

MEMORANDUM FOR: Regional Administrators, Science and Office Directors

FROM: William T. Hogarth, Ph.D.
Assistant Administrator for Fisheries

SUBJECT: Collection of Tax Identification Numbers

In December 2004, I established the National Permit Project (NPP) to standardize the process for issuing permits across the agency. As an important component of the NPP was the collection and use of tax identification numbers (TIN) for management purposes, the Permits Professional Specialty Group (PSG) sought a legal opinion from Department of Commerce General Counsel to determine whether NOAA's National Marine Fisheries Service (NMFS) could collect and use Social Security Numbers (SSN) under the authority of the Debt Collection Improvement Act of 1996 (DCIA) for these purposes. The attached opinion, "Collection and Use of Tax Identification Numbers on Federal Fishery Permit Applications," was provided by the Department of Commerce Office of the General Counsel.

The DCIA requires Federal agencies to collect a TIN or SSN for all persons doing business with the government. The DCIA defines "doing business," for example, as a Federal agency issuing a license or permit to a person. In order to ensure that NMFS is meeting this statutory obligation, I direct that the following occur no later than **December 31, 2007**:

1. All existing and future applications for a permit, license, endorsement, transfer, or like instruments issued by NMFS will require the TIN of each applicant(s), which in certain cases will be the SSN of the applicant. In addition, each application will require the date of birth of individual applicants or date of incorporation for a company.
2. Each application will include the following text within the Privacy Act statement.

The primary purpose for requesting the SSN/TIN is for the collection and reporting on any delinquent amounts arising out of such person's relationship with the government pursuant to the Debt Collection Improvement Act of 1996 (Public Law 104-134).

3. The NPP manager in consultation with the NMFS Office of the Chief Information Officer will develop the standard encryption method to ensure that individual privacy rights are not violated.
4. The Management and Budget office will research the methods to ensure that an applicant does not owe a delinquent debt to the federal government.

The PSG, working in concert with the NPP manager and the Policy Office, will address policy issues resulting from this directive and will report to the NPP leadership subgroup on a quarterly basis on the progress of this request. In order to ensure smooth implementation of this program, each region or office that issues permits shall have a representative on the PSG. For further information please contact Ted Hawes, PSG chair, at (978) 281-9296.