

May 20, 2020

Approved for Release

Date

Catrina D. Purvis

Senior Agency Official for Privacy (SAOP)/Chief Privacy Officer (CPO)

DEPARTMENT OF COMMERCE
OFFICE OF PRIVACY AND OPEN GOVERNMENT

PRIVACY BULLETIN #001, FY20

SUBJECT: Procedures for the Inclusion of Social Security numbers (SSNs) on Mailed Documents.

EFFECTIVE DATE: Upon release of this Privacy Bulletin

EXPIRATION DATE: Effective until superseded or revoked

SUPERSEDES: Not applicable

BACKGROUND: On September 19, 2017, the Social Security Number Fraud Prevention Act (SSNFPA) of 2017 (Public Law (P.L.) 115-59) was signed into law. This Act required that agencies of the Federal government may not include SSNs on documents sent by mail unless the head of the agency determined inclusion of the SSN was necessary.

PURPOSE: This Bulletin provides instruction to the Bureau Chief Privacy Officers (BPCOs) on implementing P.L. 115-59 and updating the Un-redacted SSN Mailed Documents Listing (USMDL).

COVERAGE: This bulletin applies to Bureau Chief Privacy Officers (BCPOs).

PROCEDURE: The responsibilities for key stakeholders are as follows:

1. Bureau Chief Privacy Officers (BCPOs):
 - a. Document and publish the process for determining if an SSN, including truncated SSN, is required on a document that needs to be mailed or returned to the Department via mail, and if so, its purpose. The process must include a regular and/or annual review of the USMDL for the purpose of eliminating the use of SSNs on mailed documents. Coordination with the bureau/operating unit Freedom of Information Act (FOIA) Officer and Privacy Act Officer is required.
 - b. Complete the USMDL Change Request Form when requesting for a document to be added to, or removed from, the USMDL.

- c. Submit the request to the Office of Privacy and Open Government via email to PrivacyAct@doc.gov at least 30 work days in advance of when the document needs to be mailed.
2. Senior Agency Official for Privacy (SAOP) and Deputy Privacy Act Officer (DPAO):
 - a. Review the USMDL Change Request Form.
 - b. Schedule a meeting with the BCPO, FOIA Officer, and PA Officer if needed, prior to making the decision.
 - c. Provide a written decision to the BCPO, with a copy to the FOIA Officer and PA Officer, within 15 workdays.

ACCOUNTABILITY:

- P.L. 115-59 requires the head of each of the 24 Chief Financial Officer (CFO) Act agencies, which includes the Department of Commerce, to issue regulations, no later than five (5) years after enactment, specifying the circumstances under which inclusion of the SSN is necessary on a mailed document.
- P.L. 115-59 also requires the CFO Act agencies to submit reports regarding implementation no later than 30 days after the date of the enactment of this Act, and not later than the first, second, third, fourth, and fifth-year anniversary of such date of enactment to the Committee on Ways and Means and the Committee on Oversight and Government Reform of the House of Representatives, the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate, and any other appropriate authorizing committees of the House of Representatives and the Senate.
- The authority will be delegated to the SAOP to ensure the DOC Plan and Implementation Strategy for Restricting the Inclusion of SSNs in Mailed Documents is fully implemented within the prescribed statutory five (5) year period.
- A data call will be issued to the BCPOs annually to confirm if any documents need to be added to, or removed from, the USMDL.
- The USMDL will be published annually in the Department of Commerce Privacy Program Plan.

REFERENCES:

Electronic code of Federal Regulations, eCFR data as of October 30, 2019 can be found at: https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=32aff84faabcf58f7457eb474df83675&mc=true&n=pt15.1.4&r=PART&ty=HTML#se15.1.4_122

Public Law 115-59, September 15, 2017

HR.624 – Social Security Number Fraud Prevention Act of 2017

Social Security Legislative Bulletin – Number: 115-5, Date: September 19, 2017

PROGRAM CONTACT INFORMATION:

Office of Privacy and Open Government

(202) 482-1190

PrivacyAct@doc.gov