
CONSUMER ALERT

ATTORNEY GENERAL

The Attorney General provides Consumer Alerts to inform the public of unfair, misleading, or deceptive business practices, and to provide information and guidance on other issues of concern.

YOUR SOCIAL SECURITY NUMBER

WHY IS IT IMPORTANT TO PROTECT YOUR SOCIAL SECURITY NUMBER?

With simple identifying information and your Social Security number, it is relatively easy for someone to fraudulently assume your identity and gain access to your bank account, credit accounts, utilities records, and other sources of personal information. No other form of personal identification plays such a significant role in linking records that contain sensitive information.

Since your Social Security number is your taxpayer identification number, it is required on records of transactions in which the Internal Revenue Service is interested. This includes most banking, stock market, property, employment, or other financial documents.

IS IT ILLEGAL TO ASK FOR MY SOCIAL SECURITY NUMBER?

Although there are restrictions on governmental agencies asking for your Social Security number, there are few restrictions on individuals or companies. In Michigan, in almost all instances it is illegal to require a Social Security number to be written on a check as a condition of acceptance of that check. See MCL 600.2964 (available at [http://www.legislature.mi.gov/\(42spagq1ccexrf55ukzz0f45\)/mileg.aspx?page=GetMCLDocument&objectname=mcl-600-2964](http://www.legislature.mi.gov/(42spagq1ccexrf55ukzz0f45)/mileg.aspx?page=GetMCLDocument&objectname=mcl-600-2964)). This law, however, does not prevent individuals or companies from asking you for your number and does not require the individual or business to provide you with service if you refuse to release your Social Security number. If you do not like a company's policy, your best bet is to do business with another company.

CAN MY EMPLOYER USE MY SOCIAL SECURITY NUMBER AS AN IDENTIFICATION NUMBER?

Yes. Employers need each employee's Social Security number to report earnings and payroll taxes. However, Michigan's Social Security Number Privacy Act imposes new restrictions on employers' use of social security numbers. For example, an employer cannot publicly display all or more than 4 sequential digits of a social security number. And an employer cannot visibly print more than 4 sequential digits of a social security number on any identification badge or card. In addition, any records that contain a Social Security number must be kept in a secure place only accessible to authorized personnel. And, in most cases, any person (employer or otherwise) who obtains a social security number in the ordinary course of business is required to create a privacy policy to safeguard social security numbers. Since there is growing evidence that identity theft most frequently occurs at the workplace, employers would be wise to examine their record-keeping and access policies, instituting precautions if they are not already in place. For more information on the use of social security numbers by employers, educational institutions and others, a copy of the Social Security Number Privacy Act is available at: [http://www.legislature.mi.gov/\(m2d45145xt10xmew3zeovtm5\)/mileg.aspx?page=GetMC_LDocument&objectname=mcl-Act-454-of-2004](http://www.legislature.mi.gov/(m2d45145xt10xmew3zeovtm5)/mileg.aspx?page=GetMC_LDocument&objectname=mcl-Act-454-of-2004)

RECOMMENDED PRACTICES FOR PROTECTING SOCIAL SECURITY NUMBERS

The California Office of Privacy Protection publication "Recommended Practices for Protecting the Confidentiality of Social Security Numbers" (available at www.privacy.ca.gov/recommendations/ssnrecommendations.pdf) details recommendations relevant for private and public sector organizations. The recommendations apply to the handling of all Social Security numbers in the possession of an organization.

AM I REQUIRED TO GIVE MY SOCIAL SECURITY NUMBER TO GOVERNMENT AGENCIES?

It depends upon the agency. Some government agencies, including tax authorities, welfare offices, and the Secretary of State, can require your Social Security number as mandated by federal law. See 42 USC 405 (c)(2)(C)(v) and (i). Examples of federal laws that authorize or mandate the collection and use of Social Security numbers are referenced in the Government Accounting Office Report entitled "Social Security Numbers: More Could Be Done to Protect SSNs," GAO, March 30, 2006, (GAO-06-586T) (available at <http://www.gao.gov/new.items/d06586t.pdf>).

The Privacy Act of 1974 requires all federal, state, and local governmental agencies that request Social Security numbers to inform the individual (1) whether disclosure is voluntary or mandatory, (2) by what legal authority the Social Security number is

solicited, and (3) what uses will be made of the Social Security number. The U.S. Office of Management and Budget, Office of Information and Regulatory Affairs, provides guidance and oversight regarding the Privacy Act of 1974. The text of the Privacy Act can be found at the website www.usdoj.gov/foia/privstat.htm. The U.S. Department of Justice provides an overview of the Privacy Act at the website www.usdoj.gov/04foia/1974ssnu.htm.

SHOULD I PROVIDE MY SOCIAL SECURITY NUMBER OVER THE INTERNET?

Take extreme caution when asked to provide personal financial information, including your Social Security number, on the Internet. Only conduct such transactions with known, reputable companies. Avoid e-mailing personal and financial information. Absolutely do not respond to any unsolicited e-mail messages asking for your credit card numbers, bank account information, Social Security number, passwords, or other sensitive information. For more information, see the Attorney General's alert "Fraudulent E-mails -- Thieves Intend To Steal Your Personal Information" available at: www.michigan.gov/ag/0,1607,7-164-17334_17362_20942-81088--,00.html.

Additionally, never provide personal financial information in response to unsolicited mail or telephone calls.

Before submitting financial information through a website (again, never in an e-mail), make sure the website address starts with "https" and that your browser's status bar displays the "lock" icon. These factors signal that your information is secure during transmission.

Of course, transmitting your data over secure channels is of little value to you if the merchant stores the data unscrambled. You should try to find out if the merchant stores the data in encrypted form. If a hacker is able to intrude, but the data is encrypted, the hacker cannot obtain your credit data and other personal information.

To learn how the company safeguards your customer data, read the company's privacy policy. If necessary, call the company and talk to an individual who is knowledgeable about its security practices. Do not conduct business with the company if it does not appear to adequately safeguard its customers' data.

STRATEGIES TO PROTECT YOUR SOCIAL SECURITY NUMBER:

1. Do not give out your Social Security number unless you are convinced it is required or is to your benefit.
2. Ask why the number is needed; how it will be used; what happens if you refuse; and what law requires you to give your number.

3. Never print your Social Security number on your checks and do not let anybody write your Social Security number on your check.
4. Pay attention to your Social Security Personal Earnings and Benefit Estimate Statement. The Social Security Administration mails this statement each year about three months before your birthday. Be certain the information in the file is correct. You can contact the Social Security Administration at (800) 772-1213 to learn how to obtain this free report. If incorrect information is recorded, contact the Social Security Administration immediately. Someone may be fraudulently using your Social Security number for employment purposes. The Social Security Administration's fraud department can be reached at (800) 269-0271. Its website is www.ssa.gov.
5. Order free copies of your credit reports at least once a year. Michigan residents are now eligible to receive one free credit report a year from each of the three credit reporting agencies. You can order your free credit reports by 1) calling 1-877-322-8228; 2) mailing a completed [order form](#) to the address provided on the form; or 3) going to Annualcreditreport.com. If you are a victim of identity theft, the credit report will contain evidence of credit or banking fraud committed using your name and Social Security number. Your credit report will also show other Social Security numbers associated with your name. For more information on obtaining free credit reports and identity theft, see the Attorney General's Alert "Free Annual Credit Reports-What Consumers Should Know" at http://www.michigan.gov/ag/0,1607,7-164-34739_20942-111010--00.html.
6. If your employer releases or displays your Social Security number, they may be violating Michigan law. If you are concerned about your employer's handling of your social security number, contact the Consumer Protection Division at 1-877-765-8388, or [file a complaint online](#) at Michigan.gov/ag.
7. If your bank, credit union, or other financial service provider uses your Social Security number as a personal identification number (PIN) or as the identifier for banking by phone or the Internet, write a letter of complaint. Request a different PIN and/or identification number and explain why the Social Security number is an extremely poor choice for a password or security code. If your request is not satisfied, consider taking your business elsewhere.

Sometimes a business may not provide you with the service or benefit you're seeking if you do not provide your Social Security number. Getting answers to these questions will help you decide whether you want to share your Social Security number with the business. **Remember** — the decision is yours.

MORE INFORMATION ON IDENTITY THEFT

The "Identity Theft Information for Michigan Consumers" Consumer Alert (available at http://www.michigan.gov/ag/0,1607,7-164-34739_20942-80479--,00.html) provides comprehensive information for Michigan consumers. Additionally, the FTC's booklet, "[Take Charge: Fighting Back Against Identity Theft](#)" (available at www.consumer.gov/idtheft) is suggested reading for all consumers and should be reviewed by victims of identity theft.

CONTACT THE ATTORNEY GENERAL FOR HELP

If a company insists on pursuing a debt that is obviously the result of identify theft, the Michigan Attorney General's Consumer Protection Division may be able to help you resolve the problem. Additionally, we want to know if a company doing business in Michigan requires you, as a condition of accepting your check, to put your Social Security number on the check. Please file a complaint with our office.

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