system of this health care.

MR. CHADWICK: A better way to answer you, also, may be as I indicated earlier. We have the totality of the health of the Indian people that we work with. We have a system that certainly lends itself to further development. It is one in which you almost run daily to stand still, but nonetheless, as it is responsive to the total health
of Indian people to a body of a people, we believe it
would therefore be representative of other community needs
as they would choose to use it.

So what we are saying is that we believe it
will be a usable tool, otherwise, as they choose to use it.

MR. ANGLERO: Just a comment. This has not
a lot to do with the system. Just to make a remark here,
I tried once to come to some places in the States to find
out how they try to make decisions in terms of problems
and couldn't find a good decision-making process established
as we would like, and I am talking about we, as Puerto
Ricans, living in Puerto Rico.

Well, the people where I went, they advised me
to try to get some counseling or some advice from the
Indian counselors, the Indian councils, and I figured out
they didn't know what they were talking about. Puerto
Rico. Just a remark.

MS. GROMMERS: You may perhaps have some other
questions. I think you have more.

MR. ANGLERO: Yes, I have more, but I think
they might have one.

MR. IMPARA: I have one small question of Mr.
Chadwick. All of you mentioned that probably the mobility
of the Indians moving around quite a bit, as a result of
their moving from place to place, they often pick up new
Social Security numbers instead of remembering the old ones. How do you identify -- how do you persist in identifying the same individual from time to time as he changes Social Security numbers? I noted that that was one of the points on the printout, at least, for the Social Security number.

MR. CHADWICK: We are working on a unique numbering system. We hope it will be a more common denominator than a Social Security number. We have been able to get Social Security numbers from infants on through to the total population, which was the best identification number we had at the time.

The unique numbering system is what we are striving to --

DR. GARRATT: The system now operates on a multiplicity of identifiers, in terms of health records, any of the multiple records, in terms of Social Security number, or internally, identification number that we have assigned.

At the present time, I think 15 or 20 percent of the Papagos have Social Security numbers and all may be multiples.

MR. CHADWICK: We have a unique numbering system for the Indian, not just the Papago, for that one common identification.

MR. IMPARA: How would this number be assigned?

DR. GARRATT: The number would be assigned by
the computer, the unique internal identifier.

MR. ANGLERO: That number is given to the Indian?

DR. GARRATT: No. We call it a data base register, and this is a computer printed book that comes out every month or so to determine how many transactions we had in change of identification, such as if it is all people in the data base with aliases -- the Papagos have their Papago names and they have one or more English or Spanish type names with the Health Service. Their cultural context is different than ours. Their names are not important to them as it is to us. So all names, aliases, are sorted out alphabetically and each identifier -- all aliases, names of parents, health records, birth, et cetera, this is the basic identification mechanism we plan, and as time goes on, to implement automated data system, to automate it into the system instead of thumbing through a book. You can do it through the internal device, but this is one of the things --

MS. GROMMERS: Mr. Garratt, why do you use the word "aliases" to refer to this process?

DR. GARRATT: I don't really know. I didn't make up the name. It is a name that's been used. I can't tell you what the origin of the term is. I guess there is a bad connotation to it, but that connotation doesn't exist to it. It is just an alternate name.
MR. IMPARA: This book is, in essence, published and distributed to all members of the Indian Health Service?

DR. GARRATT: Right. All members.

MR. IMPARA: Where do they store the book when it is not in use in interaction? Do they lock it up in the file?

DR. LEACH: No, sir.

MR. IMPARA: Thank you.

DR. LEACH: But we are going to. Well, that is one of the things I identified. There are, what, 30 copies of that book? At least in my domain, it is coming under lock and key.

MS. GROMMERS: Mr. Bagley.

MR. BAGLEY: Not a word. Good morning.

MS. GROMMERS: Mr. DeWeese.

MR. DE WEESE: I have a couple of questions. I am not exactly sure how to phrase them.

For example, it is also very difficult, besides having health problems, it is also hard for Indians to find jobs in the common market of American life, and I was wondering if a prospective employer came to you or to one of your doctors and said that he wanted to hire a number of Indians to do a certain job, that he was interested in their medical background because, naturally, he had certain requirements, physical requirements, and, also, he
didn't want people with a background of alcoholism and so forth, what is your official policy on disseminating this kind of information?

   DR. LEACH: I can tell you what is done in the hospital. He gets told, if he wants that sort of information, to give the patient an examination and history form, and if the patient comes in and says, "I want this done so I can get a job," then I assume I have the patient's permission to do a report on his past medical history.

   If the man comes to our records, for our records, the record comes to me and I send him back home.

   MR. DE WEESE: And the second question I have is, are these types of procedures outlined anywhere so that all physicians, regardless of their personal feelings about privacy, are aware of them, or is this just sort of an individual ad hoc decision which represents your common sense and not --

   DR. LEACH: Common practice.

   MR. DE WEESE: It is a common form?

   DR. LEACH: Indian Health policy.

   MR. CHADWICK: Indian Health policy. We have a manual on this.

   DR. LEACH: Whether you have it or not, we don't know whether we have it on individual people. You know, you are supposed to go 60 miles an hour, and I can't keep
tabs on every doctor, employee, but in general, that is
the written policy.

MR. DE WEESE: Given the fact that we all recognize
that there are security and privacy problems in any system
that has sensitive data in it, and you cannot, as one
individual, supervise all this data, do you think that for a
certain part of your budget, to set aside or hire an
individual or form a committee, some type of mechanism where
their sole function was just to consider the problems of
the security and privacy in your data system, would you think
that would be an unwise distribution of resources, given
the health --

MR. CHADWICK: We have found that that would not
be an effective tool; the reason being the multiplicity of
people working with the health records never lends itself
to one person's ability to control or manage. What we are
doing is teaching each and every person the significance
and the need and the way of life in doing this. It is
broader than we had managed with a single person, if you
chose to do it.

MR. DE WEESE: I meant a single person with a
supporting staff whose sole function was to --

DR. LEACH: To consider or to monitor?

MR. DE WEESE: Both.

DR. LEACH: I think the consideration part,
we are allocating part of our resources, to wit, the fact that four of us are here discussing this matter. Now, whether we have a specific confidentiality committee, I think that is appropriately part of the medical records center.

I think a part does need to be devoted to whether we set up a special staff or not. I will put myself in the role of a patient when we have one or two or three doctors keeping the door closed when I have a cold. I think it is extreme. I think the effort is to be extended on what form it takes, or how we do it depends on some of the constraints under which we do it.

MS. GROMMERS: In your subsequent answering, if it is applicable, you might point out how these facts are computerized in your answer to these questions. Obviously, a hospital situation has exactly the same kind of privacy problems that have been mentioned.

The computer, so far, would not make a difference here, so far as I can see, unless you know of some other ways that --

DR. LEACH: One of the problems that I have to work on is that we are unique. There are just not that many people interested in research and finding out about all this population where they move around, off, and then back, but given the rest of the United States, that is a
fairly common thing.

So a lot of people want to do studies, studies have to be approved by the tribal executive health staff, but when they have the people, have approval for access to data, and there is a problem there unique to computers in which you can have put up on the machine a list of every baby who had such and such a treatment, or anybody of any category you want in a nice little pile of paper that big, you might be walking around as far as the patient might be concerned with that many unauthorized bits of released clinical information.

That is why I say we have to lock these printouts under my control, delegated to the record group. We are stopping this kind of thing. We are taking the identifying information off wherever possible, where it is not to anybody's benefit to know what name and what address. We are locking these things in the record work room.

We had to shuffle a lot of people in the hospital to make the one room large enough to accommodate each discipline's stack of computer generated data.

MR. DE WEESE: Could I ask one more question? For example, you said that if a prospective worker was given a health form and he brought it to one of your doctors to have it filled out and, of course, he would rely on the computer data, now I could imagine, let's say, the system
operates for 20 or 30 years, I can imagine that that data would go back for 30 years.

For example, if it said suicidal tendencies 20 or 30 years, that would be part of your data if it is working efficiently.

But on the other hand, if I go to a new doctor, my doctor changes, I have a certain medical history that goes up to 12 or 13, and those files become sort of inefficient, they are sort of lost, really. Whether that is good or bad -- I mean, as a physician would feel, would you feel that you have to give all the data that is in the computer, or would you make some decision about how far back the data would be pertinent to an employer, or is there some expungement mechanism in the computer?

DR. LEACH: What I do when a patient asks for the form, if it doesn't ask on the form, I don't give an answer.

MR. DE WEESE: Let us say that the question is as to this person, "Have you ever been treated for a narcotics addition?" And this is 20 or 30 years hence from now.

DR. LEACH: If somebody brings me a form and wants to know were you ever a narcotics addict, suicide, were you ever --

MR. DE WEESE: Or, have you been treated for
that?

DR. LEACH: -- or have you been treated for that, I ask him, and if he says no, and I have information that says he says yes, I usually ask the guy. I'm a little different. I am a five-year cancer survivor, as a doctor, and I feel different about patients. Some people might ask were you ever a narcotics addict in 1926 for three weeks after an operation, and some people would write "yes" without explaining.

MR. DE WEESE: You say, these are the kinds of official policies that should be written out that you can have controls for.

MR. WARE: That's a professional system. That's not a computer system matter.

MR. DE WEESE: Yes, it is a computer system. I tried to point out my files are different from this guy's files --

MR. WARE: That is incidental.

MR. DE WEESE: I don't think it is incidental.

MR. DOBBS: It is incidental, but real.

MR. DE WEESE: I am saying we have to build expungement mechanisms into it.

MS. GROMMERS: We can come back to you, Mr. Ware. It is your turn.

MR. WARE: Dr. Leach, Dr. Garratt, I am truthfully
impressed with what you have done. It has a certain sense of achievement and sense of elegance. I would vote you some kind of appropriate Oscar. But I would like to quiz you a little bit on the safeguards that you have built into the system.

Obviously, when you designed it, you had at least an implicit image of what you thought the system was. At least you did conscientiously put in a certain amount of safeguard. You have also said you are continuing to modify them.

What I am serious about is what your three-year operational history has been. Do you have instances of where your data got where it shouldn't have been, to the detriment of the patient? Do you have any instances of delivered -- malicious attempts to get data that shouldn't have gotten out?

I assume the Tucson machine is shared with somebody else. Do you have instances where it leaks your data to an unauthorized system?

DR. GARRATT: Specifically to answer all those questions, the answer is no. No instance where information has gotten out in any form, or has been detrimental. I will give you a slight different answer. I am talking about a Papago health care, and every year and a half, Papagos from all over the reservation convene and meet and
discuss in Papago, discuss their health problems, the
reactions to health of every system and document all of
this in their own terms, trying to define their reactions to
the Indian Health Service and Indian health care as well as
other agencies involved.

At the last Papago health care, we demonstrated
the system. We put the terminals out there and we
ran them, and the thing very often happens, a Papago will
come up and say, "Will you pull my record for me?" And our
answer is, "No."

Under this particular circumstance, it is not that
we don't take the position that Papagos do not have the
right to see their own information, but we do not believe
the right to pull it out in public.

Now, he has access to his information. His
information isn't going to impact on his own health care
program.

Anyway, to get back to the point I was trying
to make out of this fair, there was a tremendous long list
of problems and complaints from the Papagos as you might
well know, and most of them have to do with the way health
care is delivered, the waiting time which is too long, the
transportation system, which isn't good enough. The
Papago nurses won't speak English to us, and these kind
of down to earth, nitty-gritty problems. I have a list of
some 20 specifics of these problems.

One, out of all those problems, the complaint was that information could be kept secret. I don't know what generated this. Maybe a nurse down the hall may have had nothing to do with the system, but the point I make is that out of all the complaints, only one of all of them had anything to do with privacy and confidentiality at all.

I am trying to say this does not seem to be in our population group a major motivating concern.

MR. WARE: I am curious about another aspect.

DR. LEACH: I just want to say there is a potential identifier in research, that people have data for research, and I want us to get names and addresses off of it. I think it is meaningful to know the disease pattern and distribution, but not who has got it, and nobody has been injured, nobody has been hurt by it. But there has been at least one situation where, at a university meeting, a member of the team had a stack of our data in his brief case with names and addresses on it. I took it back because I do not think that is appropriate. But no one has been injured by it.

MR. WARE: You had a sense of user acceptance problem that you dealt with by getting the approbation of the tribal council. You sold them.

But even the tribal council, I would suppose,
is culturally simple and technology naive, compared to what you find in Westport, Connecticut. How do you swing that one? I am sure you didn't do a snow job on them.

DR. GARRATT: That was before my time. But I will tell you something about the tribal council.

It is a very unique group. The tribal council consists of two representatives from each of the 10 districts of the reservation. Each of the districts has its own council.

A proposition is put before the central tribal council. It must be unanimously approved before it passes the council. There is no majority vote, no democracy. A vote. This is a vote of unanimity.

They will vote after the district votes, and the district will vote only after the village votes yes. You require virtual unanimity for anything to get through the council.

MR. WARE: How were they even able to appreciate the issues at stake? Did they retain some consultants?

MR. CHADWICK: Mr. Thompson goes to the tribal council head, who is one of the top college men in the country. These are well top-notched educated people you are talking about in large measure.

In most measure, they are better educated than the people working with them. So they don't have the
problem understanding. Granted that, when you speak
of that so-called problem, there is a name of our head
of the Cherokee who is W. W. Keeler, who is one of them.
He is one of the people.

MR. WARE: Then I didn't have the right percep-
tion.

MS. GROMMERS: I think we had better go around
the table so that each person has a chance to ask a ques-
tion. The rest of you ask just one question and I will
give you a double chance this afternoon.

Mr. Dobbs.

MR. DOBBS: No, I have got to go down the list.

MR. ARONOFF: You only have six pages.

MR. DOBBS: One comment to reiterate Willis'
comment. You gentlemen need to be commended for the
sensitivity towards the problems you have expressed here.
You said that the primary objective of the system was to
improve the quality of health care.

When you set out, did you establish some measure
of effectiveness that you wanted to be able to use as a
measure for in fact showing how this has helped improved
health care of the Indians?

DR. GARRATT: I would like to say yes, but I
can't. When this thing started and grew and evolved, and
the problem came up, and we started developing it and it
has been constantly been changing from month to month and
week to week in terms of the content and the way it operates,
continually adding new things, completely in an evolutionary
system. Other systems are going on at the same time, and
we can now talk about what the status of the population is
now.

But I had not gotten the data before the system
started. So we never can do a before and after analysis.
I would be dubious to do it because of changes maybe in
total natural or national disease and so on.

One of the Sacaton services immediately north
of the Sells Service Unit is doing a very thorough before
evaluation of health status, and an after, they look at
the kind of impact this system has, and I must make the
point that this system, it isn't the system that has the
impact. It is of the system that these changes induce
into the system.

The new kinds of things of this system obviously
do not do anything except to make it possible for people
providing health care to add more. There are the kinds of
things you can look at, you know, like how much have you
increased the immunization level of preschool children.

Now, given that you want this to impact on health,
I am not prepared to say this. I am willing to assume they
do impact, but take Sacaton, assume now that preschool
children immunizations were 40 percent, and after a year
with the surveillance system, we can increase this to 90
percent. We can infer a benefit here, but I am not sure
that we can measure it. I am not sure we can define this
increased immunization and say it does affect health status.
These are those type of things.

There is also a step of how we can measure. How
you measure health status, per se, God help me, I don't know.
I don't know anyone that knows. I don't have any people
coming to me saying how can you measure health status, et
cetera. I say, friends, join the club. I don't know, either.

MR. CHADWICK: One other thing we are finding
out, for example, is that scheduling our public health
nurse visits and so on, et cetera, we found, for example,
that the public health nurse was visiting all the mothers,
homemakers. That was the record.

In examination, we found out, though, that the
order of visits was the high risk last. They take the
easy ones first. The mothers had two or three children and
they had the poor one. We had these types of things that
were not scheduled first.

But to answer your question directly, it was
based on the assumption that better data would produce
better results, and then we have been measuring that as
best we can with what has occurred.

MS. GROMMERS: Senor Anglero.

MR. ANGLERO: I have sort of a two-part question.

Have any of your records ever been subject to subpoena by anyone?

DR. LEACH: Yes.

MR. ANGLERO: And if so, what was your reaction to the subpoena?

DR. LEACH: Well, I am a doctor and you know how I react to a subpoena. How we reacted as an organization is we gave them the records. It didn't have to do with a malpractice suit. It had to do with a physical injury, a tort, I guess it was. The records were submitted. The records librarian, the physician who asked the patient went to court and testified about what happened.

MR. CHADWICK: Maybe I can clarify this a little better in this sense. It takes that, which you mentioned, a subpoena, to get a record. As we have a court subpoena, we hand it to the general counsel's office here, individually, and advise in each case to handle it. In no case does such an action occur without our general counsel from Washington itself within the HEW General Health Office.

MR. ANGLERO: May I ask one clarification of one question also?

On employment application, if a complete
medical record is requested by the employer, you then get
the complete medical record as you know it?

DR. LEACH: I can only mention, sir, by what I
have done in the past. And in the first place, they usually
don't ask for a complete medical record. They usually ask
for certain questions.

Heavy duty industries want the information;
skilled labor wants something else.

If I get a request for a complete physical, I
suppose I would send them the printout and tell the patient
that this is what I was sending.

MR. CHADWICK: But it is asked from the employer
through the patient to us. We do not take directly from
the employer.

DR. LEACH: I gather by inference that you would
suggest that we write back to the employer and say, "Please
be more specific," and I think it is a very good idea.

DR. GARRATT: A quick point is worth making. The
computerized record has not replaced our hard copy records.
We still maintain those. It is feasible to talk in terms
of automating the record. Before you do that, you want to
sit down and look at the record. There is probably 80
percent in an inch and a half thick that isn't worth a darn
in the care of the patient at all.

But our objective was not to replace. Our
objective was to integrate significant pieces of health records across disciplines, across the facilities, and to make it available to individuals of health care to help provide more comprehensive health care.

So the hard copy still exists.

In general, we are talking about subpoenas. We are talking about subpoenas against the hard copy record. We are not talking about the only record being in existence being automated.

MS. GROMMERS: The other system is the health systems management record. Mr. Davey.

MR. DAVEY: Could you comment about this automated -- could you comment on the size of the program, if one were to say multiply that by a factor of 10 or 100, do you see any problems in the systems standpoint? What would be your cost implication in this respect?

DR. GARRATT: At this time, our estimates in term of cost -- not talking about development cost -- talking about operating cost of this system, we can move it to Phoenix and service units probably are going to run about $10 per patient per year.

Of course, to get a full range of computer support, you will have additional purchases onto processing forms and so on. It may well be that this is -- my guess is that it would be -- there's going to be more, at this
time, as we get larger and larger, we will utilize larger
and larger computerized systems. This may go up to $50
a month. We don't really know. We don't have hard data
to operate on. There is nothing about the size and number
of patients that is going to impact the state of the art,
as far as being able to support --

MR. DAVEY: One supporting question I would
like to ask, and you had a comment.

DR. LEACH: In our servicing unit, I am in charge
of nursing, pharmacy, physical therapy for the patients
with amputations. Mr. Chadwick is in charge of me. In
the outside world, the pharmacist is his own operator. They
are all their own operators. That is where the difference
would be, not what about data once it comes in, not growing
from 10,000 to 500,000.

MR. DAVEY: I understand. I am interested from
the data point of view.

Another question, are there any provisions of
summarizing the data or deleting the data after a certain
time, or do you envision these records will be continually
added to?

You have got a three-year period now which there
isn't any problem. But 10 years from now --

DR. GARRATT: We are approaching it now. We
are at a point prior to six months of discussing various
alternate ways to reduce the size of the data, and we are not going to punch anything out of the files. We have got it on disk files. That's great.

As the records keep growing daily, we are talking about two service units, 30,000 people in the system. Obviously we have to start making decisions. We haven't really satisfied ourselves on what the better route is to go.

We could say that anyone who hasn't had any contact with the health system for the past three years goes off on the archive file. Take certain categories of all people and put them on an archive file.

We have got to do this activity without cutting the total base. To be honest, we haven't gotten an answer that is satisfactory to us. We will come up with something. We will reduce the size of the active file.

MS. GROMMERS: Of course, the hospital system that had the same kind of data, they will keep that data. A private physician may not, but the hospital certainly does.

MS. CROSS: I was going to ask this question about deletion, deleting anything, and I think you have answered that.

DR. GARRATT: What criteria you want to use, you have to define. But you have to got to come up with something that is going to produce a minimal impact across
that people want to use the system.

MS. GAYNOR: I was really interested in something. I think someone posed the question, and I suppose you answered it, about the Indian council. What kind of involvement were the Indians themselves involved in, really, with their health care, and also along with this, you told me over 65 percent of them speak no English. So I don't understand this. You keep repeating you have been involved with the Indians in setting up this kind of system, and I just didn't get this kind of understanding.

MR. CHADWICK: Our communication with the Indian people who do not speak English is through interpreters. The interpreter is one of the biggest elements of our program in communication.

DR. LEACH: Could I comment? Of the three of us, I am the one who does it.

Monday night or Tuesday night, I spent four hours at a place called Santa Rosa, well, asking the people what they thought. It is the same old game. I have got the resources and the authority, and they have got the problems, and we try to maximize and get along. But we don't always agree on everything, as I pointed out.

I do go out to one of these district councils that Mr. Chadwick referred to.

When I worked with the Navajo, everybody came;
mothers, the whole group was there, the little kids. Perhaps it is a little different, and it looks to me like it is a smaller group here with the Papago. It is more like the elected types of people there.

But the whole meeting was in Papago, and the longer it went, the louder it got. Finally they told me they wanted a doctor up there and soon. Soon.

I have to decide whether we can get one up there, but that type of activity does go on. I would hope everywhere it goes on, but the more it goes on, at least we understand the position and the less heated the debates get.

MS. GAYNOR: I think the system is beautiful, by the way, and you would know this information without the system, right?

DR. LEACH: I would know that people wanted doctors. I think maybe we are talking as a group of very sophisticated people, and you can have the boss out there saying that you can lay it on him, and that helps now and then, if I do something about some of these things they want. That helps.

MS. GAYNOR: I understand that. I was just posing a question. You, probably being the person you are, would have gone anyhow. You mentioned before that you were the manager, in a sense, and I want to know, do you really feel you are getting too much information out of the
system? Because I know managers today in many instances
are with the use of programs and everything, you know, they
are trying to tell you you need all of this information,
and you really don't need it all to manage it as frequently
as many times as they want to give it to you. I just want
to ask you how do you feel about this type of problem with
too much information which you really can't utilize?

DR. LEACH: I think it exists. I don't think
there is any question about that. I have a very specific
problem that we are working on, and that is there are a
certain group of people on my staff who want to keep both
systems going.

Xerox is doing pretty good by us, copying the
manual system where the automatic ought to be doing it
for them. I have got to resolve it, either go with the
automatic or the surveillance, or everybody gets a copy
of the manual. It is not an unsurmountable problem.

The only thing I don't like as a manager is,
he can tell me everything I am doing wrong, but haven't
seen him tell me what I am doing right.

MS. GAYNOR: That's another story. I will talk
to you about that afterwards.

The other thing, too, in your information system
where you have the responsibility of your human resources
in relationship to medical personnel and retraining and
things like that, they come to you in a sense already
molded with their whole concepts of episodic care and treating each little area or parts of the system.

How long does it take you to really retrain them to think in relationship to comprehensive health care, and by the end of that, I guess they are gone?

So it is a constant kind of thing with you, is it not?

DR. LEACH: If I understand what you are saying, how long will it take people -- how long will it take for them to accept you? It takes a long, long, long time, in all honesty. How long did it take the American people to quit smoking? It takes a long, long, time.

MS. GAYNOR: I haven't quit yet.

DR. LEACH: No. It is the same premise. It is changing behaviors and it is taking a long time.

DR. GARRATT: I think this whole change is reflected in medical schools, probably in large part to Larry Weed, and we are beginning to focus and continental health care is being taught in more and more medical schools, and I think more and more young people are coming out like Rice. They are not coming out as the specialist who wants the office on the 27th floor in the big building in Chicago. But they are concerned about the community and family health, and this kind of thing. I think there is a move afoot in the entire medical profession to exhibit
more and more interest in these areas. I am personally very enthused about this.

MS. GROMMERS: Miss Noreen.

MS. NOREEN: Yes. I have just one question. In the book you gave us about the health information system, it listed or reflected information about educational-vocational aspects of the person's staff.

DR. GARRATT: When we first built the data base, we did something that I had to do over -- great hindsight. We started out and used a census that had been conducted by the Indian Health Service of all the off-and-on reservation Papagos. Since part of this, we have collected educational, economic, various categories of social data as part of this. It was available. It got loaded into the data banks. It is still there, this big amount of information.

I have been, for many years, telling the system that we have got this set of data. It is getting outdated right now. It is not much use any more, but if you can come up with a rational subset of this that is really useful to you in the delivery of health care, in the monitoring and planning of health care, we will develop the mechanism to collect and store and update this type of data. We haven't gotten to that point yet.

Part of this is coming up in the high risk
program. We are talking about these kinds of facts involved in environment, socio-economic things. That may well be indicators in saying this segment of the population is a high risk. The guy living in the house without running water, six of them sleeping in the same bedroom, is the greater risk of esoteric disease.

MS. GROMMERS: At the moment, you are not collecting it?

DR. GARRATT: At the moment, no.

MS. GROMMERS: Miss Noreen, do you want to follow up on your question there?

MS. NOREEN: Well, I was curious as to how that type of data would help with health care.

MS. GROMMERS: I would like to have a moment to talk about a high risk program. Let me come back to that.

MR. WEIZENBAUM: Could I make a 10-second comment on that?

Here, a system person knows that there was no use for this information. It is supposed to store it and still can't get it.

MS. GROMMERS: As I understand, it was collected at one point.

MR. WEIZENBAUM: I understand it has no function in this --

MS. GROMMERS: That's not quite clear.
MR. WEIZENBAUM: It has no function because it happened to be out of form.

MS. GROMMERS: No. They had a discussion on what that form is, and I would like for them to present that at the high risk portion.

MR. WEIZENBAUM: I understand this, but this is after the fact and, in effect, accidentally. He wouldn't have collected it if it hadn't been on the census form.

MS. GROMMERS: Let me go to Mr. Gallati.

MR. WEIZENBAUM: Talking about the irreversibility of large systems of this kind, even when they recognize it and --

MR. GALLATI: I would like to pick up on a point that Mr. Impara was beginning to probe. It is my understanding that you have a real problem of identifying individuals that need a lot of data to identify them, and you are thinking now of going to some kind of a numerical identifier that would be unique.

I am very much concerned, number one, with this problem. First of all, how do you anticipate that it will be any better than the Social Security number?

Number two. Have you ever given any thought of thumbprinting or uniquely identifying something a person can carry with him without any burden to himself? For example, his thumbprint.
DR. GARRATT: Yes. We have thought about this, and there have been thoughts of using like disks with the Navajos, like the Navajos, where you can get the better service. You can get better service. It turned out to be a necklace and charm. He didn't have one and he said I'd better have one of these.

MS. GROMMERS: I wonder how the Social Security works in San Carlos.

DR. GARRATT: At the present time, we've got 15 to 30 percent of the Social Security numbers. We cannot assign them and identify --

MS. GROMMERS: I mean, if I tried my disk with the census number in Monte Carlo, I wonder if I'd be gambling.

MS. LANPHERE: Well, my question has to do with the high risk program and the thought of team approach that you have. You do mention social workers, so my answer would probably come out there.

MS. GROMMERS: Why don't you ask your question and then get the answer?

MS. LANPHERE: Okay. During your presentation, you mentioned that you do have medical social workers, mental and health workers and all these disciplines that are active and they have their -- each has their own system and does their own little thing. I was wondering if this
really breaks down into two points. What is their input? Obviously not into the computer system since it is the health management and it is not social facts at this time, since the beginning. I understand it hasn't been kept up to date.

DR. GARRATT: Not quite true.

MS. LANPHERE: I was going to say this must be in your card folder narrative back-up.

DR. GARRATT: There are critical data in all these areas. The problem lies in access, manipulating the problem. The one access is all members of the team have access including statistical reporting, public health nurses. We are working on complete reporting systems for other disciplines, but all systems at the present time have the ability to put input into the health care record.

The problem is they are not only medical. They are social, economic, environmental, any problems that you feel are relative to the health care of the patient. We encourage everyone at their level. It is the vehicle of communication, communicating to the health care to other members in the health care field. There is no limit. We do not modify. They have got the ability and they enter these, and if there's environmental problems and they feel that this is the problem, it is nonstructured.

MS. GROMMERS: Let me say here that we have a
terrible schedule this afternoon because we have a visitor
who is leaving on a plane, and we have to finish lunch, and
I want to get a few more questions to you, so I would like
to ask if you would give us a quick answer.

Professor Miller.

MR. MILLER: I had a question about 45 minutes
ago, but Pat was giving me another question, so I might as
well use that.

What you have just said indicates that there is
a spectrum of people who had input and output capability
on this system that goes far beyond the doctor.

DR. GARRATT: Yes.

MR. MILLER: There is much broader access to the
system, as I originally thought, as I heard this system
described.

Now, let me just make a comment, not a question,
because I don't think any of you gentlemen are in a position
to answer the question that underlies the comment. But I
think it is worth your possibly thinking about it on the
plane back to Rocky Mountain time.

You people are in a curious position. You are
taking federal money to produce a health delivery system
on an Indian reservation which is federal land, which is
located within a state.

Legally, to pick up a point made by Stan, legally
there are all sorts of organizations that could present you with a subpoena for one purpose or another to get at some of that data. It doesn't have to be a court. It could be an investigative agency either in a law enforcement field, or more probably in the administration welfare field, given the context in which you people work.

If there is an area of the law that is hopelessly confused, it is the area of an administrative subpoena, and I really wonder whether the general counsel's office in the Bureau of Indian Affairs has thought through all of the potential legal clashes that could occur by developing a federally sponsored information system generating new and more detailed data about Indians, without also putting on rules regarding the confidentiality of those federally created records to protect them against potential official misuse of the subpoena power, either at the federal, state or local level, period.

MS. GROMMERS: Mr. Muchmore, do you --

MR. MUCHMORE: The first thing I would like to do is what he did on the other side of the table, and I admire your dedication and system. I admire most of all the fact that you are not well aware, not because you were born in advance --

(Laughter.)

-- but it appears from the very beginning evident
in your nature that confidentiality of the records is an important factor as far as your work is concerned.

I was curious when someone said access to the computer, and someone said you only have one computer, one concern using the computer. What computer do you use, and who has access to it if it is not you?

DR. GARRATT: The computer is provided to us under contract with Dull Airspace in Tucson, Arizona. It is a CDC 31 computer 81K4 -- communications regalia and all that.

MR. MUCHMORE: You have exclusive use?

DR. GARRETT: Yes, but not necessarily for a long time. We shared it with other time code modes and communication electronics area frequencies, war game, and all this. The real problem came in reverse order. Everything they did was classified, secret, top secret, and they had a real time with the sequence system. They had it classified. You can't have any computer device in classified data.

We now have a 13 hour, seven day a week service. We have those people that can use in parallel to other people with our operations. They do it effectively now and we are the sole users of the system.

MS. GROMMERS: Mrs. Silver.

MS. SILVER: I would like to ask Dr. Leach, when you mentioned that kind of is on your own, I gathered that
it is your own idea to delete names and addresses from a lot of records which can be used for statistical data or what-not where needed. Is this now sort of assured? They mentioned that people in this program are like there for two years, and I don't know how long they have been there or how long they will be there. But is there any assurance that the successor will function in the same function you are, or is it in the rules, or is it --

DR. LEACH: Yes, it will be.

MR. CHADWICK: They are in the role, but this is the way you provide it --

MR. MARTIN: I think the question was addressed to Dr. Leach.

DR. LEACH: Two comments. I am not the only one who thought about leaving names off. People thought about it for a long time. I think I was the first to write to Dr. Garratt saying let's slow it down, using it as a service.

One would like to think all doctors are sensitive. I am sensitive because I have a serious medical record, and I do not feel the world has any business of knowing about it if I don't want it to know about it. I also write prescriptions of sleeping pills for people who can't go to sleep because I had an experience with a patient where -- I am in one way unique. I am a doctor and I am a survivor. I am a patient. I am a career doctor with the Public Health
Service. I am not a two-year guy.

One would like to think all doctors would be sensitive to these things. I am sure most doctors would like to be sensitive to these most of the time. But, most of us are not sensitive most of the time, but we try to be. I think our doctors are tuned to the fact that this is private information. That's the way I feel.

MS. GROMMERS: Mr. Chadwick, did you want to comment?

MR. CHADWICK: My comment was going to be that we are instituting this in the system, that this provision will be made, yes.

MS. GROMMERS: Professor Weizenbaum.

MR. WEIZENBAUM: I have so many questions and comments. I'm sorry I can only ask one.

I will ask an extremely short one. I will just ask your guess. You probably don't know. I will ask you a guess as to how many girls were born in the Sells outpatient area in December 1st, 1969, of the Papago Indians.

DR. LEACH: We have about 150 babies born that year, and one in four chances is that a girl was born that date.

MR. WEIZENBAUM: There was one?

DR. LEACH: All right. Let me go back. There was one. There might be 10. But the odds are there was one
in four born during that date. I think if you want to know, you can find out who it was from what is published there (indicating document).

MR. WEIZENBAUM: I think this is unique, after giving the birth and sex and all in the small population, you have the question of statistical confidentiality which becomes enormously important, and I cannot imagine that you can possibly maintain, if you give this much information, or even a quarter of this much information, that you can maintain -- I am sure you can identify this individual uniquely on this piece of paper.

MS. GROMMERS: Mrs. Hardaway, do you have a question?

MS. HARDAWAY: No.

DR. LEACH: Does it say she is Indian? I'm serious.

MR. WEIZENBAUM: One can infer that.

DR. LEACH: Because we get people that are non-Indians moving through.

MR. WEIZENBAUM: I'm sure under the probability that this individual is .95 --

DR. GARRATT: There was one change since we made this report, a particularly notarized printout which gives the month and date and year of the birth, so the only data is sex and year of birth.
MR. WEIZENBAUM: That is not the film you showed, though.

DR. GARRATT: No. You can see the device there (indicating computer in the rear).

MS. GROMMERS: I want to thank you very much. During lunch, you may share your comments concerning the computer because it is in the back of the room there, and Mr. Mason has got the computer attached to Tucson, and you can have the opportunity of seeing the computer in action as if it were in your private office, if you were a member of the health care team of Tucson, I presume. I do not want to speak for you, but I presume you are making this demonstration available to us because of our interest in the subject, and that this would not be a demonstration available to anyone who wished to see it. Is that correct?

Can anyone see the computer printout, this data, or --

MR. CHADWICK: Yes.

MS. GROMMERS: Anyone can?

MR. CHADWICK: As it would be in our context, in our ability to perform the numbers and use of the data.

MS. GROMMERS: In other words, you can bring this into the office of GE, for example, and GE management? I am thinking of the confidentiality question of this.

DR. GARRATT: I mean, we wouldn't. We have our
own controls, but within government groups and concerned people, we know the involvement of concerned people and what we are doing is making it widely available as possible. We are not promoting the --

MR. WARE: Does the tribal council know about that little facet you have there?

DR. GARRATT: I don't really know.

MR. WARE: Well, seriously, it would seem to me that if you wanted to do that, you could have gotten a toy data and not a real one there.

DR. GARRATT: But if you are really talking about how the data system works, the first thing you can do is shoot down your dummy data.

MR. GALLATTI: Not that way. You can't.

DR. GARRATT: Maybe I am unique in thinking a dummy data means not anything to run it. I can put all that stuff of terminals to run and this is a real time computer that --

MR. WARE: We didn't mean phony of the system. We mean a toy data basis.

MS. LANPHERE: A toy.

MR. WARE: This gives rise to a lawsuit, and you should have a certain amount of protection for yourself.

MS. GROMMERS: All right. This is a non-data base.
Now, we must all be back here at 2:00 o'clock.

Are you gentlemen joining us for lunch?

MR. CHADWICK: No. We have another session within half an hour or within the hour. I also want to express our appreciation for being here and tell you it is a pleasure for being with you.

(Whereupon, at 1:15 p.m., the conference was recessed, to be reconvened at 2:00 p.m., this same date.)

* * *
MS. GROMMERS: May we have the meeting come to order. We are waiting for the distinguished Assemblyman from California.

MR. BAGLEY: Well, the reason I called this meeting together --

(Laughter.)

MS. GROMMERS: This afternoon, we are going to start with the presentation by Mr. Wilkerson, Vice President for Data Services, who is going to present to us the Airline Systems of Trans World Airlines, and I believe it is going to be the International --

MR. WILKERSON: It is the reservations for both domestic and international.

MS. GROMMERS: It has come to our attention, to the committee members, that there are data systems that are not stopping at national borders, which I think you have in your folders, the yellow Telecommunications booklet, which is a copy of the proceedings from the meeting in Canada at which Mr. Ware was present. I do not think any of you others were there. You will hear more about it in the second presentation this afternoon.

We thought we would give you the benefit of an insight as to what is going on in the worldwide automated
data systems. Therefore, we have asked Mr. Wilkerson to come.

MR. WILKERSON: Thank you. I will go through the small card of questions that was given to me about some of the particulars of my role and within Trans World Airlines.

I am F. M. Wilkerson, the Vice President for Data Services. Essentially, my organization is one which is responsible for all systems development, all operations in computer systems within Trans World Airlines, and to some extent in the area of manual world systems, data systems, although within TWA, we have a set which is responsible for industrial engineering. We have some fragmentation, small groups that are responsible for small systems within individual departments.

So there is some fragmentation, but essentially, we are highly organized in every department.

Our staff groups, marketing groups, corporate groups, industrial engineering and systems and central data groups are also highly centralized groups.

I report to Fred Meyer, senior vice president of finance, who, in turn, reports to Tillinghast, Chairman of the Board.

We have an absolutely different organizational structure in the airlines, and the president of the airlines is the chief operating officer, does not have reporting to
him the financial group under Mr. Meyer.

MR. MEYER: Has three basic functions:

System Data Services, the Controller's Department, the Treasurer's Department.

I should have said four, and another group, which is germane to this group; that is, Audit Security, those people responsible for developing procedures within the airline and to be sure that those procedures are enforced in the overall airline security.

Specifically, they have been very busy in recent months. The entire problem of aircraft security, passenger security, hijackings, attempted hijackings, and threats of bombings.

So essentially, that gives you some idea of where I could end that structure. When asked to talk to you about airlines, this is our airline reservation system.

I will try to keep this fairly brief because I know the interest of the committee is in a specific area.

I thought it might be helpful to give you some background on airline reservations in general and systems used by TWA.

Airline systems are essentially a real time system. They evolve from military systems, but I think perhaps they are the first non-military major real time application being used in private industry.
Initially, SAGE was the beginning of the system that eventually evolved into SABRE, which was a system developed by IBM Corporation, installed in American Airlines. That initial system, with a lot of improvements, of course, was running as American Airlines until just very recently.

They now have converted that reservation system to a newer reservation system, but there are still some of those systems in operation. American Airlines developed some systems called PANAMAC. The PANAMAC system is still running today, to my knowledge. There is no major effort to change that right now. It probably will be changed, but it is not planned to be changed within any particular date.

The SABRE system was started in the early 50's. It was actually put into operation in December of 1953.

PANAMAC and DELTAMATIC were started in 1959.

DELTAMATIC is a system similar to PANAMAC for Delta Air Air Lines, and it came into operation around 1965.

At the same time, the IBM Corporation looked upon this with their marketing eyes and said there must be some area to expand this market. So they attempted to develop a common reservation system that they called Program Airlines Reservation System. The acronym, for data processing, is called PARS, p-a-r-s. PARS was developed. It was first installed in Continental Air Lines in May of 1968, and, essentially what happened was that all the air lines in the
IBM Corporation put together the collective knowledge and the experience they had gained through those earlier efforts into a system that could be economically justified in an air line to serve the basic function.

Most of the air line reservations systems in existence today are what we called PARS based systems. The reason I say PARS based is we often refer to the IBM system available as MALINABARS. There are a number of heavily modified versions of that, though, available.

Eastern Air Lines made some very major changes through that software package, and since then, have been trying to market it and have been very effective.

Trans World Airlines purchased Eastern's heavily modified PARS base system and they refer to it as System I. The same system was purchased by United Air Lines and has been installed there and is now operating.

The same system is being used at American Airlines basically, the package as modified by Eastern.

The PARS based system is used internationally by many of the foreign carriers and is generally used as a system, that is to say, there are not other reservations in existence. There are those developed by UNIVAC and other computer manufacturers, but the great majority of the systems are being used today as part of the base system. The system itself is a specialized tool, specialized in the sense that it serves
the industry. It is primarily a service oriented system and it is to help us in our daily operations in running an airline and serving the public, both domestically and internationally.

The system itself, there are a number of application packages, some 1200 programs, actually, in most PAR systems, and those many modules are put together in a time system, and it is put together in this time system, and I think the slides will give you an idea of what a reservation system is.

(Slide.)

Most of you have had some contact with it when you picked up the phone and called the airline, whether Eastern or TWA or whatever, so you have had some experience with them.

But to see the very basic functions they perform, one of which is industry controlling, seating inventory, -- now, the airlines have thousands of seats every day in planes that depart from one point every day and go to another, and those seats are a very perishable product. That is, the moment an airplane closes its doors and departs with those seats empty, if those seats are empty, that product is perishable, so to speak. It can never be recovered.

So industry control is a very important function
of all airline reservations, to insure that those seats, if at all possible, are sold and filled with passengers.

So that is a basic business objective.

It is also to supply the need of passengers, particularly business traffic, who travel and want to be at a particular place at a particular time and feel they must have an airline who will commit a seat on a given time, so time gets into schedules -- which I won't address today, -- but schedules are an important order for most passengers as to when they are going to leave and arrive.

In addition to the inventory control function, the other major function in all these systems is maintaining passenger name records. Essentially what I mean by that, is knowing the passenger, the flight that he wants to travel on, the time, any additional services he may have requested, such as hotel reservation, car reservation, any special service in the way of special meals, wheelchairs, stretchers, anything that the passenger needs that is unusual. It is a departure from the norm.

The system is capable of collecting that data, storing it and immediately making it available to people across our systems.

If I may, let me go through these slides and I will try to do this fairly quickly.

(Slide.)
Some of this will be general knowledge and I will not dwell on it. If you have got some questions that you would like to ask, please raise them later. This is not intended to be a formal presentation as such, but I hope to attempt to convey to you the concept of the system.

As I said earlier, PARS means Program Airlines Reservation System. It is a type of reservation system. Many airlines have developed names such as APOLLO, Eastern Air Systems I. We just call ourselves TWA Reservation System.

The need for systems occurred because, in the airline industry, the growth of the passenger traffic has been most phenomenal over the years and is steadily increasing in number of passengers 10 to 15 percent. That means we have more people to handle, more people seeking seats on the airplanes, and we have a particular job in trying to utilize that resource to its ultimate to achieve a fair rate of profit on the investment that the stockholders have in Trans World Airlines, and --

MS. GROMMERS: Mr. Wilkerson, may I interject.

We have to break at about 3:00. Basically what we would like to know is what is in your system, and then have a chance to ask you questions about it.

MR. WILKERSON: All right. Let me go on to a couple of these slides which will get specifically into that information. I will bypass others.
These slides were intended just in passing to show the old manual system, if you recall, where the information that was required was written down actually on cards and the individual agents working on those cards would record the information as fast as they could to a back area where it was filed.

MR. BAGLEY: They look like happy people.

MR. WILKERSON: Not always happy people.

In the old system, changes were made, methods where you had to go into the back rooms, cancel one reservation and prepare another. The information recorded in those systems and the new systems are all very similar.

One of those data elements was the passenger's name. Now, the old systems were a problem because there were misunderstandings, misspellings of what the customer's name was. We use teletype as forms of communication, passing that data from customers to our systems to TWA, eventually advising the passenger that it was confirmed.

With larger aircraft, more data, the problem became complex, and with that was the advent of large centralized computer systems with data banks storing all of the information relative to that passenger.

The functions, as I mentioned, the primary
functions were inventory and passenger name records, and
with the system now, you see some of the data that is
actually collected, such as the time the passenger called the
office. We are able to do this within the system.

(Slide.)

The basic data are the flight schedules, and in
this case, you see a CRT display, where a customer is
expected to fly, and you have four best flights starting on
the left, where you have your line numbers. The flight
number here is, I believe, 249F3, and it says C-1 available.
Then an itinerary of the time: Boston, Los Angeles, et
cetera. Once the passenger indicates what flight he wants,
that is the first indicated data, passenger data record,
which is the flight itself.

(Slide.)

We ask our passengers a series of questions that
are essentially recorded in his reservation, this is towards
establishing contact with him in the event that we need to
change that reservation or in the event he or she calls and
wishes to make a change of some type or perhaps even cancel
the flight.

The first one is the customer's name and,
normally, the first initial.

The next thing we ask for, in addition to that,
is a telephone number, which is the third item. It indicates
a local telephone number.

The H following the telephone number indicates it
is home. If there were a B, it would indicate a business
phone, or any other address he may give us, any other telephone
number he might give you in the way of hotel, et cetera.

The next number is prefaced by an 8 on the left-
hand side, and it is a function code. It refers to his
ticketing arrangements, and in this case, it says "Bypass
ticketing arrangements."

Normally, it would require that our reservation
offices determine that the passenger has picked up his
ticket. If not, when he will pick it up, if he would like the
ticket to be mailed to him or perhaps pick it up at the travel
office, whatever.

The last function you see indicates the source of
the reservation. The passenger himself called and placed the
reservation. We would also indicate if it was made by a
travel agent, by his secretary, by a person in his business
office or whatever the case may be.

Those are the five basic things we pick up on all
reservations. The itinerary, the name, the phone number, the
ticketing arrangements, and who placed the reservation.

(Slide.)

In addition to that, the reservation agent, identified
by a unique code as to who made the reservation, is also recorded
and we can trace back the agent that initially placed that on a historical basis.

Now, the balance of these slides are that kind of information that is supplied. That same information goes in, not only to the central system, but they may go to other airlines. I will bypass these slides because, there again, they are intended to demonstrate some of the functional capabilities that might deal with some of the questions you have raised.

In this particular case, there are two telephone numbers. There are no limitations in the systems where telephones can be put in. In the case of extending itineraries to other airlines, we pass that same information on to other carriers. If that itinerary involves travel on another airline, we send a message to that other airline, confirming the space and also sending them a copy of the same information that we have in our system, which, essentially, means the name, telephone number, contact:

MS. GROMMERS: How do you send them that?

MR. WILKERSON: Today, all of the information is conveyed by teletype communications lines. It is an automatic message sent by the carrier who made the reservation. In most cases, it goes through a switching center that is owned by the airline industry, called Air, Inc. That switching computer transfers that data from TWA's system, for
example, to United's system.

Normally, technically, it does go through technical switching, through United, and from there into their reservation system. Some of the airlines are experimenting with what is called a medium speed link. There are no medium speed links between carriers. We are not able to justify that economically.

MS. GROMMERS: What is that? Medium speed link?

MR. WILKERSON: Medium speed link, contrasting that with a teletype, which is a faster data communications.

MS. GROMMERS: Is that a CRT or what?

MR. WILKERSON: No. It is just a line, a quality of line service offered by AT&T, for example, Western Union, and others over teletype services.

The primary difference is speed and cost and quality.

MS. GROMMERS: It is a different set of hardware?

MR. WILKERSON: No. It is a similar set of hardware in most cases, once you get into the telephone company's network. But in our system, if I want to go from the reservation system, which normally requires medium speed links, or you could call them high quality lines, into a teletype circuit, I have to go through -- and perhaps this is your question -- I have to go through another system, which interfaces that medium speed system with the low speed
teletype system.

   So I would actually go through a message switching
type computer.

   TWA has their own message speed computer, which is
a low computer, as against a large or medium speed system.

   These are just more slides to demonstrate the
confirmation between airlines.

   (Slides.)

   In terms of the system itself, obviously, our
objective is, one, to supply service, and, secondly, to
provide data cost that will prevent our cost escalating
beyond the revenues received from the customers and to
provide all airlines to make a profit themselves.

   I won't go into all the other slides. Perhaps
they demonstrate points you are not interested in.

   Let me comment briefly on the other data that you
might be interested in since that is the question you
raised.

   (Slide.)

   In addition to the name, we normally will not
have a passenger's address; if, however, the passenger asks
us to mail a ticket to their business address or home, we
will pick up the information you saw there, the passenger's
address, et cetera.

   That does not happen in a high percentage of
cases with the services provided.

So some of the records in the reservation system will also contain the passenger's address, generally speaking, aside from meal requests, special handling requests, such as wheelchairs. There is no highly sensitive data in passenger reservation systems that --

MR. WARE: Size of party?

MR. WILKERSON: Size of party? There may be multiple names which indicate the reservation was made under one name for a party of five and will indicate the names of the five.

MR. DE WEESE: Do you think that --

MS. GROMMERS: I would like the questioning to come to the chair. I would like to have him finish and then we will go around for questions.

MR. WILKERSON: All I was going to say is it depends on the point of view. Obviously, I would not want -- and we recognize as a company that people do not want their travel plans disclosed to someone who really has no business knowing that. We are sensitive to that. We have policies and procedures which prohibit our employees from giving reservation information to someone other than the passenger or someone he authorizes to give that information to.

If you were to call TWA and ask if a friend of yours was arriving on a flight into Washington, our
reservation agents have been instructed to tell you they are sorry, they cannot give you that information. Well, if you give them the flight number, they will tell you the time of arrival. But they will not tell you if your friend or relative is on that flight.

We apply that same policy to persons who inquire about planned trips. We do not give out that information to someone, provided that they would convince us that you were the passenger, in fact, and subject to fraud, subject to that as anyone else is.

MS. GROMMERS: Would you like to answer some questions?

MR. WILKERSON: Yes.

MS. GROMMERS: Mrs. Silver.

MS. SILVER: This may not be so, but I have heard that airlines may have or have kept complete travel pictures of people. For instance, like this committee, who does a lot of traveling, and is there somewhere a record being kept of what exactly a person's travel data, or what is kept or is it a possibility that --

MR. WILKERSON: In response to your question, first of all, when you have completed the last segment of travel on a booked reservation, the system automatically deletes that reservation system. We do not know whether you have traveled or not. The system does not verify, in fact,
that a person who made a reservation was on that flight.

But if you had made a reservation leaving on the 17th of August and returning on the 31st, on the evening of the 31st, that record would automatically be punched from the system. That record goes into a history file which we put on microfilm and we retain that currently for one year.

Now, by law, and someone raised the question -- am I right? -- as to law enforcement agencies requiring that, the answer is no. It is required of the Civil Aeronautics Board to keep those records for 60 days. We however keep them much longer than that primarily for insurance purposes, accident purposes, that type of thing.

Now, if we were contacted by a law enforcement agency or if the records were subpoenaed by them, obviously, we would give them those records. But if we were contacted by a law enforcement agency, we would just automatically not give them anything. In fact, we do not permit agencies to take information from our offices.

We would, if they were properly identified, say, a subpoena, and we knew that they were a representative of an authorized group, we would permit them to look at those records. We do not permit them to make copies or take records of those without a subpoena. That is one place where history is kept, but on an individual basis.

I think your question is, do we ever summarize
that data and statistically try to determine if you are a frequent traveler? The answer is yes. The data on the reservation system is processed on a monthly basis, and based on the telephone numbers given, we attempt to identify frequent travelers. That identification is primarily for the purpose of identifying those persons who frequently use our airline and who would be interested in knowing the various services that we offer and we do send to them material regarding changes.

For example, frequent travelers often receive mailed directly to their home a current schedule timetable or might receive mailing regarding new service in cities where they normally travel. We look upon that as purely an extension of the services initially requested by the passenger to keep them advised of changes in schedules and services offered in that area.

MS. GROMMERS: I have to tell you all that we have to start the Canadian presentation at 3:00, which is 25 minutes from now, so we are going to have to go through very quick questions and all quick answers.

MR. MUCHMORE: Instead of asking these various questions, we should ask questions related to the subject that is of interest to the committee assignment, which is directly related to the automated banks and the confidentiality thereof. I felt that in the past we had gotten off the
subject.

I would like to ask the question on invasion of privacy. In the state college or university system in certain states, it says you must establish residency within a one-year period if you are going to qualify, and you qualify for one year, you establish that residency and you do not have to pay out of state tuition for one year. One of the things that they tell their people who they are attempting to qualify is that if they leave the state during the course of this year, you therefore break that establishment of residency, and one of the other things that they have on their form, which they use, is a statement to the effect that you cannot take airplane tickets because airplane information is available to us by checking your name against the airlines.

Now, is that a very valid statement? Can a university, state college system require that information from you?

MR. WILKERSON: No, not --

MR. MUCHMORE: There is no way possible for them to supply that information, for you to supply that information to them?

MR. WILKERSON: It is possible for you to, but --

MR. MUCHMORE: But you do not?

MR. WILKERSON: As a matter of policy, we do not.
MR. MUCHMORE: Secondly, can you break your confidentiality by the use of another airline which taps into your computer?

MR. WILKERSON: No. Airline reservation systems are not interacting with other airline systems. The only thing that we can acquire from any system is, "Do I have space on a given flight?"

They do not go directly into access by passenger name records as such.

MR. MUCHMORE: Your name record is your own name record and is not supplied to another airline?

MR. WILKERSON: Yes.

MR. WARE: May I challenge that?

MR. WILKERSON: Let me be sure if I understand your question.

You are asking, can they come into my system? The answer is no.

Do I ever go to them? The answer is yes.

MR. WARE: The answer is yes.

MR. MUCHMORE: Because you have to, but my point is that they acquire, through another airline, the identity of a passenger on a flight, and you are saying "No," for that purpose. For the purpose of making a reservation, it is made available obviously and that would be with your consent or you would have to do it in --
MR. WILKERSON: I have to explain the other airlines and about this information.

MS. GROMMERS: Well, go on, Professor Miller. I am afraid we have time for one quick question.

MR. MILLER: There was a little ambiguity of what you said a couple minutes ago and what is in this letter from the transition of the passenger name record and on-line file recorded on microfilm for reference by law enforcement agencies. I gather from what you said a couple minutes ago that if a law enforcement agent comes into the system, physically, and says, "I would like to know Jones' travel plan for the last six months, I just want to look at it, I don't want to carry it away," you will let him look at it?

MR. WILKERSON: I can just answer that question by saying yes, once he has been properly identified.

MR. MILLER: But you do not require any form of a process from him?

MR. WILKERSON: No.

MR. MILLER: You don't require a subpoena, a summons, a court order, you just let him look at it?

MR. WILKERSON: That is right.

MR. MILLER: How do you define law enforcement agency?

MR. WILKERSON: FBI; local police enforcement agencies. Those are the ones that have ever contacted us
about that type of information.

MR. MILLER: But you make no inquiry as to the nature of the investigation?

Because in picking up Don's question, it seems to me to be rather strange that the college can say they can do something when they can't. It may very well be checks are made on the residences through a law enforcement agency acting on behalf of the college.

MR. WILKERSON: It could be. Not to our knowledge, but it could be.

MR. DE WEESE: How about campus police?

MR. WILKERSON: I think in response to your question, campus police would never contact us.

MR. MILLER: The campus police has a connection to the state police, local police, and that is how undoubtedly it goes. But you only require a court order or subpoena or document carrying the weight of --

MR. WILKERSON: That's right.

MR. MILLER: -- a subpoena? An administrative subpoena doesn't necessarily have to be a court ordered subpoena.

MR. WILKERSON: I don't know. I am not a lawyer, so I really cannot answer your question.

MS. GROMMERS: Mrs. Lamphere.

MS. LAMphere: I pass.
MS. GROMMERS: Mr. Gallati.

MR. GALLATI: On the seating arrangements, on some planes, the stewardesses take your name and the location you are seated at. Do these filter into your computer?

MR. WILKERSON: They do not, yet. We have currently underway a designed effort for a so-called seat selection system, which would assign seats to individual passengers based on their request.

MR. GALLATI: So I might be sitting next to an organized crime figure sometime on a flight and a law enforcement agency might be looking into our flight and say that, as we were seated, Bob Gallati and Columbo were seated on the same plane.

MR. BAGLEY: I believe Columbo would be more concerned with you.

(Laughter.)

MR. MUCHMORE: With the current investigation in New York, I think you should be concerned.

MR. WILKERSON: Let us say that is not a function that had been designed, as to what that information could be obtained for. As to the intent of the position, it is to take air tickets and take people to seats. There is no information to retain that data as of now.

MR. GALLATI: Right now, is it possible for one
member of the agency to identify on files two people on the same plane?

MR. WILKERSON: Prior to the flight. Well, it really doesn't matter prior to or after. If the reservation was made --

MR. GALLATI: No. If you are getting reservations made in duplicate, but again, this Columbo-Gallati situation.

MR. WILKERSON: The list we give law enforcement agencies is that all we know is that two people by those names made those reservations. I cannot tell you that those two individuals were on that flight.

MR. GALLATI: But you can tell them that I presumably was on that flight, too.

MR. WILKERSON: I could tell you you booked space on that flight.

MR. GALLATI: I am worried, really. A high police official in New York said someone was going through these files and saw that police commissioner Patrick Murphy was on the same flight, too, to Las Vegas, and then Jack Anderson would have this in his personnel file.

(Laughter.)

MS. GROMMERS: I have to go on, but you have certainly made a very good point.

Mrs. Gaynor.

MS. GAYNOR: Bob has taken my question, so I pass.
MS. GROMMERS: Professor Weizenbaum.

MR. WEIZENBAUM: Thank you.

As you described your position within TWA, you are either on the second or third level of management, coming down from the top down.

MR. WILKERSON: Yes.

MR. WEIZENBAUM: So you are at very high management. Speaking for that level of management, I will ask you to speak for that level of management and say, do you have any feelings about asking passengers, your customers, for information which they assume is given for one purpose; namely, to get from wherever they want to go, and without giving them any hint that this might be so, making that potentially -- at least making that information available for a very, very different purpose as, for example, the police?

I would like to hear the management's attitude of that question.

MR. WILKERSON: Well, the management's attitude is the information the passenger gives us is because he wants service on an airline, and if he gives us that information many times and says he wants that service many times, we internally use that information only to provide service to that passenger based on his travel needs and our position policy is that all the information is used only for that purpose, to provide good service, and in keeping this passenger
informed about flights he feels are good service.

As far as law enforcement agencies are concerned, that is obviously not a part of our objective -- which is passenger service. We do that in cooperation with law enforcement agencies. However, we make it very clear that that is not evidenced, that the passenger did in fact fly on that plane.

MR. WEIZENBAUM: That was not my question. My question is -- let me say something by way of background.

One of the things we are sort of converging on after many, many meetings is that when people are asked for information, they ought to be told to the extent possible what that information would be used for and that after that point, that information ought not to be used for anything else without going back to the original informer.

Now, very nearly the highest level of management of a big corporation, TWA, is violating that principle. You are saying that you solicit information from the passenger for good and sufficient reason; namely, to provide him with service that he desires. But you allow yourself the option to use that information without informing the passenger that it may be used for purposes of which he has absolutely no knowledge and which may be detrimental to his interest, incidentally, and I would like to hear management's justifica-

MR. WILKERSON: Management's justification really is we believe, based on experience, when we have been contacted, we have two choices. We can cooperate with law enforcement agencies and assist them within the limits of the law, the existing law, or we can wait and ask them for a subpoena. In our experience, it has been that when we fail to provide that kind of information, a subpoena follows.

MS. GROMMERS: May I help out a minute here. You could also tell the passenger the other purpose for which his information might be used.

MR. WILKERSON: Yes. Would you suggest how we may convey that to him?

MR. GOLLATI: Yes. You can put that information on the ticket. You can put that information on your timetable, just as a warning for cigarettes, "Warning: Cigarette smoking may be hazardous to your health."

MR. WILKERSON: As the laws are, it is known that anybody is subject to legal process and is subject --

MR. WEIZENBAUM: See what I mean?

MR. WILKERSON: Well, is that unknown to individuals?

MR. WEIZENBAUM: You say that your experience is that if you fail to cooperate with the law agencies, then the subpoena follows. That suggests that you have many times refused and each time a subpoena followed.
MR. WILKERSON: In years past, that is my understanding, correct. I cannot give you factual information about that, but that is my understanding.

MR. WEIZENBAUM: Thank you.

MR. WILKERSON: I am concerned, though. Are you saying that people who are not aware that that is a normal process of law should be additionally informed?

MR. WEIZENBAUM: Indeed they should be, and I stress most energetically, yes.

MR. WILKERSON: I am curious of the committee's thinking. Do you see that as the law enforcement or government to educating them as to the laws of the land? The old axiom, "Ignorance of the law is no excuse," is that no longer?

MR. WEIZENBAUM: I think I could say why I believe we are converging as a committee. This is my personal perception. I have no authority to speak for the committee.

As I say, we appear to be converging to this commission, to the largest extent possible, that information solicited from an informant should not be used for any other purpose that the informant believed it should be used for --

MR. WILKERSON: I believe that.

MR. WEIZENBAUM: -- and without going back to the informant and asking that that information be used for that additional purpose. So there is an implied informed consent
on the part of the informant.

Now, when it is in fact your policy, your explicit policy to potentially give information to someone about whom the informant has no idea whatever, namely, police agencies, say the FBI, that is your explicit policy then, it seems to me that you ought to inform your original informant, the passenger, as to what purpose that information may be used.

MR. WILKERSON: I don't intend to be argumentative at all.

MR. WEIZENBAUM: I don't, either.

MR. WILKERSON: I will respect that. If those records were subpoenaed, we would advise the individual.

MR. WEIZENBAUM: Now, that is different. That is not a question of your policy then. Of course, everyone knows that, most everyone knows that there are all sorts of subpoena powers in the world. But this is a very different situation when you make this information as a matter of policy available to anyone who identifies himself as a legitimate law enforcement officer.

Anyway, my question seems to be unclear to you.

MS. GROMMERS: We had better move on here.

What I would like to know is, you people keep your records?

MR. DE WEESE: People don't know how long you keep the records.
MS. CROSS: You don't have the policy or capacity of furnishing the policy for two years, but what happens after a year?

MR. WILKERSON: I didn't say we had the policy of furnishing after a year.

I said we keep the records.

MS. CROSS: Well, a law enforcement agent could get information up to a year. What about two years?

MR. WILKERSON: We have no plans of doing that.

MS. CROSS: Do you destroy the file after one year?

MR. WILKERSON: Yes.

MS. CROSS: So that even frequent travelers are not listed over a period of two years? Only one year?

MR. WILKERSON: Frequent travelers, that is really quite a different issue. We maintain information on frequent travelers, that is, updated constantly, and that is on an ongoing file. It is part of another system.

MS. CROSS: Could you furnish frequent travelers' itineraries for a period of two years?

MR. WILKERSON: No.

MS. CROSS: You are just labelling them as frequent travelers?

MR. WILKERSON: Right.

MS. GROMMERS: Mr. Davey.
MR. DAVEY: I would be interested in knowing your retrieval techniques for finding the individual who has traveled to any extent, any name. Would that be sufficient, or do you need my telephone number or just what?

Because in most systems I know of, it goes out to someplace else, some place, but the problem of getting that information is really more trouble than worth --

MR. WILKERSON: Are you asking that in the context of the questions that were just asked?

MR. DAVEY: Yes. I am asking that in the sense of the frequent traveler or someone coming, "I would like to know where Gerald Davey traveled during the last year."

MR. WILKERSON: No. Let me tell you that if you know the flight and the date and say on this flight and this date, he was a passenger, or someone who had reason to know that within our own company said, did a passenger fly on this day, my records are organized by day and flight. They are not organized by name.

MR. DAVEY: That is what I wanted to know.

MR. WILKERSON: I cannot develop for you information by name. In the frequent traveler files, which is another file, and you asked me about a given name, I can find that name and I can tell you that this is a frequent traveler. But I cannot do anything about that itinerary, the specific flight numbers.
MR. DAVEY: That answers my question.

MS. GROMMERS: Senor Anglero.

MR. ANGLERO: Did your stock go down four and a half points because you were asked to testify here today?

(Laughter.)

MR. ANGLERO: I pass.

MR. MUCHMORE: I think you should explain that in view of the State of Ohio.

(Laughter.)

MS. GROMMERS: Mr. Dobbs.

MR. DOBBS: I think there is one comment that I would like to make, which I think the committee should keep in mind in this discussion, and that is that this is an example of a kind of a system that we have not seen before in the sense that we have been talking about systems before with linkage between data bases with the implication of the processing of software in each of the different places, which was different.

This is the first case of linking data bases between different airlines which, in fact, the processing of software looks very similar from the design point of view and, therefore, facilitates the process. I think it is only to point out that distinction.

In terms of the kind of policies that you have at your company, in terms of disclosure and privacy and so forth,
and in view of the fact that information is in fact transmitted back and forth between airlines, is there an industry standard which governs disclosure, et cetera, in view of information that is equal to yours, better than yours, or worse than yours?

MR. WILKERSON: Not to my knowledge.

MR. DOBBS: There is none?

MR. WILKERSON: There are industry standards for message transmission, but --

MR. DOBBS: So that in fact information which may get into your system, which you may control to whatever level of your satisfaction, need only the requirement that it be a two-leg flight in terms of the named information, and it is in someone else's system who may not afford it the same degree of protection, is that a fair statement?

MR. WILKERSON: I think that is a fair statement. It could be one way. United Air Lines could make reservations for TWA and that is all. They would not maintain it in their system, however.

I would like to comment on the first point you made. I am concerned of what you are saying in that you say it would be easy for one airline system to go into another airline system and access the data files.

The answer is no, it is not all easy because airline systems are not time sharing, interacting systems.
MR. DOBBS: No, that was not the point. The point is, the fact is that the implementation itself is so similar, facilitates the ability to expand and build a large set of linked data base systems. That fact, in itself --

MR. WILKERSON: Yes, it does, but the current heavy competitive situation between airlines will probably prohibit that.

A number of years ago, there was an attempt made to develop an industry based system called AJARS. It failed because the airlines would not agree to that base.

MS. GROMMERS: But you said they were linked.

You said the systems were linked.

MR. WILKERSON: We passed one system to another. That does not mean the data systems are linked.

MS. GROMMERS: Well, would you explain?

MR. WILKERSON: One place, an airline conveys information to another via communication line. It is no different from you talking on the telephone and conveying information. That does not mean, however, that the other airline will come in and indiscriminately begin to draw data out of that system, no more than I can pick up the telephone and read your mind.

MS. GROMMERS: You can read only on the option of the linkage system.

MR. WILKERSON: Certainly.
MS. GROMMERS: Mr. Ware.

MR. WARE: I am kind of interested in the user access terminals. There has been occasion when I have wheeled information out of those fellows. Now, I wasn't being malicious. I was looking for somebody. And I found him.

(Laughter.)

I gather from the way your write-up was related, that the terminal was restricted to one agent, but that does not seem to jibe with my impression with what I am supposed to do. I am a little confused, so if you would clarify what the restrictions are, when they are locked, unlocked, how much confidence does the system really have, that the guy who did something was in fact who he said he was?

MR. WILKERSON: Well, in the write-up, we attempted to convey to you that every agent has a unique code assigned to him, and only if he signs in with that code, will we permit him access to the system. He can sit down to any device within a given area. Now, we also have restricted devices to certain offices or locations.

So the two functions must be true. One, he must have a valid code. Secondly, he must be on a valid terminal, for a group of agents are set on the systems and the systems will check to see if those are imposed, to see that --

MR. WARE: A group, for example, like Los Angeles
terminal office?

MR. WILKERSON: Los Angeles reservation office.
Not necessarily the Los Angeles airport ticket office or
terminal.

MS. GROMMERS: Mr. DeWeese.

MR. DE WEESE: Yes.

When you find out who are the frequent travelers
on your airline, you must have a program which scans the
flights and the departures and the flight numbers to get the
names drawn out from that file. How do you identify the
people by an unnamed basis?

MR. WILKERSON: Frequent travelers are identified
by telephone contact that you saw on the slides.

MR. DE WEESE: Well, then, you scan all the
flights to pull out the telephone numbers? You have some
device?

MR. WILKERSON: Yes, we have a telephone number in
that case. There are other ways frequent travelers are
identified.

MR. DE WEESE: If the FBI came to you and said,
"We want a complete file on where a person phoned in the
year," presumably you can pull out a -- let's say they had a
common telephone number for an individual.

Well, you could do that, couldn't you, physically?

MR. WILKERSON: First of all, that data is used,
the phone number, one day before he travels.

MR. DE WEESE: How do you do it after he travels?

MR. WILKERSON: We take the magnetic tape off this system and process it, and those tapes are essentially destroyed and the itinerary is not kept. It is not retained. Only the fact that he was a frequent traveler. We do not keep the itineraries.

MR. DE WEESE: The other question I have is, to your frequent travelers, do you mail them out credit cards or applications or brochures or anything of that type?

MR. WILKERSON: I can't specifically answer that. Yes, we mail frequent travelers information about the airline, about the services the airline offers, and that is one of the services we offer.

MR. DE WEESE: Does this include credit cards?

MR. WILKERSON: Personal credit cards?

MR. DE WEESE: Yes.

MR. WILKERSON: I can specifically answer your question if you said what it was, I could --

MR. WEIZENBAUM: I am on your list.

Occasionally, you mail an application for a credit card and --

MR. WILKERSON: No, no, no. Not a credit card. We do not mail anyone a credit card unless they have specifically requested it and we have a signed application
in our file.

MS. GROMMERS: It is against the law now to do that.

MR. DE WEESE: It is against the law.

MR. IMPARA: I realize that TWA is not the same as Eastern and they just recently sent me a questionnaire regarding the services that I would like to have.

Would it be incorrect to assume that you do this same sort of thing?

MR. WILKERSON: That would not be incorrect. We would mail you from time to time surveys regarding services.

MR. IMPARA: And this would be on your file somewhere, and I notice all of the keypunched codes on Eastern's where they can just automatically punch in where I checked off.

MR. WILKERSON: No, we don't retain all that on the file. That is used statistically to analyze passengers' preferences. We do not use that to analyze the names.

MR. IMPARA: Thank you. I can't ask you the other question.

MS. HARDAWAY: If I owned an insurance company and came to your group and convinced you that I had a certain type of policy that would be of good service to your frequent travelers and I would like to acquaint them with this through your files, would you then give them my telephone
number, or would you sell me a telephone number of a frequent traveler?

MR. WILKerson: No, no, no.

Ms. HARDAWAY: So that they can contact me?

Is that a matter of policy, or --

MR. WILKerson: It is a matter of policy.

MR. BAGLEY: If the offer were enough, would you sell it? If I made you an offer that you can't refuse, would you?

MR. WILKerson: We have a policy over the years, no, we do not do that. We hold that policy. We do not sell our mailing list to people. I see no reason to change that policy.

It depends on what you read in the paper tomorrow morning after this hearing.

(Laughter.)

No, I am being facetious. No, we do not, as a matter of policy. We don't intend to.

Mr. Anglero: I believe that a ticket passenger is a real passenger.

Mr. WILKerson: Now, if your question is, do we, when you walk up with your ticket with your name on it, do we accept that ticket and give you access to the flight and do I know that it is you? Then I say, no, I don't. If one looked at the flight coupon, that is the coupon you punch in
when you get in and this is only to say -- this is to prove that Mrs. Brown is on this flight. We would have to say, no, that is not proof. We would not do that. There is no proof except only when two people walk up with tickets and said they were the Brown.

MS. NOREEN: Pass.

MR. WEIZENBAUM: You may have noticed that I left the room. In those few minutes, I called TWA and I asked a few questions trying to find out if Mr. Dobbs was flying back to Los Angeles on TWA, and if so, what his flight number was, and so on.

TWA kindly informed me with very considerable uncertainty that he was not on TWA. It is a little bit of investigation.

They looked at all the afternoon flights and checked his name. They suggested I might call United, which I did.

I discovered, and I asked Mr. Dobbs to verify this, I discovered that he is indeed scheduled on United 955, scheduled for 5:35, August 15, arriving in Los Angeles, I believe, at 5:30 p.m.

MR. DOBBS: I think that is correct. I am going to fool them, though.

MR. WILKERSON: Well, I am sure if you would do that a number of times, in a number of cities, you would
find that, generally speaking, our people would not give you that information.

MR. WEIZENBAUM: Well, there are two airlines cooperating with each other.

(Laughter.)

MR. WILKERSON: It is our policy not to give out that information. Our people have been instructed not to give out that information, and when we determine that they are, we will take out disciplinary action.

MR. WEIZENBAUM: But I won't give you the name of the gentleman.

MR. DOBBS: You might want to use it yourself.

MR. WILKERSON: Now, you are talking about human factors.

MR. WEIZENBAUM: But the point is this. Over the telephone, it is very difficult to make certain identification.

MR. WILKERSON: Well, did you represent yourself as this gentleman?

MR. WEIZENBAUM: Oh, yes.

MR. WILKERSON: Oh, I see.

MR. WEIZENBAUM: The story I told was that my secretary had the information. I didn't have the ticket to know, and it was urgent to know what flight I had.

MR. WILKERSON: This is an interesting one. We discussed it with my staff, obviously, before I came here. We
came to the same conclusion that if I wanted to represent
myself as someone else and I had reasonable information,
about your date and time of departure, and where you were
going, the chances are that agents, because they are
oriented to be service oriented to serve a customer, they
will do everything possible to serve you. In this case, he
thought you were representing yourself.

MR. BAGLEY: The amazing thing is they thought you
were Dobbs.

(Laughter.)

MR. WILKERSON: Madame Chairman, has the
commitee felt along these lines about security measures of
this specific case, has it come out with control access
service data in a system like this?

MS. GROMMERS: I think this is one of the major
problems we are struggling with. We certainly understand
the situation you represent and we would hope to make
specific recommendations.

As far as you are concerned, if you have any
suggestions as to how this might be accomplished in your
system, we would be very pleased to have them.

MR. WILKERSON: Well, I can give you the benefit
of our thinking.

Our thinking is that our primary objective is to
serve customers. The system is there and for that reason
alone. Anything that severely limits the ability of that system to serve the traveling public diminishes its value to the airline and to the traveling public. Therefore, that will always be paramount in our considerations.

However, if we were to recommend something, we have considered that based on that information, if I had my agent ask you, for example, "Can you tell me where the reservation was made?"

And you would have said, "My secretary made it."

If the agent was properly instructed, and alert -- who did make the reservation?

MR. DOBBS: My secretary.

MR. WILKERSON: Very, very fortunate. If the agent had asked you for the telephone contact, you may not have been able to get that. That is one element that we could provide.

Secondly, at the time that you made the reservation, we could have said, "Would you like the information secured so that no one has access to it but yourself?"

MR. DOBBS: I like that.

MS. GROMMERS: I like that.

MR. WILKERSON: And I would say, "Please give me a security code."

MR. DOBBS: Some security code?

MR. WILKERSON: Whatever you choose. You might
choose to give me your social security number.

        MR. DOBBS: You blew it.

        (Laughter.)

        MR. MUCHMORE: Note the way he put that. You might.

        MR. WILKERSON: But whatever code you devise, our agents can mark that down in the various fields general information code where we can record in the record the security code.

        MR. MILLER: But you would still give it to the law enforcement agencies?

        MR. WILKERSON: When called, we say this is a security option in your record.

        MR. WEIZENBAUM: You say you could do --

        MR. WILKERSON: I think you could. Obviously, this is a data system. When you ask to display the information, you request the information, then you would give me the security code, and she would give me the number of the operation. There are dangers. One is cost. The main danger is consideration of service. You may forget what you do, your secretary, your travel agent, no one else can assist you in changing your reservation. So you pose a serious service limitation when you begin to do that, and it is certainly a possibility and you can do that.

        MR. WEIZENBAUM: I suggest if the agency had asked
me for my home telephone number, it is possible -- I don't have one -- it is possible I have forgotten, but it is certainly very unlikely with the population you deal with.

MR. WILKERSON: May I suggest if you are serious and wanted to know this information, you may call 555-1212 and you find his telephone number, then you call back and get another agent and penetrate one aspect as you go on.

MR. WEIZENBAUM: Yes. There is no absolute security. It may be that the number was a toll in Los Angeles. I don't know whether --

MR. WILKERSON: The system has that capability.

MS. GROMMERS: The other thing you could do is let people know how long you keep your data, for what other purposes it is used.

MR. WILKERSON: Yes. I wonder how many of you filled out credit card applications. I read on there that it implies the data is used to provide you service, and we intend to provide continuing service to you. It is very ambiguous if it doesn't specifically indicate that, and we could put statements on that that say that. Obviously, it would be to our disadvantage if we didn't, and others did, and they say TWA apparently passes out information and doesn't print that statement.

MR. WARE: Legislation.

MR. BAGLEY: Maybe industry would do that.
MR. MUCHMORE: I don't think legislation would do that. If the industry would care to make that valid, TWA could carry it to the industry for study.

MR. WILKERSON: We certainly would be interested to discuss that at our industry meetings. We meet twice a year. It would be an interesting approach.

MS. GROMMERS: We want to thank you very much for coming and talking with us today, and we hope you might stay for as much as the rest of the presentation as possible.

MR. WILKERSON: I would like that.

(Recess.)

MS. GROMMERS: It is my pleasure to introduce to you now Mr. Gwin, who is the Director General, Socio-Economic Planning, Department of Communications, Government of Canada, and the reason why we have asked the Canadian government to participate in our committee meetings is that they have made certain headway along the same kind of lines that we are trying to do, and as have a number of other countries, and Mr. Gwin will, therefore, we hope, be the first of a number of open windows into what else is going on in the world on the same problems which we are working with.

Mr. Gwin, would you introduce yourself, please.

MR. GWIN: Madame Chairman, my name is Richard Gwin. My title, which suffers from all the defects of being long-winded and incomprehensible, is that of Director General
of Socio-Economic Planning, trying to explain that particular
unit in the organization, which is a part of that unit of the
socio-economic unit. It is a planning socio-economic
unit concerned basically with two activities: the impact
of telecommunications and the impact upon the environment,
social, culture, political, and environment.

Secondly, identification of desirable changes
which could be made to communication systems, current or
potential, that would respond to define user needs, user
needs meaning those collective institutional individuals with
a concentration upon or attention upon individuals and
consumers and public needs.

The Department of the Consumer in the Canadian
government doesn't match, in the equivalent, the organization
in the United States.

It embodies some of the functions of the Federal
Communications Commission and some of the functions of the
Office of the Telecommunications Development. It is basically
a planning department. It is not engaged in operating any
ongoing systems, with exception of one, which is the governmen
telecommunications agency, and it is a limited exception of
the government, only internally, and administrative
telecommunication needs.

I accepted the invitation to come here with a great
deal of pleasure. It is most unusual, I think, rather
fortunate for an official of one government to make the presentation, public presentation to a committee established by another government. The fact that this could happen far from any individual circumstances in terms of your committee, I think, reflects one significant dimension of this issue and that is to its national issue. I think it is international in two ways.

First, for practical purposes, every western country has a study of some nature into this problem. Japan is one of the few exceptions that I know of. The extent of the problem differs considerably from country to country, a function of ideology, the efficiency of information systems in those countries extending to the public and to those particular countries, a country which does or doesn't care about it and has socialized differences about it. Nevertheless, the basic circumstances under which the problem arises is that institutions have large amounts of information about individuals and is common obviously to the western country.

Furthermore, where the problem is of an international one or the issue is an international one where you use a value judgment, that word is that data moves across boundaries, much of it by telephone lines or by the main lines and, therefore, invisible so that the physical location of a data bank is a problem that is much more acute in Europe, where you have short transmission lengths, which becomes less and less
of relevance, and the feasible location of data banks is a question that concerns Canada. I will return to that.

One other point of explanation I should make before going into the more formal presentation is that my other title, the simple one, is Co-Director of the Government's Task Force on Government Privacy of Computers. That Task Force report is shortly to be presented to the Canadian Cabinet, and, therefore, I am restricted for a series of obvious reasons for which I will go into details.

I also have to apologize and do apologize for somewhat telescoping this afternoon session to this extent, because of the circumstances being that our report is due to be presented to the Cabinet. I have to return to Ottawa tonight and am flying out on Flight 359.

(Laughter.)

Obviously, in ever country, the experience with this issue or the way in which this issue is addressed -- and I might sketch in, it is not useful through some of the Canadian experiences -- we have, in contrast, in the United States, relatively public debate. We have had nothing equivalent to the Gallagher and Irwin Congressional hearings. There have been increasing numbers of press editorials and articles on the subject. The Canadian Institution of Consumer Affairs held its conference on it, a summer conference, last year, which was held on privacy.
There have been a number of debates in our legislature, both provincial and federal, as a consequence of introduction of private member's bills and these bills have little legislative importance because they are, for practical reasons, practical purposes, never introduced into law. But they are introduced by a member in order to air the subject.

There has also been a noticeable rise in the degree of concern occasioned by the decennial census. The number of public complaints about census items is on the increase.

In contrast, with the exception of basically your committee, the U.S. experience, where the ongoing and comprehensive study by the National Academy of Sciences, the National Science Foundation, are being executed outside the government, the initiative in Canada has come from within government, which I think, to some degree, represents a different governmental style in Canada, and also reflects the fact that, in Canada, our sub-government is under development by contrast to the United States.

There is, however, a very marked increase in the amount of attention being given to the issue of privacy by governments. It is exemplified by wire tapping legislation that is now before the Canadian Parliament, by moves to remove credit bureaus that have taken on the profession in Quebec.
and Ontario, and for protection by private statutes that
have been passed by western provincials such as British
Columbia and Manitoba; that may lead to a breach of privacy
and take on private action and tort.

On the issue of privacy in computers, the first
initiative of any consequence other than occasional speeches
by individual academicians, the first substantive step was
a conference held at Kingston, Ontario, titled "Computers
Privacy and Primate Information," the Kingston Conference on
Computers, it was co-sponsored by the Federal Departments
of Justice and Communications, and, also, by the Canadian
Processing Society, which is our special processing
society. It was held in 1970.

The report of the conference is to be published the
following spring, as part of a series of studies into different
aspects of telecommunications which is under the generic
of telecommunication, and I believe that conference report is
available to committee members.

The conference was attended by about 230 people
from all relevant disciplines, science, law, business,
government, education, and so on. This conference on
computers represents, in Canada, a major step forward in the
debate on privacy. It was the first time there was a sub-
stantive discussion on privacy, and although inquiry has since
gone into much greater depth and detail, some of the fundamental
points that were raised during that Kingston conference remain as apt today as they were then.

One issue identified during that conference was the central responsibility of government, which is, by far, the largest operating data bank in Canada, and the principal cause of demand for personal information.

The Canadian Federal Government owns 20 percent of the computers by installed value.

It is the principal catalyst and financial support of social science and operates the national statistical agency, of course, the intelligence systems, and then the gamut of administration programs of the Federal government.
It is interesting in this connection that the OECD in its study comments this way:

"It is governments that can do the most help, since governments are the most insidious collectors, evaluators, and transmitter of information and are thereby in the best position to enforce high standards and set good examples."

The second basic point that came out of the Kingston Conference was a recognition of the virtual impossibility of defining privacy.

This debate constantly comes up against other issues. Tell me what it is you want to protect and then I will tell you how to do it. And you cannot come up with a definition of privacy. At least it shouldn't be as bold as that. We should not come up with any definition of privacy that is any different of Warren and Brandeis of many years ago with the right of being left alone. It is easy to define privacy in the negative sense. In its absence, it is very hard to define it. In a positive sense, it is very hard to define it as a primary value rather than the value that derives its importance from being a necessary precondition to the fulfillment of other values: human identity, personality, freedom of speech.

Where the definition appears to lie is in the question of control. The extent to which a person can
control those elements of his privacy that he feels he needs to control, and, of course, the information, it is a question of it being controlling as to his disposition of information about him.

Subsequent to the Kingston Conference, the two departments, the Department of Justice and Communications established in April, 1971, a task force on privacy in computers and this report is to be considered by the Cabinet. It will be available for publication this fall. It represents an extensive exercise in data gathering.

In analysis and, we hope, in the development of some original concepts and approaches to this question of privacy, I should explain the task force which is composed of an odd mixture of civil servants and outside consultants will not be recommending specific solutions. A report will represent the basic facts, an analysis on which government decisions can be made, and the report does identify those areas to which seem to be the most promising. But it is not making specific recommendations and cannot, because it is a task force of civil servants.

Some of the administrative operational characteristics of the task force may be of some interest to you. The first is this. It did not hold public hearings. It was not empowered to hold public hearings.

The second is the task force had no judicial or
quasi-judicial authority. What this meant in practical
terms was that it was told about, read about or heard about
claimed advances of invasions of privacy, but had no
competence to examine them and to determine their validity,
had no authority to adjudicate any claim on invasion of
privacy.

Second, it did not accept indirectly, examine in
what you might call a critical sense the nature of data
collected. It did collect information for extensive
information and the types of data collected were for different
data banks, but it did not analyze its data to see
whether or not its data was sufficient to make the judgment;
as the judgment with an organization is justified in
implementing a particular type of data, it is necessary to
weigh and examine the objectives of the data bank and,
therefore, the objectives of the organization involved.

We are challenging the right of the organization
to exist, in effect. Again, a task force of this nature
could not do this. But at the same time, there was a point
in principle involved, which was that the inquiry could
cross the line for being a study into privacy and how it
can be protected into a study of information flows.

One of the basic principles of the task force was
that any regulation respecting privacy must be separated
strictly from regulation to information as an end to itself.
Otherwise, you have some kind of government censorship to use the extreme word of information as opposed to government regulation of an activity.

The operating methodology of the task force is as follows, and in putting together a scheme for collecting data, we held extensive discussions with Professor Weston of the National Academy of Sciences. We identified and executed ten major study areas.

The first was a conceptual examination of privacy, its nature, its privacy in all aspects; legal, social, logical, political.

The second was the series of empiric studies which were designed to collect data for whatever purposes.

The third was a study of statistical information.

The fourth was a study of techniques, problems and probabilities.

The fifth was a study of probable technological innovations to study what change this method might produce to the changes of handling the information, the activity of handling the information.

The sixth was a study of the law into process, the efficacy of a court towards recourse by use of private remedies, to secure redress for wrongs bordering on the lines of privacy.

Eighth and ninth, if I remember correctly my paper,


was a study of ultimate types of regulations in which the principal -- here, we are talking about the government imposed regulation which the principal appeared to be three: a regulatory or tribunal or a model which is being recommended by Sweden in its report just completed, some type of surveillance agencies which are remodeled by the Younger Committee in Britain and some type of humble form which has been adopted by the State of Hessen in Germany and some other state, one of them, and represents the only substantive government response, government legislative response to privacy in data banks that I am aware of at this time.

Ninth, the area of study was that of efficacy of SALT regulation by the industry.

Tenth, a study of the constitutional consideration. This is very important in Canada as a decentralized system of government.

And, eleventh means -- I mis calculated somewhat -- a study of international consideration. This is the subject of great concern in Canada. Large amounts of data are stored in the United States and, therefore, not subject to the law. For example, there must be a number to be given to the Medical Information Bureau in Boston, Massachusetts, which contains medical data relating to the eligibility of insurance of Canadians. There was a reversal where there was one -- I was told, but I don't remember the institution
but that one American college has stored a tape containing
data on the membership of students in all campus organizations. So that these data, information would not be
subpoenaed. This type information, of course, of members
of various activities or organizations, we did at the start
of our inquiry give a lot of thought to and we were trying
to develop some sort of hierarchy range of sensitivity and
we abandoned that simply as inoperable.

A group at Oslo University has tried to do this
with the Department of Justice in Denmark and which attempt,
in my judgment, was aborted. You cannot get any sensitivity
scale of information and say this type of information is
more sensitive than that type of information.

Information has value to a given individual
in a particular context and it changes with the context
and it changes with the literature and certain individuals
regard their telephone numbers as highly private, obviously.
Other individuals might be quite happy to know that they
were particularly otherwise inclined. Both of these
contradict the norms. It is impossible, an impossibility
to get any objective information. At least this was our
judgment.

In terms of organization, we gave our thoughts
to the empiric study. We had studies done in the following
basic manner. We had site interviews of two or three-man
teams, a minimum membership being one lawyer, one information scientist up to 42 operators of large systems of both public and private sectors across the country.

The subjects for these site interviews shows, largely on the basis of size, that they maintain large systems and, therefore, once that particular base was covered and the basis of scientists amongst the various types of data banks were covered, there was no indication drawn at the end of the study. Those particular studies were devised or indeed acknowledged than any others.

There was one more that was the computer data companies. We continued to discover that they were quite right to refuse site interviews. With hindsight, I think we got nearly as much as we did out of these site interviews, if I may say so. I was most impressed with listening to the questioning. I did not have the opportunity for reading the reports when they were compiled at the end and see precision of the questions because it is high, certainly from what I heard this afternoon.

The basic element of our data gathering was a questionnaire mailed to about 2,500 companies and institutions, public and private. We asked a total of 72 separate questions. A number of them were patterned on the questionnaire used by the Academy of National Sciences.

We sent them out to every type of organization,
including small investigating agencies and one-man detective bureaus where the response was exceedingly low and it was a waste of our time.

Emphasis was given to companies using computers but the question in its design could be simply answered by someone who did or did not use computers. There was one set of questions. There were others but one set of questions we added to the original NAS inquiry proved to be highly useful and that was the series of attitudinal questions trying to find out what was the attitude of certain industries and population and the full gamut ranges from the mildest SALT regulation to very general government imposed rules irrespective of issues such as generalized right of amnesty, generalized right questions on issues. The answer was to reveal what unexpected responsiveness was by organizations to the concept of some kinds of guidelines or standards.

Now, how one interprets that degree of responsiveness is subjective. It could be an awareness of social responsibilities and a recognition of the problems. Of course, it could be simply a pragmatic willingness to accept some kind of minimum rational safeguards as a need to defuse public concerns about these issues.

I might mention a couple of operational conclusions which we drew from our questionnaires. This was too large. We could have cut it down to 2,000 and could have gotten the
same number of responses. We did identify, as a consequence of our pretest, how important it was to leave the organization -- the responding organization with room to maneuver, with room to decide themselves how to answer certain questions.

We were after their largest files containing the most sensitive information and the frustrating part is that a number of organizations maintain a large number of files with highly sensitized information while other organizations maintain files that are totally insensitive in terms of the information content. Therefore, we sent two questionnaires to each company. But it is a lot for a company to go through an answer a 72-question form or questionnaire more than once.

So I think we lost some rather useful information in that way.

We have had and will continue to have in the publishing of the report difficulty on how to treat these aggravating replies. For statistical purposes, each response was treated as one unit. This meant one man in ours was treated the same as the Department of Welfare, et cetera. That is absurd. Not only are the units of equal size, but the nature of their supplies are totally different. It is quite evident that the practices and procedures of a particular reporting agency would be different than those of a particular bank.
One thing that came through strongly when we started out is when using the word "data bank", we were talking about a homogenous class and the homogeneity arises from the technical or operating characteristics which are much, much less important in the specific content of the data bank and the objective is the organization.

Now, because of the restraints upon me, I have to refrain from these specific conclusions that I can mention as a result of the questionnaire. But I can mention just some of them for you.

Most organizations today in Canada maintain their most sensitive information, that is, subjective and descriptive information, in around normal systems. The balance is bound to be already shifting to organized systems but we find it unrealistic to be talking about computerized information systems.

We have to talk about information systems or we are missing the problem. We could not deduce concrete evidence that computer systems had deduced greater amount of information collected, provided one has included social science research.

So computers have materially lead to a greater amount of processing information than our own questionnaires, the amount of answers that we were able to develop and that is an obvious example.
We did identify evidence that computers have led to a centralization and, therefore, a decision making which is a point I would like to come back to in a moment.

Two aspects of computers, the specific computers in this work. First, computers make it possible to offer greater data amounts to be achieved easily, integrate separate files, to translate information more rapidly. But computers, and this is the point, can also benefit privacy. They're more amenable to security techniques. It is relatively easy to maintain an audit log of uses for the files.

While the computer makes a convenient and useful target for those who want methods to protect privacy, this is unfair to its operator but it is a political fact. Another view from our questionnaire is that very few data banks operate with more formal guidelines to determine what individuals or organizations, for instance, should have a right and access to the files, what specific types of data should be taken down for the objectives of the banks.

As a generalization, I should say it became clear to us that bureaucrats have a tendency to ask for all conceivable amounts of information. In the private sector, the considerations are proper due to a restrained data gathering. The lack of formal guidelines means that in a nutshell, subjects have no idea what are their rights or if any or what uses that data is going to be put to.
Accuracy and inaccuracy came through as a substantial problem, and, of course, through data exchanges, the kind of areas that we were interested in. (Laughter.)

to be bankrupt.

They are less competitive, less innovative, but less likely national banking system which is like Britain, which means a 4,500 branches across the country. In Canada, we have a 1975, we will have unlinked terminals to the electronic banking, as is colloquially known, is far advanced.

Electronic banking in the medical area. In Canada, an electronic banking in the medica area. And these studies were in so-called "radical" changes in the environment, cause changes of where it was thought the pervasive use of the computer will task force was that of commissioning studies into two areas of theoretical study of the empirical study of the other family.

The third element of the information that is clearly not labeled here is also introduced when the title produces heaesey. Should also be introduced when the title produces heaesey.

Of the data to those in relation to the cost, and accuracy. Accuracy clearly is a function in the evaluating.

Inaccuracy gets repeated in a number of judgments, the problem, and, of course, through data exchanges, accuracy and inaccuracy came through as a substan-
In medicine, what seemed to us to be the critical case is the disappearance of the traditional binding in relation to its health team and information system approach. The doctors as much as patients lose control over information which can be accessed for a variety of administrative and research purposes.

Two dangers that seem to be seen were, one, that patients will give out less information if they are not certain how it will be used, and their doctors will become increasingly reluctant to put information into these information systems. A case very much in point is that of diagnostic statements which, of course, are probability statements, not statements of fact.

In one Province in Canada, the Motor Vehicle License Bureau requires doctors to report to them patients who suffer from disabilities that would disqualify them from holding a license, such as epilepsy.

Doctors, under these circumstances, are becoming very reluctant to make statements of this nature, so that the quality of medicine is reduced.

I might say that, again from hindsight, I wish we had devoted more attention to the medical field. We did ask for briefs. The response from medical institutions was rather low, about fifteen. But there was a good response from a medical field which had established a committee on
privacy in 1941 before, submitted -- and Conseil d'Etat which
submitted a quotation remark which we received. It was
clear that a large number of problems in the medical field
such as any notion of a generalized right of access will
have to be modified in respect to records of those of
psychiatric patients.

As I referred to earlier, the task force in its
empirical studies did pay particular attention to Canadian
banks located outside the country. As I am sure you know,
in OECD, there has been some discussion of this issue. The
delegates at the OECD Conference have raised another danger
of data bank havens or data bank flags of convenience.

In Canada, for obvious reasons, it is a particular
problem despite the nature of the problem. This is a
hypothetical one rather than an actual one, where the retail
agent of Atlanta which has its centralized credit records
there, sends all of its offices throughout the United
States only 40% of authorized credit bureaus to extend line
credit across the board is trivial -- I'm not saying they
will do this, but I am saying economics would dictate that
it would be advantageous. What you have done to this point
is try to present facts within the constraints imposed upon
economy.

I would like to switch now and quite quickly
touch on some speculative and quite definitely personal
and subjective views, which are the product of a fair amount of grappling with some of the conundrums and contradictions in this whole issue of privacy.

The reason that the privacy issue exists, the most obvious reasons for it are those of ways in which simply more information is being collected by more people than ever before. I think the important thing to that is that this information is being used in increasingly important ways; ways about making decisions about people whether they should receive credit or whatever or whether the government should adopt this or that policy.

So what you have on the one hand is more information being collected and this other is this information is being collected and used in a way that could be impinged more and more substandardly upon the individual.

Now, against that backdrop of the potential problems, you could have the problem of more information collected than the probable. The fact is no serious studies have produced concrete evidence of widespread invasions of privacy. There are instances, specifically races, instances of privacy, and because invasions of privacy subsequently do not impact upon the individual which is hard hurt, financially embarrassed. Nevertheless, I have not seen anywhere evidence that he is generalized as the problem.

There are large numbers of people being hurt about information
being misused.

Now, the potential problem clearly will expand given the information — given the technological information, the handling and processes. But one returns to the conundrum that the extent of the problem in specific terms does not seem to justify the amount of terms in virtually every western country.

My own judgment is that one explanation of this contradiction is that when a number of people use the word "privacy" and raise complaints about invasions of privacy, they are not talking about privacy at all. They are talking about power.

In a purely legal sense, the phrase "invasion of privacy" or the phrase "computers in privacy" is often misused in this debate. A number of claims of harm get lumped under the generic word "privacy."

But the question of inaccurate information in fact does not involve invasion of privacy but it does cause harm clearly to individual rights. The question of defamation may be involved.

What I am addressing myself to here is privacy in a much broader context. As I said, it is used often as a synonym for "power" and what is stated in many debates is much more an argument over privacy and how it should be protected and, power, how it should or should not be dispersed.
The aphorisms of power are well known and the equal characteristics of data banks are provided by institutions which collect information about individuals, often without the knowledge of the individuals and use that information for purposes over which the individuals concerned may have neither knowledge nor control.

Clearly, the possession of all this information increases the power of administration and further increases their potential and capacity to control and manipulate, and this accretion of power to institutions caused by the accumulation of information has not been accompanied by any compensating accretion of power to individuals.

Information technology has been used almost exclusively to support the efficiency of institutions, large corporations or large government departments. There is no such thing as a public data bank in the literal sense of the word, in the sense that one could draw analogy from the public library.

So that on the one hand, computer technology substandardly has been used by institutions to increase institutions' knowledge about the individuals but it is not in compensation being used or developed in any ways that would enable individuals to acquire any more information about institutions that contain this information about them.

This imbalance of information access, I would
argue, becomes important in political terms when the question of trust is missing from the politicals and institutions. In the classic institutional-individual relationship, as say between the church and a member of the congregation, individual members of the congregation would have all kinds of private thoughts, individuals without concern about that trust being misused, as so often the classes of doctor-patient relationships.

The extent to which trust is absent in the individual relationships, of course, is a consequence of all forces and it varies from one country to another and affects different institutions at different times. But these differences, although clearly they are of enormous particular importance at the moment, I think are only variations upon the theme which is that the problem of privacy seems to be an academic issue, is pós to demisociety and is of the kind of democratic society that we have all become.

Then it is my explanation of why the privacy issue has developed as recently as it has, that is, post 1965 when the post industrial society began first to make it appear, and the striking difference is this: if one goes back to the agriculture society, it was within those villages, privacy in the sense that we could call those words nonexistent, everybody knew everything about everybody. The fact, the
cognate fact of the role in village life and family life was that while everybody knew about the life of the drunkard and bankrupt, the bankrupt and drunkard knew about everybody else.

So there was a kind of balance, organic information balance. It is clear today that that organic information balance no longer exists.

As I said earlier, individual people know very little about institutions; they know that institutions know a great deal about them.

If my analysis or hypothesis is at all valid, I think it would go partly to explain the apparent contradiction of a great deal of attention and concern about the privacy issue in the absence of widespread invasions of privacy.

Now, having said that more than once, that there is an absence of concrete invasions of privacy, that does not mean of course that the individual instances of invasions of privacy cannot be very serious for the individuals concerned, and there are a variety of solutions that can be developed where we have security standard techniques, regulations in variety of forms, control over the dissemination to third-parties and approval of subjects, checks for accuracy, provision for access and its national concomitant, notifying subjects of data held about them and the use to
which it is intended to be put.

But beyond those specific remedies which can be constructive, many of them to be constructive or the legal nature of many of them lie behind the problem which is political rather than legal and technical.

MS. GROMMERS: What we are going to do, Mr. Gwin, is break for coffee here and be back here as near 4:10 as we can because Mr. Gwin is going to have to leave at 5:00 rather than 5:30, and then we will have our questioning after coffee.

(Recess.)

MS. GROMMERS: Now, I am going to start in the middle of the room and go from side to side, I guess this time, so we will have a little variety in the flow of the questioning.

Let's start with Mr. Gallati.

MR. GALLATI: Actually, I think I will pass this time to move things along.

MS. GROMMERS: Mrs. Lanphere.

MS. LANPHERE: Yes, I have one question. Do the Canadians have a unique identifying number?

MR. GWIN: No. We have a social insurance number which the acronym of course is SIN.

MS. LANPHERE: I'm sorry.

MR. WARE: SIN.
VOICE: Like sin now and pay later.

MS. LANPHERE: SIN. Oh. I'm sorry.

MR. GWIN: It is a nine-digit number. A number of Provinces have requested that, within that, particular preference be extended to all citizens for purposes of administration and Medicare programs so that it would seem quite possible within the near future it would include all Canadians.

But there have been no specific proposals at all to translate that social insurance number into a universal numbering system. However, the Canadian Standards Association, which is comparable to the National Standards Institute, has recently proposed that a universal number system be developed for the Canadians.

My understanding is that this is a product of the Committee of the National Standards Association in which the proposal was advanced by charters and credit bureaus. That is at this stage simply a proposal of the Canadian Standards Association and no consideration or action has been taken on it.

MS. GROMMERS: Mr. DeWeese.

MR. DE WEESE: Yes. I wanted to comment on what you had said about the difficulty of dividing different information into areas of sensitivity for controls. I was wondering if you meant that it was difficult -- I mean, for
example, it seems to me that if you concentrate on certain particular fields like, say, a criminal justice, for instance, you can easily distinguish between conviction and arrest records, for example, and have a different degree of privacy and so forth breached.

Now, is this the kind of problem which you found? Is this the kind of a solution that you felt was unworkable?

MR. GWIN: Well, you can do it for particular data banks in respect because that is where information is being used in a particular concept. You cannot say in that concept "this data is more acceptable than that" and have levels of judgment.

In our judgment, what we thought about doing and abandoned was developing some abstract scale or hierarchy value, information sensitivity, because we have quickly discovered that information which seems to be the least sensitive, such as the person's address, can be very sensitive to that person or individual, or at the other end of the extent, so that there is no abstract scale of information.

MR. DE WELSD: Right. But did you see about breaking it down into certain areas like criminal justice, for instance, or health and welfare and trying to arrive at a hierarchy that way?

MR. GWIN: Yes, you can. My understanding, and I
may be wrong in this, but there is a project search involving
a police system, involving a number of the lenient states,
and my understanding is it is a good example of what you can
do. You can access criminal history records but not other
information in that system.

So that it is clear that you can go to particular
systems, develop levels of access sensitivity.

MS. GROMMERS: Mr. Miller, in case you are
wondering what I'm doing, I'm getting questions from here
to there and --

MR. MILLER: After you zigged, you zagged.

MS. GROMMERS: What do you call it when you ski?

MR. WEIZENBAUM: Slalom.

MR. MILLER: I wouldn't know about those outdoor
sports. I really don't have a question, just an observation
or two.

One of the problems you started with, Mr. Gwin,
of the transnational characteristics of some systems and
the whole problem of the information haven is a very serious
one, and I am sure some people in the room will remember that
at an earlier meeting, we talked about American Council on
Education, putting its -- the keys to its doubling system
into Canada, which I view as humorous. Well meaning, but
somewhat misguided exercise, because that is not going to
immunize it from subpoena. But I think this is becoming
sort of a dust-in-the-eyes type of procedural constraint on getting that data in one country by posting it in -- simply put, it is just increasing the cost of getting out the data.

And, therefore, it does provide some measure of procedure, but it is going to be an increasing problem and I think in the nature of things, we are going to have trans national data systems which you won't be able to really say that the site of a particular file is in one country or another.

So I think that is something worth giving some thought to, as OECD, and you people obviously have.

Another observation I would just like to make is that I agree with virtually everything, probably everything you said. I found it to be an extremely well-organized and analytical presentation. Very realistic.

I would simply like to say that for the very same reasons that you could not define privacy, perhaps the contradiction that you explored isn't really a contradiction because if you cannot define privacy by definition, you cannot define whether there has been a widespread invasion of privacy.

In other words, you used the key, soft word of "widespread" privacy might have -- meaning. If that is the function of what you mean by invasion of privacy, what
you said, you could not define.

Secondly, you said there isn't evidence of widespread invasion of privacy causing harm to the individual. I would immediately call in play this socratic game, what do you mean by harm?

Then I would conclude that there is no contradiction between public attention to the privacy issue and the absence of evidence of widespread invasion of privacy causing harm to people.

In point of fact, under my definitions which may differ from yours, there is evidence of widespread invasions of privacy causing harm. The revelation that in analogy, the Federal Bureau of Investigation requires 25,000 credit bureau files without legal process. That is, to me, evidence of widespread invasion of privacy. Where is the harm?

I would argue that there is a harm caused by the alienation created by the fact of that practice. Something you, yourself, hope to start and have beautifully, I thought, when you spoke of the institutional-individual imbalance and lack of trust. To me, the fact that there was military surveillance in this country in the late Sixties is evidence of widespread invasion of privacy causing harm in the famous chilling effect it might have to inhibiting people to engage in constitutionally protecting conduct.

So as a person who is writing on the subject
early, I guess this is part of self-defense for being a contributor to the widespread public debate on the issue because I think what many people are trying to do is to develop a prophylactic structure so that whatever there is today, it doesn't grow tomorrow.

So that we try and restore not necessarily equality in power between the individual and the institution with the data banks, but we create procedural, administrative, internalized or legal self-restraints on those with power so that the individual in a sense is more secure in the knowledge that even though that institution has that data bank with that file on him, there are constraints on the ways in which that institution can use the data bank to affect him.

I do not think there is a disagreement. I just wanted to explore that.

MR. GWIN: No, I can just -- I mean, I agree very much with what you said. It is interesting the way that this question of privacy, protection and power debate linked, because one of the most common proposals for protecting privacy is to grant, sometimes, the right to individuals with a right to verify; right of access of course gets them into the division of the process. They know what information is being held. They know to what use it is being put.

So that does give them an increase in power, at the same time providing them with a mechanism to protect
privacy so that at least, to myself and I am speaking here for myself, I am not talking about the ways of the directors of the task force, I think what we are talking about is the link between privacy and power and the link in the way the remedies apply to both areas.

MS. GROMMERS: Mr. Ware.

MR. WARE: Suppose you had been successful in creating a hierarchy of sensitivity for personal information, what would you have done with that line of argument? What would that have led you to do that you couldn't have? Why did you want to do that?

MR. GWIN: Because there are certain intellectual pleasures in that. The primatic reason was that if you -- it relates to the difficulty of defining privacy.

In every bunch of bureaucrats, sometimes, as to regulatory privacy, you have not told them what privacy is. You have created a dangerous situation. If you could have gotten a hierarchy of information sensitivity, you could cut off and say, "This kind of information need not be worried about." In other words, that wasn't privacy intrusion, no matter how you used it.

"This kind of privacy is to be used, and therefore you must have the maximal regulation to that." We abandoned that. But it was of concern. It was spreading, making sure that any regulation of privacy does not aggrandize itself
to regulation, to try to minimize the opportunity for arbitrariness in any regulatory process.

MR. MUCHMORE: I think I will pass so I won't delay him from going back to his country where some of the people carry SIN cards.

MS. GROMMERS: Mr. Dobbs.

MR. DOBBS: I would like to elaborate a little bit on the line that Arthur started on and that is that you pointed out that we don't have -- you don't have concrete evidence that there is in fact widespread harm as we help the invasion of privacy at the individual level.

One of the things that you said in your introductory comments which had to do with, I think you put it, socialization into indifference, and if I were to extrapolate that, I read that to mean things like socialization into apathy, into a sense of false security, and I would argue that the lack of evidence of harm may be a reflection of the fact that there has been a degree already of socialization into indifference in terms of the potential, you know, when we hear the kinds of statements that we hear about; the fact that the kind of information we collect is oriented to help make better management decisions. But in fact, it is not really necessary for the consumer to be informed about that, and when he then leaves that interchange feeling very comfortable about the fact that it is really not necessary
for him to know, that in itself is a way of sort of prohibiting
the collection of evidence, if you will, of harm.

And I wonder whether this was really the point
that you were driving at.

MR. GWIN: Yes. If I could make two responses
to that, I think there is evidence that people have been
conditioned into regarding privacy as of a less value,
that either the phrase, "A man's home is his castle" is sort
of a phrase out of a long distance nostalgic past. It is
not his castle. It belongs to the bank, the insurance
company, everybody except for the man who is in his own
house.

Japan had no numbers on its houses until it
discovered it had to run a postal service.

It is quite clear people are conditioned to
answer posters, when they call on their door, et cetera. At
the same time, there is evidence that they have been
conditioned into regarding privacy of lesser value. Therefore,
although they cannot educe concrete evidence of widespread
invasion of privacy, they must exist because the other
evidence which leans the other way is the absence of
generalized complaints and there had been some polls taken
on how people rate privacy.

I tend to suspect the products of these polls
because I rather suspect that when people are asked, "Do you
regard invasion of privacy as a serious situation?", I would say "yes" because I feel they should say yes. There isn't evidence of widespread complaints.

MR. DOBBS: Is that because of lack of knowledge that, in fact, harmony may have occurred? That's what I'm trying to grope with.

If, in fact, the populace does not realize and does not understand that, in fact, there are large amounts of data collected, you know, if they literally do not understand that, then they have no basis, in fact, for arriving at a complaint.

MR. GWIN: Yes. Evidently, there is a link between conditioning, the lack of knowledge of the individuals about their rights. In fact, in most cases, they do not have any rights that have been admitted by the organization; the organization simply asks for information and the individual gives it out expecting some how that the organization has some God-given authority to ask for it.

There is an interesting example for digression, but it is interesting for the shift of the people being unconditioned. Really, a case quite recently where a mother, pregnant -- no mother with an illegitimate child -- applying for welfare in one Canadian city was asked for the name of the father of the child and she refused to give it and was refused welfare. She took the welfare agency to court and
won. That is clearly a shift in peoples' conditioning to accept that when information is asked for, you do not have to give it and people are ceasing to give more and more evidence; clearly with students in universities of demanding to know whether the organization has the right to ask for that information.

MS. GROMMERS: We have about 20 more minutes left so we will have to get you working again to brief questions and brief answers.

Mrs. Silver.

MS. SILVER: I have a brief question on the social insurance number. Do people use it for other injuries or is it used originally for which it was intended?

MR. GWIN: Almost exclusively -- I'm sorry, I can't remember. I do know of one other use, but it has not been used in a widespread fashion to this point.

I don't know why. I think it may be a technical limitation. There is no legal --

MS. SILVER: There is no real legal reason for it being restricted?

MR. GWIN: No. There are a couple of other institutions which do use it, and I should be able to remember but I can't, off the top of my head, remember it. But there are other institutions like the Motor Interior -- Motor License Bureau which developed its own numbering system
and considers using that number but didn't, whatever technical reasons there were.

MS. SILVER: Was it used for things like driver's license or just like casual identification and that sort of thing?

MR. GWIN: I'm sorry.

MS. SILVER: In some places here, peoples' drivers licenses are now their social security numbers which makes it a pretty regular identifier, you know. Would that bother you, that sort of thing, to affect your number?

MR. GWIN: Here, our report does not address this question, the question of the pressures that have been created for some universal number system. It does comment on it. I will have to check on that myself but the broad generalization is the obvious one, that the pressures to create a universal numbering system are increasing.

The social insurance system in Canada would appear to be inadequate for that use.

MS. SILVER: Thank you.

MS. GROMMERS: Senor Anglero.

MR. ANGLERO: I pass.

MS. GROMMERS: I would like to ask one question here. Could you describe the Mantibo tort legislation?

MR. GWIN: It makes it a tort; in other words,
you can have larger suits for invasion of privacy, and you can lodge a suit. What it does not do is define privacy and I am now paraphrasing it in British Columbia for invasions of a reasonable standard of personal privacy.

In other words, a great deal of latitude is allowed to the judge. There have been in either British Columbia, two, or Manitoba, two -- in British Columbia, one case under the statute which was introduced, I think, in 1969 or 1967. They were quite recent, both of them.

MS. GROMMERS: Could we get the law? Could we get a couple of copies of some of the cases?

MR. GWÍN: Oh, yes.

MS. GROMMERS: Mrs. Gaynor.

MS. GAYNOR: I pass.

MS. GROMMERS: Mr. Impara.

MR. IMPARA: I pass.

MS. GROMMERS: Professor Weizenbaum.

MR. WEIZENBAUM: I also want to latch on to what Professor Miller said. Might I suggest and state what my hypothesis would be. Could this experimenting, carried out, that we have in the United States -- a secrecy and banning act, which is a well-known terminology because it is just exactly the opposite -- that is, an opposite bank to everyone and to more people -- I think one of the provisions of it is that plans actions involving more than
$5,000, or more, ought to be recorded or transmitted to someone, reported in some sense, and I suggest that if the banks were to examine their tapes as to how much of these transactions there were before this act goes into effect and how many there will be after the act, it will show a statistically significant decline.

I would suggest that this would not be entirely or even largely because the people who are now withdrawing $4,500, twice, instead of $9,000 at once, that these people are, in fact, engaged in something illegal, or fear of prosecution, but I think it would have to do with something if this conjecture is right with the chilling effect that Arthur was talking about.

Now, if that conjecture were to prove true, then your observation, namely, that there is no evidence of widespread invasion of privacy would still be valid, you see.

Your observation that there is no invasion of privacy and no widely reported harm coming from widespread invasion; nevertheless, we would have evidence that in fact an enormous chill would have come over this particular transaction.

I would suggest further that the reluctance of an airline saying -- to inform its passengers -- that their names may be given to police agencies, for example, in the
absence of the whole industry informing all of their passengers, there is a similar sort of thing where they would fear, of course, that passengers would switch to another airline. Okay. Not because passengers necessarily are engaged in some criminal activities when they travel, from getting here to there, but it is just that they would react to what they would perceive perhaps even unconsciously it as an invasion of privacy and would try to remedy that somehow, and until of course they become immune to it, which is a depersonalization or alienation or whatever term it was that Mr. Dobbs was talking about.

MS. GROMMERS: We are going to have occasion to examine the Swedish system at a later point in time. As far as I understand, all records are public which would really be the alternative, extreme, from what you are talking about.

If you want to find out your neighbor's income tax reports, you can just go down to city hall and find out.

MR. WEIZENBAUM: If I may remark on that, there are of course subsections of our society where standard privacies -- which many of us would consider extremely private -- are different.

For example, in the military where people carry on their sleeves and by their colors, an indication of how much money they make, and these are considered symbols
of prestige. This is the military, not that it is an
invasion of privacy at all.

So it is possible to change social standards
and it may be that in the standards Don talks about, these
standards are in fact very different from what they are in
Ohio, for example.

(Laughter.)

MR. ARONOFF: For example, yes.

MS. GROMMERS: Mrs. Hardaway.

MR. WEIZENBAUM: Or Tennessee.

MS. HARDWAY: Right. At what point in life do
you issue your social insurance number? Do you apply for
a service, or do you give them one when they go to work or
when they are born or when?

MR. GWGN: I'm not certain of the circumstances
of this. We did a study of this issue and my involvement
in it was in a sense of translating some of that into the
final report. I do not know the details behind it.

In other words, I don't know the answer to your
question of who gets it and when and why we have a recent
social security system and I don't know which issued it. I
don't know who qualifies as to who were to receive the
number.

MS. HARDWAY: And -ou do not have one, yourself?

MR. GWGN: Oh, yes, I have one, and most Canadians
do. For instance, not all wives would have one.

In other words, nonworking wives would not have a social security number.

MS. HARDAWAY: Would I violate your privacy if I asked you how you got yours and for what reason, and what point in your life?

MR. GWIN: Didn't pay too much attention to it. It arrived in the mail one day.

(Laughter.)

MS. GROMMERS: Dr. Cross.

MS. CROSS: I pass.

MS. GROMMERS: Would you like to pursue that?

MS. HARDAWAY: No, no. No, I'm interested in why it really has no importance to you. Why do you have it if you don't know more about it?

MR. GWIN: I stick it on my income tax return; otherwise, it sort of sits in my wallet.

MR. MILLER: So it does have a use.

MS. HARDAWAY: It does have a definite purpose.

MR. GWIN: It is tied in to my income tax returns. Of course, some of them, these will be closely held confidential documents, although there have been a couple of cases where...

(Laughter.)

MS. HARDAWAY: You are never asked to use it on
any other type of form or whatever?

MR. GWIN: It is only embarrassing me because I am displaying the havocs of a slovenly knowledgeable citizen, but --

(Laughter.)

MR. GWIN: -- personal use, don't pay much attention to it.

MR. IMPARA: Do you put it on your employment application?

MR. DE WEESE: Don't lead the witness.

MR. IMPARA: I'm sorry. A lawyer.

MS. GROMMERS: Senor Anglero.

MR. ANGlero: I should speak Spanish to you, but I can't. I will say something to you about this issue of having some kind of identification. Really, I have an identification that was not issued by the USA government. This was issued by the government of Guatemala and I know that they issue these identification numbers and cards. They call them cards, whatever they are, in some Latin American countries.

I know that in Argentina, they also do, and they have specific uses and they cannot go for voting if they do not have it. This is one of the proofs of being a citizen (indicating document),

MR. WARD: That's an international passport, isn't
it?

MR. ANGLERO: Yes. At any moment the police come and ask for this identification, if they don't have it, that would be a big problem.

MS. HARDWAY: I am glad you came to us.

MR. ANGLERO: Yes. I still have it, though. I was of Guatemala and, at that time, they gave it to me and I still have it. That's enough for that.

I would like to know, Mr. Gwin, you mentioned something about the decision-making process in some way. My question would be small.

How is the decision-making process linked to the validity of information or the gathering and collation of information?

MR. GWIN: Well, I think in quite a considerable number of ways. The general pattern in government, it is increasing to use statistics, statistical information as an integrate -- integral component of decision-making and in analysis, planning analysis.

One characteristic, it seems to me, of the existence of highly efficient and extensive, comprehensive information systems, rather, is this: it reduces the contact between the decision-making organization and the individual.

Once the decision-making organization has acquired
the information about an individual, it no longer needs to make contact with him. It has a complete profile for purposes of analysis, decision-making or program management so that you can get, as a respected product, development of these extensive information systems, a reduction of contact between decision-making and individual with a clear potential increasing of alienation where the individual will feel less able to influence the decisions of that institution as they affect him.

MR. ANGELRO: Do you have any central planning commission, a board, and do you have any subsystems in the different states?

MR. GWIN: Well -- Oh, I see. There is no central organization in Canada. The Canadian Federal Government is responsible for the collection of information for policy purposes.

There is a central statistical agency which is concerned with the census and a variety of other statistical gathering exercises and, otherwise, individual departments collect data as it concerns their particular areas of responsibility, that is, to the lower orders of government.

There is not any single information gathering system which feeds into the Canadian government, though the principal one is the -- what is called Statistical Canada; that's our statistical agency.
MR. ANGLERO: That, I gathered from the decision-making process. Do you have a central planning agency?

MR. GWIN: Well, we have a central agency in the sense that it is the Prime Minister's Office and a unit called the Privy Council, which is the closest thing to the kind of centralized system we have. But the Canadian system, government of power, is more dispersed. I'm not talking about the central or professional governments but within the federal government, it is more dispersed as with the case of the U. S. system. I think, entirely speaking, the Cabinet ministers may have more forms of --

MS. GROOMERS: Mr. Davey.

MR. DAVEY: Yes. I see the time is just about up. I find myself in agreement with things we talked about today. I would like to explore this idea you have a little bit more with respect to power and invasion of privacy. But perhaps we do not have enough time to get into that into any detail.

When will your report be out, and is there a possibility that we can get a copy of it?

MR. GWIN: The timing of the publication of the report is dependent upon the Cabinet which may not decide to publish it. It is a report of just their second. The fact is, I think we are having an election sometime very shortly. We're going to have it after yours -- with a
decent interval.

(Laughter.)

MR. MUCHMORE: Best way to get press coverage.

MR. GWIN: So these are the factors. But the probability is there. I cannot be precise. At least it would be in publication probably in December and would depend on the Cabinet, but it would depend upon the Cabinet’s judgment.

MS. GROMMERS: Miss Noreen.

MS. NOREEN: I pass.

MS. GROMMERS: Would you want to at least expand a bit then about that question? We can give you eight more minutes before your limousine begins to leave.

MR. GWIN: What, sir, was the question?

MR. DAVY: Well, could you amplify a little bit on the nature of your comment that invasion of privacy and power were somewhat synonymous. It is an interesting concept and I would like to hear a little more of your argument, your reasons for making that statement.

MR. GWIN: The argument that I was advancing is that privacy in the context of the debate that we are concerned with is being used both in terms of privacy in the classic sense, and "I would like to be let along" -- Brandeis and Warren -- and privacy linked to the political part through the connection of information and the relevance
of information to power, to the possession of power.
So that I was advancing the argument that some of those who are concerned about privacy, in fact, they are clearly concerned about the specific instances of invasions of privacy and I do not want to give an impression, which I may have done, that this is not important. This is very important to individuals. They can be very seriously harmed.

They are also concerned about the distribution of information and, therefore, fear that part of the distribution of power. And I was, in response to Professor Miller's statement, noting that this often proposed right of access does get into an individual decision-making process.

At the moment, most individuals and most systems often have no idea that the information exists, that the file on it exists. Often, they have no idea of what information is in that file or what use is it being put to or the reasons that the third-parties need to have that information.

Right of access gets them into what is a decision-making process or on the line. Therefore, potentially, it gives those people power vis-a-vis institutions. It would be a clear break from the present fact that the individual is, by and large, in the state of independence and, by and large, impinges upon the decisions which may be beneficent towards reasons for profit, et cetera, et cetera.
MS. GROMMERS: What is the Canadian government's institutions attitude toward the institution of what the power of people recently did?

MR. GWIN: "Mr. Trudeau, recently elected, one of his main points when he made his journed during the campaign was the use of the word "democracy." Although it is something easy to sketch out in broad lines and to actualize, nevertheless, it has the consistent theme of the government.

MS. GROMMERS: Would anyone like to ask one last question?

Thank you very much, Mr. Gwin. We are very appreciative that you could come down and be with us, and your limousine is waiting for you.

We will continue with our meeting, but we understand that you do have to catch a plane and we were very delighted to have you with us.

MR. MARTIN: May I, on behalf of the Department of Health, Education, and Welfare, express our gratitude to both Trans World Airlines and the Canadian government for both of you gentlemen coming. It is a generous and cooperative thing and we appreciate it.

MR. MUCHMORE: We appreciate that and we will write TWA and, in addition, we will give you a social security number to use.

MR. WILKES: Tell me what to do with it.

(Laughter.)
MR. MILLER: This close to election, you may not be too generous to TWA.

MR. MARTIN: I want to provide the Committee with a short oral briefing relative to the presentation which will be made tomorrow afternoon starting at 3:30.

You will have found in your folders a staff memorandum which attempts to provide a written briefing. Attached to it are two documents; one, the master plan of social security numeration activities, and the other, a program instruction of the rehabilitation service, each of which you would do well to look over with some care because the subject matter involved is fairly complicated.

I thought it might be helpful to provide sort of a brief oral overview of what the issues are. For many, many years, starting perhaps in the mid-Sixties, a process has been occurring within the social welfare and social services areas at the state and local government levels of including in the data base for programs administered by states and localities, in many instances, counties, the social security number of beneficiaries under those programs.

These programs have been and still are state programs. That is to say that the states design and launch the programs and provided they are eligible and the states obviously take care that they will be eligible to be assisted by the social rehabilitation service of HEW, HEW then
through the social and rehabilitation service contributes large sums of money to meet a portion of the cost of welfare and social services incurred by the states and localities.

With the advent of the proposal initiated by this administration for a nationalized welfare system, often referred to as HR 1 which has been passed by the House of Representatives and is still hung up in the Senate Finance Committee, the process of including a social security number in the data base for these state programs has accelerated and increased; in part, by action taken at the initiative of states and localities, and in part, because of some encouragement to do so is given by the social and rehabilitation service in cooperation with the Social Security Administration.

The materials that you have in writing discloses in some detail the most recent aspects of this development. There is pending in the social rehabilitation service a regulation in draft from which would mandate that the social security number be recorded in the data base on all social welfare, social service programs assisted by the social rehabilitation service.

That draft regulation has been pending for over a year and it was initiated in anticipation of the enactment of HR 1 and the need to have a uniform numbering system, as is expected by at least the House Committee, House Ways and
Means Committee, to administer at a national level the proposed health, welfare program. That legislation, as I say, has not been passed.

The number is being used at the state level to facilitate comparisons between records of what health and welfare programs and social services programs, beneficiaries and their relatives, produce in information with other records of the states or localities, to assure that only people who are eligible will be benefited under those programs and will receive benefits.

Problems are being encountered of a kind that are much more easy to understand in the wake of Mr. Taylor's presentation this morning in making those comparisons.

For example, in California where the Earnings Clearance System was recently upheld on a decision by a trial court throwing it out; the welfare agencies acting through the Department of Social Welfare of the state submits tapes of welfare beneficiaries with their social security numbers to another department of the state government of California which administers the unemployment compensation program, and in that program, employers report wages earned by people to unemployment compensation.

When the tape goes over there, there is added to the tape, the earnings reported by employers opposite the social security number for periods of time, sometime in the
past, since the data flows at the unemployment compensation program run slowly, and then the tapes are sent back to the Department of Social Welfare which, in turn, breaks them down by counties which is the practice of the administration of the welfare program in California, and wherever discrepancies are noted -- as when what the welfare beneficiary says he earned during a period of time and what his employer reported he earned in, hopefully, the same period of time, -- it triggers a process of investigation or exploration to discover whether or not this discrepancy is fraudulent or should lead to a change in the benefit level of the welfare or in a disqualification from beneficiary status of the welfare recipient.

I would suggest that your questioning of the social and rehabilitation service officials who will be here tomorrow, and social security administration officials who will be here tomorrow and two state welfare department officials -- one from Georgia and one from Florida -- and Pat Lanphere might help, too -- you might explore the extent to which their understanding of this comparison process is which the states are engaging in, using the social security number, or intending to use the social security number.

There is, on the basis of a lot of inquiry and discussion that I have had with a lot of people, grave -- including people in the systems business that are trying to
make his system work -- grave concern about the efficacy about the kind of comparisons that are being engaged in and which was in the past engaged in and fostering upon pushing this into the use of this line --

MR. WARE: Well, would you clarify some comparison? You mean matching the two dates, it is to ensure that they are relevant to the same person? Is that what you mean by comparison?

MR. MARTIN: No. Comparing information about earnings obtained from a welfare applicant, let's say, with information about his income obtained from his employer.

MR. MUCHMORE: He states in here, in the application for welfare, that he receives so many dollars from the compensation --

MR. WARE: Then it is tracking the consistency of the data?

MR. MARTIN: Yes. It is to see what the welfare recipient says is accurate as determined by what another record of, supposedly, the same information shows. Yet, all the same problems Mr. Taylor was talking about this morning are the comparisons as comparisons.

Is the information reported to the unemployment compensation system, the kind of information that the welfare recipient is asked to understand you are asking him to give? In contract, for example, with the internal revenue system
situation where the taxpayer is asked at the end of the year to provide a record of what his wages and salaries were. The likelihood of his making a mistake in reporting that to the internal revenue system is minimized by the fact that his employer is required by the same organization, IRS, to report that information to IRS and send a copy to the taxpayer.

The taxpayer is therefore in a position to know what the data source is, against which a comparison may be made. He is given a copy of the same information. That is generally not true with respect to the data bases that are involved of these comparisons in this whole social welfare and social services field.

I think an exploration of this would be enormously helpful to the officials involved in view of the sophistication and insights which this Committee clearly has.

The questioning process will help them to deal with what is a very difficult problem and I think, here, their responses will add to the Committee's ability to wrestle with this question of the social security number and the utility of its application in linking data bits.

MS. GROMMERS: Are you suggesting we ask them to expand on that process, to tell us whether they had problems in applying that process?

MR. MARTIN: There has been concern expressed in
Florida, that is, about the prospect of having to use
the social security number, because within the Department
of Health and Rehabilitative Services in Florida, which is
a rather large umbrella agency covering a very wide range
of services, are included mental health services and I
understand the people who administer mental health services
are very concerned that if it becomes a federal requirement
for state purposes in their programs to use the social
security number, that the likelihood that information which
is supposed to be carefully guarded in data bases of mental
health service institutions is going to find its way out
of those data bases and into other data bases and they are
very concerned.

MR. WARE: That's a different issue.—

MR. WEIZENBAUM: No. No.

MR. WARE: -- than comparison of the data
consistency.

MR. WEIZENBAUM: It is one big —

MR. WARE: It's one big ball of wax but a couple
of small balls on the side.

MR. MARTIN: What I say, to draw this out, is that
the process by means of which HEW is — I think this has to
be said — is encouraging the use and thinking, at least the
social rehabilitation service is thinking, of further
encouraging the use of the social security number. It is
that we are just throwing it out there without any sense of where, how it is going to impact.

We would understand clearly, I think when Mr. Boyd was here and explained very clearly, that with respect to the planning for a national welfare system, how the social security number would be used by the federal government for making comparisons of between data bases within the federal establishment. But what is being done now is to push it on to the states and say the states must use it, and I think that it is fair to say that the systems planners at the federal level who are doing this do not understand what the implications are for the states doing this.

Now, there are some states that have decided to do it in very discrete and limited areas where they have opted to do it and we are cooperating with them.

I think it is a very different thing for a state to say we have decided to do something and hopefully figure it out and come and say, "Will you help us HEW?" I think it is a tougher question. I haven't found any stronger advocate for this anywhere in the department. I think we have here a process that sort of emerged out of our bureaucracy in HEW out of necessity, in anticipating the need for HR 1 and wanting to get the enumeration side of it done as soon as possible so that when HR 1 comes along, we will be in a position to administer it more quickly.
It has all sorts of difficulty.

One of the things Mr. Taylor was saying is that the Social Security Administration, and I think they will bring this out tomorrow, has had to degrade the quality of the enumeration process in order to respond in some measure to all the states.

The Social Security Administration apparently does not feel it is in a position to say "no" to a state that comes along. "We have got this great idea that we are going to enumerate. Please help us."

The Social Security Administration feels obviously under political pressures to be responsive to that state. It does not have the manpower, resources on a given time scale or the ability really to respond to the state's request for assistance at the level of quality that the job requires.

So it is simply cutting out certain routines that it would otherwise do, such as verification, and the result is that the enumeration process which is being engaged in is going to be a degraded enumeration process in terms of quality control. And that, in turn, has implication for stated administration and, ultimately, for federal administration assuming that the welfare reform program does go through and then we have to use the result of that enumeration process. And I think they are concerned about that.

It is not the sort of thing that they are very
comfortable about, trying to service dandily and openly within HEW on the record, because there is really no way that the system can respond to it.

I think it is something that this Committee could be enormously helpful about, especially if it is able, as I think it will be able, to get the witnesses to be candid and open.

I have suggested to them here is a forum in which they can really let their hair down, and I think with searching and careful questioning, that you can bring out of them information that will be ultimately very helpful to the Committee in its work and certainly to the department in its function.

MS. GROMMERS: Pat, did you have a question?

MS. CROSS: Well, it may not be answerable, but I am confused. When you say they are not concerned about the efficacy of it, I am not sure whether you use that word towards ethical consideration, practical consideration. That is, is it useful, or the technical consideration of it, is it possible? I am not sure of where you are trying to put the emphasis, if any place.

MR. MARTIN: In order to be able to put the emphasis there -- I don't know. I don't think anybody in HEW knows or has a very good sense, factually, of what the conditions are. I don't think we do.
We have anecdotal intelligence, or all I am saying is nobody is very comfortable with what's been done in ethical terms, in conceptual terms and there is mixed evidence of what the effects will be and I think people are kind of holding their breath and trying to forget the problem and pretend it doesn't exist and it doesn't in HEW because of an infection.

If it is an infection, it is going to be suffered by states and localities.

Now, HEW, in a way, will feel the effect of that over time because we financed so much of this and it is hard for the states to explain what they are doing or administer well or to account for what they are doing.

We are going to feel the effects of it in time but it is far enough down the road so it is not an overrun of influence on people making decisions today or tomorrow.

MS. GROMMERS: I was just asking David, he's got a ten-minute chalk talk on the interrelations of SRS and Social Security and HEW Administration which I think will take another ten minutes to do.

We understand the problem that will be the problems of tomorrow and -- would you be glad to do it another time? We'll be happy to have the board there. We have a social record --

MR. MARTIN: Do you want this on the record?
MS. GROMMERS: I don't care.

MR. MARTIN: It's up to you.

MS. GROMMERS: I think we need it.

MR. MARTIN: During the first several months that I came out to the department in 1970, I spent most of my time engaged, very luxuriously, in thinking and talking to people, and thinking in order to try and figure out what HEW was all about, what it had become since I left it ten or twelve years before, and out of that, I developed a way of thinking about the department which I tried out on the Secretary. And it turned out to be very congruent with his way of thinking about the department.

And we used the ideas on this in lots of ways: speeches and analytical work, and I am now -- sometimes when people come to you, you get an introduction to HEW. We don't have an orientation but introductions and the kind we have is helpful.

HEW is frequently described as a department of mission, of people serving people. That's a very erroneous view of what HEW is all about.

HEW is essentially an organization, an institution, a congeries of institutions serving other institutions, working with other institutions which, in turn, sometimes directly or sometimes through the intermediary of several more layers of organizations, finally gets around to serving people.
Let's think of HEW as a box with a rather thick management layer. (Drawing) It grew something tenfold in the ten years the Secretary left it in 1959 and came back in 1970 and it consists of a number of operating agencies, most of which you have now met: the Social Security Administration, the Social and Rehabilitation Service, the Health Services and Mental Health Administration, the National Institutes of Health, and the Food and Drug Administration -- and, excuse me, how could I forget -- the Office of Education.

The Social Security Administration is the portion of HEW which has a direct individual clientele, however, if you think of drawing checks and putting them in the mail isn't rendering services to those people. It is making cash payments to them and we usually distinguish, analytically at least in HEW, the provision of services from the payment of cash and as a constant battle ranging in the Office of the Assistant Secretary of Planning and Evaluation as to whether we should have a cash or surveys strategy in fulfilling our objectives in Health, Education, and Welfare. Our services activity, direct services activities are very, very limited.

You heard about some of them this morning. The Indian Health Service is rendering through the work of federal employees in the Indian Health Service, services to Indians, to Alaskan natives in Alaska. The Public Health
Service still has in its hospitals a vestige of direct personal services, direct employees and federal health services serving patients in federal public health hospitals.

I think we still have a drug rehabilitation service in Lexington and we have a handful of other institutions within HEW in which HEW employees are rendering services to American citizens.

For the most part, however, what we do is to invest the capacity in the institutions of our society to delivery services. And we make those investments in a number of ways.

First, I might sketch out briefly what those other institutions are. First, we have a tier of 50 -- my last count -- states and I have never done homework in our relationships to territories and commonwealths -- Puerto Rico and so on -- I know there are relationships there. And essentially, let us say 50 states, and below the 50 states, there are -- count them -- 30,000 governments. 30,000 governments. That's a lot of governments. Those, of course, are cities, towns, tristate authorities, school/sewer districts, et cetera. HEW doesn't deal with all 30,000 of them. Some of those governments, some of the functions of those governments are outside of HEW authority.

After those 30,000 governments, there are just a legion -- I don't know if anybody counted them -- private
sectors like private schools, hospitals, private rehabilitation homes, just on and on, and all the different kinds of institutions in the health and welfare areas.

Below that, I do like to think of it this way; the biggest layer of all the institutions, the most fundamental institutions in our society, the family. And then the family accounts for I don't know how much of the population in an institutional sense and then you finally get to individuals.

Well, I don't insist on thinking of the family as an institution for this purpose, although it is useful to keep reminding people in HEW of the family as an institution as they start thinking about child development programs that are going to be organized entirely through bureaucratic offices that like to remember that the family is an important institution in talking about child development.

Now, HEW gets authority, money and oversight -- sometimes spelled trouble or interference from the Congress of the United States -- and it takes that authority and money in anticipation of the oversight and uses that money on this network of institutions to try, through those institutions, to impact for good effect on the lives of people.

The investment which it makes in institutions takes a number of forms. One, it invests in their physical
plant capacity. Most services are rendered in buildings. So across a range of programs, HEW has authority to spend money, helping in the construction of a variety of kinds of physical environments in which -- or from which services will be given to people, hospitals, schools, colleges, universities, nursing homes and so on.

These environments, these physical environments are for the most part more or less specialized facilities and need to be equipped. So HEW has authority through most of these agencies to invest in the equipment of buildings. Most of these environments are staffed by people who work in them, give the services, and are persons who require special training. They are professionals of one sort or another.

So HEW has funds in which to invest in their training and to assist in their training and to assist the institutions that provide that training to be able to give that training. Training requires information or knowledge, a knowledge base, information to be used for training purposes and that brings us to HEW's very substantial investment in research which creates new knowledge and provides the bases for the education or training processes.

It also provides insights into what to do in those service rendering institutions.

Now, HEW's role in relation to this is not
neutral. It seeks always not to be neutral. It constantly has objectives in mind. It wishes to accomplish something in the life of the person down here who is receiving services as a result of that process that I have tried to describe.

So how can it seek to influence what happens down here with this person, not having any direct contact with the person, having only those indirect ways of affecting it? Investing in plant, in the equipment of the physical plant, in training people, in knowledge, and I should have added, we also have programs in which we can help to fund the operation of these institutions.

Well, the way we try to exercise that influence, crudely put, is by tying tags on the money that we spend, tags which have certain conditions on them to accept this money, to use this money. It must be used in such and such a way in such and such a population; only for blind people or only for older people or on terms as such, that there is no discrimination as between old people and young people or black people and white people and red people or it must be used to further this or that or another sort of treatment objective in health or whatever.

If we were the only ones involved in trying to influence the outcome for people of the availability of services to them and the receipt of services, HEW could be
a very powerful and effective institution. But, of course, we all know that isn't the case because this money flow that comes from the people gets appropriated by the Congress, gets pumped through the federal government, and out again. It is at every single point where any institution in the process has a chance to say anything about it. It is being tagged by somebody.

The Congress, of course, ties the first tag with authority and continues to tie tags of a different kind through the congressional oversight process.

HEW doesn't live, of course, as a nice, neat, little square in Washington, with its ten regional offices around the country and somewhat. It lives within a complicated environment with the interagency, with the Bureau of Budget, the President and other departments of the budget exact time price tyings, trimming off tyings that the government might want to tag on whatever HEW receives and money going out the door; all these other people have their notions as to what should happen and they tie tags on or counter influence or whatever may have happened along the way.

So we try in lots of ways. There is one other major dimension of HEW function that is perhaps worth mentioning. This cash flow practice is a very important aspect of our opportunity to tie tags and that is what we
will be concerned about tomorrow afternoon through the social rehabilitation and social security. We are spending billions of dollars a year reimbursing welfare cash payments, medical bills and -- paid through Medicaid and Medicare -- social security, old age beneficiaries, medical assistance programs, and through financing -- well, you may have been reading the stories in the paper lately, and you must have read of the President's veto message of the HEW vetoes ceiling on the social services program that has just been discovered by the state running about $4.8 billion a year from a few hundred thousand a year only a few years ago and opened reimbursement program administered by SRS which reimburses at the rate of seventy-five cents on the dollar all the expenses incurred by the state on anything that can be brought within the broad and loose definition of welfare rehabilitative services.

We try to tie tags on those cash flows that had been going to reimburse the medical expenses incurred, for example, under Medicaid and Medicare, and through this social services/welfare services flow, we tie tags on that to try to enduce or shape or have an effect on the quality, the nature of the services which we are helping to pay for.

But as I say, so is everybody else and we are not very aware, I guess it is fair to say; we really don't know what the consequence is of the tags that we tie.
Now, this, the process whereby funds flow through HEW, through this maze of governments and private organizations, is impossible to understand. Believe me. And anyone who says that he can see clearly what the consequence of some grant condition can be or contract condition or state plan condition, that those are the ways in which we tie the tag but the consequence of this is the individual down her, the individual receiving services, is just plain out of his tree.

People, however, in Washington, since they cannot deal with the citizens out here, are limited to what they can do and what we can do is advocate or set about changing procedures and that is one of the most endemic games of the government, is to change procedures; reorganizing and changing the process of our programs all the time because we can effect that, we can change our own structure, our own organization. We can change the tags we tie and we do that all the time, and it makes life -- to the extent that we are just dealing with our own world -- it is bad enough, but we can do that.

To the extent that we seek to do it and the states and the localities, the private institutions allow us to do it a lot, it makes their life very difficult. They are constantly having to adjust to current notions or these examples of whatever the current bureaucracy happens to be.
in Washington, how the process should work.

MS. LANPHERE: Very true.

MR. MARTIN: And without wishing to seem disloyal in any way to this, or prior or any future, administration, but just trying to speak rather clinically, it is a kind of quasi-professional government buff. I think that insofar as changes in process, an organization depends crucially for their implementation on information systems, especially large-scaled complicated implementation systems of the sort that we have been considering and about which we will hear something later tomorrow afternoon, that the system just cannot withstand the kind of management that it is getting in this or any prior or any future administration.

What is sad about our system is that this layer which really has more say than many others in the system about how HEW at least will behave, the civil service leadership, the agency has -- doesn't respond easily or quickly to what the management layer, the Secretary and his cadre of assistant Secretary and staffs try to accomplish within the department. Perhaps that is good for reasons I will explain.

Typically, this layer of government, the layer in which I am functioning is staffed by people who come in knowing very little about what their job is, knowing even
less about what their organization is. Coming in for a short period of time, it is a political vulnerable stratagem in the functional limit, coming in with a general and enormous zeal and energy and, I think, dedication, dedication which is, I think, understandable and functional to a goal that may not be very useful to sound administration of our complicated governmental structure because the people who come into these layers do not come in for the most part thinking that this is a career or part of a career. It is a stop in a career.

From here, it may be back to business or then it may be back to the academy or it may be back on to something else and that's fine. That can produce a lot of good results. Fresh ideas and a lot of that. But the turnover is very quick in here, on the average of two years, and the learning process is slow. It is a complicated world and just about the time people get to know what it is all about and what they are trying to do and implement it, it is time to move on to the next grand adventure.

It is the population who are mostly concerned about take offs. There isn't time for the landing. You won't be there for the landing anyway, and you don't have to be concerned about whether your own course. The take off is the big thing, and take offs are measured mostly in newspaper headlines, so you have constant take offs and --
MS. HARDAY: I believe you are describing my situation perfectly.

MR. MARTIN: And the people who come next are not worried about keeping yesterday's general flight on course and to a safe landing. There's no glory in that.

The glory is to have a take off, and there's a tendency for the leadership in -- this is just HEW; I think it is true throughout the federal establishment -- there is a tendency to throw away yesterday's idea. It doesn't have to be a change in party; just a change in personnel.

This layer of HEW is actually here. It consists of nine people. They really are those nine separate associates, each in his little world, empire of his own, and all of which are supposed to be helping the Secretary who has a staff of maybe five or six or seven people directly, personal staff, to him to manage the department. But they are not really trying to help him manage the department. They are trying to assure that their view of how the department should be managed is that which prevails among the competition of their adversaries.

Instead of operating as a united team, sharing resources with the staff, they are bickering and fighting and jockeying for better positions, more places and more money to do their own thing and they are gradually going to be little relevant bureaucracies that help the government
manage, help the agencies management. So much.

They are going to be there three of four years
and then go back to work on what they were doing before;
teaching or courses in business.

Well, that is an effort to try to share with you
what I think is the environment -- that's the larger environ-
ment in which the issues, which this Committee is dealing
with, lives.

If you subscribe to Richard Gwin's view -- not
his view so much -- his analysis of the power equation and
information as a means of institutional exercise of power,
mucking around with information systems that are as easily
set aright by the kinds of everyday events, that Joe
Weizenbaum has been talking about meeting after meeting
which Mr. Taylor spoke about this morning, it has, is seems
to me, profoundly significant consequences for the society
and I would hope that this Committee would help sound the
clarion call for some kind of very serious minded
attention to the management of information activities
because they are crucial to the functioning of government
and the functioning of government is enormously complicated
by this structural conference, this human condition, and
the fact that this structural condition is complicated by
the fact that every layer of our government is concerned
with just about everything.
I do not believe that city halls, county halls have gotten serious enough about defense policies, but we have states going for resolutions of getting out of Vietnam and I suppose it is not the standard of states to do that with defense policy, not to say Massachusetts shouldn't have done that. But we are reaching the point because of new technology which brings everything into our observation and understanding the impact on television, on campaigning for public office. You cannot afford, if you are active in government at any level, to be disciplined and focused and say, "This is my job and that's the other fellow's job."

Stan Aronoff cannot. If his constituents bring to him business, federal government business, he cannot say, "Shove it, Mac. I'm a state legislator," anymore than a senator can write to him, to Stan Aronoff. Everybody's doing everything and that makes -- and the information technology industry is,--in all this chaos, it has just a sitting duck customer.

If there is anything in this function that I would like to hear, it is a way to make it clearer, understand it better, make it work better and the promise and the appeal in information procedure and technology as a means of trying to do a better job, I think, is a hard one to resist. And from my perspective of governments, all these governments, the United States has really very, very much overinvested in
information technology and communications technology.

They have got much more than they are using effectively, much more than they know how to use, and I do not see much prospect of that for abating for a whole lot of reasons. And I don't know how one committee advising one Secretary, one secretary, one department of our government, can do. But I really think there is probably no task that any group of people trying to serve their country are tackling that is more important and potentially holds greater beneficial reward, opportunity for our country that what you are engaged in.

MS. GROMMERS: Thank you, David, very much.

MS. HARDAY: Very good.

(Applause.)

MR. ARONOFF: Does the Secretary, who administers this vast complex and understands from his political life, en masse, and his former work in HEW, the various take offs and further understands that this is an election year where all kinds of take offs are going on, really want at this stage the kind of potentially shattering report that could come out? If I may throw that question out to you who understand the politics of government.

MR. WEIZENBAUM: May I rephrase that question slightly?

MR. ARONOFF: You always do.

(Laughter.)
MR. WEIZENBAUM: I think you will notice that at the last several meetings, I have been keyed on very tight to you.

MR. ARONOFF: I meant that lovingly.

(Laughter.)

MR. WEIZENBAUM: David, the take off analogy that you made reminds me of some ships in the Navy that have catapults that are capable of launching airplanes. They are not receiving the airplanes that they have to launch.

To rephrase that question, whether, for example, this Committee is such a launching operation, you know, a spectacular take off from a catapult mounted on a small ship, when, in fact, no one has really thought about the landing -- there may be a field landing scope.

MS. GROMMERS: We go from one version to the left-hand version, then to the right-hand version.

MR. MARTIN: We are working against an unconscionable short deadline. We are doing that with our eyes open.

The reason we did it was that we wanted a landing at least in a sense of a product in this administration. When the idea of having a committee was conceived, there was no way of knowing that the future held and, presumably, there still is no way of being sure what the future holds for the incumbent of HEW.

He considers the range of issues that the
Committee is grappling with as very important and he wanted to make a contribution which he did not feel he could make, personally, to at least an understanding of these issues during his incumbency aspect.

I think he will feel that the take off will have resulted in a successful landing if this Committee can help, through its efforts and through him and through its report and whatever else it achieves, towards a greater public understanding of the issues.

If, by a landing, you mean the implementation of specific remedial action or reform steps, there is no way of knowing what the opportunity to implement those recommendations will be for this Secretary.

If the administration isn't returned to office or he continues to be Secretary, a fate of which I obviously do not hope for because I have great confidence in him and great respect for him and admire him greatly and would work hard, work a great deal in implementing his recommendations, but our prospects are, one, if he is no longer Secretary of HEW, the work of this Committee may in terms of tomorrow's leadership in HEW suffer the fate as being regarded as yesterday's take off and of no interest to a succeeding Secretary of HEW.

I would like to think that wouldn't happen because I think the issues here are not partisan issues. I
think the Committee will have done its work that needs to be done and will be enormously valuable to anyone that cares to address the issues. That is about all I can say unless I am missing the point of your question.

MR. ARONOFF: No, you didn't, except if you take your analysis without predicting, assume for the moment, that the Secretary would remain in office for a period of time beyond January of 1973, it is nothing less than his prestige, if in fact he endorses even part of what this Committee could do, that could possibly have any impact on the power structures that you have so eloquently described.

MR. MARTIN: I would like to dissent from that view without disagreeing with what you said. I think that it is true that the Secretary's prestige can help accomplish whatever the Committee decides to recommend should be accomplished. And I think that can happen whether he continues to be Secretary or not.

He is not going to retire from public life to a farm in Vermont. What he will do, I don't know. But his record is one of continuing investment of time, in things he understands and cares about. And this Committee's report will surely enable him to better understand this issue and give him targets to try and continue to hit.

My statement takes the form of reminding you, as I have said before, that you already are having an effect.
We haven't interacting with hundreds and hundreds of people but we have interacting with many people and we have interacting with many people who are in very, very key positions and, absolutely uniformly, the feedback I get from the people who come here to present an interact with you ladies and gentlemen is a very positive, a very meaningful and a very useful impact, an impact which, if the Secretary continues to be Secretary, will prepare the ground, if you will, for the implementation of whatever recommendations the understanding of the needs for them or their significance of their meaning is heightened by the effect you are having on people in the interacting process and will make the carrying out the recommendations easier for him or any secretary that chooses to act on them. And even now, you are having an impact.

You heard the Indian Health presentation and someone congratulated the presenters as having been laudible because of their great concern with confidentiality and privacy without any warning. Well, they had a warning. The warning was the searching, questioning and briefing on what the Committee was interested in knowing about that they had with your staff in preparing them for coming here, for the fact of your existence and from whatever scouting, you can be darned sure they did plenty about it, as to what the Committee is all about. What they are interested in, you
are not being paged about it daily, you are not invisible
about being known and the existence of the presentation you
got is an expression of concern which I think is sincere
about the issues you are raising, and that presentation is
markedly different from the style and presentation that
was made two weeks ago in the Office of the Secretary, in
the Secretary's staff meeting.

So you are already having an impact, a very
meaningful impact because you are interacting with people
who are at various levels of behavior in this country of
organizations, whose behavior is unmanageable in a real
sense. The managers really defer and delegate entirely
to people who build these systems. They don't understand
what they are managing.

Elliot Richardson understands better than some,
but Elliot Richardson may be the last one to say that he
understood all the difficult issues or has clear answers
or has a sense of what to do about them. And most managers
aren't aware of the issues. They aren't aware of the
problems. They just defer.

MS. GROMMERS: The other point I think is a very
important one, equally, that David has just made, which is
the impact on public knowledge will be effective regardless
of who is the Secretary and will be feeling up the other
side of that beanbag (?) we have been operating on what
Jerry was talking about, improving the relationship of the individual vis-a-vis the institution, the power situation. I would like for us to give more attention, too, as we develop on to some of these ideas through the rest of the meeting.

MR. MARTIN: I hope that nothing I have said will be construed as my having a view of the world, that it is full of villains and badguys. You know, I don't think there are any badguys or villains in this -- it's just a terribly, terribly complicated, messy business which has come about in part -- which I say -- through communications and technology. As some notorious man said, the world is a global village where everybody cares and everybody wants to do something out of enormous innovation.

It may be that too many cooks spoil the outcome and we need more chefs and that the pastry man doesn't get involved, involving himself on how the fish is baked.

MR. WARE: What is --

MR. DAVEY: One question I have is, what is the Committee going to be in over the next two or three months?

MS. GROMMERS: We will be talking about that till Saturday.

MR. DAVEY: Do we have to wait till Saturday?

MR. WARE: No, we have to wait till Saturday.

MR. DAVEY: Because we discussed this a little
bit last time and if I can characterize my own personal feelings, I felt for the first couple of meetings we didn't know as a group where we are going. But I don't know where we are going.

MS. GROMMERS: Well, I think at the meetings, we have reached some definite guidelines of where we want to go.

MR. ANGLERO: I have tried in some way at many meetings to try to understand what the decision-making process in HEW has been. Now, I find we have to find another way of a decision-making process. What I think for us, if we want to make any contribution, we need to understand. It's not just to look at the mess, the way you put it, really. It is a mess. Probably we should spend some time on -- I don't know how to delineate it -- a list, the process for the information of decision-making, not to get the thing of the whole structure though.

MS. GROMMERS: You would like a network like this. Maybe we can find some way to get David to make up that project.

Shall we adjourn.

(Whereupon, at 6:10 p.m., conference was adjourned, to be reconvened at 9:00 a.m., August 18, 1972.)

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