

Privacy in the Information Age

Fred H. Cate

BROOKINGS INSTITUTION PRESS Washington, D.C.

Contents

1.	Introduction	1
2.	Electronic Information Networks Information Technology Issues 7 The Digital Data Explosion 13 The Context for Current Issues 16	5
3.	Privacy Values 23 Costs 28 The Privacy Balance 31	19
4.	Privacy Regulation in Europe National Data Protection Laws 32 Multinational Data Protection Measures 34 Basic Protections 37 European Privacy Concepts and Principles 41	32
5.	Privacy Regulation in the United States: The Public Sector The U.S. Constitution and Privacy Protection 50 State Constitutions 66 Role of the First Amendment 68	49

	Role of the Fifth Amendment 72 Statutes 76	
6.	Privacy Regulation in the United States: The Private Sector	80
	Federal Statutes 80 State Statutes 88 Tort Law 89	
	U.S. Privacy Concepts and Principles 90	
7.	Electronic Privacy in the Twenty-First Century	101
	The Privacy Balance 101 Principles for Privacy Protection 103 Conclusion 129	
Ap	pendixes	
A.	The European Union Directive	133
В.	The Privacy Principles of the Information Infrastructure Task Force	177
C.	General Discussion	195
Bibliography		207
Notes		215
Index		241

.