

## *Lawmakers Reintroduce Data Warehouse*

*UPDATE: This bill passed the House Judiciary Committee with an amendment slightly tweaking some of the language, amending the membership of the WEDOC, and combining the membership and goals of two other boards. The amendment does not materially change the bill, however. It is now on the House floor calendar awaiting debate.*

The invasive data warehouse proposed last year as a budget proviso and vetoed by the governor has returned, this time as a bill. This bill ([H.3757](#)) would create a massive data collecting system that tracks children from preschool through the workforce (and possibly beyond). Despite several tweaks and an attempt at privacy protections, this version is nearly identical to the one proposed last year. Here's what that means for citizens.

### *What would be collected and shared?*

State agencies routinely collect a wide variety of personal, individual information in the course of providing government services, and the agencies listed below are specifically required to submit data. Any adult and child whose information is collected by these agencies could see that information funneled to the database. While the bill prohibits individual data from being made public, its permissions are vague with researchers and other government officials.

#### **Office of First Steps to School Readiness (SC First Steps)**

This agency funds pre-kindergarten through local schools (public, private and faith-based) for low-income families. SC First Steps individually approves each student, and the eligibility verifications include proofs of residence, income, and social security cards, etc.

#### **Department of Education**

The Department of Education tracks everything from family income level and student health records to grades, attendance, and behavioral issues.

#### **Department of Social Services**

This department administers the Child Protective Services, the child support system, and assistance programs such as the Supplemental Nutrition Assistance Program (food stamps) and a childcare voucher program for low-income families.

### **Higher education entities**

The Technical College System and Commission on Higher Education have access to a trove of individual higher education data such as grades, financial aid information, and course selection, and both are required to participate in the database.

### **Department of Employment and Workforce**

This agency administers unemployment benefits and maintains an online jobs database for individuals and businesses, giving the agency access to a host of individual and business-level employment information.

### **Department of Commerce**

As the state's primary economic development arm, this agency recruits businesses through taxpayer-funded incentives. As such, the Department of Commerce's role in the database [would likely center](#) on utilization of the education and workforce data from the above agencies for the benefit of potential employers.

Furthermore collection is not limited to these specific agencies. The bill would allow any other state agency to be brought into the database as deemed necessary by lawmakers. Here are several examples of data types collected by other state agencies:

**Department of Public Safety** – traffic violations and tickets

**Department of Motor Vehicles** – vehicles owned, organ donors, driving history

**State Law Enforcement Division** – concealed weapons permit holders, criminal records

**Department of Health and Environmental Control** – inspection reports, complaints and appeals, properties owned, permits issued

**Department of Labor, Licensing and Regulation** – occupational licenses issued and revoked, complaints

**Local governments** – property tax information, county police information

## *The real purpose of the database*

The purpose of the database is nearly identical to its predecessor, which is to track children and funnel them into the workforce. The bill states that its main goal is to assist the Coordinating Council for Workforce Development (CCWD) in **meeting the needs of the state's economy**, and to improve the **"education delivery system"**. Last year's budget proviso went so far as to refer the state's public schools as the "workforce delivery system", which tells citizens everything they need to know about the database.

The CCWD – overseen by the Department of Commerce – is tasked with creating a state economic development plan, as well as making policy recommendations to lawmakers. It's also responsible for identifying "long-term workforce needs", a job which government has no business doing in the first place.

## *Who controls the database?*

The database would be overseen by two unaccountable boards: the **Workforce and Education Data Oversight Committee (WEDOC)** and the **Revenue and Fiscal Affairs Office (RFA)**. The former is comprised of agency heads and education officials (and is nearly identical to the composition of the CCWD), while the latter is governed by the Board of Economic Advisors – a three-member board appointed by the Senate Finance Committee chairman, the House Ways and Means Committee chairman, and the Governor.

These two would oversee the collection and use of data, develop privacy guidelines, and establish policies for responding to data requests. The bill puts few parameters on who can make these requests, but specifically includes lawmakers and state and local agencies.

## *It's just as dangerous*

Last year's data warehouse proposal was a serious threat to South Carolinian's privacy, and this one is no different. While there have been minor tweaks to who can access individuals' data and an emphasis on privacy, the fact remains that centralizing the personal information of thousands, if not millions, of children and young adults creates a massive security risk and the potential for abuse.

- **The scope of possible data collection includes nearly everything.** While the data to be tracked primarily consists of education (preschool to college) and workforce/employment, the bill puts no parameters on what could actually be collected. Moreover, lawmakers could compel any other state agency to submit information to the database – such as health records, entitlement and welfare records, etc.
- **Sensitive personal information will be stored here.** The bill specifically allows public and private entities to submit individual level data to the database. Such private entities are not defined. Once collected, it would remain in the database for as long necessary and be used to generate reports to third parties. By centralizing sensitive information from different state agencies into one location, the database is essentially creating an easier target for potential hackers.
- **Information could be linked with a separate database.** Under this bill, records in the workforce database could be merged with the existing health database, which stores sensitive information from agencies such as the Department of Mental Health and the Department of Alcohol and Other Drug Abuse Services. Furthermore, lawmakers have explicit access to information stored in the health database, which raises questions about whether they could inadvertently access data in the new workforce database.

It's important to note that the [enabling legislation](#) for the database was passed in 2017. While this law generally establishes the system, the funding and the actual details of what it is and how it will operate are contained in H.3757.

Nonetheless, this database is part of a large, dangerous project that would pose numerous threats with no discernible benefit. Its mission is inherently flawed, and the potential for abuse creates a massive risk for citizens' privacy.

Lawmakers have already laid the foundation for the database, and citizens' only chance at overturning it lies in demanding that this systematic intrusion into personal privacy is dismantled.