

**Effective Date: January 11, 2006**

**(71 F.R. 1826)**

## **SOCIAL SECURITY ADMINISTRATION NOTICE OF SYSTEM OF RECORDS REQUIRED BY THE PRIVACY ACT OF 1974**

**SYSTEM NUMBER: 60-0090**

### **System name:**

Master Beneficiary Record, Social Security Administration, Deputy Commissioner for Systems, Office of Retirement and Survivors Insurance Systems (ORSIS).

### **Security classification:**

None.

### **System Location:**

Social Security Administration

Office of Telecommunications and Systems Operations

6401 Security Boulevard

Baltimore, MD 21235

### **Categories of individuals covered by the system:**

All Social Security beneficiaries who are, or were, entitled to receive Retirement and Survivors Insurance (RSI), or Disability Insurance (DI) benefits, including individuals who have received a RSI or DI payment since November 1978, even if their payment is not part of an ongoing award of benefits; individuals (non-claimants) on whose earnings records former spouses apply for RSI or DI benefits; persons who are only enrolled in the Hospital or Supplementary Medical Insurance (SMI) programs; and claimants whose benefits have been denied or disallowed.

The system also contains short references to records for persons entitled to Supplemental Security Income payments, black lung benefits or railroad retirement board benefits.

### **Categories of in the system:**

The Master Beneficiary Record (MBR) contains information about each claimant who has applied for RSI or DI benefits, or to be enrolled in the Hospital or SMI programs; a record of the amount of Federal tax withheld on benefits paid to nonresident aliens; and the aggregate amount of benefit payments, repayments and reductions with respect to an individual in a calendar year. A record is maintained under each individual's Social Security number (SSN). However, if the individual has filed on another person's SSN, only a short "pointer" record is maintained. Personal and general data about the claim is maintained under the SSN of that claim. Data about the claimant can be accessed using the claimant's SSN or the SSN on which

benefits have been awarded or claimed (claim account number (CAN)).

There are three types of data in each CAN:

**Account data:** This includes the primary insurance amount, insured status of the SSN holder (if no monthly benefits are payable), data relating to the computation (use of military service credits, railroad retirement credits, or coverage credits earned under the Social Security system of a foreign country when the claim is based on a totalization agreement), and, if only survivor's benefits have been paid, identifying data about the SSN holder (full name, date of birth, date of death and verification of date of death).

**Payment data:** This includes the payee's name and address, data about a financial institution (if benefits are sent directly to the institution for deposit), the monthly payment amount, the amount and date of a one-time payment of past due benefits, and, where appropriate, a scheduled future payment.

**Beneficiary data:** This includes personal information (name, date of birth, sex, date of filing, relationship to the SSN holder, other SSNs, benefit amount and payment status), and, if applicable, information about a representative payee, data about disability entitlement, worker's compensation offset data, estimates and report of earnings, or student entitlement information.

### **Authority for maintenance of the system:**

Sections 202-205, 223, 226, 228, 1818, 1836, and 1840 of the Social Security Act (42 U.S.C. 402-405, 423, 426, 428, 1395i-2, 1395o, and 1395s).

### **Purposes(s):**

Data in this system are used by a broad range of Social Security Administration (SSA) employees for responding to inquiries, generating follow-ups on beneficiary reporting events, computer exception processing, statistical studies, conversion of benefits, and generating records for the Department of the Treasury to pay the correct benefit amount.

### **Routine uses of records maintained in the system, including categories of users and the purposes of such uses:**

Disclosure may be made for routine uses as indicated below. However, disclosure of any information defined as "return or return information" under 26 U.S.C. 6103 of the Internal Revenue Code will not be disclosed unless authorized by a statute, the Internal Revenue Service (IRS), or IRS regulations.

1. To applicants or claimants, prospective applicants or claimants (other than the data subject), their authorized representatives or representative payees to the extent necessary to pursue Social Security claims, and to representative payees, when the information pertains to individuals for whom they serve as representative payees, for the purpose of assisting the Social Security Administration in administering its representative payment responsibilities under the Act and assisting the representative payees in performing their duties as payees, including receiving and accounting for benefits for individuals for whom they serve as payees.

2. To third party contacts (e.g., employers and private pension plan) in situations where

the party to be contacted has, or is expected to have, information relating to the individual's capability to manage his/her affairs or his/her eligibility for, or entitlement to, benefits under the Social Security program when:

(a) The individual is unable to provide information being sought. An individual is considered to be unable to provide certain types of information when:

(i) He/she is incapable or of questionable mental capability;

(ii) He/she cannot read or write;

(iii) He/she cannot afford the cost of obtaining the information;

(iv) He/she has a hearing impairment, and is contacting SSA by telephone through a telecommunications relay system operator;

(v) A language barrier exists; or

(vi) The custodian of the information will not, as a matter of policy, provide it to the individual; or

(b) The data are needed to establish the validity of evidence or to verify the accuracy of information presented by the individual, and it concerns one or more of the following:

(i) His/her eligibility for benefits under the Social Security program;

(ii) The amount of his/her benefit payment; or

(iii) Any case in which the evidence is being reviewed as a result of suspected fraud, concern for program integrity, quality appraisal, or evaluation and measurement activities.

3. To third party contacts that may have information relevant to the Social Security Administration's establishment or verification of information provided by representative payees or payee applicants.

4. To a Social Security beneficiary/claimant when a claim is filed by another individual on the same record which is adverse to the beneficiary, but only information concerning the facts relevant to the interests of each party in a claim; e.g.:

(a) An award of benefits to a new claimant precludes an award to a prior claimant; or

(b) An award of benefits to a new claimant will reduce the benefit payments to the individual(s) on the roll.

5. To the Department of the Treasury for:

(a) Collecting Social Security taxes or as otherwise pertinent to tax and benefit payment provisions of the Social Security Act (including Social Security number verification services);

(b) Investigating the alleged theft, forgery, or unlawful negotiation of Social Security checks;

(c) Determining the Federal tax liability on Social Security benefits pursuant to 26 U.S.C. 6050F, as amended by Pub. L. 98-21. The information disclosed will consist of the following:

(i) The aggregate amount of Social Security benefits paid with respect to any individual during any calendar year;

(ii) The aggregate amount of Social Security benefits repaid by such individual during such calendar year;

(iii) The aggregate reductions under section 224 of the Social Security Act in benefits which would otherwise have been paid to such individual during the calendar year on account of amounts received under a worker's compensation act; and

(iv) The name and address of such individual;

(d) Depositing the tax withheld on benefits paid to nonresident aliens in the Treasury (Social Security Trust Funds) pursuant to 26 U.S.C. 871, as amended by Pub. L. 98-21.

6. To the United States Postal Service for investigating the alleged theft or forgery of Social Security checks.

7. To the Department of Justice for:

(a) Investigating and prosecuting violations of the Act to which criminal penalties attach;

(b) Representing the Commissioner of Social Security; and

(c) Investigating issues of fraud by Agency officers or employees, or violation of civil rights.

8. To the Department of State for administering the Social Security Act in foreign countries through services and facilities of that agency.

9. To the American Institute, a private corporation under contract to the Department of State, for administering the Social Security Act on Taiwan through facilities and services of that agency.

10. To the Department of Veterans Affairs, Regional Office, Manila, Philippines, for administering the Act in the Philippines and other parts of the Asia-Pacific region through the services and facilities of that agency.

11. To the Social Security Agency of a foreign country, to carry out the purpose of an international Social Security agreement entered into between the United States and the other country, pursuant to section 233 of the Social Security Act.

12. To the Office of the President for the purpose of responding to an individual pursuant to an inquiry received from that individual or from a third party on his/her behalf.

13. To the Department of Education for determining eligibility of applicants for basic educational opportunity grants.

14. To the Bureau of the Census when it performs as a collecting agent or data processor for research and statistical purposes directly relating to this system of records.

15. To the Department of the Treasury, Office of Tax Analysis, for studying the effects of income taxes and taxes on earnings.

16. To the Office of Personnel Management for the study of the relationship of civil service annuities to minimum Social Security benefits, and the effects on the Social Security trust fund.
17. To State Social Security Administrators for administering agreements pursuant to section 218 of the Social Security Act.
18. To the Department of Energy for its epidemiological research study of the long-term effects of low-level radiation exposure, as permitted by SSA Regulations 20 CFR 401.150(c).
19. To contractors under contract to the Social Security Administration (SSA), or under contract to another agency with funds provided by SSA, for the performance of research and statistical activities directly relating to this system of records.
20. To a congressional office in response to an inquiry from that office made at the request of the subject of a record.
21. To the Department of Labor for conducting statistical studies of the relationship of private pensions and Social Security benefits to prior earnings.
22. To a party named in an order, process, or interrogatory, in accordance with section 459 of the Social Security Act, if a designee of the Agency is served with any such order, process, or interrogatory with respect to an individual's child support or alimony payment obligations.
23. To Federal, State, or local agencies (or agents on their behalf) for administering income maintenance or health maintenance programs (including programs under the Social Security Act). Such disclosures include, but are not limited to, release of information to:
  - (a) Railroad Retirement Board for administering provisions of the Railroad Retirement Act relating to railroad employment; for administering the Railroad Unemployment Insurance Act and for administering provisions of the Social Security Act relating to railroad employment;
  - (b) Department of Veterans Affairs for administering 38 U.S.C. 1312, and upon request, for determining eligibility for, or amount of, veterans benefits or verifying other information with respect thereto pursuant to 38 U.S.C. 5106;
  - (c) State welfare departments for administering sections 205(c)(2)(B)(i)(II) and 402(a)(25) of the Social Security Act requiring information about assigned Social Security numbers for Temporary Assistance for Needy Families (TANF) program purposes and for determining a recipient's eligibility under the TANF program; and
  - (d) State agencies for administering the Medicaid program.
24. To the Department of Justice, Criminal Division, Office of Special Investigations, upon receipt of a request for information pertaining to the identity and location of aliens for the purpose of detecting, investigating and, where appropriate, taking legal action against suspected Nazi war criminals in the United States.
25. To third party contacts such as private collection agencies and credit reporting agencies under contract with the Social Security Administration (SSA) and State motor vehicle agencies for the purpose of their assisting SSA in recovering overpayments.

26. To contractors and other Federal agencies, as necessary, for the purpose of assisting the Social Security Administration (SSA) in the efficient administration of its programs. We will disclose information under the routine use only in situations in which SSA may enter into a contractual or similar agreement with a third party to assist in accomplishing an agency function relating to this system of records.

27. To the General Services Administration and the National Archives Records Administration (NARA) under 44 U.S.C. 2904 and 2906, as amended by the NARA Act of 1984, information which is not restricted from disclosure by Federal law for the use of those agencies in conducting records management studies.

28. To the Federal Reserve Bank of New York for the purpose of making direct deposit/electronic funds transfer of Social Security benefits to foreign-resident beneficiaries.

29. To the Department of Justice (DOJ), a court or other tribunal, or another party before such tribunal when:

(a) Social Security Administration (SSA), or any component thereof, or

(b) Any SSA employee in his/her official capacity; or

(c) Any SSA employee in his/her individual capacity where DOJ (or SSA where it is authorized to do so) has agreed to represent the employee; or

(d) The United States or any agency thereof where SSA determines that the litigation is likely to affect the operations of SSA or any of its components, is a party to litigation or has an interest in such litigation, and SSA determines that the use of such records by DOJ, a court or other tribunal, or another party before such tribunal, is relevant and necessary to the litigation, provided, however, that in each case, SSA determines that such disclosure is compatible with the purpose for which the records were collected.

30. To the Rehabilitation Services Administration (RSA) for use in its program studies of, and development of enhancements for, State vocational rehabilitation programs. These are programs to which applicants or beneficiaries under Titles II and or XVI of the Social Security Act may be referred. Data released to RSA will not include any personally identifying information (such as names or Social Security numbers).

31. To the Department of Education addresses of beneficiaries who are obligated on loans held by the Secretary of Education or a loan made in accordance with 20 U.S.C. 1071, et seq. (the Robert T. Stafford Federal Student Loan Program) as authorized by section 489A of the Higher Education Act of 1965.

32. To student volunteers, individuals working under a personal services contract, and other workers who technically do not have the status of Federal employees, when they are performing work for the Social Security Administration (SSA), as authorized by law, and they need access to personally identifiable information in SSA records in order to perform their assigned Agency functions.

33. To Federal, State, and local law enforcement agencies and private security contractors, as appropriate, information necessary:

(a) To enable them to protect the safety of Social Security Administration (SSA) employees and customers, the security of the SSA workplace and the operation of SSA

facilities; or

(b) To assist investigations or prosecutions with respect to activities that affect such safety and security or activities that disrupts the operation of SSA facilities.

34. To recipients of erroneous Death Master File (DMF) information, corrections to information that resulted in erroneous inclusion of individuals in the DMF.

35. To entities conducting epidemiological or similar research projects, upon request, information as to whether an individual is alive or deceased pursuant to section 1106(d) of the Social Security Act (42 U.S.C. 1306(d)), provided that:

(a) The Social Security Administration (SSA) determines, in consultation with the Department of Health and Human Services, that the research may reasonably be expected to contribute to a national health interest; and

(b) The requester agrees to reimburse SSA for the costs of providing the information; and

(c) The requester agrees to comply with any safeguards and limitations specified by SSA regarding re-release or re-disclosure of the information.

36. To a Federal, State, or congressional support agency (e.g., Congressional Budget Office and the Congressional Research Staff in the Library of Congress) for research, evaluation, or statistical studies. Such disclosures include, but are not limited to, release of information in assessing the extent to which one can predict eligibility for Supplemental Security Income (SSI) payments or Social Security disability insurance benefits; examining the distribution of Social Security benefits by economic and demographic groups and how these differences might be affected by possible changes in policy; analyzing the interaction of economic and non-economic variables affecting entry and exit events and duration in the Title II Old Age, Survivors, and Disability Insurance and the Title XVI SSI disability programs; and, analyzing retirement decisions focusing on the role of Social Security benefit amounts, automatic benefit recomputation, the delayed retirement credit, and the retirement test, if the Social Security Administration (SSA):

(a) Determines that the routine use does not violate legal limitations under which the record was provided, collected, or obtained;

(b) Determines that the purpose for which the proposed use is to be made:

(i) Cannot reasonably be accomplished unless the record is provided in a form that identifies individuals;

(ii) Is of sufficient importance to warrant the effect on, or risk to, the privacy of the individual which such limited additional exposure of the record might bring;

(iii) Has reasonable probability that the objective of the use would be accomplished;

(iv) Is of importance to the Social Security program or the Social Security beneficiaries or is for an epidemiological research project that relates to the Social Security program or beneficiaries;

(c) Requires the recipient of information to:

(i) Establish appropriate administrative, technical, and physical safeguards to prevent unauthorized use or disclosure of the record and agree to on-site inspection by SSA's personnel, its agents, or by independent agents of the recipient agency of those safeguards; (ii) Remove or destroy the information that enables the individual to be identified at the earliest time at which removal or destruction can be accomplished consistent with the purpose of the project, unless the recipient receives written authorization from SSA that it is justified, based on research objectives, for retaining such information;

(iii) Make no further use of the records except:

(1) Under emergency circumstances affecting the health and safety of any individual, following written authorization from SSA;

(2) For disclosure to an identified person approved by SSA for the purpose of auditing the research project;

(iv) Keep the data as a system of statistical records. A statistical record is one which is maintained only for statistical and research purposes and which is not used to make any determination about an individual;

(d) Secures a written statement by the recipient of the information attesting to the recipient's understanding of, and willingness to abide by, these provisions.

37. To the Secretary of Health and Human Services or to any State, the Commissioner shall disclose any record or information requested in writing by the Secretary for the purpose of administering any program administered by the Secretary, if records or information of such type were so disclosed under applicable rules, regulations and procedures in effect before the date of enactment of the Social Security Independence and Program Improvements Act of 1994.

## **Disclosure to Consumer Reporting Agencies:**

Disclosure pursuant to 5 U.S.C. 552a(b)(12) may be made to consumer reporting agencies as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Federal Claims Collection Act of 1966 as amended (31 U.S.C. 3701, et seq.) or the Social Security Domestic Employment Reform Act of 1994, Public Law 103-387, 42 U.S.C. 404(f). The purpose of this disclosure is to aid in the collection of outstanding debts owed to the Federal Government, typically, to provide an incentive for debtors to repay delinquent Federal Government debts by making these part of their credit records.

Disclosure of records is limited to the individual's name, address, SSN, and other information necessary to establish the individual's identity; the amount, status, and history of the claim and the agency or program under which the claim arose. The disclosure will be made only after the procedural requirements of 31 U.S.C. 3711(e) has been followed.

## **Policies and practices for storing, retrieving, accessing, retaining and disposing of records in the system:**

### **Storage:**

Records are stored in magnetic media (e.g., magnetic tape and magnetic disk) and in microform and paper form.



## **Retrievability:**

Records in this system are indexed and retrieved by SSN.

## **Safeguards:**

Safeguards for automated records have been established in accordance with the Systems Security Handbook. All magnetic tapes and disks are within an enclosure attended by security guards. Anyone entering or leaving this enclosure must have special badges which are issued only to authorized personnel. All microform and paper files are accessible only by authorized personnel and are locked after working hours.

For computerized records, electronically transmitted between SSA's central office and field office locations (including organizations administering SSA programs under contractual agreements), safeguards include a lock/unlock password system, exclusive use of leased

telephone lines, a terminal oriented transaction matrix, and an audit trail. Access

<http://frwebgate.access.gpo.gov/cgi-bin/leaving.cgi?>

[from=leavingFR.html&log=linklog&to=http://www.socialsecurity.gov/foia/bluebook/app\\_g.htm](http://www.socialsecurity.gov/foia/bluebook/app_g.htm)

for additional information relating to SSA data security measures.

## **Retention and disposal:**

Primary data storage is on magnetic disk. A new version of the disk file is generated each month based on changes to the beneficiary's record (adjustment in benefit amount, termination, or new entitlements). The prior version is written to tape and retained for 90 days in SSA's main data processing facility and is then sent to a secured storage facility for indefinite retention.

Selected records also are retained on magnetic disk for on-line query purposes. The query files are updated monthly and retained indefinitely. Microform records are disposed of by shredding or the application of heat after periodic replacement of a complete file.

Paper records are usually destroyed after use, by shredding, except where needed for documentation of the claims folder. (See the notice for the Claims Folders System, 60-0089 for retention periods and method of disposal for these records).

## **System manager(s) and address(es):**

Associate Commissioner

Office of Retirement and Survivors Insurance Systems

Social Security Administration

6401 Security Boulevard

Baltimore, MD 21235

## **Notification procedures:**

An individual can determine if this system contains a record about him/her by writing to the system manager(s) at the above address and providing his/her name, SSN or other information that may be in the system of records that will identify him/her. An individual requesting notification of records in person should provide the same information, as well as provide an identity document, preferably with a photograph, such as a driver's license or some other means of identification. If an individual does not have any identification documents sufficient to establish his/her identity, the individual must certify in writing that he/she is the person claimed to be and that he/she understands that the knowing and willful request for, or acquisition of, a record pertaining to another individual under false pretenses is a criminal offense.

If notification is requested by telephone, an individual must verify his/her identity by providing identifying information that parallels information in the record to which notification is being requested. If it is determined that the identifying information provided by telephone is insufficient, the individual will be required to submit a request in writing or in person. If an individual is requesting information by telephone on behalf of another individual, the subject individual must be connected with SSA and the requesting individual in the same phone call. SSA will establish the subject individual's identity (his/her name, SSN, address, date of birth and place of birth, along with one other piece of information, such as mother's maiden name) and ask for his/her consent in providing information to the requesting individual.

If a request for notification is submitted by mail, an individual must include a notarized statement to SSA to verify his/her identity or must certify in the request that he/she is the person claimed to be and that he/she understands that the knowing and willful request for, or acquisition of, a record pertaining to another individual under false pretenses is a criminal offense. These procedures are in accordance with SSA Regulations (20 CFR 401.40(c)).

### **Record access procedures:**

Same as Notification procedures. Also, requesters should reasonably specify the record contents they are seeking. These procedures are in accordance with SSA Regulations (20 CFR 401.40(c)).

### **Contesting record procedures:**

Same as Notification procedures. Requesters should also reasonably identify the record, specify the information they are contesting and the corrective action sought, and the reasons for the correction, with supporting justification showing how the record is untimely, incomplete, inaccurate or irrelevant. These procedures are in accordance with SSA Regulations (20 CFR 401.65(a)).

### **Record source categories:**

Data for the MBR come primarily from the Claims Folders System, 60-0089 and/or are furnished by the claimant/beneficiary at the time of filing for benefits, via the application form and necessary proofs, and during the period of entitlement when notices of events such as changes of address, work, marriage, are given to SSA by the beneficiary; and from States regarding Hospital Insurance third party premium payment/buy-in cases.

### **Systems exempted from certain provisions of the Privacy Act:**

None.