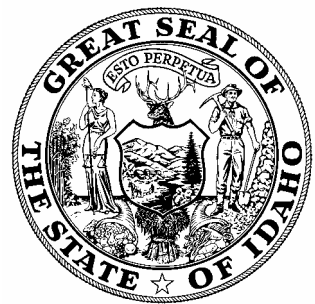


Use of Social Security Numbers for Drivers' Licenses, Permits, and Identification Cards

Federal Mandate Review
February 2005

Office of Performance Evaluations
Idaho Legislature



Review 05-01HTD

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Office of Performance Evaluations Idaho Legislature

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Executive Summary

Federal law requires all states to collect Social Security numbers (SSN) from driver's license applicants who have a Social Security number. Idaho has formalized this mandate in statute, and non-adherence to this requirement could jeopardize over \$49 million of federal grants. Federal law both mandates and allows the use of the SSN for a myriad of other non-Social Security purposes, including tax identification, general public assistance, and law enforcement. While federal law requires the collection of SSNs for drivers' licenses, Idaho's collection of these numbers for issuance of identification cards is not currently required by federal law. Pending federal legislation may, however, change that.

Because of the growing problem of identity theft, states have taken measures in recent years to safeguard and limit the disclosure and use of SSNs and other personal information. These efforts have included prohibiting denial of goods or services for refusal to disclose a Social Security number and implementing restrictions on how private and governmental entities can use SSNs. Idaho Code makes it unlawful to use someone else's personal information, including the SSN, without authorization and with the intent to obtain credit, money, goods, or services.

Federal mandate reviews examine federal legal requirements made of the state, associated federal funding, and state compliance with the requirements. Unlike performance evaluations, these reviews do not follow audit procedures and do not conclude with findings and recommendations. The chair of any standing committee or the Director of the Legislative Services Office may request a federal mandate review from the co-chairs of the Joint Legislative Oversight Committee, who may direct the Director of Legislative Performance Evaluations to undertake such review.

This review was completed at the request of the Chairman of the House Transportation and Defense Committee. Questions may be directed to the Office of Performance Evaluations, P.O. Box 83720, Boise, Idaho 83720-0055, or phone (208) 334-3880. The review is also available on our website at www.idaho.gov/ope/

At Issue

The Office of Performance Evaluations was asked to answer several questions regarding federal requirements relating to SSNs and its uses for non-Social Security purposes (see Appendix A):

- 1) Can US citizens avoid being issued a Social Security number? If so, based on what grounds?
- 2) Are there provisions in federal laws that require the SSN to be used for non-Social Security purposes?
- 3) Are there federal laws or regulations that mandate the state of Idaho to require the SSN for application for a state driver's license, driver's permit, or identification card?
- 4) If so, can the state remove this requirement without federal sanction?
- 5) Can the State of Idaho prohibit the use of the SSN for non-Social Security purposes?

Federal Legal Requirements

Question 1: Can US citizens avoid being issued a Social Security number? If so, based on what grounds?

Answer: Yes, individuals can avoid being issued a Social Security number simply by not applying for one, and parents can avoid SSNs being issued to their children by not opting for an automatic number when registering a birth. However, without exception, individuals applying for Social Security benefits are required by federal law to obtain a Social Security number.¹

Additional Information: The Social Security Act was signed into law by President Franklin D. Roosevelt in 1935. This law created a social insurance program to provide benefits to workers upon retirement based on earnings during their working years. In 1936, the Social Security Board began issuing SSNs to individuals as a method for employers to account for workers' earnings, upon which retirement benefits are based.²

¹ US Government Accountability Office (formerly known as the US General Accounting Office), *Social Security Numbers: Government Benefits from SSN Use but Could Provide Better Safeguards*, GAO-02-352 (May 2002), 6.

² *Ibid.*, 5.

Non-Social Security Uses of the Social Security Number

Question 2: Are there provisions in federal laws that require the SSN to be used for non-Social Security purposes?

Answer: Yes, many federal laws require the SSN to be used for non-Social Security purposes. For example, under federal laws passed in 1990, the US Department of Veterans Affairs requires individuals to provide their SSN as a condition of eligibility for compensation or pension benefits programs.³

1976 amendments to the Social Security Act authorized states to use the SSN for many purposes not directly related to receiving Social Security benefits.⁴ As a result, the SSN *may* be required as a condition of eligibility for federal programs such as Temporary Assistance for Needy Families (TANF) and food stamps. A limited list of federal laws between 1976 and 1998 allowing or requiring the use of the SSN is presented in Appendix B.

Additional Information: According to the US Government Accountability Office, the number of federal agencies and others relying on the SSN as an identifier has grown beyond the original intent. This relates to numerous federal laws that require the collection of SSNs, in addition to President Franklin D. Roosevelt's 1943 Executive Order directing federal agencies to use the SSN rather than create new identification numbers or systems.⁵

State Drivers' Licenses and the Social Security Number

Questions 3: Are there federal laws or regulations that mandate the State of Idaho to require the SSN for application for a state driver's license, driver's permit, or identification card?

Answer: Yes, federal law requires SSNs to be collected as part of applications for drivers' licenses and permits, but *not* for identification cards.

1996 and 1997 amendments to the Social Security Act *require* states to adopt laws governing the recording of SSNs on applications for licenses and permits of many kinds—including professional, driver's, occupational, and recreational licenses—for the enforcement of child support orders.⁶

³ 38 USC 5101(c)

⁴ 42 USC 405(c)(2)(C)(i)

⁵ US Government Accountability Office, *Social Security Numbers: Government Benefits from SSN Use but Could Provide Better Safeguards*, GAO-02-352 (May 2002), 6.

⁶ 42 USC 666(a)(13)

Idaho law requires applicants for drivers' licenses and permits to provide their SSN as part of the application process.⁷ Idaho Code has required collection of SSNs on driver's license applications since 1989.⁸ If an applicant has not been assigned a Social Security number, Idaho Code requires the applicant to:

- Provide written verification from the Social Security Administration that the applicant does not have a Social Security number
- Submit a birth certificate, passport, or other evidence of identity, *and*
- Submit proof of legal presence in the United States⁹

Idaho law requires applicants for identification cards to provide their SSN.¹⁰ We could find no federal law currently requiring the collection of SSNs for state *identification cards*. However, pending federal legislation may establish this requirement. Idaho Code requires the same standards of documentation for identification cards as are required for drivers' licenses.

Additional Information: According to the Government Accountability Office, as of December 2001, nearly all motor vehicle agencies collected SSNs in fulfillment of federal laws governing state's child support enforcement.¹¹ The state of Michigan unsuccessfully challenged the federal law requiring motor vehicle agencies to collect SSNs in federal court in 2001.¹²

In 2004, Congress passed legislation¹³ to establish and certify, within 18 months, minimum requirements for drivers' licenses and personal identification cards, including standards for documentation.¹⁴ The REAL ID Act of 2005 (HR 418), currently pending in Congress, proposes to further strengthen this law through additional verification measures.¹⁵

⁷ IDAHO CODE §§ 49-306, -321

⁸ 1989 IDAHO SESS. LAW 88

⁹ IDAHO CODE § 49-306

¹⁰ IDAHO CODE § 49-2443

¹¹ US Government Accountability Office, *Child Support Enforcement: Most States Collect Drivers' SSNs and Use Them to Enforce Child Support*, GAO-02-239 (February 2002), 3.

¹² *Ibid.*, 10.

¹³ The Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458)

¹⁴ Library of Congress, Congressional Research Service, *Intelligence Reform and Terrorism Prevention Act of 2004: National Standards for Drivers' Licenses, Social Security Cards, and Birth Certificates*, RL32722 (January 2005), CRS-1, 2; National Commission on Terrorist Attacks Upon the United States, *9/11 Commission Report* (2004), 390.

¹⁵ Both the REAL ID Act of 2005 (HR418) Title II §202 and the Driver's License Security and Modernization Act of 2005 (HR368) §3(c)(1)(C) pre-determine minimum standards for state-

Question 4: Can the state remove the requirement to collect SSNs for drivers' licenses without federal sanction?

Answer: No, if Idaho were to remove the requirement to collect SSNs for drivers' licenses, the state would be out of compliance with federal law, and could ultimately jeopardize annual federal child support enforcement (CSE) and Temporary Assistance for Needy Families (TANF) block grants.¹⁶ Officials from the Idaho Department of Health and Welfare reported that in fiscal year 2004 the department received nearly \$14 million from CSE and over \$35 million from TANF. Department officials said the loss of these federal dollars would prevent the collection of millions of dollars in child support payments.

Idaho's participation in the National Driver Register¹⁷—which allows Idaho to determine if an applicant has a suspended license in a different state, a procedure required by Idaho Code¹⁸—would also be affected by discontinuance of this requirement. Federal law requires states choosing to participate in the National Driver Register—including Idaho—to supply collected SSNs of all drivers subject to the Register.¹⁹

Additional Information: As shown in Exhibit 1, all of Idaho's six neighboring states require applicants to provide their SSNs as a condition for a driver's license. Like Idaho, none of these states currently print the number on the card itself. An official from Montana indicated that driver's license cards may have encoded Social Security information, such as in a barcode. Idaho Department of Transportation officials told us that such information is not contained in the driver's license card issued in Idaho.

Some state motor vehicle agencies are assisting with the implementation of the Help America Vote Act of 2002 by sharing driver's license numbers or "last four" digits of the SSN with appropriate voter registration agencies.²⁰

issued drivers' licenses *and* identification cards, including proof of a Social Security number or verification of ineligibility for a Social Security number.

¹⁶ US Government Accountability Office, *Child Support Enforcement: Most States Collect Drivers' SSNs and Use Them to Enforce Child Support*, GAO-02-239 (February 2002), 11.

¹⁷ The National Driver Register is a central data repository—including name, date of birth, gender, driver's license number, and SSN—on individuals whose licenses have been revoked, suspended, canceled or denied or who have been convicted of serious traffic-related offenses. According to the National Driver Register, all 50 states and the District of Columbia participate.

¹⁸ IDAHO CODE §§ 49-306(3), -323(2), -324, -105(17)

¹⁹ 49 USC 30304(b)(c); 49 CFR 383.73, -384.220

²⁰ The Help America Vote Act of 2002 (Title III, § 303) contains provisions requiring coordination of motor vehicle application and voter registration processes, and for this purpose, mandates the use of drivers' license numbers and "last four" SSN data collected by motor vehicle agencies.

Exhibit 1: Collection, Use, and Protection of SSNs by Motor Vehicle Agencies in Idaho and Neighboring States

	Idaho	Montana	Nevada	Oregon	Utah	Washington	Wyoming
License, permit or ID card requirement: Applicants issued an SSN	Disclosure of SSN	Disclosure of SSN ^a	Disclosure of SSN	Disclosure of SSN, for license or permit (not required for ID)	Disclosure of SSN	Disclosure of SSN ^a	Disclosure of SSN
License, permit or ID card requirement: Applicants not issued an SSN	SSA verification, ^b birth certificate, and demonstrated legal presence	SSA verification	Affidavit ^b	Affidavit	Individual Tax Identification Number (ITIN)	Affidavit	Notarized affidavit
Internal use	Authenticator ^c and identifier ^d	Authenticator and identifier	Authenticator and identifier	Collection only per federal law 42 USC 666(a)(13) and Oregon statute	Authenticator only	Authenticator only	Authenticator and identifier
Other agency access to SSNs	Child support enforcement (CSE) (Dept of Health and Welfare), courts ^e , law enforcement	CSE, criminal justice and authorized state agencies (per Help America Vote Act of 2002)	Law enforcement; report only to CSE	Report only to CSE; limited "last four" digits to state elections office (per Help America Vote Act of 2002)	Law enforcement, courts, all investigative agencies (including CSE)	Traffic Safety Commission, CSE; reports to law enforcement, courts, "cognizant public officials"	CSE, law enforcement, authorized state agencies
Measures to prevent internal misuse of information	Restrictions on internal access, fraud training, daily and periodic quality checks	No formal measures	Privacy law agreements, background checks, regular transaction audits	SSNs suppressed in records, internal access limited; privacy training, regular audits	No formal measures	Privacy policy	Privacy law agreements and screen advisories

Source: Office of Performance Evaluations analysis of state statutes and interviews with motor vehicle agency officials in Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming.

^a MONTANA CODE § 61-12-502, MONTANA ADMINISTRATIVE RULES § 23.3.147, and WASHINGTON CODE § 46.20.035 do not specifically require applicants for identification cards to provide their SSN, although the licensing departments in these states routinely request this information on applications.

^b Social Security Administration (SSA) verification—written verification that the applicant has not applied for or been granted a social security number. An affidavit is a testament by the applicant to the same.

^c Authenticator—an SSN used to authenticate or verify an applicant's identity.

^d Identifier—an SSN used internally to find or tag individual records within a system.

^e Court access to the SSN is limited to when the SSN is the same as the license number. This would occur only in cases where licenses issued before 1993 (when Idaho enacted laws prohibiting the use of the SSN as the license number) were renewed in absentee, such as by military personnel. IDAHO CODE § 49-306(2).

Prohibiting the Use of the Social Security Number

Question 5: Can the State of Idaho prohibit the use of the SSN for non-Social Security purposes?

Answer: The response to this question is provided in two categories: (1) public sector purposes, and (2) private sector purposes.

Public Sector

The federal Drivers Privacy Protection Act of 1994 outlined permissible uses for personal information collected by state motor vehicle agencies. This law allows states to determine the extent of information disclosure for specific activities, including:

- Government functions
- Civil, criminal, administrative, or arbitral proceedings in any federal, state, or local court or agency
- Research or statistical reporting, so long as personal information is not published, re-disclosed, or used to contact individuals
- Claims investigations by insurer or insurance support organizations²¹

According to the US Government Accountability Office, this federal law has restricted the ability of information resellers to obtain SSNs from driver records, except for permissible uses.²²

Idaho Code, mirroring this law, limits how personal information contained in motor vehicle records can be used and sets out permissible uses. For instance, personal information such as an individual's photograph, signature, SSN, and medical information cannot be disclosed without the written consent of the individual, except for permitted uses. These permitted uses include use by any government, court, or law enforcement agency to carry out its functions, in matters of driver safety and theft, or motor vehicle performance.²³

Montana is an example of a neighboring state that limits how SSNs can be used. Montana law specifically prohibits its driver services agency from disclosing

²¹ 18 USC 2721(B)

²² US Government Accountability Office, *Social Security Numbers: Use Is Widespread and Protections Vary*, GAO-04-768T (June 15, 2004), 19-20.

²³ IDAHO CODE § 49-203

SSNs collected in the driver licensing process for either jury lists or selective service.²⁴

Private Sector

Idaho does not have laws that specifically address or restrict the use of SSNs by private sector entities which have obtained such information with permission, such as medical care providers to coordinate services or businesses to establish credit for potential customers.

The US Government Accountability Office reports there are no federal laws that impose broad restrictions on the use of the SSN for non-Social Security purposes, and businesses that request the number as a condition for receiving services may deny those services if the applicant refuses to provide the number. Further, although the Social Security Act protects against unauthorized disclosure of SSNs, this law applies to governmental uses of the SSN and generally does not apply to private sector business transactions.²⁵

Measures Other States Have Taken

The National Conference of State Legislatures reports the availability of SSNs encourages identity theft and fraud. Since 2003, at least 25 states have taken legislative action addressing the use of SSNs. For example:

- Utah prohibits commercial firms from sale or disclosure of nonpublic personal information, including SSNs, without notice²⁶
- Colorado prohibits recording SSNs when accepting a check from a consumer
- New Mexico's Privacy Protection Act requires companies requiring SSNs to develop policies limiting and enforcing protected access to the numbers
- Maine and Michigan each prohibit the denial of goods or services to an individual who refuses to disclose their SSN, except when required by law
- California restricts how individuals and non-governmental entities may use SSNs and has developed recommended practices for private and public entities to protect the confidentiality of SSNs^{27, 28}

²⁴ MONTANA CODE §§ 61-5-126—127

²⁵ US Government Accountability Office, *Social Security Numbers: Subcommittee Questions Concerning the Use of the Number for Purposes Not Related to Social Security*, GAO/HeHs/AIMD-00253R (July 7, 2000), 3-4.

²⁶ UTAH CODE § 13-37

Idaho Transportation Department's Collection and Use of Social Security Numbers

Idaho Code requires the Idaho Transportation Department to collect personal information, including SSNs, of applicants for drivers' licenses.²⁹ The department reports providing access to driver information in several ways to different state entities:

Child Support Enforcement Access

Idaho Transportation Department has granted full access to electronic driver records—including SSNs—and the ability to directly suspend licenses to a limited number of Child Support Enforcement staff of the Department of Health and Welfare. This allows enforcement personnel to efficiently carry out the provisions mandated by Social Security Act (as amended in 1996 and 1997) and by Idaho Code.³⁰

Law Enforcement and Department of Health and Welfare

Authorized officials from law enforcement and the Department of Health and Welfare, are given *read-only access* to entire electronic driver records—including SSNs—maintained by the Idaho Transportation Department, Division of Motor Vehicles. For example, law enforcement personnel can quickly access this information during traffic stops. This information is also used by the Department of Health and Welfare's fraud investigations unit.

Judiciary and Other Official State Business

Limited access to driving records—from which sensitive information such as the SSN and address have been censored—are available online for the Judiciary and authorized staff of state agencies conducting state business. This allows, for instance, judges to verify a defendant's driving record from the bench during

²⁷ CALIFORNIA CIVIL CODE §§ 1798.85-86 and 1786.60. There are some exceptions to these requirements for financial institutions or for providing or administering health care or insurance.

²⁸ California Department of Consumer Affairs, Office of Privacy Protection, *Recommended Practices for Protecting the Confidentiality of Social Security Numbers* (January 2003), 2-5. www.privacy.ca.gov/recommendations/ssnrecommendations.pdf, visited January 2005.

²⁹ IDAHO CODE §§ 49-309, -321, -2443

³⁰ IDAHO CODE § 7-1401

sentencing or state agencies to verify a prospective employee's driving record without disclosing sensitive personal information.³¹

Protection of Personal Information—Identity Theft

It is of increasing importance to safeguard against theft and misuse of personal information such as SSNs, date of birth, credit card numbers, and PINs (personal identification numbers). The Idaho Office of the Attorney General states that “identity theft occurs when someone uses your personal information . . . without your permission, to obtain goods, services, or money in your name.”³² These types of acts are unlawful under Idaho Code.³³

Appendix C provides information offered by the Federal Trade Commission regarding how personal information can be misused and how to reduce the risks.

Pending Federal Legislation

Currently, there are many pieces of federal legislation pending in Congress regarding SSNs and personal information related to misuse, Medicare, identity theft, and legal and illegal immigration. Examples include S 116 (the Privacy Act), HR 368 (the Driver's License Security and Modernization Act), and HR 418 (the REAL ID Act). Of these, the US House of Representatives recently approved the REAL ID Act, which proposes to strengthen requirements to obtain drivers' licenses and identification cards.³⁴

According to the Congressional Budget Office, the REAL ID Act contains no new private sector mandates and would make grants available to states to cover required costs, which are not expected to exceed the Unfunded Mandates Reform Act threshold. However, the National Conference of State Legislatures opposes the REAL ID Act because it would impose more than a dozen security and data mandates on states and does not guarantee that funding will be provided. The National Governor's Association and the American Association of Motor Vehicle Administrators believe current federal law offers the best course for ensuring the security and integrity of state driver licensing and identification

³¹ Idaho Transportation Department also cooperates with other government entities to provide *specific information*, including SSNs, for authorized uses such as selective service registration. IDAHO CODE §§ 49-3096(2)(c), - 2444(1); 50 USC App 451 *et seq.*

³² Idaho Office of the Attorney General, *Identity Theft* (July 2003), 1.

³³ IDAHO CODE § 18-3126

³⁴ The US House of Representatives passed HR 418, the REAL ID Act of 2005, on February 10, 2005 with 261 yeas and 161 nays and on February 17, 2005 was referred to the US Senate for consideration.

processes. Idaho Transportation Department officials said they have not determined the potential fiscal impact to Idaho of the REAL ID Act of 2005.

Conclusion

Social Security numbers and other personal information are required by federal and state law to be collected as part of the application process for many types of licenses. Attempts to remove this requirement at the state level could result in the loss of millions of federal dollars for child support enforcement and Temporary Assistance for Needy Families (TANF) block grants.

Federal and state laws limit how personal information can be disclosed without written consent of the individual. However, these limitations generally only apply to public sector agencies. Therefore, the Idaho Legislature may wish to consider measures other states have taken to limit and safeguard collection and use of SSNs by the private sector.

Acknowledgements

We appreciate the cooperation and assistance we received from the Idaho Transportation Department, the Department of Health and Welfare, the Idaho Attorney General's Office, and the US Social Security Administration (Caldwell office) in conducting this study. We also appreciate the input we received from the Montana Department of Justice, the Nevada Department of Motor Vehicles, the Oregon Department of Transportation, the Utah Department of Public Safety, the Washington Department of Licensing, and the Wyoming Department of Transportation.

Paul Headlee (project lead) and Rachel Johnstone of the Office of Performance Evaluations conducted the review. Ned Parrish of the Office of Performance Evaluations performed the quality control review on the project.

Appendix A: Request for Federal Mandate Review

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RESOURCES & CONSERVATION
REVENUE & TAXATION

House of Representatives State of Idaho

RECEIVED

JAN 25 2005

PERFORMANCE EVALUATIONS

TO: Mr. Rakesh Mohan, Director, Office of Performance Evaluations

FROM: Representative JoAn Wood, Chairman
House Transportation and Defense Committee

SUBJECT: Request for Federal Mandate Review-Social Security Number and Issuance of an Idaho Driver's License, Permit or Identification Card

DATE: January 19, 2005

Background. It has come to my attention that there are inequities in the application process for an Idaho driver's license, driver's permit or an Idaho identification card involving social security numbers. According to current law, if a person is applying for a driver's license, driving permit or identification card, and the person has a social security number, the person is required to reveal the social security number on the application form even though the number will not be printed on the face of the license, permit or identification card.

On the other hand, if a person does not have a social security number, and aliens and those in this country on work visas do not, such persons can still obtain a driver's license, permit or identification card if they present written verification from the Social Security Administration that they have not been assigned a social security number. They also have to have show valid documentation of identity and proof that they are lawfully present in this country.

Problem. The inequity is that U.S. citizens have to reveal their social security numbers to receive a driver's license, even those with religious beliefs against it, while non-citizens can obtain the same driving privileges or official photo identification without giving a social security number. In effect, foreigners have more privacy than U.S. citizens.

At one time under Idaho law, U.S. citizens were allowed to sign a waiver based on religious or moral grounds and were able to obtain a driver's license, permit or ID without giving the social security number. They can no longer do this, meaning U.S. citizens with religious or moral objections are not given accommodation for their beliefs, while by default,

non-citizens are. It has been indicated that the system can be circumvented by those with religious or moral objections to being assigned a social security number by simply refusing to obtain a number, effectively putting these U.S. citizens in the same category and affording them the same treatment as legal foreigners.

Questions for Federal Mandate Review. If we as legislators are to make reasonable adjustments to this system to mitigate or remove the discrepancy, we need to:

1. Confirm that U.S. citizens can avoid be issued a social security number based on religious or moral grounds. If they can, are there any other grounds that apply?
2. Determine if there are any federal laws or regulations which mandate the state of Idaho to require obtaining the social security number on an application for a state driver's license, permit or ID card. Can the state remove this requirement without federal sanction?
3. Determine if there are any provisions in federal law or regulations which require the social security number to be used for non-social security purposes, or prevent a state from prohibiting such use? Can the state of Idaho remove provisions in state law which require submitting the social security number for driving and other types of licenses and not be in violation of a federal mandate? Can the state prohibit use of the social security number for non-social security purposes?

History of Social Security Number for Idaho Licenses, Permits and Identification Cards. While most of our questions require information on relevant federal statutes and regulations, I am including the following Idaho session laws which track the connection between transportation and other privileges and use of the social security number in Idaho. It may have some value to you, knowing that our adjustments will be made to some of the sections of law contained in these session laws:

1. 1992 Chapter 115 S.B. No. 1342
2. 1992 Chapter 118 S.B. No. 1376
3. 1993 Chapter 304 H.B. No. 229
4. 1997 Chapter 237 H.B. No. 272aa
5. 1998 Chapter 248 H.B. No. 431
6. 1999 Chapter 319 S.B. No. 1170

cc: Representative Bill Sali

Appendix B: Examples of Federal Statutes that Authorize or Mandate the Collection and Use of Social Security Numbers

Federal Statute	Purpose of Collection	Authorized or Required Use
Tax Reform Act of 1976 42 USC 405 (c)(2)(c)(i)	General public assistance, tax administration, driver's license, vehicle registration	Authorizes states to collect and use SSNs in administering any tax, general public assistance, driver's license, or motor vehicle registration law
Food Stamp Act of 1977 7 USC 2025 (e)(1)	Food Stamp program	Mandates the secretary of agriculture and state agencies to require SSNs for program participation
Deficit Reduction Act of 1984 42 USC 1320b- 7(1)	Eligibility benefits under the Medicaid program	Requires, as a condition of eligibility for Medicaid benefits, applicants for and recipients of these benefits furnish their SSNs to the state administering program
Housing and Community Development Act of 1987 42 USC 3543 (a)	Eligibility for the Department of Housing and Urban Development programs	Authorizes the secretary of the US Department of Housing and Urban Development to require program applicants and participants to submit their SSNs as a condition of eligibility
Family Support Act of 1988 42 USC 405 (c)(2)(C)(ii)	Issuance of birth certificates	Requires states to obtain parents' SSNs before issuing a birth certificate unless there is good cause for not requiring the number
Technical and Miscellaneous Revenue Act of 1988 42 USC 405 (c)(2)(D)(i)	Blood donation	Authorizes states and political subdivisions to require that blood donors provide their SSNs
Food, Agriculture, Conservation, and Trade Act of 1990 42 USC 405 (c)(2)(C)	Retail and wholesale businesses participation in the Food Stamp program	Authorizes the secretary of agriculture to require the SSNs of officers or owners of retail and wholesale food concerns that accept and redeem food stamps
Omnibus Budget Reconciliation Act of 1990 38 USC 5101 (c)	Eligibility for Veterans Affairs compensation or pension benefits programs	Requires individuals to provide their SSNs to be eligible for US Department of Veterans Affairs' compensation or pension benefits programs
Social Security Independence and Program Improvements Act of 1994 42 USC 405 (c)(2)(E)	Eligibility of potential jurors	Authorizes states and political subdivisions of states to use SSNs to determine eligibility of potential jurors
Personal Responsibility and Work Opportunity Reconciliation Act of 1996 42 USC 666 (a)(13)	Various license applications, divorce and child support documents, death certificates	Mandates states to have laws in effect that require collection of SSNs on applications for drivers' licenses and other licenses; requires placement (in the pertinent records) of SSNs of persons subject to a divorce decrees, child support orders, or paternity determinations; requires SSNs on death certificates; creates national database for child support enforcement purposes
Debt Collection Improvement Act of 1996 31 USC 7701 (c)	Persons doing business with a federal agency	Requires those doing business with a federal agency (i.e., lenders in a federal guaranteed loan program; applicants for federal licenses, permits, right-of-ways, grants, or benefit payments; contractors) to furnish SSNs to the agency
Higher Education Act Amendments of 1998 20 USC 1090 (a)(7)	Financial assistance	Authorizes the secretary of education to include the SSNs of parents of dependent students on certain financial assistance forms
Internal Revenue Code (various amendments) 26 USC 6109	Tax returns	Authorizes the commissioner of the Internal Revenue Service to require that taxpayers include their SSNs on tax returns

Source: Government Accountability Office, *Social Security Numbers: Government Benefits from SSN Use but Could Provide Better Safeguards*, GAO-02-352 (May 2002), p. 7

Appendix C: Federal Trade Commission Information on Identity Theft

Identification Thieves Can Misuse Personal Information by

- Opening new credit card accounts in your name with information such as your SSN, date of birth, and address; delinquent accounts may then show up on your credit reports
- Opening other accounts such as banking, phone services, or auto loans in your name, with charges ascribed to you
- Filing for bankruptcy under your name
- Providing your name and information to law enforcement during an arrest

How to Minimize Risk of Identity Theft

- Order copies of your credit report from each of the three credit bureaus and review them for accuracy
- Request a fraud alert be placed on your credit reports
- Secure personal information in your home and guard your mail from theft
- Verify security of your personal information at your place of work
- Ask businesses why your SSN is needed, how it will be used, what law requires you to provide it, and what will happen if you do not provide it
- Do not carry your Social Security card; leave it in a safe place
- Pay attention to your billing cycles and follow up with creditors if your bills don't arrive on time
- Use a firewall program on your computer to protect against unwanted access to your information

Source: Federal Trade Commission, *ID Theft: When Bad Things Happen To Your Good Name* (November 2003), www.consumer.gov/idtheft

Office of Performance Evaluations Reports Completed 2001–Present

<u>Pub. #</u>	<u>Report Title</u>	<u>Date Released</u>
01-01	Inmate Collect Call Rates and Telephone Access: Opportunities to Address High Phone Rates	January 2001
01-02	Idaho Department of Fish and Game: Opportunities Exist to Improve Lands Program and Strengthen Public Participation Efforts	January 2001
01-03	Improvements in Data Management Needed at the Commission of Pardons and Parole: Collaboration With the Department of Correction Could Significantly Advance Efforts	May 2001
01-04	The State Board of Medicine: A Review of Complaint Investigation and Adjudication	June 2001
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