



SOCIAL SECURITY ADMINISTRATION

[Docket No. SSA 2012-0067]

Privacy Act of 1974; Computer Matching Program (SSA/Department of the Treasury, Internal Revenue Service (IRS)) - Match Number 1305

AGENCY: Social Security Administration (SSA)

ACTION: Notice of a renewal of an existing computer matching program.

SUMMARY: In accordance with the provisions of the Privacy Act, (5 U.S.C. 552a), this notice announces a renewal of an existing computer matching program that we are currently conducting with IRS.

DATES: We will file a report of the subject matching program with the Committee on Homeland Security and Governmental Affairs of the Senate; the Committee on Oversight and Government Reform of the House of Representatives; and the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB). The matching program will be effective as indicated below.

ADDRESSES: Interested parties may comment on this notice by either telefaxing to (410) 966-0869 or writing to the Executive Director, Office of Privacy and Disclosure, Office of the General Counsel, Social Security Administration, 617 Altmeyer Building, 6401 Security Boulevard, Baltimore, MD 21235-6401. All comments received will be available for public inspection at this address.

FOR FURTHER INFORMATION CONTACT: The Executive Director, Office of Privacy and Disclosure, Office of the General Counsel, as shown above.

SUPPLEMENTARY INFORMATION:

A. General

The Computer Matching and Privacy Protection Act of 1988 (Public Law (Pub. L.) 100-503), amended the Privacy Act (5 U.S.C. 552a) by describing the conditions under which computer matching involving the Federal government could be performed and adding certain protections for persons applying for, and receiving, Federal benefits. Section 7201 of the Omnibus Budget Reconciliation Act of 1990 (Pub. L. 101-508) further amended the Privacy Act regarding protections for such persons.

The Privacy Act, as amended, regulates the use of computer matching by Federal agencies when records in a system of records are matched with other Federal, State, or

local government records. It requires Federal agencies involved in computer matching programs to:

- (1) Negotiate written agreements with the other agency or agencies participating in the matching programs;
- (2) Obtain approval of the matching agreement by the Data Integrity Boards of the participating Federal agencies;
- (3) Publish a notice of the computer matching program in the Federal Register;
- (4) Furnish detailed reports about matching programs to Congress and OMB;
- (5) Notify applicants and beneficiaries that their records are subject to matching; and
- (6) Verify match findings before reducing, suspending, terminating, or denying a person's benefits or payments.

B. SSA Computer Matches Subject to the Privacy Act

We have taken action to ensure that all of our computer matching programs comply with the requirements of the Privacy Act, as amended.

Kirsten J. Moncada,
Executive Director
Office of Privacy and Disclosure
Office of the General Counsel

Notice of Computer Matching Program, SSA with the Department of the Treasury, the Internal Revenue Service (IRS)

A. Participating Agencies

SSA and IRS

B. Purpose of the Matching Program

The purpose of this matching program is to set forth the terms under which IRS will disclose to us certain return information for the purpose of verifying eligibility or the correct subsidy percentage of benefits provided under section 1860D-14 of the Social Security Act (Act). (42 U.S.C. 1395w-114).

C. Authority for Conducting the Matching Program

Section 1860D-14 of the Act requires the Commissioner to determine the eligibility of applicants for the prescription drug subsidy who self-certify their income, resources, and family size. In addition, section 6103(1)(7) of the Internal Revenue Code (26 U.S.C. 6103(1)(7)) authorizes IRS to disclose return information with respect to unearned income to Federal, state, and local agencies administering certain benefit programs under the Act.

D. Categories of Records and Persons Covered by the Matching Program

Medicare beneficiaries who apply for the prescription drug subsidy under section 1860D-14 of the Act must self-certify on the application form the applicant's income, resources, and family size. We verify this information before making a subsidy determination.

When Medicare beneficiaries apply for the subsidy, and we cannot otherwise verify the income information provided on an application, we disclose to IRS the applicant's name and Social Security number.

We provide IRS with identifying information with respect to applicants for, and recipients of, the prescription drug subsidy from the existing Medicare Database system of records, SSA/ORSIS 60-0321, originally published at 69 Federal Register (FR) 77816 (December 28, 2004), and as revised at 71 FR 42159 (July 25, 2006). IRS extracts return information with respect to unearned income from the Information Returns Master File, Treasury/IRS 22.061, as published at 77 FR 47946 (August 10, 2012).

E. Inclusive Dates of the Matching Program

The effective date of this matching program is November 11, 2012, provided that

the following notice periods have lapsed: 30 days after publication of this notice in the Federal Register and 40 days after notice of the matching program is sent to Congress and OMB. The matching program will continue for 18 months from the effective date and, if both agencies meet certain conditions, it may extend for an additional 12 months thereafter.

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