

DISCLAIMER

Electronic versions of the exhibits in these minutes may not be complete.

This information is supplied as an informational service only and should not be relied upon as an official record.

Original exhibits are on file at the Legislative Counsel Bureau Research Library in Carson City.

Contact the Library at (775) 684-6827 or library@lcb.state.nv.us.

AJR9 Privacy Resolution Passes 2001 Legislature

AJR9 - 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.

Vote on AJR9 Nevada State Senate June 2, 2001

21 Yea 0 Nay 0 Excused 0 Not Voting 0 Absent

Mark Amodei	Yea
Terry Carr	Yea
Maggie Carlton	Yea
Bob Coffin	Yea
Lawrence E. Jacobsen	Yea
Mark A. James	Yea
Bernice Mathews	Yea
Mike McGinness	Yea
Joseph Neal	Yea
Ann O'Connell	Yea
William R. O'Donnell	Yea
Jon C. Porter	Yea
William J. Raggio	Yea
Raymond D. Rawson	Yea
Dean A. Rhoads	Yea
Michael Schneider	Yea
Raymond C. Shaffer	Yea
Dina Titus	Yea
Randolph J. Townsend	Yea
Maurice E. Washington	Yea
Valerie Wiener	Yea

Vote on AJR9 on Assembly Final Passage May 25, 2001

31 Yea 10 Nay 1 Excused 0 Not Voting 0 Absent

Bernie Anderson	Yea
Sharron E. Angle	Yea
Morse Arberry Jr.	Nay
Douglas A. Bache	Yea
Bob Beers	Excused
Merle Berman	Yea
Greg Brower	Yea
David Brown	Yea
Barbara E. Buckley	Nay
John C. Carpenter	Yea
Barbara K. Cagavaks	Yea
Vonne S. Chowning	Yea
Jerry D. Claborn	Yea
Tom Collins	Yea
Marcia de Braga	Yea
Joseph E. Dini, Jr.	Yea
Vivian L. Freeman	Nay
Dawn Gibbons	Yea
Chris Gtunchigliani	Nay
David E. Goldwater	Nay
Don Gustavson	Yea
Lynn C. Hettrick	Yea
David E. Hunka	Yea
Ellen M. Koivisto	Nay
John J. Lee	Yea
Sheila Leslie	Nay
Mark A. Manendo	Yea
John W. Marvel	Yea
Kathy McClain	Nay
Harry Mortenson	Yea
P.M. "Roy" Neighbors	Yea
Dennis Nolan	Yea
John Ocaguera	Nay
Genie Ohrenschaal	Nay
David R. Parks	Yea
Bonnie L. Parnell	Yea
Richard D. Perkins	Yea
Bob Price	Yea
Debbie Smith	Yea
Sandra J. Tiffany	Yea
Kathleen (Kathy) A. Von Tassel	Yea
Wendell P. Williams	Yea

Identity Theft - Eagle Forum's Answer, AJR9

Identity theft is the fastest growing crime in the United States. Identity theft is most often accomplished with the use of the Social Security number.

With the help of Assemblyman Bob Price of Las Vegas, Nevada Eagle Forum had introduced into and passed by the Nevada State Legislature AJR 9 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, marriage license, and 180 other licenses and permits issued by the state.

In a hearing on Protecting Privacy and Preventing Misuse of Social Security Numbers before the Subcommittee on Social Security of the U.S. House Committee on Ways and Means May 22, 2001, John G. Huse, Jr., Inspector General of the Social Security Administration in Testimony stated the following:

"Misuse of the SSN, catalyzed by the Internet, has quickly become a national crisis. The SSN's universality has become its own worst enemy. The power it wields - power to engage in financial transactions, power to obtain personal information, power to create or commandeer identities - makes it a valuable asset and one that is subject to limitless abuse. . .

"Identity Theft begins, in most cases, with the misuse of a SSN, and while the ability to punish Identity Theft is important, the ability to prevent it is even more critical.

"First and foremost, the time has come to put the SSN back into its box. We as a Government created the SSN, and we as a Government must control it. . . The SSN is a unique identifier, and its quotidian use as an I.D. number by schools, hospitals, and other institutions is understandable - but

dangerous. Its use by Federal, State, and local governments not only for taxes and other legitimate purposes, but for everything from drivers' licenses to water and sewer bills, is a convenience that we can no longer afford. Its use in private industry, not just for financial transactions, but for joining a health club or buying a refrigerator, has become reckless. And its ready availability over the Internet must come to a stop.

"We need legislation that limits the use of the SSN to those purposes that benefit the holder of the SSN. . . legislation that regulates the use of the SSN and provides enforcement tools to punish its misuse. . . With certain legislated exceptions, no private citizen, no business interest, and no ministerial government agency should be able to sell, display, purchase, or obtain any individual's SSN, nor should they be able to use any individual's SSN to obtain other personal information about the individual. . .

"The prevalence of SSN misuse cannot be denied. In Fiscal Year 2000 our office received 82,847 allegations. Over half of them, 46,840, were allegations of SSN misuse, and another 43,456 were allegations of program fraud, which experience has shown us often include implications of SSN misuse. We are involved now in a joint investigation with another Federal law enforcement agency in which lists of names and SSN's were being sold to the highest bidder on an Internet auction site. . . the source of the lists was a university. This highlights the need to stop the indiscriminate use of SSN's as I.D. numbers. . . nothing in the Social Security Act currently prohibits the sale of SSN information.

[We need] legislation that limits the use of SSN's and provides sanctions for violations, and legislation which criminalizes the sale and purchase of SSN information. . .