

DEPARTMENT OF
PUBLIC HEALTH AND HUMAN SERVICES



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GOVERNOR

JOAN MILES
DIRECTOR

STATE OF MONTANA

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April 4, 2006

Representative Jim Keane
Chairman, Economic Affairs Interim Committee
P.O. Box 201706
Helena, MT 59620-1706

Re: Economic Affairs Interim Committee's request that the Department of Health and Human Services (DPHHS) seek an exemption from the requirements to collect social security numbers from applicants for recreational licenses

Dear Representative Keane:

I have received your letter dated March 9, 2006 wherein you requested the Department seek an exemption from the requirement to collect social security numbers from applicants for recreational licenses.

The Department has no objection to undertaking this action, but would like to defer the task. The reasons are twofold. The first reason involves the State of South Dakota, which is seeking a similar exemption. Their exemption request will be based upon the use of the last four digits of a person's social security number in combination with the person's date of birth, instead of social security numbers in recreational license applications. If this application is successful the Department may choose to craft its application in a similar manner.

Secondly, Pennsylvania Senator Santorum has introduced S. 2249 in the U.S. Senate that would eliminate this requirement. At the same time Pennsylvania Representative English has introduced a similar bill in the House of Representatives, H.R. 4144. If these bills are successful, the matter will be resolved by action of the Congress. The Department would like to wait a reasonable period of time to determine whether or not there appears to be likelihood of passage.

The Department welcomes the opportunity to work with the Committee and will keep the Committee informed of developments as they take place.

Sincerely,

A handwritten signature in cursive script that reads "Joan Miles".

Joan Miles
Director



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,

A handwritten signature in cursive script that reads "Jim Keane".

Representative Jim Keane, chair
Economic Affairs Interim Committee

cc: Lonnie Olson, CSED
Representative Diane Rice

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