

Committee on Oversight and Government Reform of the House of Representatives; and the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB). The matching program will be effective as indicated below.

**ADDRESSES:** Interested parties may comment on this notice by either telefaxing to (410) 966-0869 or writing to the Executive Director, Office of Privacy and Disclosure, Office of the General Counsel, Social Security Administration, 617 Altmeyer Building, 6401 Security Boulevard, Baltimore, MD 21235-6401. All comments received will be available for public inspection at this address.

**FOR FURTHER INFORMATION CONTACT:** The Executive Director, Office of Privacy and Disclosure, Office of the General Counsel, as shown above.

**SUPPLEMENTARY INFORMATION:**

**A. General**

The Computer Matching and Privacy Protection Act of 1988 (Public Law (Pub. L.) 100-503), amended the Privacy Act (5 U.S.C. 552a) by describing the conditions under which computer matching involving the Federal government could be performed and adding certain protections for persons applying for, and receiving, Federal benefits. Section 7201 of the Omnibus Budget Reconciliation Act of 1990 (Pub. L. 101-508) further amended the Privacy Act regarding protections for such persons.

The Privacy Act, as amended, regulates the use of computer matching by Federal agencies when records in a system of records are matched with other Federal, State, or local government records. It requires Federal agencies involved in computer matching programs to:

- (1) Negotiate written agreements with the other agency or agencies participating in the matching programs;
- (2) Obtain approval of the matching agreement by the Data Integrity Boards of the participating Federal agencies;
- (3) Publish notice of the computer matching program in the **Federal Register**;
- (4) Furnish detailed reports about matching programs to Congress and OMB;
- (5) Notify applicants and beneficiaries that their records are subject to matching; and
- (6) Verify match findings before reducing, suspending, terminating, or denying a person's benefits or payments.

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

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

**Kirsten J. Moncada,**

*Executive Director, Office of Privacy and Disclosure, Office of the General Counsel.*

**Notice of Computer Matching Program, SSA With the Department of the Treasury, the Internal Revenue Service (IRS)**

*A. Participating Agencies*

SSA and IRS.

*B. Purpose of the Matching Program*

The purpose of this matching program is to establish the conditions, terms, and safeguards under which IRS will disclose to SSA certain return information for the purpose of establishing the correct amount of Medicare Part B premium subsidy adjustments and Medicare prescription drug coverage premium increases under sections 1839(i) and 1860D-13(a)(7) of the Social Security Act (Act) (42 U.S.C. 1395r(i) and 1395w-113(a)(7)), as enacted by section 811 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA; Pub. L. 108-173) and section 3308 of the Affordable Care Act of 2010 (Pub. L. 111-148).

*C. Authority for Conducting the Matching Program*

The legal authority for this matching operation is section 1860D-14 of the Act, which requires the Commissioner to determine the eligibility of applicants for the prescription drug subsidy who self-certify their income, resources, and family size. Pursuant to section 1860D-14(a)(3) of the Act (42 U.S.C. 1395w-114(a)(3)), we must determine whether a Social Security Part D eligible individual is a subsidy-eligible individual, and whether the individual is an individual as described in section 1860D-14(a).

In addition, section 6103(1)(20) of the Internal Revenue Code (IRC 6103(1)(20)) authorizes IRS to disclose specified return information to us with respect to taxpayers whose Part B insurance premium may (according to IRS records) be subject to adjustment pursuant to section 1839(i) of the Act, for the purpose of establishing the amount of any such adjustment.

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

We will provide IRS with identifying information with respect to enrollees

from the Master Beneficiary Record system of records, SSA/ORSIS 60-0090, published at 71 **Federal Register** (FR) 1826 (January 11, 2006). We will maintain the modified adjusted gross income (MAGI) data provided by IRS in the Medicare Database system of records, SSA/ORSIS 60-0321, originally published at 69 FR 77816 (December 28, 2004), and revised at 71 FR 42159 (July 25, 2006).

IRS will extract MAGI data from the Return Transaction File, which is part of the Customer Account Data Engine (CADE) Individual Master File, Treasury/IRS 24.030, published at 77 FR 47948 (August 10, 2012).

*E. Inclusive Dates of the Matching Program*

The effective date of this matching program is April 1, 2013; provided that the following notice periods have lapsed: 30 days after publication of this notice in the **Federal Register** and 40 days after notice of the matching program is sent to Congress and OMB. The matching program will continue for 18 months from the effective date and, if both agencies meet certain conditions, it may extend for an additional 12 months thereafter.

[FR Doc. 2013-03984 Filed 2-20-13; 8:45 am]

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**SOCIAL SECURITY ADMINISTRATION**

[Docket No. SSA 2012-0067]

**Privacy Act of 1974; Computer Matching Program (SSA/Department of the Treasury, Internal Revenue Service (IRS))—Match Number 1305**

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

**ACTION:** Notice of a renewal of an existing computer matching program.

**SUMMARY:** In accordance with the provisions of the Privacy Act, (5 U.S.C. 552a), this notice announces a renewal of an existing computer matching program that we are currently conducting with IRS.

**DATES:** We will file a report of the subject matching program with the Committee on Homeland Security and Governmental Affairs of the Senate; the Committee on Oversight and Government Reform of the House of Representatives; and the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB). The matching program will be effective as indicated below.

**ADDRESSES:** Interested parties may comment on this notice by either

telefaxing to (410) 966-0869 or writing to the Executive Director, Office of Privacy and Disclosure, Office of the General Counsel, Social Security Administration, 617 Altmeyer Building, 6401 Security Boulevard, Baltimore, MD 21235-6401. All comments received will be available for public inspection at this address.

**FOR FURTHER INFORMATION CONTACT:** The Executive Director, Office of Privacy and Disclosure, Office of the General Counsel, as shown above.

**SUPPLEMENTARY INFORMATION:**

**A. General**

The Computer Matching and Privacy Protection Act of 1988 (Public Law (Pub. L.) 100-503), amended the Privacy Act (5 U.S.C. 552a) by describing the conditions under which computer matching involving the Federal government could be performed and adding certain protections for persons applying for, and receiving, Federal benefits. Section 7201 of the Omnibus Budget Reconciliation Act of 1990 (Pub. L. 101-508) further amended the Privacy Act regarding protections for such persons.

The Privacy Act, as amended, regulates the use of computer matching by Federal agencies when records in a system of records are matched with other Federal, State, or local government records. It requires Federal agencies involved in computer matching programs to:

(1) Negotiate written agreements with the other agency or agencies participating in the matching programs;

(2) Obtain approval of the matching agreement by the Data Integrity Boards of the participating Federal agencies;

(3) Publish a notice of the computer matching program in the **Federal Register**;

(4) Furnish detailed reports about matching programs to Congress and OMB;

(5) Notify applicants and beneficiaries that their records are subject to matching; and

(6) Verify match findings before reducing, suspending, terminating, or denying a person's benefits or payments.

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

We have taken action to ensure that all of our computer matching programs

comply with the requirements of the Privacy Act, as amended.

**Kirsten J. Moncada,**

*Executive Director, Office of Privacy and Disclosure, Office of the General Counsel.*

**Notice of Computer Matching Program, SSA With the Department of the Treasury, the Internal Revenue Service (IRS)**

*A. Participating Agencies*

SSA and IRS.

*B. Purpose of the Matching Program*

The purpose of this matching program is to set forth the terms under which IRS will disclose to us certain return information for the purpose of verifying eligibility or the correct subsidy percentage of benefits provided under section 1860D-14 of the Social Security Act (Act). (42 U.S.C. 1395w-114).

*C. Authority for Conducting the Matching Program*

Section 1860D-14 of the Act requires the Commissioner to determine the eligibility of applicants for the prescription drug subsidy who self-certify their income, resources, and family size. In addition, section 6103(1)(7) of the Internal Revenue Code (26 U.S.C. 6103(1)(7)) authorizes IRS to disclose return information with respect to unearned income to Federal, state, and local agencies administering certain benefit programs under the Act.

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

Medicare beneficiaries who apply for the prescription drug subsidy under section 1860D-14 of the Act must self-certify on the application form the applicant's income, resources, and family size. We verify this information before making a subsidy determination.

When Medicare beneficiaries apply for the subsidy, and we cannot otherwise verify the income information provided on an application, we disclose to IRS the applicant's name and Social Security number.

We provide IRS with identifying information with respect to applicants for, and recipients of, the prescription drug subsidy from the existing Medicare Database system of records, SSA/ORSIS 60-0321, originally published at 69 FR 77816 (December 28, 2004), and as revised at 71 FR 42159 (July 25, 2006). IRS extracts return information with respect to unearned income from the Information Returns Master File, Treasury/IRS 22.061, as published at 77 FR 47946 (August 10, 2012).

*E. Inclusive Dates of the Matching Program*

The effective date of this matching program is November 11, 2012, provided that the following notice periods have lapsed: 30 days after publication of this notice in the **Federal Register** and 40 days after notice of the matching program is sent to Congress and OMB. The matching program will continue for 18 months from the effective date and, if both agencies meet certain conditions, it may extend for an additional 12 months thereafter.

[FR Doc. 2013-03983 Filed 2-20-13; 8:45 am]

**BILLING CODE 4191-02-P**

**SOCIAL SECURITY ADMINISTRATION**

[Docket No. SSA 2011-0106]

**Rescission of Social Security Acquiescence Rulings 92-2(6)**

**AGENCY:** Social Security Administration.

**ACTION:** Notice of Rescission of Social Security Acquiescence Ruling (AR) 92-2(6)—*Difford v. Sullivan*, 910 F.2d 1316 (6th Cir. 1990).

**SUMMARY:** In accordance with 20 CFR 402.35(b)(2), 404.985(e) and 416.1485(e), the Commissioner of Social Security gives notice of the rescission of Social Security AR 92-2(6).

**DATES:** *Effective Date:* February 21, 2013.

**FOR FURTHER INFORMATION CONTACT:** Susan Dunigan, Office of Disability Programs, Social Security Administration, 6401 Security Boulevard, Baltimore, Maryland 21235-6401, (410)-966-5671 or TTY (800) 966-5609.

**SUPPLEMENTARY INFORMATION:** An AR explains how we will apply a holding in a decision of a United States Court of Appeals that we determine conflicts with our interpretation of a provision of the Social Security Act (the Act) or regulations when the Government has decided not to seek further review of that decision or is unsuccessful on further review.

As provided by 20 CFR 404.985(e)(4) and 416.1485(e)(4), we may rescind an AR as obsolete and apply our interpretation of the Act or regulations if we subsequently clarify, modify or revoke the regulation or ruling that was the subject of a circuit court holding that we determined conflicts with our interpretation of the Act or regulations.

On March 17, 1992, we issued AR 92-2(6) to reflect the decision of the United States Court of Appeals for the Sixth Circuit in *Difford v. Sullivan*, 910 F.2d