

# K-4

## Privacy Issues in Personal Data Records: Walking the Tightrope with the ISRG

A few years ago when LEXIS first brought online the P-TRAK database, I remember a secretary coming to my desk exclaiming: "They can get my Social Security number. You've got to do something about it!" I didn't know then how serious her concern was, what a disaster identity theft could be. In 1997 LEXIS-NEXIS convened the first meeting of the Individual Reference Services Group (ISRG) to use input from the Federal Trade Commission to develop self-regulatory principles for the dissemination of "individually identifiable" information.

Is the ISRG able to protect online privacy? This question was the subject of the meeting "Privacy Issues in Personal Data Records: Walking the Tightrope with the ISRG." Two views of the issue were represented: **Steve Emmert** (Chairman and President of the ISRG) and **Andrew Shen** (Policy Analyst, The Electronic Privacy Information Center, [www.epic.org](http://www.epic.org)). **Michael Saint-Onge** organized and **Linda Hutchinson** (both of LEXIS) introduced the program.

The ISRG ([www.isrg.org](http://www.isrg.org)) is composed of 14 suppliers of non-public data. The ISRG has formulated its guidelines as follows: user education, source accuracy and reputation, provider security and confidentiality, openness as to sources and collection methods, the individual's right to access his/her own private records and choose not to have them posted, and

no access to non-public information on minors (except for extraordinary issues like finding missing children).

The ISRG goes about accomplishing these goals by dividing private information into three distribution levels: selective and limited (mainly for law enforcement officials and insurance company fraud detection), commercial and professional (what we librarians may access), and general distribution for the public. Basically, the more data you want, the more stringent access controls will be. What we librarians are supposed to get does not include credit or financial history, mother's maiden name, only a truncated SSN, and the month and year of birth. An independent auditor annually oversees that the 14 members are complying with ISRG guidelines.

Despite the efforts of the ISRG to guarantee that private information seeks its proper audience, the number of identity thefts is mounting. According to the U.S. Postal Service, 50,000 (and rising) people annually are victims of identity theft, with losses reaching \$745 million in 1997. Trans Union's Fraud Assistance Department handles 2000 identity theft inquiries a day; the FTC, 800 to 850 calls weekly (877/ID-THEFT). According to the Privacy Rights Clearinghouse ([www.privacyrights.org](http://www.privacyrights.org)), it takes a victim of identity theft 175 hours to clear up his/her records.

Andrew Shen sees the solution, over and above what the ISRG is doing, as a legislative issue. Six bills are currently before Congress addressing information privacy issues and identity fraud. The Administration has voiced support for S.2328 (chief sponsor: Dianne Feinstein, D-CA) and H.R.4611 (Edward Markey, D-MA), the *Social Security Number Protection Act of 2000*. Most of the introduced bills would limit distribution of SSN and telephone numbers. One bill goes beyond identity theft to stalking and homicide, *Amy Boyer's Law* (S. 2554, introduced by Judd Gregg, R-NH).

Probably all of us know someone whose fiscal identity has been stolen and what he/she has gone through to get it back. As librarians who search for private data, we know these data are not difficult to get. The efforts of the ISRG can only go so far; after all, its members have a product to sell. One can hope that Congress will act. "Privacy Issues in Personal Data Records" was an excellent, timely program.

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