

Richardson Says Data Banks Must Be Controlled

By RICHARD HALLORAN
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WASHINGTON, March 15—The Secretary of Health, Education and Welfare, Elliot L. Richardson, said today that the nation "must develop the means of controlling the potential for harm inherent" in the Government's computerized data banks of information on citizens.

Mr. Richardson told a Senate subcommittee, "We may need to consider affirmative regulation of this technology if present judicial processes prove inadequate in protecting our privacy."

Only last week Assistant Attorney General William H. Rehnquist said the Justice Department "will vigorously oppose any legislation" that would impair the Government's ability to gather such information.

Mr. Rehnquist said, "Self-discipline on the part of the executive branch will provide an answer to virtually all of the legitimate complaints against excesses of information gathering."

'To Define and Protect'

Mr. Richardson, while recommending specific legislation, said that "statutes designed to define and protect an individual's rights in computerized information storage and exchange can be enacted" if present safeguards are not adequate.

It seemed evident that the Nixon Administration had not arrived at a position on the issue. Spokesmen for the Justice Department and for H.E.W. said Mr. Rehnquist and Mr. Richardson each spoke for his department only.

Mr. Richardson appeared before Senator Sam J. Ervin Jr.'s subcommittee on Constitutional Rights, which has been investigating the Government's widespread collection, storage and dissemination of information about individuals.

Senator Ervin, who said that H.E.W. "probably maintains more personal data on individuals than any other Federal department," questioned the increasing use of the Social Security number to identify citizens.

He noted, "The social security card states on its face that it is not to be used for identification purposes, except for Social Security and income tax purposes."

Yet, he said, citizens are required to submit their Social Security numbers on voter registration affidavits, telephone company records, credit applications, arrest records, military records, driver's licenses, death certificates and other forms.

Some Federal agencies are permitted by Presidential Executive order issued in 1943 to use the Social Security number for identification. Some state laws require the number for a



Commissioner Robert M. Ball of the Social Security Administration, left, and Secretary Elliot L. Richardson testifying before Senate panel on invasions into privacy.



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Senator Sam J. Ervin Jr., subcommittee chairman, at the session yesterday.

driver's license or other documents. Banks, credit bureaus and other private concerns may also require them. Mr. Richardson said, "It is not illegal for a non-Federal organization to use the Social Security number in its record keeping system."

Mr. Ervin read several letters from irate citizens protesting the demands on them to furnish their Social Security numbers. Said one man from Indiana:

"I bought a car, paid cash, but the dealer would not give me title to it until I gave him my social Security number. It made me so mad I gave him a phony number out of the air."

He continued: "I took my dog to the vet to get his toe nails clipped. Cash deal \$3. He insisted I make out a credit report with my Social Security number. I refused. He settled for \$3."

2 Views Discussed

The man from Indiana concluded: "Since I have lost my personal identity (name) I will sign off with only my number. Punch your computer if you want to know who I am."

Mr. Richardson said, "The potential for invasion of privacy or breach of confidentiality of information lies not in the use of the number itself, but rather in how the organization uses computerized collections of data which are indexed by the number."

He also testified, "Two conflicting kinds of pressures and concerns have developed" over the use of Social Security num-

bers. Some believe, he said, that "current number issuance procedures should be tightened to make the number more reliable as an identifier."

"On the other hand," he said, "concern is expressed about increased risks of invasion of privacy that may result from the existence of a universal identifier, particularly in computerized data exchange." Such an identifier would be assigned to a person at birth and would follow him until death.

Senator Ervin noted that some citizens favor the universal identifier. He quoted from a letter written by a man in Maryland who said:

"There is no one that I can see who would not want a number except a crook. It is my opinion that everyone at birth should be given a Social Security number and told that they will be watched for honesty for the remainder of their lives."