



May 9, 2025

Andrea Huseth
Division Director, Office of Privacy and Disclosure
Office of Law and Policy
Social Security Administration
6401 Security Boulevard
Baltimore, MD 21235-6401
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Re: Comments on the Notice of a New Matching Program, Do. No. SSA-2024-0051, 90 *Fed. Reg.* 15503 (4-11-25)

Dear Director Huseth:

PayrollOrg understands that this Notice of a New Matching Program is an extension of an existing arrangement between the Social Security Administration (SSA) and the U.S. Department of Health and Human Services' Office of Child Support Services (OCSS); however, we are concerned about the sharing of data that includes workers personally identifiable information and request greater scrutiny on security.

The SSA's Extra Help program under the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA) is vital to assist with the cost of prescription drugs for low-income households. However, the more individuals that have access to data from the National Database of New Hires (NDNH), the greater the risk of a data breach, even if inadvertent. PayrollOrg is also concerned about jeopardizing the child support program because of the increased risk.

About PayrollOrg

PayrollOrg is a nonpartisan, nonpolitical association representing over 20,000 payroll professionals who manage the payroll function for employers of all sizes and industries across the U.S. PayrollOrg is dedicated to advancing the payroll industry through education, advocacy, networking, and collaboration.

PayrollOrg's Government Relations Task Force provides payroll professionals with the opportunity to partner with government to create efficiencies, open doors to new technology, and provide opportunities for professional growth.

MMA and the Social Security Act

The NDNH is subject to security and privacy requirements under the Social Security Act §§ 453(l) and (m). In addition, according to a Congressional Research Service report, the NDNH is considered a system of records under the Privacy Act of 1974, as amended (5 U.S.C. § 552a), and is subject to the requirements under that act for administrative, technical, and physical safeguards for both records matched and any results of those matches.¹ Thus, the U.S. Congress recognized the importance of protecting the data in the NDNH.

In addition, provisions within the Social Security Act require the removal or deletion of certain data 24 months after the date of entry. For example, regarding child support purposes, access to unemployment information ends after 12 months of the data entry date. Expanded access for purposes beyond child support enforcement makes the removal and deletion of data within the legally mandated timeframes more difficult to control and manage. These provisions highlight the increased potential for privacy and confidentiality breaches, financial fraud, identity theft, or other crimes, from NDNH data. Particular concern in the Social Security Act centers on protecting custodial parents and children in domestic violence situations by not sharing information.

PayrollOrg urges the SSA and OCSS to strengthen the security of data sharing to administer the Extra Help program. To discuss PayrollOrg's comments further, please contact Alice Jacobsohn at 202-669-4001 or ajacobsohn@payroll.org. Thank you.

Sincerely,



Alice P. Jacobsohn, Esq.
Director of Government Relations

For: Government Relations Task Force
Child Support Subcommittee
Cochairs Corrinne Flores and Christena Verrill, CPP

Federal Issues Subcommittee
Cochairs Rebecca Harshberger, CPP; Mindy Mayo, CPP; and Jon Schausten, CPP

¹ Tollestrup, Jessica; Congressional Research Service; *The National Directory of New Hires: An Overview*, RS22889 (March 7, 2025)