

111TH CONGRESS
2D SESSION

H. R. 5854

To amend title II of the Social Security Act to prohibit access of prisoners to Social Security account numbers.

IN THE HOUSE OF REPRESENTATIVES

JULY 26, 2010

Mr. POMEROY (for himself, Mr. SAM JOHNSON of Texas, Mr. LEWIS of Georgia, Mr. TANNER, Mr. BECERRA, Mr. DOGGETT, Mr. KIND, Mr. CROWLEY, Ms. SCHWARTZ, Ms. LINDA T. SÁNCHEZ of California, Mr. YARMUTH, Mr. LARSON of Connecticut, Mr. HERGER, Mr. LINDER, and Mr. ROSKAM) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend title II of the Social Security Act to prohibit access of prisoners to Social Security account numbers.

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 “No Prisoner Access
5 to Social Security Numbers Act of 2010”.

1 **SEC. 2. PROHIBITION OF ACCESS OF PRISONERS TO SO-**
2 **CIAL SECURITY ACCOUNT NUMBERS.**

3 (a) IN GENERAL.—Section 205(c)(2)(C) of the Social
4 Security Act (42 U.S.C. 405(c)(2)(C)) is amended by add-
5 ing at the end the following new clause:

6 “(x)(I) No governmental entity may employ, or enter
7 into or maintain a contract for the use or employment of,
8 prisoners in any capacity that would allow such prisoners
9 access to the social security account numbers of other indi-
10 viduals (or any derivatives of such numbers).

11 “(II) For purposes of this clause, the term ‘prisoner’
12 means an individual confined in a jail, prison, or other
13 penal institution or correctional facility.

14 “(III) For purposes of this clause, the term ‘govern-
15 mental entity’ means an agency or instrumentality of the
16 Federal Government or of a State or political subdivision
17 thereof or a federally recognized Indian tribe. Such term
18 includes a person acting as an agent of such an agency
19 or instrumentality or Indian tribe. For purposes of this
20 subclause, the term ‘State’ includes an entity referred to
21 in subparagraph (D)(iii)(II).”

22 (b) EFFECTIVE DATE.—

23 (1) IN GENERAL.—Except as provided in para-
24 graph (2), the amendments made by this section
25 shall apply with respect to employment of prisoners,
26 or entry into contract for the use or employment of

1 prisoners, on or after the date of the enactment of
2 this Act.

3 (2) TREATMENT OF CURRENT ARRANGE-
4 MENTS.—In the case of—

5 (A) prisoners employed as described in
6 clause (x) of section 205(c)(2)(C) of the Social
7 Security Act (as added by this section) on the
8 date of the enactment of this Act, and

9 (B) contracts described in such clause in
10 effect on such date,

11 the amendments made by this section shall take ef-
12 fect 90 days after the date of the enactment of this
13 Act.

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