

Assembly Joint Resolution No. 9—Committee on
Constitutional Amendments

FILE NUMBER.....

ASSEMBLY JOINT RESOLUTION—Urging the Congress of the United States to repeal a provision of federal law that requires each state to record the social security number of a citizen on an application for a driver's license and on applications for certain other licenses, permits and certificates issued by the state for the state to receive certain federal funding.

WHEREAS, Congress has amended the provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, 42 U.S.C. § 666(a)(13)(A), effective October 1, 2000, concerning the identification of parents who are delinquent in child support payments; and

WHEREAS, For a state to be eligible to receive certain federal funding, the amendments to 42 U.S.C. § 666(a)(13)(A) require the state to have in place certain procedures to record the social security number of a citizen on an application for a driver's license and on the applications for many other licenses, permits and certificates issued by the state; and

WHEREAS, The provisions are intended to aid in the identification of parents who are delinquent in child support payments, however, the provisions apply to each person who applies for a driver's license or for many other types of licenses, permits or certificates issued by the state, whether or not the person is delinquent in child support payments; and

WHEREAS, The provisions violate the fundamental principle of states' rights recognized by the Tenth Amendment to the Constitution of the United States of America by infringing on the states' traditional right to regulate matters of family law; and

WHEREAS, The provisions violate the fundamental right of law-abiding citizens to be secure from unreasonable government intrusion, surveillance and monitoring; and

WHEREAS, The Federal Government often uses social security numbers to collect personal, family, financial and medical information of law-abiding citizens without their knowledge or consent; and

WHEREAS, The collection of such personal information is increasing, and the opportunity for the Federal Government to abuse that information violates the fundamental right of law-abiding citizens to be free from unreasonable government intrusion, surveillance and monitoring; and

WHEREAS, The widespread use of social security numbers has contributed to the increasing incidence of identity theft and has left law-abiding citizens vulnerable to persons and business organizations who unlawfully use the personal information of citizens without their knowledge or consent; and

WHEREAS, The provisions have received criticism from other states, including Michigan where the Secretary of State has filed an action in a United States District Court to enjoin the enforcement of the provisions; and

WHEREAS, The collection of social security numbers from law-abiding citizens causes state and local governments to violate the fundamental right of citizens to be secure from unreasonable government intrusion, surveillance and monitoring; now, therefore, be it

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That the State of Nevada expresses strong disapproval of the provisions of 42 U.S.C. § 666(a)(13)(A) which require each state to have in place procedures to record the social security number of a citizen on an application for a driver's license and on applications for many other licenses, permits and certificates issued by the state; and be it further

RESOLVED, That the members of the Nevada Legislature respectfully urge the Congress of the United States to repeal those provisions of 42 U.S.C. § 666(a)(13)(A); and be it further

RESOLVED, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the President of the United States, the Vice President of the United States as the presiding officer of the Senate, the Speaker of the House of Representatives and each member of the Nevada Congressional Delegation; and be it further

RESOLVED, That this resolution becomes effective upon passage.