

HB

311

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THE POOR QUALITY OF THE ORIGINAL

Testimony by: Denny Ray Weathers
For: House Bill 311
In: House Judiciary

Mr. Chairman:

HB 311 is a great piece of legislation. I only request that it be amended to include Non-commercial driver's licenses, Commercial fishing permits & crew licenses. Contrary to what some Legislators say...there is no federal law requiring the State to obtain SSN for the above rights, benefits or priv. eges.

Remember that SCS CSRB 344(FIN) am S that passed in 1998 (cover copy inclosed) was made under duress from the federal government which would lead me to believe that the legislators were opposed to it from the beginning and were blackmailed into passing it.

Inclosed with my written testimony please find a copy of the CRS Report for Congress, chronology of developments affecting use of the social security number which was mailed from Washington, D.C. on April 18, 1994 as verification of my following statements:

1965 Enactment of social security act. My note: this was a federal act not a State act.

1971 The social security administration issues a task force report on issues raised by nonprogram SSN use. The task force report proposes that SSN take a cautious and conservative position toward SSN use and do nothing to promote the use of the SSN as an identifier.

1974 Congress enacts the Privacy Act of 1974, Pub. L. 93-579 which limits governmental use of the SSN. The federal government and State and local governments are prohibited from withholding a right, benefit or privilege from a person simply because the individual refuses to furnish his or her SSN, except under certain circumstances, such as when required by federal law, or under certain grandfathered systems of record...My note: there is no federal law or grandfather clause requiring a SSN for non-commercial State driver's licenses or any of the State fishing and hunting licenses, tags or permits.

1976 section 1211(b) of the same Act, Pub. L. 94-455, authorizes States to use the SSN in the administration of any tax, general public assistance, driver's license or motor vehicle registration law...My note: the federal government did not require the use it only authorized the State the right to use SSN's if the State wanted to.

1986 section 12006 of the Commercial Motor Vehicle Safety Act of 1986, Pub. L. 99-570, gives the Secretary of Transportation authority to require that a State include a driver's SSN on commercial vehicle licenses. 49 U.S.C. App. ss2705. My note: here it does require the State to get a SSN.

Summary: The State is only required by federal law to get an SSN for those persons receiving federal benefits (public assistance, federal child support, food stamps, SSI, AFDC, WIC, unemployment programs), blood donors or a commercial vehicle license within the State other than that there is no requirement. Please note that Michigan the 26th State admitted to the union and New Mexico the 47th state to be admitted to the union do not require a SSN for identification and they have not lost their federal monies. Be advised that the People of Montana at present are working on an initiative to repeal there State SSN laws as well as a law suit against the State.

The reason that the federal government can not make a federal law that requires the State to collect a SSN for everyone is because the Constitution of the united states of America will not allow it, remember Article X. The powers not delegated to the united states by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

Please pass RB 311 and quit selling us out to the federal government.

Douglas Wood
 Third Judicial District
 c/o PO Box 1791
 Cordova, Alaska
 No. ~~1791~~ 1791

CRS Report for Congress

The Social Security Number: Chronology of Federal Developments Affecting Its Use

Kathleen S. Swendiman
Legislative Attorney
American Law Division

November 21, 1991



Congressional Research Service • The Library of Congress

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Chronology of Developments Affecting Use of the Social Security Number¹⁰

- 1935 -- Enactment of the Social Security Act, with authority for development of appropriate record keeping and identification scheme. Section 807(b) of Pub. L. 74-271.
- 1937 -- By June 30, 1937, approximately 30 million applications for Social Security Numbers are processed.
- 1943 -- Executive Order 9397, issued by President Roosevelt, authorizes the use of the SSN as a Federal Government identifier. 3 C.F.R. (1943-1948 Comp.) 283-284 (1943).
- 1961 -- The Civil Service Commission adopts the SSN as the official employee identification number.
- Pub. L. 87-397 adds Section 6109 to the Internal Revenue Code, which authorizes the use of identifying numbers for tax purposes. 26 U.S.C. § 6109.
- 1962 -- The Internal Revenue Service adopts the SSN as the official taxpayer identification number.
- 1964 -- Treasury Department, via internal policy, requires buyers of series H savings bonds to provide their SSNs.
- 1966 -- The Veterans Administration begins to use the SSN as the hospital admissions number and for patient recordkeeping.
- 1967 -- The Department of Defense, via a Secretary of Defense memorandum, adopts the SSN as the service number for all military personnel.
- 1970 -- The Treasury Department issues regulations under Section 101 of the Bank Records and Foreign Transactions Act, Pub. L. 91-508, requiring all banks, savings and loan associations, credit unions and brokers/dealers in securities to obtain the SSNs of all their customers. 12 U.S.C. § 1829b(c) and § 1730d. Also under Section 101, financial institutions are required to file a report with the IRS, including the SSN of the customer, of each deposit, withdrawal, exchange of currency or other payment or transfer

¹⁰ The principle Federal laws not covered in this chronology are those related to computer matching programs which use the SSN to cross match data from two or more Federal programs. For example, see 7 U.S.C. § 2025(e), which authorizes computer matching between food stamp recipients and Supplemental Security Income recipients for verification of income information. See generally, 5 U.S.C. § 552a(a)(8), (o), (p) (1988).

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involving more than \$10,000. 12 U.S.C. § 1829(e); see also 26 U.S.C. § 6050I(b).

- 1971 -- The Social Security Administration issues a task force report on issues raised by nonprogram SSN use. The task force report proposes that SSA take a "cautious and conservative" position toward SSN use and do nothing to promote the use of the SSN as an identifier.
- 1972 -- The Secretary of HEW (now HHS) is required, pursuant to Section 137 of the Social Security Amendments of 1972, Pub. L. 92-603, to issue SSNs to all aliens permitted to work in the United States, as well as to all recipients of benefits paid for by Federal funds. 42 U.S.C. §§ 405(c)(2)(B)(i)(I) and (II). The Secretary is authorized to issue SSNs to children below school age at the request of parents and guardians and to children of school age at their time of enrollment. 42 U.S.C. § 405(c)(2)(B)(iv) and (v). This section also requires the Secretary to obtain evidence establishing age, citizenship, or alien status of applicants of SSNs. 42 U.S.C. § 405(c)(2)(B)(ii).
- Section 130(a) of Pub. L. 92-603 also adds subsection (g) to Section 208 of the Social Security Act, setting forth penalties for furnishing false information to obtain a SSN and for deceptive practices involving SSNs. 42 U.S.C. § 408(g).
- 1973 -- Buyers of series E savings bonds are required by the Treasury Department to provide their SSN's.
- 1974 -- Congress enacts the Privacy Act of 1974, Pub. L. 93-579 which limits governmental use of the SSN. The Federal Government and State and local governments are prohibited from withholding a right, benefit or privilege from a person simply because the individual refuses to furnish his or her SSN, except under certain circumstances, such as when required by Federal law, or under certain grandfathered systems of records maintained by a governmental entity prior to 1975. 5 U.S.C. § 552a.
- 1975 -- Under Section 101(c)(5)(C) of the Social Services Amendments of 1974, Pub. L. 93-647, disclosure of an individual's SSN becomes a condition of eligibility for AFDC benefits. 42 U.S.C. § 602(a)(25) and § 654.
- 1976 -- Section 1211(a) of the Tax Reform Act of 1976, Pub. L. 94-455, makes misuse of the SSN for any purpose a violation of the Social Security Act. 42 U.S.C. § 408(g).

Section 1211(b) of the same Act, Pub. L. 94-455, authorizes States to use the SSN in the administration of any tax, general public

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assistance, driver's license or motor vehicle registration law and to require individuals affected by such laws to furnish their SSNs to the States. 42 U.S.C. § 405(c)(2)(C)(i). In addition, States are permitted to use the SSN for responding to requests for information from any agency operating pursuant to the Aid to Families with Dependent Children program and the Child Support and Establishment of Paternity program. 42 U.S.C. § 405(c)(2)(C)(iii).

Section 1211(c) of the same Act, Pub. L. 94-455, amends Section 6109 of the Internal Revenue Code to provide that the SSN be used as the tax identification number for all tax purposes. While the Treasury Department had been using the SSN as the tax identification number by regulation since 1962, this law codifies that requirement. 26 U.S.C. 6109(d).

- 1977 -- Section 4 of the Food Stamp Act of 1977, Pub. L. 96-58, authorizes the Secretary of the Department of Agriculture to require that the SSN of all household members be disclosed as a condition of eligibility for participation in the food stamp program. 7 U.S.C. § 2025(e).
- 1981 -- Section 803b of the Omnibus Reconciliation Act of 1981, Pub. L. 97-35, requires the disclosure of the SSNs of all adult members in the household of children applying for the school lunch program. 42 U.S.C. § 1758(d).

Under Section 916 of the Department of Defense Authorization Act, 1982, Pub. L. 97-86, the Director of Selective Service is authorized to require Selective Service registrants to submit SSNs when registering for the draft and requires the Secretary of HHS to furnish to the Director of Selective Service the names, dates of birth, addresses and SSNs of individuals required to register for the purpose of enforcement of the Military Selective Service Act. 50 U.S.C. App. §§ 453(f) and 462.

Section 4 of The Omnibus Reconciliation Act of 1981 - Social Security Benefits Act, Pub. L. 97-123, amends the Social Security Act to add alteration and forgery of a social security card to the list of prohibited acts and increases the penalties for such acts under Section 208 of the Social Security Act. 42 U.S.C. § 408.

Section 6 of the same law, Pub. L. 97-123, requires any Federal, State or local government agency to furnish the name and SSN of prisoners convicted of a felony to the Secretary of HHS, upon written request, in order to enforce suspension of disability benefits to certain imprisoned felons. 42 U.S.C. § 423.

- 1982 -- Section 4 of the Debt Collection Act of 1982, Pub. L. 97-365, requires all applicants for loans under any Federal loan program

to furnish their SSNs to the agency supplying the loan. 26 U.S.C. § 6103 note.

1983 -- Section 345 of the Social Security Amendments of 1983, Pub. L. 98-21, requires that the Secretary of HHS issue a social security card at the same time as an SSN is issued, and requires that new and replacement social security cards be made of banknote paper and (to the maximum extent practicable) not be subject to counterfeiting. 42 U.S.C. § 405(c)(2)(F).

1984 -- Section 146(a) of the Deficit Reduction Act of 1984, Pub. L. 98-369, amends Section 6050I of the Internal Revenue Code to require that persons engaged in a trade or business file a report (including SSNs) with the IRS for cash transactions over \$10,000. 26 U.S.C. § 6050I(a).

Section 422(b) of the same law, Pub. L. 98-369, amends Section 215 of the Internal Revenue Code to authorize the Secretary of HHS to prescribe regulations requiring a spouse paying alimony to furnish the Internal Revenue Service with the taxpayer identification number (i.e., SSN) of the spouse receiving alimony payments. 26 U.S.C. § 215.

Section 2651(a) of the same law, Pub. L. 98-369, requires that States have in effect an income and eligibility verification system meeting Federal standards for certain programs, and that SSNs be required as a condition for eligibility for benefits under such programs, which include the following: AFDC, Medicaid, Unemployment Compensation, Food Stamps, and SSI. 42 U.S.C. § 1320b-7(a)(1).

1986 -- Section 407(a) of the Higher Education Amendments of 1986, Pub. L. 99-498, requires student loan applicants to submit their SSN as a condition for eligibility. 20 U.S.C. § 1091(a)(4).

Section 1524 of the Tax Reform Act of 1986, Pub. L. 99-514, requires that any dependent age five or older listed on a tax return be identified by a SSN. 26 U.S.C. 6109(e).

Section 12006 of the Commercial Motor Vehicle Safety Act of 1986, Pub. L. 99-570, gives the Secretary of Transportation authority to require that States include a driver's SSN on commercial vehicle licenses. 49 U.S.C. App. §2705.

... Under Section 101(e) of the Immigration Control and Reform Act of 1986, Pub. L. 99-603, the Secretary of HHS is required to undertake a study of the feasibility and costs of establishing a SSN validation system for employment eligibility verification of

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aliens under 8 U.S.C. § 1324a, and of the privacy concerns that would be raised by the establishment of such a system.

1988 -- Section 165 of the Housing and Community Development Act of 1987, Pub. L. 100-242, authorizes the Secretary of the Department of Housing and Community Development to require disclosure of a person's SSN as a condition of eligibility for any HUD program. 42 U.S.C. § 3543(a).

Section 125 of the Family Support Act of 1988, Pub. L. 100-485, requires each State, in issuing birth certificates, to obtain the SSNs of the parents, unless the State determines that there is good cause for not furnishing such number. The SSNs are not to be recorded on the birth certificate but are to be used for child support enforcement activities. 42 U.S.C. § 405(r)(7).

Section 704(a) of the same law, Pub. L. 100-485, requires that any dependent age two and older listed on a tax return be identified by a SSN. 26 U.S.C. § 6109(e).

Section 8008 of the Technical and Miscellaneous Revenue Act of 1988, Pub. L. 100-647, authorizes any State and any authorized blood donation facility to require blood donors to furnish their SSN for purposes of identification. 42 U.S.C. § 405(c)(2)(D)(i) and § 1320b-11(c).

Section 7088 of Pub. L. 100-690, the Anti-Drug Abuse Act of 1988, deleted the \$5,000 and \$25,000 upper limits on fines that can be imposed for violations of Section 208 of the Social Security Act. The general limit of \$250,000 for felonies in Title 18 of the United States Code now applies to violations under the Social Security Act. 42 U.S.C. § 408(a).

1989 -- Section 202(b)(2)(A) of the Child Nutrition and WIC Reauthorization Act of 1989, Pub. 101-147, amends the National School Lunch Act to specify that the member of the household who executes the application for the school lunch program must furnish only the SSN of the parent or guardian who is the primary wage earner responsible for the care of the child for whom the application is made. Only if verification of the application data is necessary may the Secretary require the SSNs of all adult household members. 42 U.S.C. § 1758(d).

Section 2008 of Pub. L. 101-239, the Omnibus Budget Reconciliation Act of 1989, requires that the National Student Loan Data System, set up by the Secretary of the Department of Education, include, among other things, the names and SSNs of student loan borrowers. 20 U.S.C. § 1092(b).

4/10/2000

HB 311

My name is Tom Carpenter, I am a
Commercial fisherman and owner of
Whiskey Ridge Trading Co. - a sporting
goods store in Cordova. I am a
vendor of State fish & game
licenses and tags. Each year
half or more of residents/non
residents that purchase licenses
are very frustrated and angry.
They are required to divulge their
Social Security number, I would
also say 10% even refuse this
hunting/fishing illegally having no
license. This is truly a tracking
for the US Government. This
State ought to stand up for
itself for once. How this

State been insulted enough
by the Federal takeover of
our FISH & Game resources.
Please do not cave to Federal
Funding, lets stand on our
own feet. Please pass
house Bill 311.

Tom Coyne 4/10/2000.

From recent testimony, the so called
Blocked Social Security # is still
legible on the Departments
copy.

I support HB 311. Social Security #'s are for social security purposes only.

Eric Westhus
4-10-00
Box 1584 Cordova
Alaska

I support HB 311 in that the secret society # should be used on any state ID

Degmar Davis

Dear Dave:

Issue HB-311

I want to go on record as supporting this bill. I don't want my social security number on my hunting & fishing license. The social security number is a Federal identification number for my social security benefits. There is no reason for it to be on any State of Alaska documents. Please get it off the Hunting and Fishing license. Also put in an amendment to remove it from the Permanent Fund, Drivers License and my Commercial Entry Permit.

With all the write ups of people stealing other peoples identity and opening bank accounts, you are giving a dis-honest person all the information they need to steal from honest people.

Thank You for listening to my comments.
Resident 48 yrs of Cordova, Alaska

Sincerely:

Dean Curran

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Juneau, Alaska 99801-2105

MEMORANDUM

March 23, 1999

SUBJECT: Social Security Numbers on Hunting and Fishing Licenses (Work Order No. 21-LS0740)

TO: Representative Scott Ogan

FROM: Terri Lauterbach
Legislative Counsel *T. Lauterbach*

You have asked whether federal law requires social security numbers to be on applications for hunting and fishing licenses and, if so, whether the state could eliminate the related requirement that is currently in state law and forgo federal funds.

Federal law requires social security numbers to be on applications for "recreational licenses" but does not define that term. See copy of 42 U.S.C. 666(a)(13), enclosed. I have not located any attempt to define "recreational license" in federal regulations. In my opinion, the inclusion of hunting and fishing licenses is a reasonable interpretation of "recreational license."

This requirement is part of Congress' effort to improve child support enforcement and, thereby, to reduce use of governmental welfare payments to support a family that should be getting private child support but isn't. It is thought that social security numbers might be useful to locate a person who is delinquent on child support payments. Therefore, Congress requires the recording of social security numbers on many types of documents, including recreational licenses, as part of what a state must do in order to obtain federal funds for child support enforcement. In turn, having a child support enforcement program that meets federal requirements is part of what a state must do in order to get federal TANF/ATAP funds.

X The state may choose to be out of compliance with 42 U.S.C. 666(a)(13). Such an action would jeopardize not only the federal funds received for child support enforcement efforts but also federal funds received as block grant money for the TANF/ATAP program under AS 47.27. The Department of Revenue and the Department of Health and Social Services could provide more information about these amounts and/or the likelihood of federal sanctions, or you could authorize me to contact them on your behalf in regard to these matters.

Please let me know if I can be of further assistance.

TML:jdr
99-146.jdr
Enclosure

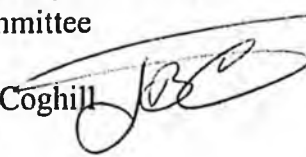
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State Capitol
Room 416

REPRESENTATIVE JOHN COGHILL

Date: April 12, 2000
To: Representative Pete Kott, Chairman
House Judiciary Committee
From: Representative John Coghill 
Re: HB 311

HB 311 passed out of House Resources Monday. I am requesting HB 311 be heard in House Judiciary at your earliest convenience and have attached back up for the legislation.

Thank you for your consideration.

ALASKA STATE HOUSE OF REPRESENTATIVES

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REPRESENTATIVE JOHN COGHILL

HB 311 Social Security Numbers & Recreational Licenses SPONSOR STATEMENT

A requirement to provide your social security number before obtaining a recreational hunting and fishing license was a recent federal mandate accepted by the legislature under the Smart Start legislation of 1998.

The reasoning for imposing the social security requirement for a casual license was to track people for child support enforcement agencies nationwide. While an integrated national system such as this may be efficient it is a double-edged sword. First, the requirement is an instrument for the abuse of privacy. Secondly the federal government tempts us to erode our constitutional responsibilities and rights through mandates that are accepted when taking federal funds.

Lets remember that our social security started in 1935 as a means of tracking earnings and benefit qualification for those workers who had jobs under this system. The social security number was never intended to be use for general identification purposes. Most importantly our social security number was not intended for invasion of anyone's privacy.

"The right to be left alone – the most comprehensive of rights, and the right most valued by free people."

Justice Louise Brandeis, *Olmstead v. U.S.* (1928)

"The right of the people to privacy is recognized and shall not be infringed."

Alaska State Constitution. Article 1, Section 22.

The privacy issue here is that information being gathered by vendors issuing licenses all over Alaska is available for purchase by anyone. The information of about 600,000 licensees can be purchased for \$350. While the social security number is purged from the database, the information provided on the application is collected by a vendor which is less secure.

The states' rights issue was created by a Supreme Court challenge by South Dakota of the federal mandate of legal drinking age requirement to receive federal highway funds. While the Court determined that the Tenth Amendment prevented the federal government from requiring states to impose a mandatory seatbelt law, the federal government did have the authority to withhold federal highway funds from a state that did not enforce a mandatory seatbelt law.

Since this decision, states have been surrendering individual and states' rights in return for federal dollars. We must ask our selves how much our individual and states' rights are worth.

Representative_John_Coghill@LEGIS.state.ak.us

FISCAL NOTE

Bill Version: HB 311
 (H) Publish Date: 4/10/00

STATE OF ALASKA
 2000 LEGISLATIVE SESSION

Revision Date/Time (Note if correction) _____ Dept. Affected _____ Revenue _____
 Title No Social Security Number Required BRU Child Support Enforcement Division
on Hunting and Fishing Licenses Component Child Support Enforcement Division
 Sponsor Representative Coghill
 Requester House Resources Component No. 111

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
CHANGE IN REVENUES	(77,000.0)	(77,000.0)	(77,000.0)	(77,000.0)	(77,000.0)	(77,000.0)

FUND SOURCE (Thousands of Dollars)

FUND SOURCE	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2000) cost:

POSITIONS

POSITIONS	FY 2001	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006
Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

According to federal law, Alaska will lose all of its federal funding for the child support division and public assistance (IV-A) programs if we do not have a law requiring that Social Security numbers be provided on applications for recreational hunting and fishing licenses. The federal funding lost will be over \$14 million a year for child support and \$63 million a year for public assistance.

Prepared by: Barbara Miklos Phone 269-6800
 Division Child Support Enforcement Division Date/Time 4/7/00 - 3 p.m.
 Approved by: Commissioner Wilson Condon Date 04/07/2000
 Agency Department of Revenue

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Tuesday, April 11, 2000

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News Article

Courier News/Services



Social Security thieves can do number on you

By JOHN LANG, Scripps Howard News Service

The government's got your number.

With the nine digits on your Social Security card, the government keeps track of you — where you live, where you work, how much you earn — and eventually, where to send your Social Security check.

So if somebody steals your number, what's also stolen is much of your life.

On the Social Security Administration's own Internet site, <http://www.ssa.gov>, is a history page that gives a serious lesson on what can go wrong.

The most misused Social Security number of all time was 078-05-1120.

It belonged to Hilda Whitcher, secretary to an executive at a wallet manufacturer, the E.H. Ferree Co.

When Social Security cards were first issued in 1936 they were a novelty to the public. In 1938, Whitcher's boss, Douglas Patterson, decided it would be a clever idea to show how the cards could be showcased in a wallet. He used Whitcher's actual number.

The wallet was sold by stores all over the country. Even though the card had "specimen" written across the face, many people who bought wallets somehow thought they were getting their personal Social Security numbers included.

Within five years, there were 5,755 people across the United States using Hilda Whitcher's number. Even though the Social Security Administration publicized the mistake and voided the number (Whitcher was



given a new number), the problem went on and on and on.

Ultimately, more than 40,000 people reported the number as their own. Even as late as 1977, a dozen people were found to be still using the number that was put in those wallets and sold at Woolworth's all over the country.



It was a real headache for Witcher. The FBI showed up at her door to ask about all those people using her number.

"I can't understand how people can be so stupid," she said. "I can't understand that."

The problem of your number getting in the wrong hands can be far more serious today because the power of the card is well understood by almost everyone. Lose your wallet, with license and credit cards inside, and you can lose your identity. There are numerous cases of people having their credit ruined by others who get their hands on both Social Security and credit card numbers.

"It was never meant to be a national identification number," says Social Security Administration spokesman Mark Hinkle. But he concedes, "Over the years it's become an identifier and it seems everywhere you go, people are asking for it."

However, Hinkle points out, "There's no law that says you have to give that number. No law requires its use for any other purpose than paying Social Security. We tell people it's a voluntary decision whether to give out that number."

Nobody but the Social Security Administration has the right to the number or to access its data on your earnings records or your benefit payments. "It's strictly confidential," says Hinkle.

The Social Security number has a billion combinations. Everybody's is different. To date 390 million have been used. That's just about 40 percent, with plenty of reserve, so the Social Security Administration has no plans to issue any dead person's number to anybody else.

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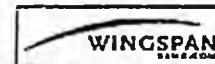
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COLUMN: Social Security Number should be kept private

Updated 12:00 PM ET April 7, 2000



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By Sohrab Ghassemi
The Hoya
Georgetown U.

(U-WIRE) WASHINGTON -- I suggest that the Georgetown University administration use an arbitrarily invented number as our student identification number instead of our Social Security number.

The use of our Social Security number as our student identification number raises enormously pressing privacy concerns. The Social Security number should remain a very private matter, given out in only the most appropriate and needed situations. The university's use of this number as our student ID number is inappropriate and misguided.

As a result of this usage, our Social Security number appears on our student ID cards (when it should only appear on one card, our Social Security card). The Social Security number does not even appear on a United States passport; we are given a separate passport number. Yet the Social Security number appears on the Georgetown student ID card. Moreover, we are often asked to write our "student identification number" on exam blue books and papers.

This number, though, is actually our Social Security number. Yates uses our Social Security number to admit us into their facilities. Munch Money transactions, on and off campus, use this number. Our Georgetown student telephone bills use our Social Security number as our account number. AT&T does not use my mother's Social Security number as her account number. We are asked to type in our Social Security number on an insecure line over the Internet in order to get to Student Access. And the list goes on.

All this usage of our Social Security number as our student ID number increases the chance that this very private number goes into the domain of public knowledge. This is dangerous. Second and third parties can access an abundance of information about a student by knowing their Social Security number. They can also fraudulently use your identity.

A student ID number should be just that, in its own right. Our Social Security number should not double as our student ID number. A

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university such as UCLA, with 35,000 plus students, uses arbitrary and newly invented numbers for their students' identification numbers. The Social Security number remains in the private domain and only is used under very special and exceptional circumstances. Georgetown is a small school; it can handle inventing numbers specifically to act as the student ID numbers. The fact that it is easier to use the Social Security number is no excuse. In fact, it ignores blatant privacy concerns. Social Security number usage is reserved for filling out federal census forms and IRS forms, not for entering a gymnasium or buying food from the campus store.

The Social Security number must not double as our student ID number. The latter number, due to its wide and open use, is very much in the public domain. The Social Security number should not be. Each student should be given a Georgetown student identification number for use in university-related matters. The Social Security number must not be this number. When you want to buy Domino's and use Munch Money, and they ask for your student ID number, this is more or less harmless. But when that number is your Social Security number, as it is now, that knowledge in the broader public domain is dangerous.

In fact, it is in Georgetown University's interest to stop using our Social Security number as our student ID number. They are setting themselves up for a series of lawsuits regarding the negligent and careless use of students' Social Security numbers. It is, after all, only a matter of time before this precious number, as a result of university policy, falls into the wrong hands. This especially is a problem in this information age with the growing Internet-ization of the United States.

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Sec. 666. Requirement of statutorily prescribed procedures to improve effectiveness of child support enforcement

- (a) Types of procedures required
 In order to satisfy section 654(20)(A) of this title, each State must have in effect laws requiring the use of the following procedures, consistent with this section and with regulations of the Secretary, to increase the effectiveness of the program which the State administers under this part:
- (1)
 - (A) Procedures described in subsection (b) of this section for the withholding from income of amounts payable as support in cases subject to enforcement under the State plan.
 - (B) Procedures under which the income of a person with a support obligation imposed by a support order issued (or modified) in the State before January 1, 1994, if not otherwise subject to withholding under subsection (b) of this section, shall become subject to withholding as provided in subsection (b) of this section if arrearages occur, without the need for a judicial or administrative hearing.
- (2) Expedited administrative and judicial procedures (including the procedures specified in subsection (c) of this section) for establishing paternity and for establishing, modifying, and enforcing support obligations. The Secretary may waive the provisions of this paragraph with respect to one or more political subdivisions within the State on the basis of the effectiveness and timeliness of support order issuance and enforcement or paternity establishment within the political subdivision (in accordance with the general rule for exemptions under subsection (d) of this section).
- (3) Procedures under which the State child support enforcement agency shall request, and the State shall provide, that for the purpose of enforcing a support order under any State plan approved under this part -
 - (A) any refund of State income tax which would otherwise be payable to a noncustodial parent will be reduced, after notice has been sent to that noncustodial parent of the proposed reduction and the procedures to be followed to contest it (and after full compliance with all procedural due process requirements of the State), by the amount of any overdue support owed by such noncustodial parent;
 - (B) the amount by which such refund is reduced shall be distributed in accordance with section 657 of this title in the case of overdue support assigned to a State pursuant to section 608(a)(3) or 671(a)(17) of this title, or, in any other case, shall be distributed, after deduction of any fees imposed by the State to cover the costs of collection, to the child or parent to whom such support is owed; and
 - (C) notice of the noncustodial parent's social security

State shall review and, if the requesting party demonstrates a substantial change in circumstances, adjust the order in accordance with the guidelines established pursuant to section 667(a) of this title.

- (C) Notice of right to review. - Procedures which require the State to provide notice not less than once every 3 years to the parents subject to the order informing the parents of their right to request the State to review and, if appropriate, adjust the order pursuant to this paragraph. The notice may be included in the order.
 - (11) Procedures under which a State must give full faith and credit to a determination of paternity made by any other State, whether established through voluntary acknowledgment or through administrative or judicial processes.
 - (12) Locator information from interstate networks. - Procedures to ensure that all Federal and State agencies conducting activities under this part have access to any system used by the State to locate an individual for purposes relating to motor vehicles or law enforcement.
 - (13) Recording of social security numbers in certain family matters. - Procedures requiring that the social security number of -

- (A) any applicant for a professional license, driver's license, occupational license, recreational license, or marriage license be recorded on the application;
 - (B) any individual who is subject to a divorce decree, support order, or paternity determination or acknowledgment be placed in the records relating to the matter; and
 - (C) any individual who has died be placed in the records relating to the death and be recorded on the death certificate.
- For purposes of subparagraph (A), if a State allows the use of a number other than the social security number to be used on the face of the document while the social security number is kept on file at the agency, the State shall so advise any applicants.

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- (14) High-volume, automated administrative enforcement in interstate cases. -
 - (A) In general. - Procedures under which -
 - (i) the State shall use high-volume automated administrative enforcement, to the same extent as used for intrastate cases, in response to a request made by another State to enforce support orders, and shall promptly report the results of such enforcement procedure to the requesting State;
 - (ii) the State may, by electronic or other means, transmit to another State a request for assistance in enforcing support orders through high-volume, automated administrative enforcement, which request -
 - (I) shall include such information as will enable the State to which the request is transmitted to compare the

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HB 311

MINUTES OF STATE GAME COMMISSION MEETING

April 8, 1999
State Capitol, Room 307
Santa Fe, New Mexico

Agenda Item No. 1... Meeting Called To Order

Meeting was called to order at 9:15 am.

Agenda Item No. 2...Roll Call - Jerry Maracchini

Secretary Maracchini calls roll of Commissioners

Bill Brininstool - Present
Gail Cramer - Present
George Ortega - Present
Steve Padilla - Present
Steve Emery - Present
Bud Hettinga - Present
Steve Doerr - Present

Chairman Brininstool - Introduces Commissioner Emery and states that he is representing District 5 and that Commissioner Padilla has been re-appointed.

Jerry Maracchini - States for the audience that there is a new procedure for audience participation. When a member of the public wishes to speak on a particular agenda item they will need to fill out one of the participation cards that will be located on the table with the extra copies of the agenda. These cards then need to be presented to the recording secretary prior to the agenda item being presented.

Commissioner Hettinga - Asks if we will allow many members of one organization to speak or if we will require that they get together and present their comments all at one time.

Jerry Maracchini - States that if there is a large group of people who wish to speak on the same agenda item then it would be preferable if they all get together and have one person do the presenting for them. These cards also allow for those individuals who do not wish to get up and speak in public to present their comments in writing to the Commission.

Agenda Item No. 3...Closed Executive Session

MOTION: Commissioner Doerr makes a motion to go into closed executive session to discuss - director's performance with respect to personnel assignments, department organization and areas of emphasis and the legal implications of the Uniform Licensing Act relating to Outfitter's and the Rock Lake Hatchery delinquent lease. Commissioner Hettinga seconds.

VOTE: Roll call vote taken - all present voted in the affirmative. Motion passes unanimously.

Agenda Item No. 4...Approval of Minutes - January 6, 1999.

MOTION: Commissioner Doerr makes a motion to approve the minutes of the January 6, 1999 meeting

as presented. Commissioner Cramer seconds.

VOTE: Roll call vote taken - 6 of the 7 present voted in the affirmative. Commissioner Emery who was not present at the meeting chose not to vote. Motion carried.

Agenda Item No. 5...Consent Agenda

- Budget Report - Pat Block
- Auction of Department Vehicles and Equipment

Commissioner Hettinga - States he would like to have the budget report faxed or mailed to the commission so that they have time to review and then if there are no questions, they can just vote on it right away.

MOTION: Commissioner Hettinga makes a motion to approve the Consent Agenda. Commissioner Cramer seconds.

VOTE: Roll call vote taken - all present voted in the affirmative. Motion passes unanimously.

Agenda Item No. 6...1998-1999 Oryx Hunter Accommodations

Jerry Maracchini - Explains that back in January the Commission gave the Director the authority to negotiate with White Sands Missile Range to try and come up with a reasonable method of accommodating the oryx hunters who were successful in drawing a license but whose hunts were cancelled. We have done so and we had to come up with some type of intermediate plans to handle the hunters and we came up with the spring hunts. We realize that when we came up with the spring hunts that these are far different than those that the hunters originally applied for. So in order to be as accommodating as possible on the once-in-a-lifetime hunts, we are presenting an opportunity for those hunters who participated but were not successful or for those hunters who could not participate another opportunity to hunt this fall (1999-2000).

MOTION: Commissioner Hettinga makes a motion to approve Agenda Item #6 as proposed. Commissioner Doerr seconds.

Commissioner Cramer - Commends the Department with the way they have handled these hunts and feels that we have gone above and beyond what needed to be done.

Steve Henry - Thanks Commissioner Cramer for the comment. He acknowledges that Commissioner Hettinga should get some of the credit. We have had about 180 hunters and about 4 have not killed an oryx. We will probably have about 30 +/- that have chosen not to hunt. There are four or five more hunts still to be held. We feel that these hunts have been successful and according to the missile range they are getting a bigger selection of trophy oryx taken than there has ever been.

Commissioner Cramer - Asks if what the commission is voting on and that it may involve 30 - 40 people.

Steve Henry - More than likely. There may still be a different understanding among the hunters.

Bob Atwood - Just wanted to say thanks and feels that the people who did not get to participate be allowed to hunt next year.

Oscar Simpson - Offers his gratitude. His concern is that only the people who were not given the opportunity to hunt be allowed. He did not want to see the elimination of the once-in-a-lifetime hunts.

Stan Lundy - Would like the opportunity to go on his oryx hunt that he was not able to go on. He is concerned with the take it or leave it attitude that the letter he received portrayed.

Jerry Maracchini - We still do not have a guarantee that the hunts published for this year will even be

held.

Commissioner Hettinga - States he is optimistic about the hunting at WSMR.

Commissioner Ortega - Thanks Jerry for the job he did on one of the more controversial individuals from here in Santa Fe.

VOTE: Roll call vote taken - all present voted in the affirmative. Motion passes unanimously.

Agenda Item No. 7... Removal of "Once in a lifetime" restriction for 1998-1999 oryx hunters.

MOTION: Commissioner Hettinga makes a motion to remove Item No.7 from the agenda. Commissioner Ortega seconds.

VOTE: Roll call vote taken - all present voted in the affirmative. Motion passes unanimously.

Agenda Item No. 8...Social Security Number Requirements Discussion

Larry Bell - States that this was brought up because of some questions brought up by the public and commissioners. There are a variety of concerns and we just want to have a little discussion. Back in 1998 and maybe even in 1997 the Commission had concerns relating to the use of prisoner's inputting the application information. We were just about to have a solution for this and then the Parental Responsibility Act came along. As with other laws there are exceptions and this PRA has some of these exceptions and because of these we now need to collect this information on our applications.

MOTION: Commissioner Hettinga makes a motion to require the NM Department of Game and Fish to NOT collect SS# on applications or licenses in any form. Commissioner Doerr seconds.

Commissioner Hettinga - There are no safe guards and we have a lot of public outcry not to require this information. There are no safe guards on any of our information because we are a public agency and therefore anyone can come to our office and request this information. The NM Driver's licenses do not require SS#'s. Feels that if it is required then we should have a court order to direct us to collect this information.

Larry Bell - Just to make something a little more clear, if someone came into the office with a public inspection request, and since we can only collect a SS# for a specific purpose and only make it mandatory for a specific purpose. Then on any public records request that we receive where that number may be contained the SS# would have to be redacted from this request. As a matter of fact even before the SS# request we have always had requests from outfitters and such for information and we have taken the SS#'s off. As for driver's license the SS# does not show up on the license but it is asked for as part of the application and then that application is then retained in their files.

Alvin Garcia - Larry is correct in that SS#'s are redacted from any document requested through public records act. This advice from the Attorney General's office for all state agencies it that these numbers be taken off any public records. The State Human Services Department is tied to the enforcement of this act. There are federal monies tied to this act. The adoption of this motion may force his office to withdraw as counsel for the State Game Commission.

Commissioner Padilla - Mentioned the importance of this act and he opposed it because of the fact that it is not funded and does not reimburse the Department for loss of revenue.

Commissioner Hettinga - Feels that we should enforce the child enforcement act, but there are other ways to do this. The Department has lists and Human Services should provide a list of those in violation and the Department can then check their records and start the revocation. States that Alvin's version of how public records are given out is not how it happens, maybe it should but it does not always happen the correct way.

Alvin Garcia - The lists are required by Human Services Department. Lists that contain these SS#'s are checked against lists of those not in compliance. This is all done by data disks.

Chairman Brininstool - Feels that federal money would be lost and feels that we are hurting ourselves.

Oscar Simpson - Does not like the SS# requirement and if we have some sort of protocol to assure that the SS#'s were not given out then maybe more people would support this action. He would like for the Department to explore some way for the in the future of not having to use SS#'s.

Commissioner Hettinga - States that the Health and Human Services asks for names. Feels that there are ways to go about this and he feels that the Department would find a way without having to hold the license buyers' hostage.

Larry Bell - We get from Human Services a datadisk and on this disk is a list of SS# of those not in compliance and we then match it to what records we have. We would be more than happy to work with Human Services to find out if they would accept some other method. They are not only dealing with Game and Fish but all other agencies as well and that he cannot speak for them, but he will work with them.

VOTE: Roll call vote taken and Commissioner's Hettinga, Ortega, Emery and Padilla voted in the affirmative. Commissioner's Doerr, Cramer, and Brininstool voted in the negative. Motion carries with a 4 to 3 in the affirmative.

Larry Bell - Informs the commission that since we already have our licenses printed and distributed that we will try to conform to the wishes of the Commission.

Representative Begay - Introduces himself and states that he represents legislative district 4 which covers great deal of the Navajo Nation Reservation. He is from the NW portion of the state. A couple of years ago a bill was introduced regarding amphibians and reptiles. He introduced a bill this year and he received some support. Has done some research and has found that other states have restrictions on removing native species from their states and during the research he has discovered that New Mexico does not have similar restrictions and he would like to see some set in place. There are native amphibians and reptiles that are very important to his heritage. He would like the Department of Game and Fish to take a look at this and see what they can do to help.

Commissioner Hettinga - Asks Rep. Begay to get the Department a copy of the bill and the analysis and he would like to see this on the next agenda.

Rep. Begay - Yes, he would get us all of these copies and is willing to come for the next meeting if needed.

Commissioner Doerr - As he understands it, the Department does not have jurisdiction over these and asks if this bill allows for more personnel and funding.

Commissioner Padilla - Agrees with Commissioner Hettinga and with this on the next agenda he would like to see a copy of Representative Porter's bill. We need to analyze both bills together and see what the differences are.

Jerry Maracchini - States that he would like to answer Commissioner Doerr's question with regard to personnel and money. When we first analyzed the bill we are always cautious about additional personnel and money and the bill was modified as Rep. Begay mentioned to be a little bit more regulatory friendly to the commission. In other words it would have given the commission the authority to regulate only those species that it felt necessary instead of a blanket for all species. Feels that the next step would be for the Department to analyze and come up with legislation that it feels the Commission could support. The Commission was never afforded the opportunity to look at what the implications would be in regards to manpower and money

Commissioner Hettinga - Feels that we should investigate the TWW/OCS money and see how it could help with this.

Jerry Maracchini - States that if it ever happens yes it would go to help this.

Agenda Item No. 9...Deer Management Long-Range and Action Plan Update

Barry Hale - Gives the background on this subject and explains how we have gotten to where we currently are. We have updated the Long-Range Deer Management Plan and we have created a Deer Management Action Study.

We have identified the areas where we would like to

Criteria for Selecting Locations:

- Study location must have deer
- Study location has historic information on deer populations
- Land status should be primarily public, with cooperation from administering land management agency
- No depredation complaints about deer in the area
- Predator management must be an option

We have selected two areas: Unit 23 Burro Mountains and Unit 51 west of El Rito in the Carson National Forest. We have begun the planning effort for these areas.

For both areas:

- Deer - trap and collar (90), monitor (mortalities) and survey (mark/recapture and sightability)
- Predator - survey (scent stations, howl courts, etc), removal (ground/aerial), and monitor of removal.
- Areas - Two - Burro Mountains in Unit 23 and El Rito Area of Unit 51.
- Cost - average of \$400,000 per year.

We have some ground work that still needs to be laid before we can get the bulk of the work started. We need to hire the deer manager, complete the project plan, prepare FY2001 budget request and allocate FY 2000 budget for project.

We are looking to start the bulk of the work in FY2000 and we plan to: test predator survey techniques, initiate predator surveys, initiate deer sightability

Commissioner Hettinga - Asks if we were specifically asked not to institute one of these areas, Unit 51. He requests that we use an alternate area. He would also like for it all to be started at one time (law enforcement, habitat, etc).

Commissioner Padilla - Asks what the opposition to Unit 51.

Commissioner Hettinga - Feels that it is hard to get the law enforcement needed up there to enforce the poaching. It is hard to get in the middle of the Carson forest and the Gila country to get law enforcement out there all the time. We need to get it started where it will at least have a chance to work.

Commissioner Padilla - States that Utah has a program called dedicated hunter program. He asks if anyone knows what this is.

Commissioner Doerr - We also talked about trying to get in addition to these two areas we are going to try and improve the habitat in other areas of the state at the same time we are monitoring these two areas.

Santiago Gonzales - We have some preliminary plans to begin habitat work with Sikes Act money. We have started on the predator removal at this time because we thought it was the most controversial portion. We have not ignored the habitat request, but we just wanted to present this portion to see if we are on the correct track.

Commissioner Hettinga - Feels that Santiago Gonzales knows that if we just focus on predator removal