

U. S. Department of Health, Education & Welfare, July 1973,  
DHEW Publication No. (OS) 73-94. JC 599.U5 U54 1973 Engineering

(12) Latent dangers from the spread of computer-based personal record keeping systems stem from three effects of computers:

"1. Computerization enables an organization to enlarge in data-processing capacity substantially."

"2. Computerization greatly facilitates access to personal data within a single organization, and across boundaries that separate organizational entities."

"3. Computerization creates a new class of record keepers whose functions are technical and whose contract with original suppliers and ultimate users of personal data are often remote."

(13) The costs of data processing system compell companies to exploit the systems to the fullest capacity.

(17) Criminal history file of FBI's National Crime Information Center (NCIC) is an example of a large system in which, once erroneous information gets entered, it is very difficult to correct.

"The NCIC is a computerized clearinghouse of information about wanted persons, stolen property, and criminal history records..." requires that fingerprints be used to identify arrest and offender records entered into the system. (Errors do occur with wanted persons files because these are not identified by fingerprints.)

"Leaving aside the question of the probative value of arrest records, about which lively controversy exists, the consequences of excessive use of criminal history files might be innocuous if the NCIC records could be completely reliable. In practice, however, the NCIC, like the National Driver Register, does not have effective control over the accuracy of all the information in its files. The NCIC is essentially an automated receiver, searcher, and distributor of data furnished by others. If a subscribing system enters a partially inaccurate record, or fails to submit additions or corrections to the NCIC files (e.g., the recovery of a stolen vehicle or the disposition of an arrest), there is not much that the NCIC can do about it."

>>> But the system makes no provision to alert people who have accessed a record that it has been corrected. Some states require arrest-record check on candidates for certain types of occupational certification, such as physicians, barbers, plumbers, and the like.

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"Unless all organizations in a multi-jurisdictional system can be counted on to interpret and use data in the same way, the likelihood of unfair or inappropriate decisions about

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the individual to whom any given record pertains will be a problem, and a particularly acute problem whenever records are incomplete or compressed. The records of school children, for instance, while highly comparable within a single school district, will be less so among the districts of a single State, and even more disparate among different states."

"The untoward effects of such systems (or of any system, for that matter) do not stem in the main from poor technical security.

(27) >>> "the Social Security number happens to be considered a poor identification device because many patients are thought to have more than one; but the patients also tend to have several different names, so the managers of the data system are trying to develop their own unique numbering scheme cross-referenced with all known "aliases" for each patient."

(108) >>> 1970, establishment of the Social Security Number Task Force in February 1970. HEW Secretary Elliot L. Richardson's testimony, in March 1971, before the U. S. Senate Subcommittee on Constitutional Rights, chaired by Senator Sam J. Ervin, Jr. (See: Federal Data Banks, Computers and the Bill of Rights, hearing before the Subcommittee o, US Senate, 92nd Congress, 1st Session, February and March 1971, Part I, pp.775-881

#### MANY KINDS of PERSONAL IDENTIFIERS:

Criteria for a standard universal identifier:

1. Uniqueness (must be unique for each person).
2. Permanence. Must not change during life should not be re-used after death until all records are retired.
3. Ubiquity - must be assigned to everybody.
4. Availability - must be readily obtained or verifiable by anyone who needs it, and quickly and conveniently regainable in case it is lost or forgotten.
5. Indispensability - it must be supported by incentives or penalties so that each person will remember his SUI and report it correctly; otherwise systems will become clogged with errors.
6. ARBITRARINESS - it must not contain any information, otherwise it will be longer than necessary, may violate permanence criterion, should not have personal information.
7. BREVITY - must be as short as possible.
8. Reliability - must be constructed with a feature that detects errors of transcription or communication.

(111)

Implications of a Standard Universal Identifier:

1. The bureaucratic apparatus needed to assign and administer an SUI would represent another imposition of government control on an already heavily burdened citizenry.
2. To realize all the supposed benefits of an SUI, mandatory personal identity cards would have to be presented whenever

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called for. Loss of theft of an SUI card would cause serious inconvenience, and the mere threat of official confiscation would be a powerful weapon of intimidation.

3. The national population register that an SUI implies could serve as the skeleton for a national dossier system to maintain information on every citizen from cradle to grave.

4. An unchangeable SUI used everywhere would make it much easier for an individual to be traced, and his behavior monitored and controlled, through the records maintained about him by a wide range of different institutions.

5. A permanent SUI issued at birth could create an incentive for institutions to pool or link their records, thereby making it possible to bring a lifetime of information to bare on any decision about a given individual. American culture is rich in the belief that an individual can pull up stakes or make a fresh start, but a universally identified man might become a prisoner of his recorded past.

(NAS reached a similar conclusion in Databanks in a Free Society, New York: Quadrangle Books, 1972. pp. 396-400).

#### Problems with SSN as a SUI:

1. SSN is not unique. More than 4.2 million people, by SSADMIN's own estimates, have two or more SSNs. "More serious, although much less prevalent, are the instances in which more than one person has been issued or uses the same SSN." "Account number 078-05-1120 was the first of many numbers now referred to as 'pocketbook' numbers. It first appeared on a sample account number card contained in wallets sold...nationwide in 1938. Many people who purchased the wallets assumed the number to be their own personal account number. It was reported thousands of times on employers' quarterly reports. 1943 was the high year, with 5,755 wage earners listed as owning the famous number. More recently, the IRS requirement that the SS AN [account number] be shown on all returns resulted in 39 taxpayers showing 078-05-1120 as their number. The number continues to be reported at least 10 times each quarter. There are now over 20 different 'pocketbook' numbers." Account Number and Employer Contact Manual (Baltimore, MD.: social security administration), Sec. 121.

2. PERMANENCE -- SSN is permanent.

3. UBIQUITY -- ssn is nearly universal.

4. Availability -- readily available.

5. Indispensability -- The incentives and requirements to report one's SSN correctly are growing, though in some contexts there are incentives to omit or falsify the number.

6. ARBITRARINESS -- The SSN is not entirely arbitrary; the state of issuance is coded into the number.

7. BREVITY "The SSN with its nine digits is three places longer than an alpha-numeric label capable of numbering 500

4 million people without duplication, and two places longer than one that can accommodate 17 billion people."

8. Reliability. The SSN has no check feature. "Most reandomly chosen nine-digit numbers cannot be distinguished from valid SSNs."

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Bob Bigelow, Lawyer in Boston.

"I think that the computer matching of department of defense and department of education of all active and retired employees of DOD. Checking against delinquent loan records. Includes all civil employees. See Federal Register, September 8, 1987. Page 33859.

There is a bill to regulate computer matching in the Senate Now. Senator Cohen from Main. Mary Garen is the person in his office who is doing the work. Senate bill 496. Passed the Senate on May 21. Discussion on June 23.

Records, Computers, and the Rights of Citizens.

Report of the Secretary's Advisory Committee on Automated Personal Data Systems.

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Reprot says that computerized record keeping systems have the potential for abuse and to violate privacy; asked that certain controls be implemented to prevent these abuses. "Potentially, at least, [the use of computers] is a double-edged sword, as the Committee points out. On the one hand, it can help to assure that decisions about individual citizens are made on a abasis of accurate, up-to-date information. On the other, it demands a hard look at the adequacy of our mechanism for guaranteeing citizens all the protections of due process in relation to records we maintain about them."

SECRETARY'S ADVISORY COMMITTEE ON AUTOMATED PERSONAL DATA SYSTEMS:

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Source is committee on Personal Data, when Richardson was secretary at HEW.

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Said speak to David Martin, Chariman of the Federal Ethics Committee, (Yale Alumni Association), re: Federal Privacy Legislation. C.F. with sutff in Europe.

build in safeguards and give rights to people who have records kept on them. The abaility to add data to files, if you can't purge errorrnous information. Especially in health research, the power to keep these records is very important. So you have to build in safeguards where records are going to be kept anyway.

Sites a case in Texas. Just name match, not SSN. Not aware of abuses by credit. There are cases involving abuse of by government. (Computer Matching). **Case of Henry Vs. Gross 803 F second 757.**

State of New York did not do proper followup after match. Allen knows of no errorrnous SSN hits, though it is possible because the SSN has no check digit. **1982 case, Abuse of SSN. Thompson vs. San Antonio Retail Merchents. 682 F Second 509.**

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1 / Databanks in a Free Society  
Databanks in a free society.

Computers, Record-Keeping and Privacy

Report of the Project on Computer Databanks of the Computer Science and Engineering Board, National Academy of Sciences.

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