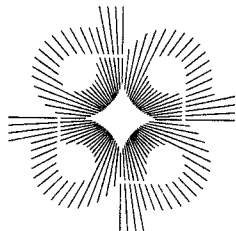Here's the bill and my comments

I tried to develop the arguments
about inconsistent use of the
number because I feel that that
is the primary negative impact
of private-sector use of the
number. I have read several
of the well-known books on
privacy, so my request to you
for evidence was motivated by
the need for material specifically
dealing with private-sector uses.

U.S. MAIL REPLIES TO:

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Daniel webster college -
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February 1, 1988

Re: House Bill 1153, 1988 Session

To the Judiciary Committee:

As a computer professional, I understand how automated record-keeping can provide limited, quantified information about a person and why designers of such systems often want to number everything. Because the Social Security Account Number is used in conflicting ways in the private sector, it is my carefully considered professional opinion that HB 1153 ought to be enacted into law.

When Social Security was instituted, concerns about numbering people were accommodated, and the Privacy Act of 1974 showed that the concerns continue to exist and deserve continued protection. Less often noted are the technical deficiencies of the Social Security Account Number (SSAN) that allow a person to have more than one number or easily fabricate a number. When a digit is inadvertently changed while entering data, the resulting number will usually be a valid one for another person, tying information to the wrong person. Yet many non-government organizations persist in using the SSAN because lazy programmers find it to be the easiest way to number people. On the contrary, organizations such as Dartmouth College and the Matthew Thornton Health Plan operate smoothly using internally-generated ID numbers for their clients and do not find it necessary to use the SSAN. Computer professionals discuss problems of correct identification and their own bad experiences with the SSAN on USENET and other networks, and many would like to keep their SSAN as private as possible because they know all too well how it can be used to their detriment in computer databases.

Essentially, the number facilitates keeping an individual's financial accounts with the government, and it is legitimate for a person paying taxable income to an individual to request the number for tax-reporting purposes. That does not justify the requests of insurance companies, car dealers, credit grantors, landlords, medical agencies, schools and colleges, unions, banks not paying interest, and even video-cassette rental stores, all of whom seem to want the SSAN. Furthermore, employers are not justified in requesting it from all applicants, only from those they hire.

The most troubling aspect of the many requests from organizations like those listed above is that they are not consistent in their treatment of the number. Some organizations like to use it as the "key" for accessing an individual's data, trusting that only authorized persons would have the key. Other organizations will naively reveal a person's name and number

together on directories or ID cards, compromising the security of the key. In some instances, the SSAN is freely revealed without the name, presuming (falsely) that the number alone is totally anonymous. Sometimes the SSAN is the key protecting data that is derogatory or at least embarrassing, and some requestors wouldn't need a number of any kind except to propagate derogatory allegations. In the medical field, one organization can be using the number to maintain a venereal-disease database with no names while another is including it in data given to a collection agency.

Private-sector organizations in New Hampshire are currently insisting that individuals provide their SSAN in order to receive services. Even companies that don't require it, such as New England Telephone, will coerce it with phrases like "we have to ask for your Social Security Number" without specifying that it is optional. The individual must be aggressive and convinced that providing the number is voluntary to resist such deceptive requests. If no income is being paid to the individual, the number is not relevant. Some companies want it to obtain information from databases which have been created with the SSAN as a key. Data processing experts can criticize such databases on both ethical and technical grounds; the request for one's SSAN "to be sure that we get the right person" is flawed because errors can occur on data entry as well as retrieval.

Government uses of the SSAN may also include maintenance of derogatory information such as non-payment of child support. While much has been done to protect the individual against unfair use of government data, the private sector may withhold many kinds of services as a high price to pay for privacy. HB 1153 will be very helpful to consumers even if it can only cover intrastate commerce. For example, renting an apartment is an intrastate transaction where an individual's SSAN may be requested, even though it is not relevant. Typically, the requests from the private sector don't specify the intended use of the data, opening possibilities for "linkage" to other databases. Yet the US Department of Health, Education, and Welfare recommended "against the adoption of any nationwide, standard, personal identification format, with or without the Social Security Number, that would enhance the likelihood of arbitrary or uncontrolled linkage of records about people" in their 1973 report entitled Records, Computers, and the Rights of Citizens. The SSAN has technical flaws that make it a poor choice for database linkage, even if such linkage were considered desirable. Enacting HB 1153 would encourage systems analysts in the private sector to improve their databases.

HB 1153 enhances a person's ability to be recognized and dealt with as a whole person rather than through computerized profiles over which the individual has little control. Its enactment will be of significant help to individuals who want to maintain a good reputation.