I.   Purpose and Definitions

A. Purpose

The purpose of this user agreement is to establish the conditions, terms, and safeguards under which SSA will provide the Permitted Entity with verifications of Fraud Protection Data.

B. Definitions

Authorized User – Employee of the Permitted Entity who has been authorized by the Permitted Entity to submit SSN Verification requests and has successfully registered through the Permitted Entity to use the eCBSV system.

Banking Bill - Section 215 titled, "Reducing Identity Fraud," of the "Economic Growth, Regulatory Relief, and Consumer Protection Act," (Pub. L. No. 115-174), as amended.

Client or SSN holder – Individual who authorizes SSA to verify his or her SSN to the Permitted Entity or Financial Institution by providing Written Consent.

Cloud Service Provider - A third-party company offering a cloud-based infrastructure or storage services.

Electronic Signature – An electronic sound, symbol, or process, attached to or logically associated with a contract or other record and executed or adopted by a person with the intent to sign the record, as defined in section 106 of the Electronic Signatures in Global and National Commerce (E-SIGN) Act.

Financial Institution – Has the meaning given the term in section 509 of the Gramm-Leach-Bliley Act (GLBA). A Financial Institution is a permitted entity under the Banking Bill and can be either (1) the original requesting source for the SSN Verification and is signing this user agreement as the Permitted Entity; or (2) enters into a contractual relationship or other express written agreement with a Permitted Entity, who is a service provider, subsidiary, affiliate, agent, subcontractor, or assignee of the Financial Institution to obtain SSN Verifications from SSA. References to a Financial Institution throughout this user agreement means a Financial Institution that is seeking an SSN Verification from SSA through a service provider, subsidiary, affiliate, agent, subcontractor, or assignee of the Financial Institution.

Fraud Protection Data – As defined by the Banking Bill, a combination of the SSN holder's name (including the first name and any family forename or surname of the individual), SSN, and date of birth including the month, day, and year.

Managed Service Provider - Delivers services, such as network, application, infrastructure and security, via ongoing and regular support and active administration on customers' premises, in their Managed Service Provider's data center (hosting), or in a third-party data center.

Permitted Entity – A Financial Institution as defined by section 509 of GLBA and as defined in this section, or a service provider, subsidiary, affiliate, agent, subcontractor, or assignee of a Financial Institution, who is signing this user agreement as a Permitted Entity.

Permitted Entity Certification – Certification provided to SSA at least every 2 years by the Permitted Entity and each Financial Institution, if applicable, as required by the Banking Bill. The Permitted Entity Certification must meet the requirements under section III.A.3 of this user agreement and in Exhibit A.

SSN Verification –The response SSA discloses to the Permitted Entity or Financial Institution after conducting a verification of the SSN holder's Fraud Protection Data.

Supporting Documentation – All records or information necessary for SSA to conduct audits as required in section VIII of the user agreement. Supporting Documentation may include: all completed and signed Written Consents; evidence documenting the specific purpose for each Written Consent, if not referenced within the individual Written Consent; SSN Verifications; and audit logs or audit trails if required in accordance with sections III.A.14 and IV.E of the user agreement. Supporting Documentation must be maintained in an accessible electronic format, when available. If not available, paper documentation will suffice.

Written Consent – Written Consent, including electronic, by which the SSN holder gives SSA permission to disclose SSN Verification results to the Permitted Entity or Financial Institution (or both) in connection with a credit transaction or any circumstance described in section 604 of the Fair Credit Reporting Act (15 U.S.C. § 1681b). The Written Consent must meet SSA's requirements in section IV of this user agreement and SSA's regulations. The Written Consent must clearly specify to whom the information may be disclosed (the Permitted Entity and Financial Institution, if different), that the SSN holder wants SSA to disclose the SSN Verification, and, where applicable, during which timeframe the SSN Verification may be disclosed (see 20 CFR Part 401.100). Written Consent must identify the purpose for which the SSN holder gives SSA permission to disclose SSN Verification results. Written Consent must be provided by the SSN holder in one of three ways described in section IV of the user agreement. *See* Exhibit B, Form SSA-89 (Authorization for SSA to Release SSN Verification) and Exhibit C, SSA's Written Consent Template.

C. Legal Authority

Legal authority for SSA disclosing SSN Verifications to the Permitted Entity or Financial Institution is the SSN holder's written, including electronic, consent as authorized by the Privacy Act at 5 U.S.C. § 552a(b), section 1106 of the Social Security Act, codified at 42 U.S.C. § 1306, and SSA regulation at 20 C.F.R. § 401.100, and the Banking Bill.