

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MARYLAND

ORLY TAITZ,)	
)	
Plaintiff,)	
)	Civil No. ELH 13-cv-01878
v.)	
)	
CAROLYN COLVIN, COMMISSIONER OF)	
THE SOCIAL SECURITY ADMINISTRATION)	
)	
Defendant.)	

SUPPLEMENTAL DECLARATION OF DAWN S. WIGGINS

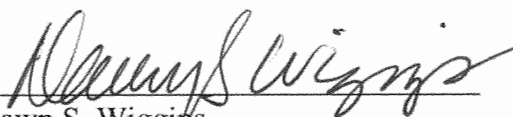
I, Dawn S. Wiggins, Deputy Executive Director of the Office of Privacy and Disclosure in the Office of General Counsel at the Social Security Administration (SSA), do hereby declare as follows:

1. I am employed at SSA in Baltimore, Maryland. I have been Deputy Executive Director for the Office of Privacy and Disclosure (OPD), the SSA office responsible for responding to Freedom of Information Act (FOIA), 5 U.S.C. § 552, requests, since October 2008.
2. As part of my duties and responsibilities, I act as SSA’s Freedom of Information Officer and Privacy Officer. As such, I am delegated the responsibility for reviewing all initial FOIA requests and determining whether information should be released to the public. See 20 C.F.R. § 402.125. I have personal knowledge of the procedures that SSA employs in handling FOIA requests for records and in handling requests for the disclosure of information pursuant to the Privacy Act, 5 U.S.C. § 552a. In addition, I have personal knowledge of SSA’s records and systems that contain records.
3. On or about October 15, 2012, SSA received an internet FOIA request for the Social Security number (SSN) records of Harry J. Bounel, also known as, Harrison Bounel. Outside of name and gender, the only identifiable information provided to SSA with the October 15, 2012 FOIA request was an SSN. Plaintiff was not the requester in the October 15, 2012 FOIA request.
4. SSA conducted a search of its Privacy Act system of records entitled the Master Files of Social Security Number Holders and SSN Applications (also known as the “Numident”), System No. 60-0058 (published at 75 F.R. 82121 (Dec. 29, 2010)) for the SSN records requested in the October 15, 2012 FOIA request. However, because the October 15, 2012 FOIA request only provided Mr. Bounel’s name and an SSN, any information provided to the requester about SSA’s search would result in validation of the SSN. Consequently, on November 16, 2012, when SSA responded

to the October 15, 2012 FOIA request, SSA advised the requester that the Privacy Act of 1974 and FOIA exemption 6 restricts disclosure of the requested information.

5. Plaintiff's April 26, 2013 FOIA request provided several pieces of information that Plaintiff asserts are true about Mr. Bounel, including: (1) his name, (2) where he immigrated from, (3) his year of birth, (4) when he arrived in the United States, (5) where and when he received a SSN, and (6) his SSN. SSA conducted a search of the Numident for a record that matched the information provided by Plaintiff but could not locate a record for Mr. Bounel. Because Plaintiff provided multiple pieces of identifying information with her FOIA request, SSA determined it could disclose to Plaintiff that no records were located because such disclosure would not result in validation of the SSN provided by Plaintiff for Mr. Bounel.
6. Plaintiff has made multiple FOIA requests to SSA and initiated previous lawsuits for information about the SSN she asserts belongs to Mr. Bounel. *See Taitz v. Astrue*, 806 F.Supp.2d 214, 217 (D.D.C. 2011), *aff' d*, No. 11-5304, 2012 U.S. App. LEXIS 10713 (D.C. Cir. May 25, 2013); *Taitz v. Obama*, 707 F.Supp.2d 1 (D.D.C. 2010), *recons. denied*, 754 F.Supp.2d 57 (D.D.C. 2010).
7. SSA has consistently withheld information about the SSN Plaintiff asserts belongs to Mr. Bounel under FOIA exemption 6 and the Privacy Act. In addition, SSA has previously advised Plaintiff that SSA cannot disclose information about the SSN she asserts belongs to Mr. Bounel because the individual holding the SSN is living.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed on September 13, 2013 in Baltimore, Maryland.


Dawn S. Wiggins
Deputy Executive Director for the
Office of Privacy and Disclosure
Social Security Administration