UNITED STATES OFFICE OF PERSONNEL MANAGEMENT
Washington, DC 20415

The Director

June 18, 2007

MEMORANDUM FOR CHIEF HUMAN CAPITAL OFFICERS

FROM: **LINDA M. SPRINGER**
DIRECTOR

SUBJECT: **Guidance on Protecting Federal Employee Social Security Numbers and Combating Identity Theft**

The Office of Personnel Management (OPM) is issuing guidance to help agencies achieve a consistent and effective policy for safeguarding the Social Security Numbers (SSNs) of Federal employees. The intent of this guidance is to minimize the risk of identity theft and fraud in two ways: (1) by eliminating the unnecessary use of SSN as an identifier, and (2) by strengthening the protection of personal information, including SSNs, from theft or loss. We are also studying the advisability of issuing regulations to enforce this guidance. The new guidance is consistent with recommendations that have been formulated by the President's Identity Theft Task Force.

Applying this guidance is a first step in protecting the personal identity of Federal employees. Efforts are also underway to develop requirements for a new Government-wide employee identifier which will replace the Social Security Number as an employee identifier. Once this new employee identifier is established, it will be an important tool in combating the serious and growing problem of identity theft.

Each agency should maintain security policies that, at a minimum, contain the content or reference the requirements presented in this document. The attachment included with this document identifies and highlights existing regulatory requirements, as well as specific measures we are urging agencies to implement as soon as possible, if they have not already done so. For a more complete listing of the regulatory requirements relevant to maintaining personnel records, please refer to 5 CFR part 293.

If you have any questions or need additional information, please contact your OPM Human Capital Officer. Thanks for your continued support in protecting and safeguarding our employees' sensitive and personal information.

Attachment:
"Protecting Employee Personal Identifiers and Combating Identity Theft"

cc: Human Resources Directors

Protecting Employee Personal Identifiers
And Combating Identity Theft

All agencies should be aware of the following regulatory requirements that are currently in effect:

- 5 CFR 293.103 - The head of each agency shall ensure that persons having access to or involved in the creation, development, processing, use, or maintenance of personnel records are informed of pertinent recordkeeping regulations and requirements of the Office of Personnel Management and the agency.
- 5 CFR 293.105(b)(1) - Agencies may not require individuals to disclose their Social Security Number (SSN) unless disclosure would be required under--
    - Federal statute; or
    - any statute, Executive order, or regulation that authorizes any Federal, State, or local agency maintaining a system of records that was in existence and operating prior to January 1, 1975, to request the SSN as a necessary means of verifying the identity of an individual.
- 5 CFR 293.105(b)(2) - Individuals asked to voluntarily provide their SSN shall suffer no penalty or denial of benefits for refusing to provide it.
- 5 CFR 293.106 – Agencies shall establish administrative, technical, and physical controls to protect information in personnel records from unauthorized access, use, modification, destruction, or disclosure.
- 5 CFR 293.107 – Managers of automated personnel records shall establish administrative, technical, physical, and security safeguards for data about individuals in automated records, including input and output documents, reports, punched cards, magnetic tapes, disks, and on-line computer storage.
- 5 CFR 293.108 – Agencies shall require all employees responsible for the creation, development, maintenance, processing, use, dissemination, and safeguarding of personnel records to be familiar with the rules of conduct presented in this section.
- 5 CFR 1001.102 – Agencies must ensure that all employees and contractors are reminded of their obligation to follow the Privacy Act.

In addition, agencies should ensure that the following measures, if not already in place, are implemented as soon as possible:

- If Social Security Numbers are collected, they should be collected at the time of an employee's appointment and entered into the human resources and payroll systems. The collection tool (if paper-based) should be stored in a secure location until it is no longer required. Disposal of all paper-based collection tools (i.e., forms, letters, and other correspondence) must be in accordance with the General Record Schedule issued by the National Archives and Records Administration.
- Unnecessary printing and displaying of the SSN on forms, reports, and computer display screens should be eliminated.
- Access to the SSN should be restricted to only those individuals whose official duty requires such access. A listing of all access authorizations should be maintained and monitored regularly for continued applicability.

- Those individuals who are authorized to access the SSN must understand their responsibility to protect sensitive and personal information. This includes securing this information when working from home or another remote location. Annual training and educational programs, which include Privacy Act and Freedom of Information Act requirements, should be employed to reinforce awareness of these responsibilities.
- Privacy and confidentiality statements that describe accountability clearly and warn of possible disciplinary action for unauthorized release of the Social Security Number and other personally identifiable information should be signed by all individuals who have access to the Social Security Number.
- Agency telework policies and written agreements must be in compliance with Federal privacy protection policies, including policies governing the protection of employee Social Security Numbers.
- Supervisory approval should be required before an authorized individual can access, transport, or transmit information or equipment containing Social Security Numbers outside agency facilities.
- Electronic records containing Social Security Numbers should be transported or transmitted in an encrypted or protected format as prescribed in current OMB guidance regarding the protection of sensitive agency information.
- Paper-based records containing Social Security Numbers should be transported in wheeled containers, portfolios, briefcases, or similar devices that are locked when the records are not in use. These containers should be identifiable by tag, label, or decal with contact and mailing information.
- Required access to Social Security Numbers, including data entry, printing, and screen displays must be conducted in a secure location to protect against unauthorized exposures.
- All security incidents involving personally identifiable information, especially SSN(s), must be reported in accordance with current OMB guidance regarding the reporting of incidents involving personally identifiable information. In addition, all individuals authorized to access the Social Security Numbers must be familiar with their incident reporting requirements.
- All disclosures of information containing Social Security Numbers and other personally identifiable data must be made in accordance with established regulations and procedures.
- Written procedures describing the proper labeling, storage, and disposal of printed material containing Social Security Numbers and other personally identifiable data must be established and communicated to employees.
- When the Social Security Number is required as a data entry parameter, it must not be displayed on the input screen except when establishing the initial human resources or payroll record. In all other record retrieval and access authorization processes, the Social Security Number must be masked with asterisks or other special characters, similar to the technique used when handling passwords and PINs.
- Adequate internal control procedures must be employed to ensure the proper monitoring of authorized and unauthorized access to Social Security Numbers and other personally identifiable information.