

Testimony
House Bill 1195 – Department Of Human Services
Senate Natural Resources Committee
Senator Stanley Lyson, Chairman
March 1, 2007

Chairman Lyson, members of the Senate Natural Resources Committee, I am James Fleming, Deputy Director and General Counsel of the Child Support Enforcement Division of the Department of Human Services. I am here to testify in support of Reengrossed House Bill 1195.

Federal law currently requires that social security numbers be recorded on any application for a recreational license. In our testimony to the committee regarding Senate Bill 2198 earlier this legislative session, we acknowledged the risk of identity theft that arises in the way the information on paper applications is handled today, and expressed a willingness to cooperate as much as possible in making an applicant's social security number more secure.

Until recently, we had no reason to believe that the federal government would grant an exemption to this requirement. When the mandate was first imposed many years ago, some states requested an exemption to use alternatives to an applicant's social security number and each state's request was rejected. However, South Dakota was recently granted an exemption to use only the last four digits of a person's social security number. Following South Dakota's success, Montana requested and received the same exemption just a few weeks ago. House Bill 1195 would require the Department to request a similar exemption.

For the request to be approved, the State needs to show that the exemption is as narrow as possible to maintain the current effectiveness

and efficiency of our information exchange with the Game and Fish Department. To meet this requirement, the bill is limited to paper applications that are not immediately returned to the Game and Fish Department for matching with our program. The automated matches we currently have for applications that are submitted electronically or applications for lottery-issued licenses that are received directly by the Game and Fish Department are not affected by the bill.

We appreciate the caution of the House in not jeopardizing the State's continued receipt of federal funds for the Temporary Assistance to Needy Families and Child Support Enforcement programs by delaying the effective date of the bill until a federal exemption is granted.

Exemptions are given for three years and may be extended upon request. If an exemption is later revoked, or if an extension is denied, the State will have until three months after the next session of the Legislature to restore the requirement of providing all nine digits of the applicant's social security number.

Mr. Chairman, as narrowly drafted and with the contingent effective date, there is little risk of losing federal funds if the bill is enacted. The Department supports this bill, and I would be happy to answer any questions the committee may have.