

103^D CONGRESS
2^D SESSION

H. R. 3919

To restrict the use of social security account numbers to purposes related to social security and other social services.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 28, 1994

Mr. BLUTE (by request) introduced the following bill; which was referred jointly to the Committees on Ways and Means and Government Operations

A BILL

To restrict the use of social security account numbers to purposes related to social security and other social services.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Social Security Privacy
5 Act of 1994”.

6 **SEC. 2. FINDINGS AND DECLARATION OF POLICY.**

7 (a) FINDINGS.—The Congress finds the following:

8 (1) The social security account number is a
9 very effective and powerful method of identifying in-
10 dividuals in modern society and its use must there-

1 for be restricted if reasonable levels of privacy are
2 to be maintained.

3 (2) Numerous citizens concerned for their pri-
4 vacy have petitioned the Congress that use of their
5 social security account numbers at all levels of gov-
6 ernment be restricted.

7 (b) DECLARATION OF POLICY.—It is therefore the
8 policy of the Congress to restrict the use of the social secu-
9 rity account number to purposes most directly related to
10 social security and other social services.

11 **SEC. 3. RESTRICTIONS ON USE OF SOCIAL SECURITY AC-**
12 **COUNT NUMBERS.**

13 (a) IN GENERAL.—So much of section 205(c)(2)(C)
14 of the Social Security Act (42 U.S.C. 405(c)(2)(C)) as
15 precedes clause (iii) is amended to read as follows:

16 “(C)(i) Except to the extent otherwise provided in
17 this subsection or to the extent otherwise provided in any
18 other provision of Federal law specifically referring to this
19 subparagraph, it shall be unlawful for the Federal Govern-
20 ment, any State (or political subdivision thereof), or any
21 agency thereof—

22 “(I) to deny to any individual any right, bene-
23 fit, or privilege provided by law because of such indi-
24 vidual’s refusal to disclose his or her social security
25 account number assigned by the Secretary, or

1 “(II) to utilize, without the individual’s written
2 consent, any number consisting in whole or in part
3 of the individual’s social security account number as-
4 signed by the Secretary, or any derivative thereof, for
5 purposes of identifying the individual.

6 Any Federal, State, or local government agency which re-
7 quests an individual to disclose his or her social security
8 account number shall inform such individual whether that
9 disclosure is mandatory or voluntary, by what statutory
10 or other authority such number is solicited, and what uses
11 will be made of it.

12 “(ii) Any State (or political subdivision thereof) may,
13 in the administration of any general public assistance law
14 within its jurisdiction, utilize the social security account
15 numbers issued by the Secretary for the purpose of estab-
16 lishing the identification of individuals affected by such
17 law, and may require any individual who is or appears to
18 be so affected to furnish to such State (or political subdivi-
19 sion thereof) or any agency thereof having administrative
20 responsibility for such law, the social security account
21 number (or numbers, if he or she has more than one such
22 number) issued to him or her by the Secretary.”.

23 (b) ADDITIONAL AMENDMENTS.—Section
24 205(c)(2)(C) of such Act is further amended—

1 (1) by striking the clause (iii) added by section
2 2201(b)(3) of Public Law 101-624 (relating to ad-
3 ministration of section 506 of the Federal Crop
4 Insurance Act); and

5 (2) in clause (v), by striking “general public as-
6 sistance, driver’s license, or motor vehicle registra-
7 tion law” and inserting “general public assistance
8 law”, and by striking “the laws referred to in clause
9 (i)” and inserting “such law”.

10 (c) CLERICAL AND CONFORMING AMENDMENTS.—

11 (1) Section 205(c)(2)(C) of such Act is further
12 amended—

13 (A) in the first sentence of clause (iv), by
14 striking “subclause (I) of”;

15 (B) by striking the second sentence of
16 clause (iv); and

17 (C) by striking the clause (vii) added by
18 section 1735(b) of Public Law 101-264, and, in
19 subclause (IV) of the remaining clause (vii), by
20 inserting “, or a request therefor,” after “num-
21 ber”.

22 (2)(A) Section 205(c)(2)(D) of the Social Secu-
23 rity Act (42 U.S.C. 405(c)(2)(D)) (relating to re-
24 quirement of blood donors to furnish social security
25 account numbers) is repealed.

1 (B) Section 1141(c) of such Act (42 U.S.C.
2 1320b-11(c)) (relating to Blood Donor Locator
3 Service) is amended by inserting “(if disclosed by
4 the blood donor to the authorized person making the
5 request)” after “social security account number”.

6 (3) Section 7 of the Privacy Act of 1974 (Pub-
7 lic Law 93-579; 88 Stat. 1909) is repealed.

8 (d) EFFECTIVE DATE AND TRANSITIONAL RULES.—

9 (1) EFFECTIVE DATE.—The amendments made
10 by this section shall take effect January 1, 1995.

11 (2) STATE TAX LAWS.—The amendments made
12 by this section shall not apply with respect to the
13 use, on or after January 1, 1995, by an agency of
14 a State (or a political subdivision thereof) of an indi-
15 vidual’s social security account number disclosed to
16 such State (or political subdivision) before such date,
17 if—

18 (A) the disclosure of such number was re-
19 quired under a tax law of such State (or such
20 political subdivision) prior to such date,

21 (B) the disclosure was for the purpose of
22 maintaining a system of records which was in
23 existence and operating before such date, and

1 (C) the use of such number on or after
2 such date is restricted solely to the administra-
3 tion of such tax law.

4 (3) DRIVER'S LICENSE AND MOTOR VEHICLE
5 REGISTRATION.—The amendments made by this sec-
6 tion shall not apply with respect to driver's licenses
7 issued, or motor vehicle registrations executed, be-
8 fore January 1, 1995, until the respective renewal
9 dates thereof on or after such date.

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