

LDIR#011
CRIMINAL
JUSTICE AND
RIGHT TO
PRIVACY AJIS
BILLS
GOVERNORS
COMMISSION
1972

FEDERAL DATA BANKS, COMPUTERS, AND THE
BILL OF RIGHTS

WEDNESDAY, MARCH 3, 1971

U.S. SENATE,
SUBCOMMITTEE ON CONSTITUTIONAL RIGHTS
OF THE COMMITTEE ON THE JUDICIARY,
Washington, D.C.

The subcommittee met, pursuant to recess, at 10:15 a.m. in room 318, Old Senate Office Building, Senator Sam J. Ervin, Jr., presiding.

Present: Senators Ervin (presiding), McClellan, Bayh, and Tunney.

Also present: Lawrence M. Baskir, chief counsel; Marcia MacNaughton, subcommittee professional staff; and Judy Futch, counsel.

Senator ERVIN. The subcommittee will come to order. Counsel will call the first witness.

Mr. BASKIR. Mr. Chairman, our first witness this morning is Mr. Robert P. Henderson, associate group vice president of Honeywell Information Systems.

STATEMENT OF ROBERT P. HENDERSON, VICE PRESIDENT, HONEYWELL CORP., BOSTON, MASS.; ACCOMPANIED BY DR. JOHN W. WEIL, DIRECTOR OF ADVANCED SYSTEMS AND TECHNOLOGY

Senator ERVIN. Mr. Henderson, I want to welcome you to the subcommittee and express our deep appreciation to you and to the organization with which you are connected for your willingness to appear here and give us the benefit of information on what to me is a rather abstruse subject.

Mr. HENDERSON. Thank you, Mr. Chairman.

I would like to introduce Dr. John Weil, Honeywell's director of advanced systems and technology. Dr. Weil is a recognized expert in the field of computer security and is on the panel of the Government's Office of Science and Technology that is primarily concerned with the legal implications of information systems.

Senator ERVIN. We are delighted to have him with us also.

Dr. WEIL. Thank you, sir.

Mr. HENDERSON. And at the end of my presentation, if there are any questions I will certainly be very happy to answer them. Dr. Weil is here to field any questions that are of a technical nature and would certainly be beyond my field of knowledge.

Senator ERVIN. You may proceed in your own way.

We will take a recess at this time, if it won't inconvenience you, until 2:15.

The subcommittee will stand in recess until 2:15.

(Whereupon, the committee recessed, to reconvene at 2:15 p.m., this same day.)

AFTERNOON SESSION

Senator ERVIN. The subcommittee will come to order. The witness may resume.

STATEMENT OF BURT NEUBORNE, ATTORNEY FROM NEW YORK CITY, AMERICAN CIVIL LIBERTIES UNION, STAFF COUNSEL; ACCOMPANIED BY HOPE EASTMAN, ACTING DIRECTOR, WASHINGTON, D.C., AMERICAN CIVIL LIBERTIES UNION OFFICE—
Resumed

Mr. NEUBORNE. Thank you, Senator.

When we broke for lunch I had been discussing with the subcommittee substantive limitations which the American Civil Liberties Union suggests would be appropriate to control the dangers posed by the new technological surveillance which has been mushrooming in the last 20 years. We have discussed legislation prohibiting the gathering or storage of information relating to lawful political activities, legislation prohibiting the gathering or dissemination of hearsay derogatory or anonymous derogatory information, and we had just begun to discuss the problem caused by the prevalence of arrest records in American society.

Traditionally in American society there has been a carte blanche dissemination of arrest records no matter how old and no matter the ultimate resolution of the arrest. The impact of that tremendous dissemination of information has been to fence off from society those persons who are unfortunate enough to have been arrested at some point in time. The impact of that dissemination of information falls with particular severity in our society on the urban ghetto dweller where there is a higher incidence of arrest and a higher incidence of acquittal, dismissal or final determination that the arrest was in fact an unlawful arrest.

Nevertheless, the urban ghetto dweller is forced to bear the stigma of that arrest record for the rest of his life. Studies done by the ACLU of the National Capital Area, an affiliate of the American Civil Liberties Union, and New York Civil Liberties Union have demonstrated that the economic mobility of Americans who have been subjected to unlawful arrest is significantly lower than mobility of a person who does not have to bear the scar of that particular unlawful governmental action.

It is time that we began to reexamine the notion that all arrest records ought to be available to persons in American society. Anyone who has filled out an application for a job in the private sector or the public sector is automatically asked whether he or she has ever been arrested. That has the inevitable effect of simply making it impossible for large numbers of Americans to get decent jobs or to make a better life for themselves through absolutely no fault of their own.

APPENDIX H

Title I of the Omnibus Crime Control and Safe Streets Act of 1968 - P.L. 90-351 as amended by the Omnibus Crime Control Act of 1970 - P.L. 91-644

TITLE I—LAW ENFORCEMENT ASSISTANCE

DECLARATIONS AND PURPOSE

Congress finds that the high incidence of crime in the United States threatens the peace, security, and general welfare of the Nation and its citizens. To prevent crime and to insure the greater safety of the people, law enforcement efforts must be better coordinated, intensified, and made more effective at all levels of government.

Congress finds further that crime is essentially a local problem that must be dealt with by State and local governments if it is to be controlled effectively.

It is therefore the declared policy of the Congress to assist State and local governments in strengthening and improving law enforcement at every level by national assistance. It is the purpose of this title to (1) encourage States and units of general local government to prepare and adopt comprehensive plans based upon their evaluation of State and local problems of law enforcement; (2) authorize grants to States and units of local government in order to improve and strengthen law enforcement; and (3) encourage research and development directed toward the improvement of law enforcement and the development of new methods for the prevention and reduction of crime and the detection and apprehension of criminals.

"Sec. 101.(a) There is hereby established within the Department of Justice under the general authority of the Attorney General, a Law Enforcement Assistance Administration (hereinafter referred to in this title as 'Administration') composed of an Administrator of Law Enforcement Assistance and two Associate Administrators of Law Enforcement Assistance, who shall be appointed by the President, by and with the advice and consent of the Senate. Beginning after the end of the term of either of the present incumbents, one of the Associate Administrators shall be a member of a political party other than that of the President.

"(b) The Administrator shall be the executive head of the agency and shall exercise all administrative powers, including the appointment and supervision of Administration personnel. All of the other functions, powers, and duties created and established by this title shall be exercised by the Administrator with the concurrence of either one or both of the two Associate Administrators."

PART B—PLANNING GRANTS

Sec. 201. It is the purpose of this part to encourage States and units of general local government to prepare and adopt comprehensive law enforcement plans based on their evaluation of State and local problems of law enforcement.

Sec. 202. The Administration shall make grants to the States for the establishment and operation of State law enforcement planning agencies (hereinafter referred to in this title as "State planning agencies") for the preparation, development, and revision of the State plans required under section 303 of this title. Any State may make application to the Administration for such grants within six months of the date of enactment of this Act.

STATE
of ALASKA

MEMORANDUM

RECEIVED
SEP 8 1972
Criminal Justice
Planning Agency

TO: [Lauris S. Parker
Executive Director
Criminal Justice
Planning Agency

DATE : September 5, 1972

FROM: Carroll Swartz
Carroll Swartz
Youth Specialist Intern

SUBJECT: AJIS Regulations Revisions

In reviewing the proposed administrative regulations governing the Alaska Justice Information System, I have noticed some points which should be brought to your attention. My criticisms and suggestions are of two types: needed technical revisions to segments of the regulations which are unclear, ambiguous or otherwise inadequate; and revisions that in a sense redirect or change policy as it is expressed in the regulations.

(1) Technical Revisions: In section .010, paragraph 14 states that police agency file numbers which refer to an individual may be stored in the AJIS system. I see great potential for abuse of this category of information: file numbers may be correlated to storage systems that contain subjective information that is not allowed in paragraph 4 of the same section. Additionally, subsection .015(c) states that "Agencies automating complete records systems may not link records so that a criminal offender record inquiry will include information which indicates the existence of an investigatory, in-house, custodial, or management file." This provision places needed restrictions on automated systems that could possibly be avoided through a liberal interpretation of section .010, Paragraph 14. To remedy this ambiguity, section .010, paragraph 14, could be rewritten to specify specific police file numbers or amended to insure that file numbers allowed in the system did not authorize a linkage to information not specified in section .010, paragraph 4, or a linkage forbidden by subsection .015 (c).

Section .045 will have an effect on CJPA operations. As the Commission's authorized representative, the CJPA has the authority and responsibility to review research programs and determine whether they conform to the stipulation in subsection .045(d). The CJPA should assess the impact of this added staff function before it acquires the force of law.

In subsection .050(d), paragraph 1 makes closed files available to "the recordkeeping agency" for "in house custodial activities." Before such access is allowed, the terms "in house custodial activities" and "recordkeeping agency" need to be better defined. Paragraph 5 of subsection .050(d) raises the question of why it needs to be included: does such a statute exist, and if not why the explicit permission for it?

maintain an accurate record of the names of all persons inspecting such records, refrain from disclosing the record without permission, permit any individual to inspect his record and permit the individual to supplement the information which he deems pertinent to his record. [Adds 5 U.S.C. 552a]

Excludes from the provisions of this Act those records required by executive order to be kept secret, investigatory files compiled for law enforcement purposes, and agency memorandums not available to a party in litigation with an agency.

H. R. 855. Mr. Kyl; 1/22/71. Agriculture.

Eliminates the existing reductions in the preliminary payment of farm subsidies under the feed grain program that occurs when the set-aside acreage for feed grains is less than 20 percent of the feed grain base. [Amends 7 U.S.C. 1441(g)]

H. R. 856. Mr. Kyl; 1/22/71. Agriculture.

Provides that the operator of a farm of 25 acres or less which has a feed grain base may, without reduction of the feed grain base, elect to set aside and devote to approved conservation uses under the feed grain program, 100 percent of the farm feed grain base for any crop year. Provides that ownership of such a farm to qualify for the program could not have been changed since January 1, 1971, other than through testamentary disposition or intestate succession or under circumstances the Secretary of Agriculture determines will not circumvent the purposes of this Act. [Amends 7 U.S.C. 1441 note]

H. R. 857. Mr. Kyl; 1/22/71.
Interior and Insular Affairs.

Provides for the disposition of funds appropriated to pay judgments in favor of the Sac and Fox Indians in Iowa and Oklahoma.

H. R. 858. Mr. Kyl; 1/22/71. Public Works.

Expands the Secretary of the Interior's authority to prepare or develop comprehensive water quality management programs relating to water pollution activities in interstate waters and navigable waters, including boundary waters of the United States, and waters of the contiguous zone, and other ocean waters, ground water, and tributaries and portions of these waters. Authorizes the Secretary to conduct his own investigation of the condition of any waters as well as to conduct joint investigations with other agencies.

Provides that the Secretary shall, after careful investigation, and in cooperation with other Federal agencies, with State water pollution control agencies and interstate agencies, and with the municipalities and industries, involved, prepare and develop comprehensive programs for eliminating or reducing water pollution and for improving the usability and condition of such waters by controlling the water pollution activities. Asserts that, in the development of such comprehensive programs, the Secretary shall give full consideration to and shall recommend the measures, practices and improvements which he deems appropriate to maintain and improve the quality of water supplies, propagation of fish and aquatic life and wildlife, recreation, conservation of natural resources, protection of environmental quality, agriculture, industry, and other legitimate uses.

Defines "water pollution activities" to mean: (1) the pollution of interstate waters, navigable waters, tributaries or portions of any of these waters, and ground waters (whether the discharge reaches such waters from runoff, percolation, or

direct discharge into such waters or tributaries or portions of such waters) which endangers the health or welfare of any persons or adversely affects the quality of any such waters; (2) pollution of the waters of the Contiguous Zone of the United States that causes or is likely to cause pollution of the territorial sea of the United States to an extent that endangers the health or welfare of any persons or is likely to adversely affect the quality of the territorial sea of the United States; and (3) pollution of the waters of the high seas beyond the territorial sea of the United States, which endangers the health or welfare of any person or adversely affects the quality of such waters through discharges which are transported from or originate in areas over which the United States has sovereignty.

Provides that any water pollution activity consisting of any discharge into the water which reduces the quality of such waters below the water quality standards established under this subsection, or any discharge into said waters which is of lesser quality than the requirements controlling such discharges or any discharge which is not in compliance with the implementation and enforcement plan for such criteria and requirements (whether the discharge causing or contributing to such pollution reaches such waters from runoff, percolation, or direct discharge into such waters or tributaries thereof of adjoining bodies of water) is subject to abatement. Provides that at least one hundred and eighty days before any abatement proceeding is initiated under this subsection, the Secretary shall notify each alleged polluter, the water pollution control agency, and the interstate agency, if any, of the State or States where such pollution originates or which may be affected adversely by such pollution, of the violation of such standards and of the remedial action required and shall call a public hearing to be held not less than twenty-one days after issuance of such notice. Asserts that, if remedial action, as determined by the Secretary, to secure abatement of the pollution is not taken within such one hundred and eighty day period after the Secretary has issued notice of violation, or if, at any time thereafter, the alleged polluter fails to take remedial action, as determined by the Secretary, the Secretary may request the Attorney General to bring a suit on behalf of the United States in the appropriate United States district court to secure abatement of the pollution, including compliance with such standards, which include criteria, requirements and plan.

Allows the Secretary to investigate any facts, conditions, practices, or matters which he may find necessary or proper in order to determine whether any person has violated or is about to violate any provision of this Act or any standards, including criteria, requirements and a plan thereunder, or to aid in the enforcement of the provisions of this Act or in promulgating criteria, plans, rules or regulations thereunder, or in obtaining information to serve as a basis for recommending further legislation concerning the matters to which this Act relates. Allows the Secretary to permit any person to file with him a statement in writing under oath or otherwise, as he shall determine, as to any or all facts and circumstances concerning a matter which may be the subject of investigation.

Provides that the Secretary, upon presenting appropriate credential and a written notice to the owner, operator, or agent in charge, is authorized: (1) to enter, at reasonable times, any public or private property from which discharge is being made into waters; (2) inspect and investigate, at reasonable times and within reasonable limits and in a reasonable manner, the operation of collection systems, waste treatment works or facilities, or conditions relating to

3, 1971, the provisions of the 1st section of H. Res. 1293, 91st Congress relating to positions on the U.S. Capitol Police force under the House of Representatives, are hereby readopted and continued with respect to the 92nd Congress without break in the application and effect of such provisions.

Provides that until otherwise provided by law, effective as of noon on January 3, 1971, the contingent fund of the House of Representatives is made available to carry out the purposes of H. Res. 1293, 91st Congress as readopted and continued in effect by this resolution.

H. Res. 151. Mr. Andrews (Ala.), et al.; 1/26/71. Rules.

Revises Rule I of the House of Representatives so as to direct the Speaker to designate a day in each year occurring not later than the close of the first full calendar week in March as a reception day for former Members of the House on which former Members may be informally received and greeted by the present Members of the House on the floor of the House during a recess period fixed for that purpose and be permitted to address the present Members in that period.

H. Res. 152. Mr. Collier; 1/26/71. Rules.

See Digest of H. Res. 39

H. Res. 153. Mr. Drinan; 1/26/71. Rules.

See Digest of H. Res. 34

H. Res. 154. Mr. Flood; 1/26/71. Foreign Affairs.

Makes it the sense of the House of Representatives that the Government of the United States should maintain and protect its sovereign rights and jurisdiction over said Canal Zone and Panama Canal and that the United States Government should in no way forfeit, cede, negotiate, or transfer any of those sovereign rights, jurisdiction, territory or property to any other sovereign nation or to any international organization, which rights, sovereignty and jurisdiction are indispensably necessary for the protection and security of the entire Western Hemisphere including the canal and Panama.

H. Res. 155. Mr. Fulton (Tenn.); 1/26/71. Rules.

Creates a select committee in the House of Representatives to be composed of seven Members to be appointed by the Speaker.

Directs the Committee to conduct a full and complete investigation of all aspects of the energy resources in the United States, including: (1) the availability of oil, gas, coal, and nuclear energy reserves; (2) the identification of the ownership of such reserves; (3) the reasons and possible solutions for the delay in new starts of fossil powerplants; (4) the effect of pricing practices by the owners of energy reserves; (5) the effect of the import of low sulfur fuels; (6) measures to increase the availability of pipelines, railways, barges, and ships needed to transport fuel materials; (7) measures to close the gap between the supply and demand for electric energy; and (8) the identification of the environmental effects of the electricity industry.

Grants it necessary powers and requires a report with recommendations.

H. Res. 156. Mr. Hall; 1/26/71. Foreign Affairs.

See Digest of H. Res. 74

H. Res. 157. Mr. Pirnie; 1/26/71. Foreign Affairs

See Digest of H. Res. 74

H. Res. 158. Mr. Pryor (Ark.), et al.; 1/26/71. Rules.

See Digest of H. Res. 88

H. Res. 159. Mr. Pryor (Ark.), et al.; 1/26/71. Rules.

See Digest of H. Res. 88

H. Res. 160. Mr. Roybal; 1/26/71. Judiciary.

Provides that the late Rossel G. O'Brien, former mayor of Olympia, Washington, is hereby recognized and honored for originating the custom of rising and standing with head uncovered during a rendition of the Star-Spangled Banner, the national anthem of the United States.

H. Res. 161. Mr. Celler; 1/29/71. Rules.

Authorizes the House standing committee on the Judiciary to conduct studies and investigations relating to certain matters within its jurisdiction during the 92nd Congress. Sets forth its jurisdiction and provides necessary powers.

H. Res. 162. Mr. Collier; 1/29/71. Rules.

Creates a select committee in the House of Representatives to be composed of five Members to be known as the Committee on the House Restaurant.

H. Res. 163. Mr. Collier; 1/29/71. Foreign Affairs.

See Digest of H. Res. 74

H. Res. 164. Mr. Gallagher, et al.; 1/29/71. Rules.

Creates a select committee of the House of Representatives to be known as the Select Committee on Privacy, Human Values, and Democratic Institutions to be composed of nine Members appointed by the Speaker.

Directs the Committee to conduct a full and complete investigation and study of the development and proliferation of technology in American society, including the role and effectiveness of computer technology in the operations of industry and Government, the consequences of using computers to solve social questions which traditionally have been addressed without the assistance of computers and other machines, and the effects of technology and machines on democratic institutions and processes.

Directs the Committee to study the use of computers and other technical instruments in gathering and centralizing information on individuals and the effect of such activity on the human and civil rights.

Grants necessary powers and requires a report with recommendations.

H. Res. 165. Mr. Morse, et al.; 1/29/71. Rules.

See Digest of H. Res. 111

H. Res. 166. Mr. Morse, et al.; 1/29/71. Rules.

See Digest of H. Res. 111

H. Res. 167. Mr. Natcher; 1/29/71. Rules.

See Digest of H. Res. 88

H. Res. 168. Mr. Reid (N.Y.); 1/29/71. Foreign Affairs.

**UNITED STATES DEPARTMENT OF JUSTICE
LAW ENFORCEMENT ASSISTANCE ADMINISTRATION
WASHINGTON, D.C. 20530**

IN REPLY PLEASE REFER TO

SPECIAL CONDITIONS

Grantee (Name of SPA): Criminal Justice Planning Agency (Alaska)

Grant Number: 71A-202

In addition to the General Conditions and Conditions Applicable to Fiscal Administration to which this grant is subject, it is also conditioned upon and subject to compliance with the following special condition(s):

1. Approval of this plan does not constitute approval of planned fund allocation required for major cities and counties nor of action fund levels for areas of high crime incidence and high law enforcement activity. The statutory amendment to P.L. 90-351 set out in § 203(c) and 303 require determination by the Law Enforcement Assistance Administration in respect to these new requirements. Such determinations will be made upon submission of a Plan Supplement Document which is to be submitted by May 1, 1971. In addition, Section 301(c) of the amendments set forth new minimum State matching contribution ratios of 25% State funds to 75% Federal except for Part C - Construction programs which remain at a ratio of 50% State to 50% Federal. Matching contribution may be made at the amended level.
2. In respect to action program No. 4B of the 1971 State plan entitled Development of Criminal Justice Information System, and relevant Multi-year programs, the grantee agrees to: (a) insure that adequate provisions are made for system security, the protection of individual privacy and the insurance of the integrity and accuracy of data collection and; (b) in view of the commitment of funds to this program, will coordinate development of the program with any compatible multi-State effort to secure the benefits of exchange of data and use of standard reporting formats and definitions, to enhance the benefits and potential of its information system facilities and needed interface with National Criminal Justice Information Systems.
3. Within 30 days of receipt of grant award, grantee shall provide a complete discussion of the needs and problems of its two largest cities, Anchorage and Fairbanks, consistent with the requirements of the SPA Guide, page 48.
4. Within 60 days of receipt of grant award, grantee will submit to LEAA a schedule of implementation of the program funded for \$45,900 in 1970, and which is intended to serve as the basis for 1971's organized crime program. The schedule should contain a time sequence in quarterly phases, and an approximate range of personnel, equipment, supplies or services to be acquired.

H. R. 842. Mr. Koch; 1/22/71. Ways and Means.

Allows an income tax deduction under the Internal Revenue Code to tenants of houses or apartments for their proportionate share of the taxes and interest paid by their landlords.

Authorizes the Secretary of the Treasury to determine by regulation the individual's proportionate share for the purposes of such deduction.

Requires every lessor to furnish individuals leasing his premises with a written statement showing amounts deductible under the provisions of this Act. [Amends 26 U.S.C. 218]

H. R. 843. Mr. Koch; 1/22/71. Ways and Means.

Provides that, under the Internal Revenue Code of 1954, transfers (other than by gift, inheritance, or devise) of property consisting of substantial rights to a copyright or composition by any holder thereof shall be considered the sale or exchange of a capital asset held for more than 6 months, regardless of whether or not payments in consideration of such transfer are: (1) payable periodically over a period generally coterminous with the transferee's use of the copyright or composition or (2) contingent on the productivity, use, or disposition of the property transferred.

Defines "copyright or composition" to mean a copyright or a literary, musical, or artistic composition. Defines "holder" as (A) any individual whose efforts created such property or (B) any other individual who has acquired his interest in such property in exchange for consideration in money or money's worth paid to such creator prior to substantial completion of the copyrighted work or of the composition, if such individual is neither: (1) the employer of such creator nor (2) related to such creator. [Adds 26 U.S.C. 1254]

H. R. 844. Mr. Koch; 1/22/71. Ways and Means.

Permits an individual receiving benefits under title II of the Social Security Act (Old-age, Survivors and Disability Insurance) to earn outside income without losing any of such benefits.

H. R. 845. Mr. Koch; 1/22/71. Ways and Means.

Increases the income tax deduction under the Internal Revenue Code of 1954, permitted for expenses paid by a woman, widower, or husband whose wife is institutionalized or incapacitated for the care of one or more dependents so that the taxpayer can work; the amount of the increase being from \$600 to \$1,000 or from \$900 to \$1,500 for the care of 2 or more dependents.

Repeals the provisions disallowing or reducing the above tax deduction with regard to married women or husbands whose wives are incapacitated. [Amends 26 U.S.C. 214(b)(1)(2)]

H. R. 846. Mr. Koch; 1/22/71. Ways and Means.

Urban Revenue Sharing Act - Establishes the Revenue Sharing Trust Fund in the Treasury of the United States. Appropriates to such fund an amount based on a percentage of the aggregate taxable income reported by individuals residing in qualified urban areas.

Provides that payments to qualified urban areas shall be computed by multiplying the distribution percentage of such area by the amount appropriated to the trust fund for the preceding fiscal year.

Requires a qualified governmental institution, to whom such payments are made, to assume responsibility for fiscal control, furnish information and submit necessary reports.

Establishes a 15 member Council on Revenue Sharing to administer the provisions of this Act; prescribe rules and regulations; grant certificates to qualified governmental institutions; and make determinations with regard to withholding payment from any such institution.

Provides for judicial review of Council determinations to withhold payments.

Requires the Council to report annually on or before February 1, to the President and Congress on the performance of its duties and functions.

H. R. 847. Mr. Koch; 1/22/71. Ways and Means.

Permits an income tax credit against Federal income taxes, in an amount equal to no more than 40 percent of the State and local income taxes paid during the taxable year. [Adds 26 U.S.C. 41]

H. R. 848. Mr. Koch; 1/22/71. Ways and Means.

Permits a tax credit, under the Internal Revenue Code of 1954, for the amount of any local income tax paid or accrued by an individual during the taxable year.

Limits such tax credit to two-thirds of that amount. [Amends 26 U.S.C. 40]

H. R. 849. Mr. Koch; 1/22/71. Ways and Means.

Provides a full exemption (through credit or refund) from the employees' tax under the Federal Insurance Contributions Act, for purposes of title II of the Social Security Act (Old-Age and Survivors Disability Insurance) and an equivalent reduction in the self-employment tax, in the case of individuals who have attained age 65. [Amends 26 U.S.C. 1401]

H. R. 850. Mr. Koch, et al.; 1/22/71. Ways and Means.

Extends to all unmarried individuals the full tax benefits of income splitting now enjoyed by married individuals filing joint returns under the Internal Revenue Code. Directs the Secretary of the Treasury to prescribe and publish tables reflecting the amendments made by this Act which shall apply in lieu of the tables set forth in the Internal Revenue Code with respect to wages paid on or after the first day of the first month which begins more than 20 days after the date of the enactment of this Act.

H. R. 851. Mr. Koch, et al.; 1/22/71. Ways and Means.

See Digest of H. R. 850

H. R. 852. Mr. Koch, et al.; 1/22/71. Ways and Means.

See Digest of H. R. 850

H. R. 853. Mr. Koch, et al.; 1/22/71. Ways and Means.

Provides that blood donations shall be considered as charitable contributions deductible from gross income under the Internal Revenue Act in an amount equal to \$25 for each pint donated. Limits such amount in any taxable year to \$125. [Amends 26 U.S.C. 170]

H. R. 854. Mr. Koch, et al.; 1/22/71. Government Operations.

Provides that individuals be apprised of records concerning them which are maintained by Government agencies. Requires each agency to notify such individuals by mail of such records,

STATE OF ALASKA

WILLIAM A. EGAN, GOVERNOR

DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

POUCH K — STATE CAPITOL
JUNEAU 99801

April 24, 1972

The Honorable William J. Moran
Chairman
House Judiciary Committee
Alaska State Legislature
Juneau, Alaska 99801

Dear Chairman Moran:

I am sending you a proposed draft to substitute for House Bill 563 submitted by the Governor to insure security and privacy of criminal justice information systems. I am also sending you a copy of my letter to the Senate Judiciary Committee on Senate Bill 387 which is identical to House Bill 753 referred to your committee.

The proposed substitute would specifically require the application of the Administrative Procedure Act in relation to the adoption of regulations pursuant to this proposed chapter. Although such a specific reference may not be necessary for the purposes of the Administrative Procedure Act, the reference makes it absolutely clear that it does apply.

Sec. 12.62.020 of the proposed bill has been altered so that the commission is required to adopt regulations concerning the collection and storage of information. Therefore, information may not be placed in such systems, or if already there, it may not remain in such systems, unless the commission specifically permits it by regulation. In addition, a long list of information is specifically excluded from the systems by the provisions of subsection (b) of this section. These exclusions include, among others, professional license information, revenue and taxation information, information relating to state welfare programs, and state personnel information.

The provisions relating to confidential information have been eliminated, and an individual may see all information referring to himself in a criminal justice information system.

The provisions relating to interstate systems for House Bill 753 have been incorporated into this proposed bill.