

## **B. SSA Computer Matches Subject to the Privacy Act**

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

Dated: November 17, 2004.

**Martin H. Gerry,**

*Deputy Commissioner for Disability and Income Security Programs.*

## **Notice of Computer Matching Program, Social Security Administration (SSA) with the States**

### *A. Participating Agencies*

SSA and the States.

### *B. Purpose of the Matching Program*

Section 1137 of the Social Security Act requires individual States to have in effect an income and eligibility verification system meeting certain requirements in order to administer certain State-administered income, food assistance, and medical assistance programs.

A chief purpose of this matching program is to facilitate administration of this provision. Individual agreements with the States will describe the conditions under which SSA agrees to disclose information to the States relating to the eligibility for, and payment of, Social Security, supplemental security income, and special veterans benefits, including certain tax return information disclosed by SSA, in accordance with applicable provisions of the Internal Revenue Code, as well as quarters of coverage, prisoner, and death information.

The matching program will also be used to implement provisions of Public Law 104-193, the Personal Responsibility and Work Reconciliation Act of 1996, involving the significance of Social Security coverage information to the eligibility of certain aliens for some Federal and State public benefits. Under this matching program, SSA will disclose certain Social Security coverage information on specific persons to States administering appropriate benefit programs.

### *C. Authority for Conducting the Matching Program*

Sections 1106 and 1137 of the Social Security Act; sections 402, 412, 421 and 435 of Public Law 104-193; section 202(x)(3)(B)(iv) of the Social Security Act; section 205(r)(3) of the Social Security Act; and section 6103(p)(4) of Title 26 of the Internal Revenue Code.

## *D. Categories of Records and Individuals Covered by the Matching Program*

States will provide SSA with names and other identifying information of appropriate benefit applicants or recipients. Specific information from participating States will be matched, as provided in the agreement for the specific programs, with the following systems of records maintained by SSA:

1. SDX—Supplemental Security Income Record and Special Veterans Benefits (SSR/SVB), SSA/ODSSIS (60-0103);
2. BENDEX—Master Beneficiary Record (MBR), SSA/ORSIS (60-0090) and the Earnings Recording and Self-Employment Income System, SSA/OEEAS (60-0059);
3. EVS—Master Files of Social Security Number (SSN) Holders and SSN Applications, SSA/OEEAS (60-0058);
4. SVES—SSR/SVB, SSA/ODSSIS (60-0103); MBR, SSA/ORSIS (60-0090); the Earnings Recording and Self-Employment Income System, SSA/OEEAS (60-0059); the Master Files of SSN Holders and SSN Applications, SSA/OEEAS (60-0058); and the Prisoner Update Processing System (PUPS), SSA/OEEAS (60-0269);
5. Quarters of Coverage Query—The Earnings Recording and Self-Employment Income System, SSA/OEEAS (60-0059) and the Master Files of SSN Holders and SSN Applications, SSA/OEEAS (60-0058);
6. Prisoner Query—PUPS, SSA/OEEAS (60-0269); and
7. Death Query—Master Files of SSN Holders and SSN Applications, SSA/OEEAS (60-0058)—subsection referred to as the NUMIDENT.

SSA and the States will exchange information through the File Transfer Management System (FTMS) or online through the Interstate Connection Network. Cartridge or magnetic tape will be used in the event FTMS is inoperable.

### *E. Inclusive Dates of the Matching Program*

The matching program will become effective no sooner than 40 days after notice of the matching program is sent to Congress and OMB, or 30 days after publication of this notice in the **Federal Register**, whichever is later. Individual State matching agreements under the program may also become effective upon the signing of the agreements by the parties to the agreements. The agreements with individual States will continue for 18 months from the effective date and may be extended for

a period of time, up to 12 months, but not to exceed June 30, 2007, if certain conditions are met.

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## **SOCIAL SECURITY ADMINISTRATION**

### **Privacy Act of 1974; as Amended; New Routine Use Disclosure**

**AGENCY:** Social Security Administration (SSA).

**ACTION:** Proposed new routine use.

**SUMMARY:** In accordance with the Privacy Act (5 U.S.C. 552a(e)(11)), we are issuing public notice of our intent to establish a new routine use disclosure of information SSA maintains in the Privacy Act system of records entitled *Supplemental Security Income Record and Special Veterans Benefits System, 60-0103* (SSR/SVB System). The proposed routine use will allow SSA to verify Social Security numbers (SSN) provided by foreign Social Security agencies with whom SSA has a totalization agreement or a mutual assistance arrangement under section 233 of the Social Security Act (42 U.S.C. 433). The routine use proposal is discussed in the Supplementary Information section below. We invite public comments on this proposal.

**DATES:** We filed a report of the proposed new routine use with the Chairman of the Senate Committee on Governmental Affairs, the Chairman of the House Government Reform Committee, and the Director, Office of Information and Regulatory Affairs, Office of Management and Budget on November 18, 2004. The proposed new routine use will become effective on December 28, 2004 unless we receive comments that would result in a contrary determination.

**ADDRESSES:** Interested individuals may comment on this publication by writing to the Executive Director, Office of Public Disclosure, Office of the General Counsel, Social Security Administration, 3-A-6 Operations Building, 6401 Security Boulevard, Baltimore, Maryland 21235-6401. All comments received will be available for public inspection at the above address.

**FOR FURTHER INFORMATION CONTACT:** Mr. Willie J. Polk, Team Leader, Strategic Issues Team, Office of Public Disclosure, Office of the General Counsel, Social Security Administration, Room 3-A-6 Operations Building, 6401 Security Boulevard, Baltimore, Maryland 21235-

6401, telephone (410) 965-1753, e-mail: [willie.j.polk@ssa.gov](mailto:willie.j.polk@ssa.gov).

#### SUPPLEMENTARY INFORMATION:

### I. Background and Purpose of the Proposed New Routine Use Disclosure

#### A. General Background

Section 233 of the Social Security Act (Act) (42 U.S.C. 433) authorizes the President to enter into agreements with other countries for the purpose of coordinating the Social Security systems of both countries. These agreements, frequently called "totalization agreements," help fill gaps in benefit protection for workers who divide their careers between the United States and the other country. Such workers may fail to qualify for Social Security benefits from the United States or the other country because they have not worked long enough to meet minimum eligibility requirements. Under these agreements, each country can count credits earned under the other country's system if this will help the worker meet the minimum length-of-work requirements to qualify. Where eligibility is established by counting credits in both countries, the benefit is prorated to reflect the amount of credit earned in the paying country. To facilitate this process, SSA shares personal information in its files with the Social Security agencies of the countries which are parties to the agreements.

Consistent with section 233 of the Act, SSA enters into mutual assistance arrangements with totalization countries. Under the mutual assistance arrangements, the foreign country assists SSA generally in the administration of its programs in the foreign country and SSA provides reciprocal services for the foreign country. This includes, but may not be limited to, providing services such as post-entitlement reviews and redeterminations, program and operational studies, and integrity reviews and evaluations.

SSA currently verifies SSNs provided by foreign countries with which we have totalization agreements and mutual assistance arrangements under those agreements. We have an established routine use applicable to the *Master Files of Social Security Number (SSN) Holders and SSN Applications System*, 60-0058; *Earnings Recording and Self-Employment Income System*; and the *Master Beneficiary Record*, 60-0090; Privacy Act systems of records that allows SSA to verify SSNs and disclose other information to countries with which we have totalization agreements and mutual assistance arrangements. We have identified the need to establish a

new routine use that would allow SSA to verify SSNs provided by those countries, using information we maintain in the SSR/SVB System Privacy Act system of records. The proposed routine use will read as follows:

*To the Social Security agency of a foreign country, for the purpose of verifying Social Security numbers, to carry out the purposes 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 (42 U.S.C. 433).*

The proposed routine use will be numbered 36 in the notice of the SSR/SVB System. We are not republishing the notice of this system of records at this time. A notice of the system of records last was published in its entirety in the **Federal Register** (FR) on February 21, 2001. See 66 FR 11079, February 21, 2001.

#### B. Compatibility of Proposed New Routine Use Disclosure

The Privacy Act (5 U.S.C. 552a(b)(3)) and our disclosure regulations (20 CFR Part 401) permit us to disclose information under a published routine use for a purpose which is compatible with the purpose for which we collected the information. Section 401.150(c) of the regulations permits us to disclose information under a routine use where necessary to carry out SSA programs or assist other agencies in administering similar programs. The disclosures under the proposed new routine use will be compatible since, by the nature of the totalization agreement with a foreign country under section 233 of the Social Security Act (42 U.S.C. 433), the foreign country will be administering a program comparable to the Social Security program of the United States.

### II. Effect of the Proposed Routine Use on the Rights of Individuals

Whenever SSA enters into a totalization agreement with a foreign country, SSA always requires the other country's assurance that appropriate laws of that country protect the confidentiality of personal data. SSA always considers how compatible the other country's privacy laws are with those of the United States. Unless the other country's laws allow disclosure, the information which SSA furnishes to a foreign country's Social Security agency under a totalization agreement must be kept confidential and, to the extent possible, used exclusively for implementing the agreement (Social Security Ruling 80-15 and 20 CFR 404.1930). Verifications of SSNs provided by foreign Social Security agencies will be done only as discussed

in section I.A. above. To this end, we do not anticipate any unwarranted effects on the rights of individuals from our implementation of the proposed routine use.

Dated: November 18, 2004.

**Jo Anne B. Barnhart,**  
Commissioner.

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## DEPARTMENT OF STATE

### [Public Notice 4908]

### Culturally Significant Object Imported for Exhibition Determinations: "Raphael's La Fornarina"

**SUMMARY:** Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, and Delegation of Authority No. 236 of October 19, 1999, as amended, and Delegation of Authority No. 257 of April 15, 2003 [68 FR 19875], I hereby determine that the object to be included in the exhibition "Raphael La Fornarina," imported from abroad for temporary exhibition within the United States, is of cultural significance. The object is imported pursuant to a loan agreement with the foreign owner. I also determine that the exhibition or display of the exhibit object at the The Frick Collection, New York, NY from on or about December 2, 2004 to on or about January 30, 2005, the Museum of Fine Arts, Houston, TX from on or about February 13, 2005 to on or about April 17, 2005, the Indianapolis Museum of Art, Indianapolis, IN from on or about May 6, 2005, to on or about June 26, 2005, and at possible additional venues yet to be determined, is in the national interest. Public Notice of these determinations is ordered to be published in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** For further information, including a list of the exhibit object, contact Carol B. Epstein, Attorney-Adviser, Office of the Legal Adviser, Department of State, (telephone: 202/453-8048). The address is Department of State, SA-44, 301 4th Street, SW., Room 700, Washington, DC 20547-0001.