

THE PRIVACY ACT OF 1974

SAVPIN: 504432DD
16mm COLOR
31 3/4 MINUTES

Script

THE PRIVACY ACT OF 1974

SAVPIN: 504432DD
16mm COLOR
31 3/4 MINUTES

PRODUCTION AGENCY.....US Army AV Center, JVIA
GSA Building 159 Room 153
GSA Southeast Federal Center
2nd and Tingey Street
Washington, D.C. 20407
(202) 475 1930, 2602 or 2705

COMMAND REPRESENTATIVE.....Mr. William T. Cavaney
Director, Defense Privacy Office
400 Army Navy Drive Rm 205
Arlington, VA 222202

TECHNICAL ADVISOR.....Lt. E. Franklin Overby, US
Defense Privacy Office
Same address as above

PROJECT OFFICER.....Mr. Larry Washburn
US Army AV Center, JVIA
GSA Building 159 Room 153
GSA Southeast Federal Center
2nd and Tingey Street
Washington, D. C. 20407
(202) 475 1930, 2602 or 2705

PRODUCTION COMPANY.....Thomas Craven Film Corporation
114 E. 25th Street
New York, New York 10010
(212) 777 7433

VIDEO

AUDIO

Fade in

1. Department of Defense Logo

MUSIC

Fade out

Fade in

2. Title: THE DEFENSE PRIVACY
BOARD PRESENTS

MUSIC

Fade out

Fade in

3. Title: THE PRIVACY ACT
OF 1974

MUSIC

4. LS EXT TOP OF NAVY HOSPITAL
ROOFTOP

Megan Mosely walks across
the roof. She looks dazed.

VOICES (IN MEGAN'S MIND)

It's all over the base, Megan.
Someone saw your medical record
and spread the word. You've been
infected. You're carrying a dead-
ly disease. That's why no one
wants to go near you. Infected,
infected...a deadly disease...dead-
ly disease, Megan...(Laughter)

Megan crosses to a ledge and
looks down eight stories to
the street below.

5. LS, EXT FROM ROOF DOWN INTO
STREET.

MUSIC

NARRATOR

Because someone entered false in-
formation in her medical record,
Megan Mosely is contemplating a
suicide leap.

6. LS AS MEGAN CLIMBS ONTO LEDGE

7. CU AS HER FOOT STEPS ON LEDGE
KNOCKING A PEBBLE TO STREET

8. MED. SHOT OF POLICEMAN IN
STREET BELOW NOTICES PEBBLE

9. LS FROM POLICEMAN'S VIEW UP
AT MEGAN

10. MS POLICEMAN LOOKING UP

EFX: SOUND OF PEBBLE ON STREET
AND MUSIC

POLICEMAN

Hey! What are you doing? Get
away from that ledge!

Cut to:

11. INT OFFICE AS A SUPERVISOR
ROAMS OFFICE MAKING NOTES

NARRATOR

Because Jake Toomey, a supervisor
kept a little black notebook on his
subordinates, and used it inappro-
priately, a rating board decision
will have to be set aside, and a
new board with different members
convened...all because this man's
privacy was invaded by gossip.

Cut to:

12. EXT NIGHT, PHONE BOOTH IN
DESERTED AREA OF A CITY

RICHMOND (ON PHONE)

Jack Crandel, please... Crandel?

Richmond...yes, Sid Richmond.

NARRATOR (Over the above
sync)

Because if this man's name is re-
leased to the media, his life
could be in jeopardy.

RICHMOND (SYNC)

Richmond drops phone, looks around and runs away.

Somebody screwed up. Now they know who blew the whistle. You promised to keep me out of this. (hearing footsteps). I gotta go.

13. EXT CU OF PHONE RECEIVER
DANGLING AS RICHMOND RUNS

VOICE ON PHONE

Hello...hello...

14. EXT FISHMARKET, DAY
The General is examining a fish wrapped in computer paper.

GENERAL GASTNER

I'm going to have somebody's head for this--how could this have happened?

15. EXT FISHMARKET, DAY Cut back back and forth between General and embarrassed aide.

NARRATOR

Because someone decided to sell the waste paper collected on the base that this General commands, the name, address and payroll records of every military and civilian employed there showed up on paper used to wrap fish in a local fish market.

16. INT MILITARY PERSONNEL CENTER
VARIOUS SHOTS OF COMPUTER
ACTIVITY

NARRATOR

During the last twenty years, the

increasing use of electronic data processing--while essential to the efficient operation of the government--has greatly magnified the potential harm to individual privacy. However, the proliferating use of computers, the increasing and tremendous amount of information stored in Federal Agency files, and finally the Watergate investigation ...led to the realization by Congress that a new law was needed as an additional safeguard to our basic constitutional rights.

17. STOCK SHOT, CONGRESS

18. INT, ECU PRIVACY ACT HEADING

This law, the Privacy Act of 1974, with certain exceptions, required Federal Agencies to follow specific requirements to protect the privacy of individuals.

19. INT, CU OF PRIVACY ACT LAW

20. INT, CU OF HANDS TURNING PAGES OF THE ACT

21. MONTAGES OF FEDERAL WORKERS AND MILITARY PERSONNEL

In fact, the preamble to the Privacy Act states that the right to privacy is a personal and fundamental right of the individual.

(MONTAGE CONTINUES)

22. INT CU OF SIGN "THINK PUBLIC AFFAIRS"

23. INT PUBLIC AFFAIRS OFFICE (ARMY)
Major Wood is speaking on the telephone.

24. INT NAVY YARD OFFICE
Anne Harrison is talking with another worker.

Anne walks to her desk and picks up a folder from her IN box.

So today, the government is faced with two sources of pressure: advocates for more privacy protection...

...and those demanding freer access to information.

MAJOR WOOD

Yes, I know the media has rights. They have the same rights as any member of the public under the Freedom of Information Act, but the report you want would give you access to personal data on our employees and that's a violation of the Privacy Act. When the information becomes available I'll be happy to call you.

The Privacy Act allows the government to keep only those records on individuals which are necessary. The data must be relevant, timely, accurate, and complete. Take Anne Harrison who works for the Navy. Anne decided to send for a copy of her background investigation. Like most people she had never gotten around to it. She

discovered it stated she had been arrested during college for taking part in a campus sit-in.

25. MCU ANNE READING FILE

ANNE HARRISON

This is ridiculous! What is this doing in here?

Cut to:

26. INT CAFETERIA, NAVY YARD
Anne and a girlfriend are having a snack on their break.

ANNE HARRISON (to friend)

It happened years ago. It was a part of college life at the time. What is it doing in my record now?

27. CU OF GIRLFRIEND

GIRLFRIEND

You probably told them when you applied for the job.

28. CU ANNE

ANNE HARRISON

True, but there's no indication of the outcome - I was let go, found not guilty. I was just bringing food to those who demonstrated. The judge found me not guilty. This makes it look like I was guilty when I wasn't.

29. CU OF FRIEND

FRIEND

I'd go see someone.

30. CU OF ANNE

ANNE HARRISON

I think I will.

Cut to:

31. INT, NAVY PERSONNEL CENTER
Personnel Officer who is on
telephone waves Anne to
have a seat. She hangs up
and turns to Anne.

ANNE HARRISON (Voice Over)
And that's what I did. I had heard
that the Privacy Act gave me that
safeguard, so I went to Personnel.
If they had information in my re-
cord on my arrest, they should also
have information on the outcome of
the case.

ANNE HARRISON (sync)
In my case the record should state
I was acquitted, found not guilty.
I got picked up delivering sand-
wiches and coffee to my boyfriend
and his fraternity brothers.

32. MS OF PERSONNEL OFFICER

PERSONNEL OFFICER
I see. Well, if you'll file a re-
quest for change, we'll look into it
and let you know the outcome.
Now if you will just fill out these
forms...

33. INT ANNE AT HER DESK
The phone rings, she answers

NARRATOR
Within thirty days, Anne received a
phone call. Her record would be up-

dated and the disposition of her case entered to explain its outcome.

ANNE HARRISON (Sync)

And the record will be corrected this week? Wonderful!

Dissolve to:

34. INT MARINE CORPS PERSONNEL OFFICE. Sgt. Ridley is looking at his file.

NARRATOR

Marine Sgt. Ridley is reviewing his file and what he sees does not make him very happy.

SGT RIDLEY

Hey! What's this court-martial charge sheet doing in here? Those charges were withdrawn a year ago and I'm not going to any court-martial. How come this charge sheet wasn't removed?

CLERK

I don't know anything about it.

35. INT AS BEFORE, CU RIDLEY

NARRATOR

Under the Privacy Act, records not only must be accurate, relevant and complete, they also must be timely. The information must not

be outdated and must be relevant to an individual's present duties.

Dissolve to:

36. INT RIDLEY DINING ROOM
Mrs. Ridley is setting the table.

MRS. RIDLEY

Hi Hon, how was your day?

RIDLEY

You'd never believe what happened! I checked my personnel record and guess what I found. They still have that charge sheet about that old court martial in there. They promised to take it out but its still in there.

37. MS MRS. RIDLEY

MRS. RIDLEY

I don't understand. Those charges were dropped a year ago. Everybody knows you weren't involved in those thefts.

37. CU RIDLEY

RIDLEY

Yeah, but that's not what my records say. Looking at them no one would know that they caught the real thief and all the accusations against me were dropped. That stuff doesn't belong in there!

They told me that the Marine Corps would wipe the slate clean and that all charges would be removed from my record.

38. CU MRS. RIDLEY

MRS. RIDLEY

Looks like somebody goofed. You'd better go see someone.

39. CU RIDLEY

RIDLEY

You'd better believe I will!

Dissolve to:

40. INT MARINE PERSONNEL OFFICE. Clerk is going over Ridley's file with him.

MARINE PERSONNEL CLERK

I don't see anything to indicate that these charges were ever dropped. If they're in your record it's because they're supposed to be here. Looks like you've got a problem.

41. CU OF RIDLEY

RIDLEY

No I haven't! Some idiot didn't get the word. Those charges were dropped over a year ago. No wonder I was passed over for OCS. Take that charge sheet out of my record.

42. MS MARINE PERSONNEL CLERK

PERSONNEL CLERK

I can't do that based on your word.
You'd better get some proof.

43. CU RIDLEY

NARRATOR

Sgt. Ridley thought it best to get
some expert advice, so he went to
see his personnel officer.

Dissolve to:

44. INT. PERSONNEL OFFICE
MS Past Personnel Officer as
he and Ridley talk.

CAPT. JONES

You say the charges were dropped?

RIDLEY

Yes, sir. There were a lot of
thefts occurring in the barracks in
the daytime about 18 months ago,
and the Naval Investigative Service
was called in. They narrowed the
suspects down to three of us that
worked nights and we were all
charged with the crimes.

45. MS CAPT JONES

JONES

Why did they drop the charges
against you?

RIDLEY

Well sir, one of the guys confessed
later on and was convicted at a
court-martial.

46. CU ON RIDLEY

RIDLEY

They called me in and told me about it and promised my record would be cleared, but it wasn't!

47. MS CAPT JONES

JONES

Well, I can correct your local record but I can't change your official files. However, under the Privacy Act, Sergeant, you can request that your record be amended at any time if you feel the information in it is not accurate, relevant, timely or complete.

48. CU RIDLEY

RIDLEY

Sir, that's what I want. How do we go about it?

49. MS JONES PAST RIDLEY

JONES

I'll help you write a request to correct your record. If Headquarters, Marine Corps agrees with you, they'll remove the charges from your record.

50. CU RIDLEY

RIDLEY

I know I'm right, but what if they don't believe me?

51. MS SHOT CAPT JONES

If your appeal is denied, you can sue them in Federal Court. If you win there, the court will order that your record be corrected and might order the Government to pay your attorney's fees.

52. CU RIDLEY

RIDLEY

Well, let's get the process started. The longer those charges stay on my record the more damage they'll do.

53. MS PAST RIDLEY ON JONES

JONES

OK. I'll need to get some details from you before I draft the amendment. Now, when was the date of the first incident?

Dissolve to:

54. LS MARINE PERSONNEL CLERK
AT HER DESK AS RIDLEY ENTERS
He sits beside her desk and
hands her his request for
change form.

NARRATOR

When an individual requests to have a record amended, the request must be acknowledged within ten working days, and the person must be advised when he or she can expect a decision on the request.

55. INT MARINE OFFICER AT
DESK LOOKING AT RIDLEY'S
REQUEST

NARRATOR

If the request for amendment is accepted, the official record will be corrected and all organizations or persons listed on the disclosure accounting record will be notified.

56. INT AS BEFORE IN CAPT
JONES OFFICE. He talks
with Ridley

If a request for amendment is denied, the person will be informed and the procedure for appealing the decision will be explained.

57. INT MARINE PERSONNEL
OFFICE Clerk talks with
Ridley

A person must be notified within thirty days whether the appeal is granted or denied, as will all organizations listed on the disclosure accounting record.

Clerk shows Ridley his
record.

PERSONNEL CLERK

...and now Sergeant, your record is the way it's supposed to be.

Dissolve to:

58. INT DAY CARPENTER SHOP
Workers going about their jobs.

NARRATOR

The Privacy Act also safeguards how personal information is gathered and used.

Foreman enters and hands out
forms

FOREMAN

Hey, fellows, they're running a human reliability survey. I need

59. INT CARPENTER SHOP, CU OF
BUCKEY REYNOLDS He looks
at form and frowns.

these forms filled out. Bring them
in tomorrow morning.

EFX: (Voices in background)
What's this all about?
Who I vote for? That's none of
their damned business.

BUCKEY REYNOLDS

I don't see any sort of Privacy Act
advisory statement printed here
anywhere. What's up? They're ask-
ing an awful lot of personal ques-
tions.

Dissolve to:

60. INT UNION HALL. SIGN SAYS
UNION HEADQUARTERS LOCAL 303
Zoom back to see Reynolds
and the Grievance Coordinator

REYNOLDS

Now I'm not exactly sure why they're
keeping track of us.

COORDINATOR

What's the concern? You've filled
out forms before.

REYNOLDS

Yeah, but they didn't give the
forms out to everybody -- I asked
the foreman how come. He said he
was told to have only the best
workers fill them out.

COORDINATOR

The best?

REYNOLDS

Yeah, and when I looked around sure enough, only the "gung-ho" workers were given forms, and not the others. I figure that's about 50 out of 100 on my shift.

61. MCU COORDINATOR

COORDINATOR

Did he say what it was for?

62. MCU REYNOLDS

REYNOLDS

Something about this project coming under a human reliability program, and that they were trying to get a psychological profile on us so they can pick others once we get into full production on the project.

63. MCU COORDINATOR

COORDINATOR

Guess they're trying to get a handle on what traits to look for in workers they may want to hire elsewhere so they can train them to do the same kind of work you're doing on the project now.

64. CU REYNOLDS

REYNOLDS

If so, why do they need my name?
The traits would be enough.

65. CU COORDINATOR

COORDINATOR

I don't know.

66. MS OF REYNOLDS AND CO-
COORDINATOR

REYNOLDS

Look at these questions. They want to know: am I married or single; was I ever divorced? Have I remarried? Do I get along with my co-workers? And listn to this: They want to know if I've ever worked for any political campaigns -- done any speaking at rallies, or participated in any protests?

COORDINATOR

Yeah, all that is pretty personal stuff to go into a system of records. But those questions concerning your speaking, your association with political candidates and your participation in any protests are very touchy. The Privacy Act is very strict about monitoring First Amendment activities.

67. MS COORDINATOR AS HE SITS
AT TABLE

REYNOLDS

I thought it was strange especially

68. MS REYNOLDS AS HE SITS AT
TABLE

since there's no Privacy Act advisory statement printed anywhere on the form.

70. MCU OF COORDINATOR

COORDINATOR

Hmm. There certainly should be. They should tell you why they want the information, what they plan to do with it and who is going to use it.

71. CU REYNOLDS

REYNOLDS

That's why I wanted to talk to you.

72. CU COORDINATOR

COORDINATOR

I'll look into right away. Not only am I interested in it from a union standpoint, but I think they are violating the Privacy Act and don't know it.

73. CU REYNOLDS

REYNOLDS

That's what Alma Strong said. She's a friend of my wife. She works at the computer center where our records are kept.

Dissolve to:

74. INT PERSONNEL OFFICE

ALMA STRONG

I'm sorry Col. Cooper. I can't enter data with personal identifiers

in your new system of records until you show me the record system notice from the Federal Register which contains the system identification number.

75. CU COL COOPER

COL COOPER

The General wants it. What the General wants, the General gets!

76. CU ALMA STRONG

STRONG

Too bad. Without a published record system notice, someone could be fined. I don't have \$5,000 to pay the fine. Does the General?

Dissolve to:

77. INT GENERAL'S OFFICE ZOOM
BACK TO SHOW LEGAL OFFICER
AND COL COOPER

LEGAL OFFICER

Nobody consulted us, General. The personnel people just went ahead and issued those questionnaires without submitting them for our legal review. We could have told Col. Cooper he needed a Privacy Act notice printed on the form and would have been glad to help him prepare the proper paperwork to get a record system notice published in the

Federal Register months ago. Also we could have told him that he was prohibited from seeking information on individual First Amendment rights.

78. CU GENERAL

GEN STOLKS

You mean legally there's nothing I can do?

79. CU LEGAL OFFICER

LEGAL OFFICER

If you are going to identify and keep a record of a person who signs the form you must submit a system notice for publication and give the public a chance to comment on it. But if all you want is a profile of the best workers, you can design a questionnaire that keeps the responder anonymous. But in both cases you must delete those questions concerning political speeches and protest marches.

79. CU OF GENERAL

GENERAL

Well, Colonel, did we really need the persons names?

80. CU COLONEL

COLONEL

I guess not, Sir, just the informa-

tion.

Dissolve to:

81. INT ALMA STRONG'S OFFICE

ALMA STRONG

Col, I hope the General now understands why we can't enter the psychological data he wanted on employees in the computers. From his tone I was sure I was not going to be one of his favorite people.

82. MS OF COLONEL

COLONEL COOPER

I can understand that.

83. CU ALMA STRONG

STRONG

Colonel, without a record system notice no one in my department would think of entering any information the General wanted from these forms into a system of records. Not only could we be fined but we could lose our jobs for carrying out the General's wishes.

85. MS PRIVACY ACT NOTICE
ON THE WALL

NARRATOR

Alma Strong wasn't being difficult. The Privacy Act specifies a notice must be published in the Federal Register before information is

86. INT ALMA STRONG'S OFFICE
She works at desk, then
reaches for Federal Register

87. CU OF FEDERAL REGISTER

Dissolve to:

88. INT EQUIPMENT REPAIR SHOP
Camera dollies past one
worker to bench where Sgt.
Carter and co-worker are.

collected for the system of re-
cords. The notice tells where and
how data will be used, and who can
have access to the information.
That's why the record system no-
tices should be checked every day.

NARRATOR

Understanding the provisions of
the Privacy Act is important to
the individual and to those who
maintain personnel records. Take
the case of Air Force Sgt. Carter.

CO-WORKER

Here comes the section chief.

SGT CARTER

I hope it's news about my transfer.
I'm up for a NATO assignment.
Brussels!

CO-WORKER

Woeee! Some guys have all the luck!

CARTER

Luck nothing! I've been busting my
buns to get it.

90. MS SECTION CHIEF

SECTION CHIEF

Carter, can I see you for a moment?

91. LS CARTER WALKS TOWARD
SECTION CHIEF.

CARTER

Sure, Sergeant.

SECTION CHIEF

How's it going, Doug?

CARTER

Fine, Sarge, but I haven't heard
if my orders are coming through
for Europe.

92. MCU SECTION CHIEF

SECTION CHIEF

That's why I've come to talk to
you. Captain Marlow called.
There's been a change of plans.
Jones is going instead.

93. CU CARTER

CARTER

Jones? How come? I'm more quali-
fied on that new security equip-
ment.

94. CU SECTION CHIEF

SECTION CHIEF

I know, but there were other
factors.

95. CU CARTER

CARTER

What other factors?

96. CU SECTION CHIEF

SECTION CHIEF

It's a critical job and the fact
you had a low score in advanced
electronics gave them second

thoughts.

97. CU CARTER

CARTER

What are you talking about? I never got a bad mark. I was the instructor.

98. CU SECTION CHIEF

SECTION CHIEF

The Captain turned you down. He said you got bad test scores at your last duty station.

99. CU CARTER

CARTER

Can't be! I was the top specialist in my field.

100. CU SECTION CHIEF

SECTION CHIEF

I personally checked your personnel jacket before I came over here. The test score is in there. I saw it with my own eyes. Haven't you reviewed your records in the last couple of years?

101. MS OF CARTER. He walks away puzzled.

CARTER

No. I didn't see a need to. I know I'm doing well. I've gotten commendations everywhere I've been.

CHIEF walks over to Carter

SECTION CHIEF

Doug, I think personnel does its best to keep your records accurate,

102. MCU SECTION CHIEF

but it would help if you checked them regularly. It's too late for this assignment , but ... if I were you, I'd do something about getting it corrected. The Privacy Act gives you the right to do it. And you'd be smart to do it right away. How about right now? Go to personnel and ask to see your records. If you still feel what's in them is not correct, they can help you.

103. MCU CARTER

CARTER

Thanks.

104. MLS CARTER WALKS INTO BUILDING

MUSIC BRIDGE

105. INT PERSONNEL OFFICE
Zoom back from file to see Carter seated by personnel clerk's desk.

PERSONNEL CLERK

I've been in personnel for years. If it's in your record, it's got to be correct. Why would anyone enter a bad test score for you unless you got one?

106. MS CARTER

CARTER

I don't know!

107. MS CLERK

CLERK

Besides, how come you didn't say

something before? It's been on your records for quite a while?

108. MS CARTER

CARTER

I didn't know it was. But believe me, I'll be checking my records every six months from now on.

109. MCU CLERK RISES FROM DESK

CLERK

Look, I'm about to go on a break. Get a letter from your commander or somebody at your last duty station who will verify that these test scores aren't yours. Okay?

110. MCU CARTER RISING

CARTER

Can't the personnel officer help me?

111. CU CLERK

CLERK

Not until we have some verification from somebody.

112. CU CARTER

CARTER

Okay, but I'll do better than just write -- I'll take some leave, drive down and get it myself.

MUSIC BRIDGE

113. LS EXTERIOR BUILDING AT
CARTER'S OLD BASE
Carter enters the building

114. LS INTERIOR OFFICE OF CARTER'S
FORMER COMMANDER Maj. Dean
looks up as Carter enters.

MAJOR DEAN

Glad you stopped by Carter. It's

good to see you. You were one of the best electronic specialists we've ever had. How're things going?

115. MS CARTER

CARTER

Not so good. I just found out an error was made in my records. Somehow an entry was made that said I had a low test score in advanced electronics.

116. MS MAJ DEAN

MAJ DEAN

Nonsense! They probably got the wrong Carter. There are a lot of Carter's in the Air Force.

117. CU CARTER

CARTER

But that's what it says. I checked. I lost out on a NATO assignment because of it.

MAJ DEAN

Did you request the records be corrected?

CARTER

They wouldn't change it for me without a letter from you.

118. MS MAJ DEAN

MAJ DEAN

There's something damned wrong in your personnel office. They

MAJ DEAN GOES TO HIS DESK
AND PICKS UP TELEPHONE

119. INT AIR FORCE PERSONNEL
OFFICE AS IN SC 105
Pan up from CU of a personnel
file to same clerk as in
scene 105

120. CU CARTER

121. CU CLERK

should have run a check for you,
but since you're here, I'll dash
off a statement right now.

Cecile, take a letter. Douglas T.
Carter...Yes, Douglas T. Carter
worked for me for three years.
Prior to reporting to your base
for duty ...

PERSONNEL CLERK
(reads in unison with the Major)
...for duty, he was our chief
instructor in advanced aircraft
electronics. His test scores, in
all subjects, rated from 3.5 to
4.0. Based upon his past perfor-
mance, the low test scores in his
record must be a mistake. Please
check into this. (looking up at
Carter) How do I know you didn't
write up this affidavit yourself?

CARTER

Look -- call 'em -- check it out
for yourself. I went and got him
to write it because I know him.

CLERK

I'll take it up with my supervisor.

122. CU CARTER	CARTER If you don't, I will.
123. LS CARTER GETS UP AND LEAVES Clerk picks up the phone to call her supervisor	NARRATOR And that she did. Her supervisor looked into it and his investiga- tion revealed that they had the wrong person. The test score was removed from Carter's service record. As it turned out, Carter was not assigned to Brussels, but to a desirable base in England.
124. CU TEST SCORE BEING REMOVED FROM HIS RECORD	
125. LS EXT IN FRONT OF BUCKINGHAM PALACE Band marches	
Dissolve to:	
126. INT AFB PERSONNEL OFFICE An officer approaches a clerk and asks to see his records	NARRATOR No matter how frequent the request if you handle personal records of civilian employees or military per- sonnel, you must verify a person's identity each time anyone asks to see his or her records. An ID card, driver's license, or passport will be sufficient. A person who is in a distant location orat sea may request in writing access to his or her records. They should understand that any know-
127. CU AS OFFICER HANDS CLERK AN ID CARD	
128. STOCK FOOTAGE Gate of overseas post	
129. STOCK ship at sea	
130. INT Sailor writing a letter	

ing and willful request for a record under false pretenses is a criminal offense subject to a \$5000 fine.

131. INT PERSONNEL OFFICE
Clerk is on telephone

If the request is by telephone, you should verify the person's identity much the way banks do by requesting confirmation of unique elements of personal data, if possible, or require that a request be made in writing.

132. INT PERSONNEL OFFICE
Another clerk is approached by a civilian asking to see his records

Never ask the person to give a reason or justify a need to see his or her record. The Privacy Act does not require it.

133. INT OFFICE Tilt up from a man holding a small black book. Sign on door says legal office

But not all information, however, is a part of a system of records. For example Jake Toomey's little black book.

JOHN EVANS (Voice over)

When I found out that personal notes about me kept in a little black book by my supervisor were used at a rating board, I went to see our legal counsel. The book was accidentally left at the meeting

134. INT LEGAL COUNSEL'S OFFICE

135. MS LEGAL COUNSEL

and I requested a new rating board.

LAWYER

This doesn't look like a record covered by the Privacy Act. It seems to be a personal notebook used by a supervisor to jog his memory. It's his personal observations and not part of an official record.

136. CU EVANS DISSAPOINTED

EVANS (Voice over)

My first request was denied, but the Privacy Act gives every individual the right to appeal, so I did.

Dissolve (Flashback)

137. INT RATING BOARD ROOM
Toomy and other members of
board are at table

Toomey had circulated his notes that day to members of the rating board. Since it was not an official record, it should not have introduced in those proceedings, but it was.

138. MS BOARD MEMBER #1

BOARD MEMBER #1

It's going to be close, but what I see in John Evan's official file looks pretty good. He's very well qualified. Does anyone have anything to add?

139. MS JAKE TOOMEY gets up
from table and goes over
to chairman

JAKE TOOMEY

I've got some information here that

140. VARIOUS CUTS OF BOARD
MEMBERS LOOKING AT NOTES

that may help us decide. Here are some copies of my notes. Look at all the rumors I picked up about Evans. You'll see he's a dirty old man -- likes the women. A different woman comes to pick him up every week. He's lived with someone since he left his wife. Parties at night. Is that the kind of man we want to put in that position? Thompson on the other hand is a Sunday School teacher and a Boy Scout leader.

141. CU BOARD MEMBER #1

BOARD MEMBER #1

Evans is still the best qualified. But if all he's got is women on his mind, he may not have his priorities straight.

142. CU TOOMEYY

TOOMEY

Right!

143. CU WOMAN BOARD MEMBER

BOARD MEMBER

I've heard enough. Let's vote.

144. LS BOARD MEMBERS VOTING

EVANS (Voice over)

And that's how the decision was made. Thank heaven Toomey's little black book was left behind when

145. MS TOOMEY DROPS BOOK
WHEN LEAVING MEETING

146. CU LEGAL OFFICE SIGN

147. MS LEGAL OFFICER
Speaking to Evans

148. CU EVANS He looks pleased

149. LS EXTERIOR Art Museum
Evans is walking down steps

the board adjourned. Otherwise things wouldn't have turned out as they did.

COUNSEL

When Toomey brought his personal notebook into the conference room and handed out extracts on you and showed them to others, it was no longer just personal notes. They improperly became part of an official system of records. Since the information used was not relevant, as required for information contained in an official record, the data should not have been used in the decision-making process. You'll have another chance before another panel, and this time only your professional qualifications will be judged.

EVANS (Voice over)

And that's what happened. The first board's recommendation was thrown out and I got the job I wanted. I don't deny I like the company of women, but that has that to do with my ability to be a project supervisor?

Dissolve to:

150. LS EXTERIOR NAVY YARD
Ambulance pulls over to a group of people looking up at a building.
- EFX: SIREN
MUSIC (Tense, full of danger)
151. LS UP A BUILDING A woman
Corpsman is standing on the ledge of the roof.
152. LS FROM WOMAN'S VIEW DOWN TO STREET.
153. CU WOMAN, DISTRAUGHT
- NARRATOR
Don't let anyone do to you what was done to Megan Mosely and get away with it.
154. INT HOSPITAL Corpsman #1
is entering information into Megan Mosely's medical record.
- In Navy medical installations information is always encoded, but even so it can be misinterpreted to the uninitiated. On a night when there wasn't much to do, this corpsman who couldn't have fun with Megan Mosely, decided to punish her by entering false information in her medical records.
155. VARIOUS CUTS OF CORPSMAN #1
ENTERING DATA AND TERMINAL SCREEN
156. LS OF CORPSMAN #1 AT
TERMINAL. CORPSMAN #2 IS IN
BACKGROUND
- Corpsman #2 walks over to terminal
- CORPSMAN #1
Hey, look at this!
- CORPSMAN #2
It's just a bunch of numbers.
157. CU CORPSMAN #1
- CORPSMAN #1 (leering)
Yeah, but it tells us that Megan

Mosely isn't going to live very long.

158. CU CORPSMAN #2

CORPSMAN #2

What do you mean?

159. CU CORPSMAN #1

CORPSMAN #1

She's got a deadly disease. She's going to die!

160. MLS MEGAN ON LEDGE

NARRATOR

And that's how word got all over the hospital and caused Megan to want to commit suicide.

161. LS ROOFTOP, CORPSMAN #2 runs over to where Megan is.

CORPSMAN #2

Megan! Megan! for God's sake don't jump. It's all a lie. There's nothing wrong with you.

162. CU MEGAN

CORPSMAN #2 (Voice Over)

Get away from the ledge, Megan.

163. CU CORPSMAN #2 looking anxiously at Megan.

164. CU MEGAN

CORPSMAN #2 (Voice Over)

C'mon Megan, take my hand.

Megan finally turns away from ledge and starts to come down.

165. LS ROOFTOP, Megan gets down from ledge and the Corpsman rushes to comfort her.

NARRATOR

Megan Mosely suffered needless

anxiety. If record systems are protected from unauthorized use, if severe disciplinary action is always taken against those who willfully misuse them, such incidents can be prevented.

166. INT DAY, CORPSMAN #1 at Terminal entering data.

Tampering with or misinterpreting a system of records is a violation of the Privacy Act.

167. SAME, LS as another Corpsman comes over and questions what he is doing.

If you know of such actions or if you hear of someone using another's personal entry code or passwords to gain access to records, report the violation. That person may even be using your personal entry code and password to do it. Keep those to yourself. Give them out to no one.

168. INT DAY, NAVY HOSPITAL OFFICE. MS as Navy Doctor talks to Megan.

DOCTOR

Megan, you must believe me. You are perfectly well. It was all a vicious joke and we're taking action against the man who did it. And let me tell you, from now on no unauthorized person is going to get near our data processors.

169. INT DAY, HOSPITAL, LS as two other Corpsmen move a data processor so the screen faces the wall.

NARRATOR

Data terminal screens should be positioned so that there is less chance of people passing by reading a record, even if it is encoded.

170. INT DAY, OFFICE HALLWAY, LS as Sid Richmond leaves office and cautiously looks around. Camera zooms into sign on door which says: INSPECTOR GENERAL.

And here is a case that has never actually happened, but, if precautions are not taken, a situation like this enould endanger a person's life. Sid Richmond is a key informant in a government investigation into organized crime...

171. INT NIGHT, SID RICHMOND, is tossing and turning in bed.

...and Sid Richmond is having a nightmare.

OUT OF FOCUS DISSOLVE TO:

172. EXT NIGHT, LS Richmond at outdoor telephone booth in deserted part of the city.

SID RICHMOND

I don't have that information...I've already told you what I know about Johnson.

173. SAME, CU OF PAVEMENT AS TWO FEET STEP INTO SCENE.

174. SAME, CU OF SHADOWY FIGURE IN HAT AND TRENCHCOAT.

THE BOSS

Get off the phone, Sid. You're a squealer. It was you who gave out my name.

175. SAME, LS SID AT TELEPHONE

RICHMOND (frightened)

I don't know what you're talking about!

176. SAME, CU OF THE BOSS

BOSS

I read it in the paper.

177. SAME, LS SID RICHMOND

RICHMOND

...in the paper?

178. SAME, CU OF BOSS

BOSS

Your government career is finished!

179. SAME, LS SID RICHMOND
drops telephone and runs

BOSS (Voice Over)

...Finished! ...Finished!

180. SAME, CU DANGLING TELEPHONE

VOICE FROM PHONE

Hello? Richmond are you there?

181. INT DAY, LS Silhouette of
RICHMOND on telephone

NARRATOR

Such a situation is virtually impossible. Despite anything stated in the Freedom of Information Act, particular care is always taken to protect the identify of informants from untimely release. In many cases the informant need only furnish a lead which can be developed into a case without his or her identify being revealed.

182. MONTAGE OF FISHMARKET

183. EXT DAY, FISHMARKET Zoom back from CU of hands unwrapping a fish wrapped in computer paper to a full shot of AF GEN GASTNER and an AIDE.

GEN GASTNER

How could this happen! I'm going to have someone's head for this.

NARRATOR

By complying with the Privacy Act, you can also save command or agency from civil suits or potential embarrassment. When General Gastner bought this fish for dinner, he got more than he bargained for.

184, INT DAY, GEN GASTNER'S OFFICE
LS An AF LT AND A COMPUTER
SPECIALIST stand before the
General.

GEN GASTNER

Do you see what this fish is wrapped in? Look here, this fish is wrapped in our payroll roster. (Almost to himself) Hmmm... Here's Col. Overby's allotment... that divorce must have cost him plenty. (catching himself) How could this have happened?

185. CU COMPUTER SPECIALIST

COMPUTER SPECIALIST

General, I just did what I was told. We collected our old spread sheets

and sold them as scrap paper. The money was given to the command. It seemed like a good idea.

186. SAME, CU GENERAL

GEN GASTNER

(sighs) Oh no. Well, Lieutenant, whats your problem.

187. SAME, CU LT

LIEUTENANT

Sir, I didn't want my associates to know I was married before. Now it's all there for anyone to see...name, address, allotment--everything!

188. SAME, MS GENERAL as he points out the type of information on the sheet to the COMPUTER SPECIALIST.

NARRATOR

Persons who have evidence that their privacy has been violated or find errors in their records, have the right to request that corrective action be taken. In fact, the law provides for criminal prosecutions and civil law suits for violations of the Privacy Act.

189. CU AF LIEUTENANT

190. CU OF THE GENERAL He looks very worried.

191. INT DAY, ALMA STRONG'S OFFICE MS of ALMA reviewing regulations with COL COOPER.

Those in leadership and management positions who maintain personal records are mandated to safeguard those records under the Privacy Act.

192. INT DAY PAO OFFICE
MAJ WOOD answers telephohne.

Remember, even the Freedom of Information Act prohibits disclosure of information that would cause clearly unwarranted invasion of personal privacy.

MAJ WOOD

I can't give you that data. That's a violation of the Privacy Act.

193. INT DAY, OFFICE, MS of
Civilian filling out a form.

NARRATOR

And as an individual, you too must do your part. To help protect your privacy see that the forms you fill out are correct and contain a Privacy Act advisory statement. Fill them out legibly and accurately. Periodically review your records. If you have proof of a violation of your privacy rights or of others, you should report it.

194. REPRISE SGT RIDLEY AND
THE PERSONNEL CLERK

If your record contains incorrect information, request that immediate steps be taken to correct it so the error is removed.

195 REPRISE ANNE HARRISON
AND PERSONNEL WOMAN

If the request is denied, you have the right to appeal.

196. INT DAY LEGAL OFFICE, MS
JOHN EVANS as he reviews
appeal notice.

197. EXT DAY, FEDERAL COURT HOUSE
LS

If necessary, civil action can be taken against the government.

198. CU NEWSPAPER HEADLINE:
GOVERNMENT EMPLOYEE FINED \$5000

Fines of up to \$5000 can be imposed for willfully disclosing personal information that should not be released under the Privacy Act, or...
... for maintaining secret records on an individual.

199. INT DAY, CU JAKE TOOMEY'S
little black book.

200. INT DAY ARMY OFFICE, MS
Army Col. reprimands Toomey.

COLONEL

Mr. Toomey, as a competent Supervisor, you should have known better than provide your private notes to a promotion screening. I don't want that to happen again!

201. MONTAGE OF PEOPLE AS
NARRATOR MENTIONS THEIR
NAME.

The Privacy Act of 1974 has been enacted to protect you, just as it was to protect Sgt. Ridley...Buckey Reynolds...Alma Strong...Sgt. Carter
...John Evans...Megan Mosely...and Sid Richmond.

202. MONTAGE FISHMARKET SCENES

203. EXT DAY FISHMARKET, LS of
GEN. GASTNER AND AIDE. The
General comments to the Aide.

GEN GASTNER

Well, Lt. I see the fish stalls have a new source of wrapping paper.

AIDE

For quite some time, General, for quite some time.

GEN GASTNER

If the other wives found out about Overby's allotment...wheww!

They start to move off

MUSIC UP

204. HIGH ANGLE SHOT OF FISHMARKET
The General and his Aide
walk away from it. Camera zooms
back to show entire market.

205. TITLE:
DEFENSE PRIVACY BOARD
D. O. COOKE
Deputy Assistant Secretary
(Administration)
Chairman

DISSOLVE TO

206. ARMY AUDIOVISUAL CENTER
AND PRODUCTION COMPANY CREDIT

MUSIC FADES OUT

FADE OUT