

Chapter V

Mediating the Tension Between Information Privacy and Information Access: The Role of Digital Government

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ABSTRACT

Government agencies collect and disseminate data that bear on the most important issues of public interest. Advances in information technology, particularly the Internet, have multiplied the tension between demands for evermore comprehensive databases and demands for the shelter of privacy. In mediating between these two conflicting demands, agencies must address a host of difficult problems. These include providing access to information while protecting confidentiality, coping with health information databases, and ensuring consistency with international standards. The policies of agencies are determined by what is right for them to do, what works for them, and what they are required to do by law. They must interpret and respect the ethical imperatives of democratic

accountability, constitutional empowerment, and individual autonomy. They must keep pace with technological developments by developing effective measures for making information available to a broad range of users. They must both abide by the mandates of legislation and participate in the process of developing new legislation that is responsive to changes that affect their domain. In managing confidentiality and data access functions, agencies have two basic tools: techniques for disclosure limitation through restricted data and administrative procedures through restricted access. The technical procedures for disclosure limitation involve a range of mathematical and statistical tools. The administrative procedures can be implemented through a variety of institutional mechanisms, ranging from privacy advocates, through internal privacy review boards, to a data and access protection commission.

THE TENSION BETWEEN PRIVATE LIVES AND PUBLIC POLICIES

An Environmental Scan

In its normal activities, the public sector captures enormous amounts of data, stores it in very large databases, analyzes some of it, and disseminates information products to individuals, governments, businesses, and other organizations. Much of these data are obtained directly from respondents in surveys and censuses or through building systems of administrative records based on a variety of citizen interactions with government. Surveys include:

- Face-to-face interviews, as with the National Longitudinal Surveys of Young Women conducted by the Bureau of Labor Statistics;
- Telephone surveys, as with the Behavioral Risk Factor Surveillance System conducted by the Centers for Disease Control and Prevention, which estimates current cigarette smoking and use of smokeless tobacco; and
- Mail-back responses (including electronic mail), as with the reactions to their website obtained by Inland Revenue of the Government of New Zealand (see www.ird.govt.nz/survey.htm).

Administrative records include:

- Employer-furnished data, as with Social Security Administration earnings records;

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