

111TH CONGRESS  
1ST SESSION

# H. R. 133

To amend title II of the Social Security Act to provide that individuals and appropriate authorities are notified by the Commissioner of Social Security of evidence of misuse of the Social Security account numbers of such individuals.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2009

Mr. GALLEGLY introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To amend title II of the Social Security Act to provide that individuals and appropriate authorities are notified by the Commissioner of Social Security of evidence of misuse of the Social Security account numbers of such individuals.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Identity Theft Notifi-  
5 cation Act of 2009”.

1 **SEC. 2. NOTIFICATION TO INDIVIDUALS AND APPROPRIATE**  
2 **AUTHORITIES OF EVIDENCE OF MISUSE OF**  
3 **SOCIAL SECURITY ACCOUNT NUMBERS.**

4 (a) IN GENERAL.—Section 205(c)(2) of the Social  
5 Security Act (42 U.S.C. 405(c)(2)) is amended by adding  
6 at the end the following new subparagraph:

7 “(I)(i) In the case of each report of wages submitted  
8 by an employer with respect to an employee pursuant to  
9 this paragraph, the Commissioner—

10 “(I) shall require the employer to include in the  
11 report, together with the amount of wages paid by  
12 the employer to the employee, information consisting  
13 of the name, address, and employer identification  
14 number of the employer and the name, address, So-  
15 cial Security account number of the employee, and

16 “(II) shall include the amount of such wages  
17 and such information in the Commissioner’s records.

18 “(ii) In any case in which—

19 “(I) during any calendar year, there are 8 or  
20 more instances in which the Commissioner of Social  
21 Security receives a report of wages submitted by an  
22 employer with respect to an employee under the  
23 same Social Security account number, and

24 “(II) at least 4 different addresses are set forth  
25 in the reports in connection with the same Social Se-  
26 curity account number,

1 the Commissioner shall determine whether, in any such  
2 instance, there is evidence that the wages were not paid  
3 to the individual to whom the Social Security account  
4 number was assigned by the Commissioner.

5 “(iii) In any case described in clause (ii), if the Com-  
6 missioner determines that in any instance there is evidence  
7 that the wages were not paid to the individual to whom  
8 the Social Security account number was assigned by the  
9 Commissioner, the Commissioner shall provide a notice of  
10 the determination to the individual, the Attorney General  
11 of the United States, the Secretary of the Treasury, and  
12 the Secretary of Homeland Security.”

13 (b) EFFECTIVE DATE.—The amendment made by  
14 this section shall apply with respect to calendar years be-  
15 ginning after the date of the enactment of this Act.

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