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Economic Affairs Interim Committee

59th Montana Legislature

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March 9, 2006

Joan Miles, Director
Department of Public Health and Human Services
PO Box 4210
Helena MT 59604

Dear Ms. Miles:

At its February 2006 meeting the Economic Affairs Interim Committee voted to request that the Department of Public Health and Human Services (DPHHS) seek an exemption from federal requirements to collect social security numbers from applicants for recreational licenses, specifically hunting, fishing, and conservation licenses.

The Economic Affairs Interim Committee is making this request as part of its study on identity theft prevention and mitigation required under SJR 38. Based on recommendations from a working group on identity theft, the Committee recognizes that minimizing the state's requests for social security numbers may help to minimize the risk of theft for what is considered a personal identifier in and of itself.

Under federal laws associated with welfare reform, starting with the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, states are required to obtain social security numbers from applicants for various recreational licenses. Exemptions are allowed and have been obtained by Alaska, Wyoming, and New Hampshire. Montana's previous application for an exemption was denied. The issue remains a concern, and the Economic Affairs Interim Committee would like DPHHS to reapply in the hope that the federal government may favorably consider a new application in light of the granted exemptions.

Staff from the Child Support Enforcement Division of DPHHS has discussed the potential loss of significant federal funds in a variety of programs if social security numbers are not obtained from applicants for recreational licenses. Given past recurring efforts in the Legislature to sever the tie between social security numbers and recreational licenses, an exemption seems a preferable option to legislation that pits privacy issues against the loss of federal funds for child support and programs like Temporary Assistance for Needy Families.

Thank you for consideration of this request. The Committee would be happy to work with the Child Support Enforcement Division in its application for an exemption.

Sincerely,

Representative Jim Keane, chair
Economic Affairs Interim Committee

cc: Lonnie Olson, CSED
Representative Diane Rice

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