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DOMESTIC COUNCIL COMMITTEE ON THE RIGHT OF PRIVACY

WASHINGTON, D.C. 20504

August 29, 1974

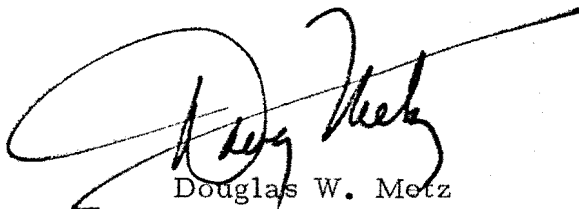
MEMORANDUM FOR

Department and Agency Liaison Representatives
Domestic Council Committee on the Right of Privacy

Subject: Confirmation of Sixth Meeting
Friday, September 6, 1974
Vice President's Conference Room --Room 275
Old Executive Office Building
Washington, D. C.

The next meeting of Liaison Representatives has been changed from September 5 to Friday, September 6, 1974.

The agenda for the meeting is attached. Each agency having responsibilities for (1) implementation of privacy initiatives Number 1 through 14 (see attached Fact Sheet) and (2) for old and new projects should be prepared to present progress reports.



Douglas W. Metz
Acting Executive Director

Attachments

DWM/crs



PROPOSED AGENDA

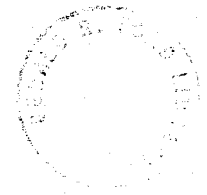
Sixth Meeting

of

Department and Agency Liaison Representatives and Alternates
Domestic Council Committee on the Right of Privacy

Vice President's Conference Room--Room 275
Old Executive Office Building
Washington, D. C.
10:00 a.m. - September 6, 1974

1. Report on the Status of Pending Privacy Legislation
 - . Discussion of proposed Executive Order concerning Rights of Individuals with Respect to Records Maintained About Them by Federal Agencies
2. Agency Reports on Progress in Implementation of Privacy Initiatives
3. Progress Reports on New Projects
4. Next Steps
 - . Summary of responsibilities
 - . Time and place of next meeting



FACT SHEET

DOMESTIC COUNCIL COMMITTEE ON THE RIGHT OF PRIVACY

FOR RELEASE JULY 31, 1974

CONTACT: Douglas Metz 391-3054

MEMBERSHIP

Chairman:	Vice President Gerald R. Ford
Members:	Secretary of the Treasury William E. Simon Secretary of Defense James R. Schlesinger Secretary of Commerce Frederick B. Dent Secretary of Labor Peter Brennan Secretary of Health, Education, and Welfare, Caspar W. Weinberger The Attorney General William B. Saxbe Director, Office of Management and Budget, Roy L. Ash Director, Office of Telecommunications Policy, Clay T. Whitehead Chairman, Civil Service Commission, Robert E. Hampton Director, Office of Consumer Affairs, Mrs. Virginia Knauer
Staff Directors:	Executive Director of the Committee, Philip W. Buchen Deputy Executive Director, Douglas W. Metz



COMMITTEE FUNCTIONS:

The Committee, chaired by the Vice President, was established February 23, 1974, by President Richard M. Nixon, in a radio address to the nation on the right to privacy. It was charged with responsibility for recommending at the earliest possible time measures which can be taken to ensure that the individual's right to privacy is protected. The Vice President appointed Philip Buchen Executive Director of the Committee on March 15, 1974, followed by formation of a small staff which in April initiated projects for immediate attention. The projects represented areas in which action was urgently needed and where possibilities were good for implementation this year.

Interagency task forces, individuals and groups outside the Federal government, Members of Congress and Congressional Committee staffs are contributing to the staff efforts. Not involved are the subjects of wiretapping and electronic surveillance, because they are under study by the Congressionally created National Commission for Review of Federal and State Laws relating to the two subjects as authorized by Title III of the Omnibus Crime Control Act of 1968.

The Domestic Council Committee on the Right of Privacy on July 10, 1974, considered 14 privacy initiatives for immediate action. The initiatives encompass a wide range of subjects including legislative prohibitions of military surveillance of civilian political activities, greater protections for personal bank account records against disclosures to government agents, tighter safeguards against unauthorized disclosure of IRS taxpayer returns, and provision for building in privacy safeguards in Federal computer and communications systems.

Although several initiatives impacting the private sector are proposed, most of the initiatives reflect the Committee's view that its initial privacy initiatives should focus on the Federal government. The Committee believes that Federal example and experience in this complex field should precede Federal directives to the non-Federal governmental and private sectors.

A significant example of this approach is reflected in draft legislation developed by the Office of Management and Budget in consultation with the Privacy Committee staff and transmitted to the Congress on June 19, 1974. This bill will require Federal agencies maintaining record-keeping systems containing personal information to give the individual the rights to know, challenge and amend information about him in Federal agency files. The bill exempts national defense and foreign policy, law enforcement, and certain Federal employee files on the grounds that these complex subjects merit special attention through separate legislation.

This approach is being adopted at the State level where broad initial legislation (enacted in Minnesota; pending in California) has been restricted to the government sector record-keeping systems.

SUMMARY OF PRIVACY INITIATIVES ENDORSED BY THE COMMITTEE

Initiative No. 1 -- Federal Data Processing and Data Communications Systems Procurement

This initiative is designed to establish practices and procedures within Executive Departments and agencies that will ensure systematic consideration of personal privacy rights in planning and use of Federal data processing and communications systems.



It is recommended that agencies prepare privacy safeguard plans for data processing or communications systems containing personal data before starting the design and procurement of such systems; that all existing systems be subject to a review of their privacy protections.

Initiative No. 2 -- Computer System and Network Security

This initiative is designed to continue development of standards and guidelines begun by the National Bureau of Standards to safeguard the integrity and confidentiality of personal information in computer systems and networks.

It is recommended that the National Bureau of Standards accelerate the development of standards for safeguarding the security and confidentiality of personal information in computer systems, and to make such standards applicable to Federal systems.

Initiative No. 3 -- Consumer Transactions

This initiative is designed to provide further Federal leadership in protecting consumer rights of privacy in the marketplace.

It is recommended that the Office of Consumer Affairs propose a Declaration of Individual Rights of Privacy in Consumer Transactions. This would establish principles for protecting the privacy of personal information about consumers gathered in connection with consumer transactions. Businesses would be asked to subscribe voluntarily to a Code of Fair Information Practices which would protect the privacy rights of consumers.

Initiative No. 4 -- Cable Television Systems

This initiative is designed to safeguard consumer and personal privacy in cable television systems.

It is recommended that support be given to the privacy provisions of the proposed Cable Communications Act of 1974 which would prohibit cable operators from disclosing personally identifiable information about cable subscribers without a court order.



Initiative No. 5 -- Federal Mail Lists

This initiative is designed to ease concern over privacy invasions that could result from the use of Federal mail lists for other than official uses of the Federal government.

It is recommended that pending a full review of Federal mail list policy, any individual on a mail list maintained by a Federal agency be given the right on future government forms to exclude his name from lists made available for dissemination outside the Federal government.

Initiative No. 6 -- IRS Taxpayer Data

This initiative is designed to further assure confidentiality and security of data furnished the Internal Revenue Service by the taxpayer.

It is recommended that the IRS be encouraged in its efforts to improve security and confidentiality protections for taxpayer data and to develop comprehensive new legislation placing greater restrictions on access to tax returns.

Initiative No. 7 -- Notice of Rights of Data Subjects

This initiative is designed to assure that Federal agencies explain to an individual why he is being asked for information about himself or others.

It is recommended that the Office of Management and Budget require each Executive agency to have procedures which will assure that people are not asked questions about themselves or others without first being told clearly whether they are legally required to answer and what uses will be made of the answers they give.

Initiative No. 8 -- Electronic Funds Transfer Systems

This initiative is designed to help prepare for privacy safeguards which may be needed in the so-called "checkless-cashless society."

It is recommended that Federal agencies concerned with this area be requested to undertake special studies of the potential impact on personal privacy of electronic funds transfer systems for handling consumer financial transactions.



Initiative No. 9 -- Individual Access to Federal Records

This initiative is designed to establish an individual's right of access to Federal records containing information about himself.

It is recommended that endorsement be given to the principles embodied in the OMB draft bill requiring each Federal agency to permit individuals to inspect records about themselves and correct or amend inaccurate information, with some exemptions for records relating to national defense and law enforcement investigations.

Initiative No. 10 -- Military Surveillance of Political Activities

This initiative is designed to prevent military surveillance of civilians.

It is recommended that an acceptable revision of S. 2318 be enacted prohibiting military surveillance of civilian political activity, and providing penalties and remedies for violations.

Initiative No. 11 -- Federal Employees' Rights

This initiative is designed to encourage legislation to protect the privacy of civilian employees of the Executive Branch of the Federal government.

It is recommended that the Civil Service Commission prepare, as soon as possible, proposed legislation or executive orders which would protect the privacy of civilian employees of the Executive Branch.

Initiative No. 12 -- Parent/Student Access to Education Records

This initiative is designed to provide a Federal policy that would protect the basic privacy rights of parents and students with respect to school records, as reflected in the Buckley Amendments to the Elementary and Secondary Education Authorization Bill.

It is recommended that support be given to legislation embodying principles which assure rights of access to school records for students and parents, provide appropriate safeguards against disclosure of such records to third parties, and take into account the privacy rights of individuals furnishing evaluation information to admissions offices of educational institutions.



Initiative No. 13 -- Individuals' Financial Records Maintained by Banks

This initiative is designed to protect the confidentiality of records that financial institutions maintain about consumers, and to protect legitimate interests of the government in such records.

It is recommended that support be given to the basic concepts of legislation now proposed which would prohibit Federal agencies and State and local governments from obtaining information in records on the customers of financial institutions, unless under a court order or subpoena, an administrative summons, or unless the customer authorizes such a disclosure.

Initiative No. 14 -- Fair Credit Reporting Act

This initiative is designed to broaden the privacy protections in the Fair Credit Reporting Act.

It is recommended that legislation be supported to amend the Fair Credit Reporting Act to require that the consumer be notified of any consumer-reporting file established on him (except one resulting from his own credit application); to require that the consumer have access to the information in a consumer-reporting file about him and the right to challenge its accuracy; to require that the consumer be notified of adverse action taken by virtue of credit or investigative reports about him; to require that the consumer authorize, in writing, investigative reports about him; and to require that the consumer authorize in writing collection of potentially sensitive medical information about him.

* * * * *

The Committee was not asked to take action on legislation to control criminal justice information, because a recent Committee Revision of S. 2963 is under active review by a newly formed Privacy Committee of the Justice Department.

The Committee, at its next meeting, probably in September, will consider additional privacy initiatives resulting from projects underway concerned with Social Security Number policy and safeguards for statistical and research information.



New projects are being launched concerned with privacy protections for employment records and health records and with ways to restrain or control more effectively the gathering of personal information by Federal agencies.

The implementation of the privacy initiatives will involve follow-through with the Conference of Governors and Mayors and other intergovernmental organizations and, as appropriate, with groups in the private sector.



Privacy Committee meeting

9/6/74 ---- 10 a. m.

Vice President's Conference Room -- 275

EOB

Will you plan to attend?

Yes, if at all possible



UNITED STATES OF AMERICA
GENERAL SERVICES ADMINISTRATION
WASHINGTON, DC 20405

Mr. Buchen



SEP 4 1974

Mr. Douglas W. Metz
Acting Executive Director
Domestic Council Committee on
the Right of Privacy
1800 G Street, NW
Washington, DC 20504

Dear Mr. Metz:

GSA is planning to issue a Federal Management Circular on Privacy in Automated Personal Data Systems, a draft copy of which is enclosed. The circular would establish interim policy guidance concerning privacy and related security issues involved in the planning, acquisition, and utilization of automatic data processing systems for personal data record-keeping, and is intended to fill the current policy void pending guidance through future legislation or Domestic Council Committee on the Right of Privacy action.

I want to assure you that I do not intend to take any action that would conflict with or detract from the work of the Domestic Council Committee. As you know; members of my staff are working closely with the committee on projects 4, 7 and 8. However, since my testimony before the Government Operations Subcommittee on Privacy and the Judiciary Subcommittee on Constitutional Rights last June, I have become increasingly concerned that delay in dealing with the privacy issues involved in planning, acquisition, and utilization of ADP will have a detrimental effect on mission operations in the Federal government. In addition, several agencies have expressed the need for interim policy.

Therefore, I directed the Office of Federal Management Policy to develop a Federal Management Circular to assist Federal agencies in determining the minimum safeguards that should be considered to assure privacy of personal data in ADP systems. The circular places the responsibility in the heads of agencies and provides a point of departure for them to develop their own programs, until such time as definitive guidelines are available as a result of the extensive effort of the Domestic Committee or the enactment of legislation.



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The circular is provided for your information and review. I would appreciate any comments or suggestions you may have with regard to its suitability as interim policy in the privacy area, and the adequacy of the guidelines for agencies to follow in developing internal procedures.

Sincerely,

Arthur F. Sampson
Administrator

Enclosure



DRAFT

8/22/74
GSA/OFMP

GENERAL SERVICES ADMINISTRATION
OFFICE OF FEDERAL MANAGEMENT POLICY

FEDERAL MANAGEMENT CIRCULAR

FMC 74- : Privacy in Automated Personal Data Systems

To: Heads of Executive Departments and Establishments

1. Purpose. This circular establishes interim policy guidance concerning privacy and related security issues involved in the planning, acquisition, and utilization of automatic data processing systems for personal data record keeping.
2. Background. Currently the question of individual privacy in automated personal data systems is being addressed by the Congress and by the Domestic Council Committee on the Right of Privacy. Action is pending in both the House and the Senate on several privacy bills, and in the Domestic Council Committee on executive branch policy. Until legislation is enacted or definitive policy guidelines issued as a result of these efforts, the initiative and the responsibility to take action to assure that privacy issues are given proper consideration in the planning, acquisition and utilization of automated data processing resides with the agencies.
3. Policy intent. This circular is intended to provide interim policy guidance pending legislative or Domestic Council Committee

DRAFT



action to assist Federal agencies in determining the minimum safeguards that should be considered to assure privacy of personal data in automatic data processing systems.

4. Applicability and scope.

a. Applicability. The provisions of this circular are applicable to all Federal agencies (as defined in FMC 73-1) having organizations which are involved in the planning, acquisition, and utilization of automated data processing for personal data record-keeping, regardless of whether such automatic data processing capability is provided internally or by commercial sources.

b. Exemptions. There are no specific exemptions to the provisions of this circular. Federal agencies should, to the extent possible, apply the safeguards outlined below to all automated personal data systems. Recognizing that under exceptional circumstances, compliance may not be in the best interests of the Government, the Heads of Federal agencies may selectively exempt automated personal data systems or information contained therein from all or part of the provisions of this circular.

5. Definitions.

a. "Automated Personal Data System" is a collection of records containing personal data that can be associated with identifiable individuals, and processed by automatic data processing equipment.



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GSA/OFMP

b. "Personal data" includes all data that can be associated with identifiable individuals through some specific identification such as name, address, social security number, or other identifying characteristics.

c. "Privacy" concerns the disposition of information about individuals including what information should be collected, how it should be used, under what circumstances it should be disclosed, and the degree of control the individual has over information about him. It is independent of the technological and physical safeguards required for security.

d. "Security" is the prevention of access to, or use of, data without authorization and involves the use of technological and physical safeguards to provide protection.

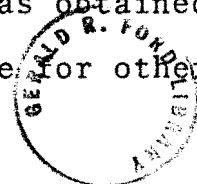
6. Policies and Procedures.

a. Policy. The planning, acquisition, and utilization of automated data processing systems for personal data record-keeping by Federal agencies should be governed by five basic principles.

(1) The existence of automated personal data systems should not be kept secret.

(2) An individual should be able to find out what information about him is in an automated personal data system and how it is used.

(3) Information about an individual that was obtained for one purpose should not be used or made available for other purposes without his consent.

DRAFT

(4) An individual should be able to correct or amend a record of identifiable information about him.

(5) Any organization creating, maintaining, using, or disseminating automated personal data in identifiable form should assure the reliability of data for their intended use and should take reasonable precautions to prevent misuse of the data.

b. Procedures. Federal agencies involved in the planning, acquisition, and utilization of automated personal data systems should, to the extent required, develop specific administrative procedures to implement this policy and assure that privacy and related security issues are addressed from the planning stage through the acquisition and utilization of the ADP system. The following are suggested guidelines for developing these procedures:

(1) General. Agency procedures for assuring privacy of data in the planning, acquisition, and utilization of automated personal data systems should include provisions for:

(a) Conducting a review of privacy and related security issues at appropriate points in the planning, acquisition, and utilization of an ADP system;

(b) Assuring that adequate procedural and facilities safeguards have been included in the system;

(c) Assuring that only essential information about individuals is included in the system;

(d) Identifying an individual to be responsible for automated personal data systems and adherence to safeguards;

(e) Creating a privacy conscious environment through

an education program stressing the responsibilities of employees;

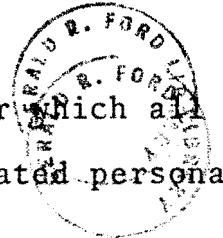
(f) Establishing criteria for the transfer or disclosure of personal data within and outside the agency;

(g) Maintaining an accurate accounting of each disclosure of information made to any person outside the agency or to another agency; and

(h) Maintaining the information in the automated personal data system with such accuracy, completeness, timeliness, and pertinence as is necessary to assure fairness in determinations.

(2) Public notice. Agency procedures should include provisions for annually publishing in the Federal Register notices of the existence and character of all automated personal data systems. In addition, agency plans to establish new automated personal data systems, or modify existing systems, should be published in the Federal Register at least 90 days in advance to assure those that may be affected a reasonable period to comment. The following are suggested items to be included in such notices:

- (a) the name of the system;
- (b) the nature and purposes of the system;
- (c) the categories and approximate numbers of individuals about whom information is (to be) maintained;
- (d) the categories of information (to be) maintained;
- (e) the policies and practices of the agencies regarding collection, storage, and disposition of information in automated personal data systems;
- (f) a description of the purposes for which all or any part of the information contained in the automated personal



data system is used or is intended to be used or disclosed including categories of users for each purpose;

(g) the title and address of the individual responsible for the system; and

(h) the procedures whereby an individual can determine if the system contains information pertaining to him, gain access to such information, and contest its content including the need for such information.

(3) Individual rights. Agency procedures should include provisions for:

(a) informing an individual, when information is requested, if he is legally required to supply it, and how the information will be used or disclosed.

(b) informing the individual, upon request, if he is the subject of an automated personal data system;

(c) permitting the individual to inspect the information, and have a copy made of it at a reasonable cost;

(d) permitting the individual to contest the content of information including the need for such information, and request amendment;

(e) informing the individual, when the agency determines not to amend the information, what the appeal process is, and assuring that the individual's claim is included in the record, in subsequent disclosures, and made available, upon request of the individual, to previous recipients of personal data about the individual; and

(f) obtaining consent of the individual if

information is to be used for a purpose not within the stated purposes previously understood by the individual.

7. Responsibilities. The head of each Federal agency is responsible for:

a. establishing the necessary framework of procedures including appropriate reviews and controls, that will assure compliance with the policies stated in this circular; and

b. certifying that appropriate privacy safeguards as outlined in this circular have been incorporated into plans for new systems or the modification of existing systems utilized for personal data record keeping before action is taken to acquire ADP resources. Such certification should be backed by appropriate documentation.

8. Inquires. Further information concerning this circular may be obtained by contacting:

General Services Administration (AMD)
Washington, DC 20405

Telephone: IDS 183-38955
FTS 202-343-8955

ARTHUR F. SAMPSON
ADMINISTRATOR OF GENERAL SERVICES

Mr. B-

and talk w/ Doug-

we might put out
Proc. - would ask for


could we put an
accepted by time.



Add for Acheson
by Mr. B. - Doug M. to
get back on this

DOMESTIC COUNCIL COMMITTEE ON THE RIGHT OF PRIVACY
WASHINGTON, D.C. 20504

September 10, 1974

To: Philip W. Buchen
From: Douglas W. Metz 
Subject: Consumer Code of Fair Information Practices

The Office of Consumer Affairs is very close to obtaining significant industry commitments to the proposed code. The attached draft has been hammered out by representatives of the retail, financial, credit, and insurance industry. The prospects appear good of reaching an agreement on a final draft within the next week.

Several chief executives have ~~so~~ indicated that the prospect of subscribing to the "President's Code" is an important consideration in assuring industry commitments.

I pose the appropriateness of tying this effort with the President. In my judgment the minimum acceptable position would be to have some high-level Federal backing such as the Domestic Council Committee or the Office of Consumer Affairs.

I will call to get your reaction within a day or two.

Attachment
DWM/crs



THE PRESIDENT'S
FAIR INFORMATION USER CODE

This organization subscribes to the PRESIDENT'S FAIR INFORMATION USER CODE and pledges itself to be responsive to the following RIGHTS OF PRIVACY OF CONSUMERS:

THE RIGHT TO KNOW

That inquiries about the consumer may be made to obtain or verify information concerning the consumer.

What general business uses, other than internal business uses, may be made of the information obtained.

When a benefit is denied, in whole or in part as a result of information received from a credit reporting agency, that the information may be challenged and corrected with the credit reporting agency if incorrect.

Upon request, the nature of information obtained which was relied upon for denial of a benefit.

THE RIGHT TO BE PROTECTED

From the solicitation or dissemination of information about the consumer not related to legitimate business purposes.

By having recorded information about the consumer reasonably secured against unauthorized access.

Signature

Date



September 17, 1974

Privacy

Dear Mr. Coihressen:

Thank you very much for your letter of September 4th. It was very kind of you to offer congratulations.

As you knew, I will not remain the Executive Director of the Privacy Committee. Temporarily Mr. Douglas Metz is the Acting Director. Perhaps it would be best for you to talk with Mr. Metz regarding your interest in consulting in this area.

Sincerely,

Philip W. Bushen
Counsel to the President

Mr. John J. Coihressen
Attorney at Law
Suite 220
1801 K Street, N. W.
Washington, D. C. 20006



JOHN J. COHRSEN
ATTORNEY AT LAW

SUITE 220, 1801 K STREET, N. W. - WASHINGTON, D. C. 20006
(202) 467-6520

September 4, 1974

Mr. Philip W. Buchen
Counsel to the President
The White House
Washington, D.C. 20500

Dear Mr. Buchen:

I would like to congratulate you on your recent appointment and to wish you much success. I would also like to reaffirm my interest in consulting assistance as I indicated when we spoke regarding the Domestic Council Committee on the Right of Privacy.

Sincerely,

John J. Cochrane



September 18, 1974

Dear Ms. Shientag:

Confirming our telephone conversation of September 10th I did forward your request for a meeting to Mr. Douglas Metz, Acting Executive Director of the Domestic Council Committee on the Right of Privacy, and I hope you were able to exchange views with him.

We greatly appreciated your letter and your interest in the whole problem of privacy.

All good wishes.

Most sincerely yours,

Jay French
Assistant Counsel

Ms. Florence Perlow Shientag
One East 57th Street
New York, New York 10022



Copy of letter from Mr. Buchen mailed to Long Metz 9-18-74 CABLE "APPELATE N.Y."

LAW OFFICES
FLORENCE PERLOW SHIENTAG

ONE EAST 57TH ST., NEW YORK, N. Y. 10022
MU 8-8880
UN 1-8800

September 4th, 1974.

Hon. Philip Buchen,
Counsel to the President,
The White House,
Washington, D.C.

Dear Mr. Buchen:

Because of your direction of the President's Committee on Privacy, you may be interested in my article on Wiretapping enclosed.

As a member of the National Commission on Wiretapping, I shall be in Washington on September 16th and 17th, sitting on the Commission hearings in the Rayburn Building.

Since you and I have a common interest in the area of privacy, it would give me pleasure to come in to see you for a brief exchange of views on September 16th or 17th.

Any report of your Committee, meanwhile, would be of great interest to me.

I look forward to meeting you while I am in Washington. Please let me hear from you.

With all good wishes, I am,

Sincerely,

Florence Shientag

Encl.



September 24, 1974

*Privacy
note*

Dear Mr. Terry:

Thank you for your letter of September 16, 1974 regarding the subject of privacy. I am forwarding your letter to Mr. Metz since he is now the Acting Director of the Committee on Privacy.

Your inquiry is appreciated.

Most sincerely yours,

Philip W. Buchan
Counsel to the President

Mr. Herbert A. Terry
Indiana University
Department of Telecommunications
Radio - TV Center
Bloomington, Indiana 47401
cc: Mr. Douglas Metz
Domestic Council Committee on the Right of Privacy



September 28, 1974

To: Bill Timmons

From: Phil Buchen

I agree with your suggestions.
Would like to add a suggestion
that Douglas Metz, Acting Executive
Director of the Committee on
Privacy be included in any
Presidential meeting.



THE WHITE HOUSE
WASHINGTON

Mr. Buchen agrees with Mr. Timmas suggestions. He would like to add a suggestion that Douglas Metz, Acting Executive Director of the Committee on Privacy be included in any Presidential meeting.

WASHINGTON

September 27, 1974

Dear Lowell:

Thank you for your September 23 letter concerning our mutual interest in protecting the right of taxpayers to privacy and confidentiality regarding their tax affairs.

I will welcome an opportunity to sit down with you and discuss this vital matter. Accordingly, I have asked my staff to set up a meeting at a mutually convenient time. You will hear further at an early date.

I am sending a similar letter to Congressman Jerry Litton.

With warmest personal regards,

Sincerely,

The Honorable Lowell P. Weicker, Jr.
United States Senate
Washington, D.C. 20510

SEP 27 1974

THE WHITE HOUSE
WASHINGTON

September 27, 1974

Dear Jerry:

• Thank you for your September 23 letter concerning our mutual interest in protecting the right of taxpayers to privacy and confidentiality regarding their tax affairs.

I will welcome an opportunity to sit down with you and discuss this vital matter. Accordingly, I have asked my staff to set up a meeting at a mutually convenient time. You will hear further at an early date.

I am sending a similar letter to Senator Lowell Weicker.

With warmest personal regards,

Sincerely,

The Honorable Jerry Litton
House of Representatives
Washington, D.C. 20515



THE WHITE HOUSE
WASHINGTON

September 27, 1974

MEMORANDUM FOR THE PRESIDENT

FROM:

WILLIAM E. TIMMONS *WT*

SUBJECT:

Letter from Senator Weicker and
Congressman Jerry Litton requesting
a meeting to discuss confidentiality of
citizens' income tax returns.

In their letter, both of the Members have indicated their concern that the Administration's action in this area is not sufficiently far-reaching. Both have introduced bills which they believe meet the needs in a more comprehensive manner. Consequently, they wish to meet and discuss the matter with you.

I believe it would be worthwhile for you to meet with them. Such a meeting may forestall protracted debate of the issue when it is before both Chambers. In the attached suggested reply, for your signature, you have committed yourself to a meeting at a mutually acceptable time.





UNITED STATES SENATE
WASHINGTON, D. C. 20510

LOWELL P. WEICKER, JR.
CONNECTICUT

September 23, 1974

The Honorable Gerald R. Ford
The White House
Washington, D.C.

Dear Mr. President:

We are writing with regard to our mutual concern for the confidentiality of tax returns and in the hope that a common agreement can be reached to safeguard confidentiality.

In your press conference of September 16th, in response to a question pertaining to your Administration's proposal to restrict accessibility of tax returns, you stated that citizens' tax returns would be "most judiciously handled." After careful analysis of the Administration's bill, we are compelled to state that in our judgment it does not accomplish its purpose. While we have no doubt that the present Administration will handle judiciously the tax returns of our citizens, we note that today's Executive Order becomes tomorrow's history. Presidential accessibility with appropriate safeguards is better defined by statute than left to the unpredictable course of Executive Order easily changed or revoked at a future date.

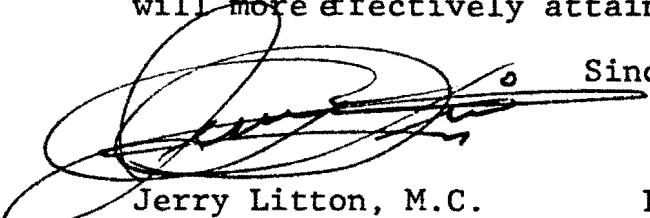


Page Two

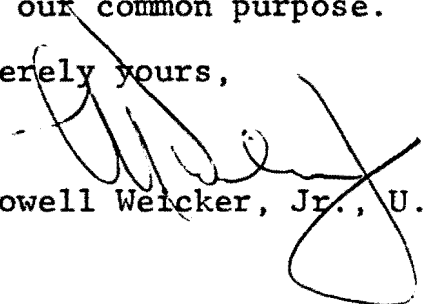
To this end we introduced legislation on September 11, 1974 (later the same day, the Administration's bill was forwarded to the House and Senate) clearly limiting accessibility to returns, and reflecting the conviction that tax returns are for one purpose only, just assessment for taxation. Any other use is an abhorrent abuse of governmental power.

You have pledged an open-door policy in your Administration and you have given assurances of your intention to work with Congress with regard to public issues. We welcome and endorse that policy and it is in that spirit that we respectfully request the opportunity to meet with you to voice directly what we consider to be our legitimate concerns inasmuch as we are seeking the same goals: the remedying of past abuses by effective safeguards in the future. We believe that together we can come to an agreement which will more effectively attain our common purpose.

Sincerely yours,



Jerry Litton, M.C.



Lowell Weicker, Jr., U.S.S.

LIBRARY OF CONGRESS