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NY State Broadcasters

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Good morning. I wanted to talk to you today about privacy -a subject that crosses so many aspects of our lives and of our times. It is an issue that is exploding with the force of the information age. Today, a single image broadcast around the world can affect someone's privacy forever.

We saw some of those images just a few days ago in Central Park. Yesterday the New York Times wrote about how news organizations handled the videotape of this event -including those tapes that actually showed the faces of the women. There could not be a more dramatic example of the importance of privacy than those images.

I believe it was wrong to show the faces of the women being assaulted without getting their permission. You can report the news without adding to the trauma of those already victimized. The information age and the 24 hour news cycle should not turn acts of abuse and disrespect into a spectator sport. I was glad to see that most stations have recognized that fact - and I hope that in the future every station will follow this simple rule for sexual assault victims - get their permission before showing their faces on tv.

But the attacks in Central Park also raise larger issues that we're all struggling with. How is it that such a violent assault could take place in daylight in the midst of a busy city -and be seen by too many participants and spectators alike -as acceptable behavior? None of us have any easy answers.

Obviously we must punish the guilty swiftly and severely, but I will continue in the coming days to talk about this incident and what we must do to ensure greater respect and safety for women.

Judy Garland once said, "I've never looked through a keyhole without finding someone was looking back." We live in a time when the keyhole of information technology is increasing our peripheral vision to nearly 360 degrees. Vast new portals of global commerce, opportunity, knowledge and relationships are opening to us on an almost daily basis. But, even as we

gaze in wide eyed wonder at this exciting new landscape of possibility, we must remember -- citizens must always be the final arbiters of who and what is peering back at us. The question I want to pose today is how do we protect our basic right of privacy in this fast paced, high-tech information age?

Now I know when you enter public life you give up a lot of your privacy. Believe me I know that all too well. But you shouldn't give up your privacy when you visit your doctor, take a trip to the video store, or buy a book on the Internet.

We have to do a better job of having 21st Century privacy rights for 21st Century invasions of privacy.

And in the Senate I can assure you that I will be a staunch defender of every American's right to personal privacy. Privacy has always been a basic American value that we have fought hard to protect.

That is why, as Senator, I will introduce legislation that will promote the basic principle that individuals should have the right to choose whether and to whom their personal financial and medical information is disclosed. They should have the right to know how, when and how much of that information is being used. And they should have the right to see it for themselves to know if it is accurate. They should also have better tools to combat the growing crime of identity theft.

In this age of technology, the need for this legislative vigilance is clear. As New York's Attorney General Eliot Spitzer said recently, "It's not Big Brother that we now have to be afraid of, but Big Browser." In today's information age, companies can buy and sell information on what you browse on the web, what you buy and where, and when you last got sick. We must do more, beginning with the most personal of our personal information -- our medial records.

Two decades ago, our health care privacy was entrusted to the family doctor, most often also a friend, who kept handwritten records about us sealed away in a big file cabinet. Today, in the age of huge, impersonal medical data bases and HMO's, unfortunately, there is greater protection for your video rental receipts than for your most intimate medical information.

The President has directed the Department of Health and

Human Services to issue privacy regulations that would prevent, for example, your employer from looking at the medications you take or the ailments you have. I support this effort. And as Senator, I would go one step further by introducing legislation requiring consumer consent for the release of any health care-related information by employers, health care institutions or insurers to third parties, whether the records are paper or electronic. And those who violate these protections should face stiff penalties. Consumers should have a right of action against those who violate these rules so that they can better be protected.

If we want to restore trust in the health care system, all Americans need to have confidence that their medical tests will be used to heal them, not deny them privacy, jobs or health coverage. What good are the best genetic tests and treatments in the world if people are too scared to use them. If a woman fears that her mammogram will be used against her, than she may be likely to take the test to save her from breast cancer. That's why I believe we must protect the privacy of medical records - and outlaw genetic discrimination.

We also must do more to protect our financial privacy. Consider this: Where once financial privacy meant keeping your salary private and your passbook away from prying eyes, today it means protecting your entire financial identity. Furthermore, while the growing consolidation of financial institutions is offering considerable benefits to consumers in the form of efficiency, new products and better prices, it is also creating a powerful incentive for these new conglomerates to treat consumer data as a business asset -- to be sold or traded to the highest bidder.

For example, the typical credit report in 1970 would have shown only that a customer had received a total of, say, \$5,000 of credit and had repaid it on time. The credit card records of 2000, by contrast, can list each and every purchase ever made by that customer, sorted by date, location and other details. In addition, if credit card companies work together with merchants, then the level of detail can become even more refined -- each dish ordered at your favorite restaurant or each item purchased at the mall. Having businesses collect this information is bad enough, but when they sell it to a telemarketer or share it with a private investigator that crosses the line. It is time we told business

to mind its own business and leave ours alone.

As Senator I would fight for legislation to prohibit the sharing of personal financial information to third parties without explicit consumer consent. This "opt in" legislation would apply to your credit history, payment schedules, account balances, online information, and detail about your personal spending habits. It would also give consumers the right to their own credit information and it would enhance their ability to correct erroneous credit reports. This legislation would put a stop to the "information traders" - the people who profit on selling information about some of the most private decisions we make.

Finally, we must do more to combat the growing crime of identify theft. We have all heard the horror stories of someone stealing a social security number and date of birth to apply for credit, open bank accounts and run up thousands of dollars in unauthorized purchases. Identity theft is fast becoming the most prevalent and costly financial crime in the nation. It is estimated that more than 40,000 Americans have their identity stolen every year. This is costing consumers and the financial industry billions of dollars. But it is also costing citizens something far more important -- the security of knowing that they alone have control over their financial destinies.

Identity theft is ruining people's credit ratings and reputations. Imagine how you would feel if suddenly you were denied a job, a loan or a mortgage because of the actions of an identity thief. This is a serious crime and it must be stopped. That is why as Senator, I would support increasing financial penalties for identity theft and for more federal resources to combat this crime.

We do live in a time of breathtaking possibility. Technology is leading us to the cure of dreaded diseases. It has the power to lift more people out of poverty than ever before. But technology can never be stronger than the values we bring to it. The competition for rapid communication can spread the word of democracy around the world - but it can also be misused to show the faces of victims cowering after an assault. It is up to us to ensure that the newest technology will serves our most enduring values.

Just as we needed new rules to protect children and

consumers at the dawn of the Industrial Age, 100 years ago, so we need new rules to protect citizen privacy in this new age of technology. That is why I will make the protection of citizen privacy in the information age a top priority as the next Senator from the State of New York.

Thank you.