



WHAT YOU SHOULD KNOW ABOUT GIVING OUT YOUR SOCIAL SECURITY NUMBER

by Texas Attorney General Greg Abbott

WITH IDENTITY THEFT on the rise, consumers are becoming much more cautious about freely providing their personal information. One particularly sensitive part of your identity is your Social Security number (SSN). Many Texans call my office wanting to know when and where they are required to give out their SSN.

The question we receive most often on this subject is, "Can a private business ask for my Social Security number?" The answer is yes. The law does not prohibit a business from asking for your SSN; however, you do not have to provide it to them.

You are not legally bound to provide your SSN to private businesses — including health care providers and insurers—unless you are involved in a transaction in which the Internal Revenue Service requires notification. Be aware, though, that in such cases the business can refuse to provide you with their products or services if you fail to provide the number.

If a business insists that you provide your SSN and you feel this is not justified, you may want to ask for a

supervisor or manager to discuss your concerns. If the company is unwilling to budge, you may want to consider taking your business elsewhere.

Be aware that while federal law does not forbid a business from asking for your SSN, it does mandate that the business protect your SSN after it has taken it. If you do decide to provide your SSN to a private business, be sure to familiarize yourself with the company's privacy policy.

Citizens also inquire about government agencies and whether or not they have the right to ask for your SSN. Federal law does compel government agencies to ask for your SSN in certain instances.

For instance, certain government agencies, including taxing authorities, human resource offices and state departments of motor vehicles, can require your Social Security number as mandated by federal law.

Federal law does provide protections when you are required to divulge your SSN. The Privacy Act of 1974 requires that all government agencies that request SSNs provide a disclosure

statement on the form. The statement explains whether you're required to provide your Social Security number or if it is optional. Additionally, the document details how your SSN will be used.

The Office of Information and Regulatory Affairs in the U. S. Office of Management and Budget provides guidance and oversight regarding the Privacy Act of 1974. You can read the Act on the U.S. Department of Justice website at www.usdoj.gov.

The Privacy Act also provides that you cannot be denied government benefits or services if you refuse to disclose your SSN, if the disclosure is not required by federal law if the disclosure is to an agency which has been using SSNs previous to January 1975. You can read about other exceptions on www.usdoj.gov.

If you are asked to give your SSN to a government agency and no disclosure statement is included on the form, you may want to cite the Privacy Act and contact your U.S. congressman or senators.

POINTS TO REMEMBER

YOUR SOCIAL SECURITY NUMBER

- You do NOT have to give your SSN to a private business.
- If you do give your SSN to a business, get a copy of their privacy policy.
- If you are required to give your SSN to a government agency, you must be provided with a disclosure statement.
- NEVER give out your SSN or other personal information over the phone or by e-mail.
- Report ID theft to your local police department.
- File an ID theft complaint on FTC's website at www.ftc.gov or call (877) ID THEFT.

**OAG Consumer Hotline:
1-800-252-8011**



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