



DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

OFFICE OF THE SECRETARY

WASHINGTON, D.C. 20201

SECRETARY'S ADVISORY COMMITTEE ON
AUTOMATED PERSONAL DATA SYSTEMS

June 7, 1972

TO: Members of the Secretary's Advisory Committee on
Automated Personal Data Systems

Enclosed is a draft thematic outline for a report by the Committee which Chairman Grommers has requested that I send to you.


This outline should be perceived as tentative as to both form and content. It was prepared by me on the basis of sub-committee discussions held at Harvard Law School on June 2-3 in which Dr. Grommers, Layman Allen, Arthur Miller, Joe Weizenbaum, and Carole Parsons and I participated.

You are requested by Dr. Grommers (1) to prepare in writing any changes (addition, deletion, re-wording, re-structuring, etc. etc.) in the outline which you wish to propose and (2) to send these in writing to me in time for reproduction and distribution to all members, (or) to bring them in sufficient quantity for such distribution, at the next meeting, June 15-17.

The schedule of the meeting will provide ample time to discuss the outline and proposed changes. It is not, however, intended to freeze the outline beyond future change at that meeting.

You are also requested by Dr. Grommers to prepare in writing your proposals of (1) what work you feel needs to be done in relation to the preparation of a report based on this outline as drafted (or as you would change it) - e.g. information to be obtained; analyses, and other papers to be prepared, etc.; (2) how you believe this work might best be done; (3) what you are willing to commit yourself to do; (4) what persons or organizations outside the Committee and HEW you suggest might be drawn upon to help.

N.B. The outline does not attempt to deal fully with the issue of the Draft ANSI STANDARD IDENTIFICATION OF INDIVIDUALS FOR INFORMATION INTERCHANGE. We plan that Sheila Smythe will make the presentation at the meeting which her illness forced us to omit at our last meeting, (May 18-19) and we will then discuss the questions set forth in the schedule for the last meeting.


David B.H. Martin
Executive Director

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Enclosure

June 7, 1972

Draft
Thematic Outline of Report of
Secretary's Advisory Committee on
Automated Personal Data Systems

I. Definition of automated personal data systems in terms of functional characteristics.

1. Collection of data about individuals. *Cox, Simonsen, OMB, Allen*
2. Indexing of data. *Cox*
3. Assembly and storage of data in machine readable form. *Muchmore*
4. Electronically controlled manipulation, retrieval, dissemination or other use of data. *Muchmore, Allen*

II. Types of uses of automated personal data systems.

1. Record-keeping. *Davey*
2. Management of operations. *McFee, Gentile, Davey, Muchmore, Hardaway*
3. Statistical reporting and analysis. *WCHS, NCES, NCSS, Cox, Burgess, Higgins*
4. Research - *Boruch, Nejeliski, Cox, Gaynor, Impara*
5. Intelligence *Gallati, DeWeese, Ware*
6. Other?

III. Principal applications of automated personal data systems in major areas of use.

1. Education - *Low, Elliott, Impara, Cross, Lethen, Reed, Hilford*
2. Health - *Grommes, Gaynor, Smythe, Davey*
3. Income Maintenance) *[Boyd] Langhorne, SSA*
4. Social Services *Knolly, Angler, Langhorne*
(In each of the areas listed, a description of major present, and likely future, applications.)
5. Consumer Services) *Smythe, Davey, Muchmore*
6. Criminal Justice) *Gallati, DeWeese*
7. Other?)

IV. Demonstrable and alleged benefits of the use of automated personal data systems.

1. Increased efficiency as measured by diminished unit cost of performing a given function. *Davey, Gentile, McFee, Muchmore*

2. Increased effectiveness as the result of improved capacity to control (plan, execute and evaluate) the performance of a given function. *McPee, muchmore*
3. Liberation of people from dreary, repetitive tasks. *Muchmore*
4. Performance of functions whose scale or required rate of speed would otherwise exceed the capacity of human beings, however well organized and directed. *Cancer survey, Muchmore, Davey*
5. Increased rationality of decision-making as a consequence of the ready availability of large bodies of information presumed relevant to the decision-making task at hand. *Hardaway, Gentile, muchmore*
6. Other? *Angelo*

V. Demonstrable and alleged undesirable consequences of the use of automated personal data systems.

1. Elimination of low-skilled clerical jobs. *Hardaway, Siemiller*
2. Increased opportunities to make decisions for or about individuals, unfairly, unwisely, inaccurately or impersonally. *Hardaway, Siemiller*
3. Added inducement to people who work in complex or large volume enterprises to feel unaccountable and to act irresponsibly or insensitively. *Hardaway, Siemiller, Weizenbaum, Muchmore*
4. Enlarged risks that privacy will be diminished. *Miller, Ervin*
5. These systems are said to have a potential "chilling effect," i.e. They may induce an inhibition in individuals to exercise their rights of free expression, free association, or free movement. *Miller, Weizenbaum, Aronoff, Gallati, Ervin*
6. The use of these systems is said to induce attitudes of alienation from the using institutions and their managers on the part of people affected by their use.
7. The fragility of systems in the context of highly complex and interdependent society is said to put important social operations in peril of serious disruption as scale and linkage of systems grow. *Weizenbaum, Ware, Dobbs*
8. The scale and complexity of some systems is said to lead to conditions in which their users either do not recognize or fully understand the systems' potential for error or failure or when they do recognize or understand, are constrained from trying to change the systems by considerations of convenience or by inertia. *Weizenbaum, Ware, Dobbs, Langhorne*
9. Other? *Burgess p 40*

Inevitable

Bagley 132

VI. Procedures for identifying and assessing the consequences of using automated personal data systems.

A. Examination of prevailing assumptions relative to automated personal data systems, for example:

1. That automated personal data systems are useful; *Davey, Burgess, Langhorne*
2. That the costs of these systems accrue exclusively to the institutions or groups that establish, maintain and use them or are distributed equally throughout the society; *Angelo, Davey*
3. Society's appetite for information about its members places an irritative, growing and potentially intolerable burden upon the individuals and groups from whom the data are being collected. This burden falls especially heavily upon the underprivileged; *Angelo, Lickmiller*
4. There are economies (of cost, timeliness and accuracy) for users of information, and for the individuals from or about whom information is collected to be achieved through pooling data in centralized systems or by linking separate systems; *Gentile, Gallati, Ware, Muchmore, Baynor, Davey*
5. That using even the most advanced technology leaves these systems vulnerable to misuse on a scale which society cannot afford to countenance; *Ware, Weizenbaum, Miller*
6. The use of automated personal data systems for research or statistical reporting and analysis does not pose a significant threat to privacy; *Burgess, Cox, Inpara, Muchmore*
7. That mere reliance on the individual's assertion of legal rights is an adequate constraint on potential abuse of these systems; *Miller, Aronoff*
8. That a socially powerful process needs to be created to provide an adequate constraint on potential abuse of these systems; *Miller*
9. Other?

B. Stipulation of principles that should be adhered to in designing an automated personal data system, for example:

1. The benefits and burdens of the system should be analyzed as part of the assessment of manpower, financial and other costs and benefits for any proposed activity whose implementation will require an automated personal data system; *Davey, Gentile*

2. The boundaries of the system and the extent of its use should not exceed the authority and accountability of those in charge of the function(s) that the system is being designed to serve;
 3. Decisions about the purposes for which the system will be used and how it will interact with the individuals from or about whom it will process information should be made and understood by line management of the organization that will use the system and not left to information specialists, systems analysts and technicians, or consultants;
 4. Decisions about what information will be collected from or about individuals and how that information will be used should not be made exclusively by the collectors and/or users of the information; *Siemiller*
 5. Absolute data security is not attainable in any system; a degree of security can be achieved by a combination of administrative and technical features; the security threshold should be related to the sensitivity of the data in question and the risk of breach of data security; *Ware, Noll, Weyenbaum, Miller*
 6. *Carlson* The mechanism to determine the sensitivity of data should draw on the attitudes of the individuals from or about whom information will be collected; *Simonsen*
 7. Other?
- C. Stipulation of operational characteristics of the system to an automated personal data system:
1. Specification of information to be collected;
 2. Determination of any assurance of confidentiality to be given to informants; *Miller*
 3. Determination of what information will be stored in machine readable form;
 4. Determination of any provisions for updating, correcting, or expunging information; *Siemiller*
 5. Determination of any provision for dispersing of information;
 6. Determination of data security features; *Noll, Ware, Carlson*

7. Determination of any provision for linkage of system with other systems; *Siemiller*
8. Other?

VII. Procedures to protect individuals in relation to the use of automated personal data systems. *Miller, Bagley, Aronoff*

A. Stipulation of legal rights of individuals relative to information about them and to decisions or actions affecting them which are based on such information, for example:

1. To know that an information record which may be retrieved by reference to, or is indexed under the individual's name or coded identifier is to be maintained;
2. To know what information is stored in such a record and whether the storage is automated or not;
3. To have such a record maintained accurately at all times by the system, provided that the individual does not unreasonably withhold information needed therefor;
4. To have a copy of such a record;
5. To have such a record altered or supplemented;
6. To have such a record expunged; *Weizenbaum*
7. To know what access is permitted to such a record;
8. To know what use is made of such record and by whom;
9. Other?

B. Stipulation of sanctions and measures of redress for infringement of legal rights of individuals stipulated under A, above, for example:

1. Penalties on organizations in which such infringement occurs;
2. Penalties on individuals by whom infringement is committed;
3. Correction of decision or action resulting from such infringement;
4. Compensatory and/or punitive damages paid to individual whose right was infringed;
5. Other?