

TOTAL INFORMATION AWARENESS AND MEDICAL PRIVACY

Can they coexist?
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How did federal access to your medical records become a national security issue? The Total Information Awareness Program of the Defense Department plans to include medical records—along with financial, telephone, and travel records—in a gigantic centralized database.¹ The Total Information Awareness Program will create the capacity to mine the records of all U.S. residents in search of terrorists. The search engines will access millions of files, not just the records of suspected terrorists. DNA testing is the increasingly common denominator between medical records and criminal investigations. As of July 1, 2002, new sentences for all felonies in Washington state include a mandatory DNA sample.⁴

Access to the federal database is to be protected from the public, but not from the police. The city of Seattle has been told to repeal its 'intelligence ordinance' to be allowed access to the nation-wide database. The Seattle law, designed to protect civil liberties from police abuse, "gives a civilian auditor access to confidential police files."⁹

Section 303 of the proposed Domestic Security Enforcement Act of 2003 (DSEA), also known as Patriot Act II[4a], authorizes a federal DNA database to include suspects.⁵ DSEA also defines any violation of state or federal law "that endangers human life" as "domestic terrorism."⁶ As DNA technology becomes less time-consuming,⁷ it may be used to make "scientific" predictions of medical prognoses and life expectancy. Such predictions will only be as reliable as incomplete understanding of the interaction between genetics and environment allows.

Even without DSEA, government agencies have increasing access to medical information. As of October 2002, medical records—including genetic tests—can be disclosed for routine purposes without the individual's knowledge or consent.²

To track addictive prescriptions, the Prescription Monitoring Drug Program now requires pharmacists to report the patient's and doctor's names and other information on every prescription they fill. "In 17 states,

What you can do:

Encourage your congressman to oppose funding for Total Information Awareness at: <http://www.thomas.gov>
Contact Senator Ron. Wyden (D-Ore.) to encourage his efforts to restrict TIA.

Educate others about the potential for abuse of authority contact PfAM about being added to their alert list.

THE CONTEXT

Travel data on U.S. citizens

Proposed data-collection by Border Patrol agents (on citizens who cross U.S. borders) and by airport security (on all airline travelers)¹³

Standardized Driver's Licences¹⁴

Minimum federal standards for state-issued cards

Camera surveillance [15]

Eye scans¹⁶

Voluntary eye-scans in exchange for easier access to ATMs, airports, etc.

Micro-chips C8

Injectable micro-chips can be tracked by 2-way-radio.[17]

Internet monitoring

USA Patriot Act of 2002 allows tracing of e-mail, Internet and phone calls.¹⁸

police have access to that data."³

Access to medical records would make it easier, for example, to round up citizens whose vaccination records are not up-to-date. Combined with financial records, they could also identify customers who frequent health food stores and those who consult with alternative medical care providers. Grocery store discount card records might be tapped for additional information on the food-buying habits of American households.

Defense Department contractors are still in the development stage of Total Information Awareness. Congress recently passed a spending bill that freezes funding for the project and requires the Defense Department to report on how it will impact privacy.¹¹

After 5 years, this system will be evaluated by the Homeland Security department and eliminated or absorbed into it.¹² It will take more than promises and trust to keep medical records—including DNA data—from being misused.

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