

INTRODUCING THE IDENTITY
THEFT PREVENTION ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 4, 2005

Mr. PAUL. Mr. Speaker, today I introduce the Identity Theft Prevention Act. This act protects the American people from government-mandated uniform identifiers that facilitate private crime as well as the abuse of liberty. The major provision of the Identity Theft Prevention Act halts the practice of using the Social Security number as an identifier by requiring the Social Security Administration to issue all Americans new Social Security numbers within 5 years after the enactment of the bill. These new numbers will be the sole legal property of the recipient, and the Social Security administration shall be forbidden to divulge the numbers for any purposes not related to Social Security administration. Social Security numbers issued before implementation of this bill shall no longer be considered valid Federal identifiers. Of course, the Social Security Administration shall be able to use an individual's original Social Security number to ensure efficient administration of the Social Security system.

Mr. Speaker, Congress has a moral responsibility to address this problem because it was Congress that transformed the Social Security number into a national identifier. Thanks to Congress, today no American can get a job, open a bank account, get a professional license, or even get a driver's license without presenting his Social Security number. So widespread has the use of the Social Security number become that a member of my staff had to produce a Social Security number in order to get a fishing license.

One of the most disturbing abuses of the Social Security number is the congressionally authorized rule forcing parents to get a Social Security number for their newborn children in order to claim the children as dependents. Forcing parents to register their children with the State is more like something out of the nightmares of George Orwell than the dreams of a free republic that inspired this Nation's Founders.

Congressionally mandated use of the Social Security number as an identifier facilitates the horrendous crime of identity theft. Thanks to Congress, an unscrupulous person may simply obtain someone's Social Security number in order to access that person's bank accounts, credit cards, and other financial assets. Many Americans have lost their life savings and had their credit destroyed as a result of identity theft. Yet the Federal Government continues to encourage such crimes by mandating use of the Social Security number as a uniform ID.

This act also forbids the Federal Government from creating national ID cards or establishing any identifiers for the purpose of investigating, monitoring, overseeing, or regulating private transactions among American citizens. At the very end of the 108th Congress, this body established a de facto national ID card with a provision buried in the "intelligence" reform bill mandating Federal standards for drivers' licenses, and mandating that Federal agents only accept a license that conforms to these standards as a valid ID.

Nationalizing standards for drivers' licenses and birth certificates creates a national ID system pure and simple. Proponents of the national ID understand that the public remains wary of the scheme, so proponents attempt to claim they are merely creating new standards for existing State IDs. However, the "intelligence" reform legislation imposed Federal standards in a Federal bill, thus creating a federalized ID regardless of whether the ID itself is still stamped with the name of your State. It is just a matter of time until those who refuse to carry the new licenses will be denied the ability to drive or board an airplane. Domestic travel restrictions are the hallmark of authoritarian States, not free republics.

The national ID will be used to track the movements of American citizens, not just terrorists. Subjecting every citizen to surveillance diverts resources away from tracking and apprehending terrorists in favor of needless snooping on innocent Americans. This is what happened with "suspicious activity reports" required by the Bank Secrecy Act. Thanks to BSA mandates, Federal officials are forced to waste countless hours snooping through the private financial transactions of innocent Americans merely because those transactions exceeded \$10,000.

The Identity Theft Prevention Act repeals those sections of Federal law creating the national ID, as well as those sections of the Health Insurance Portability and Accountability Act of 1996 that require the Department of Health and Human Services to establish a uniform standard health identifier—an identifier which could be used to create a national database containing the medical history of all Americans. As an OB/GYN with more than 30 years in private practice, I know the importance of preserving the sanctity of the physician-patient relationship. Oftentimes, effective treatment depends on a patient's ability to place absolute trust in his or her doctor. What will happen to that trust when patients know that any and all information given to their doctors will be placed in a government accessible database?

By putting an end to government-mandated uniform IDs, the Identity Theft Prevention Act will prevent millions of Americans from having their liberty, property, and privacy violated by private and public sector criminals.

In addition to forbidding the Federal Government from creating national identifiers, this legislation forbids the Federal Government from blackmailing States into adopting uniform standard identifiers by withholding Federal funds. One of the most onerous practices of Congress is the use of Federal funds illegitimately taken from the American people to bribe States into obeying Federal dictates.

Some Members of Congress will claim that the Federal Government needs the power to monitor Americans in order to allow the government to operate more efficiently. I would remind my colleagues that, in a constitutional republic, the people are never asked to sacrifice their liberties to make the jobs of government officials easier. We are here to protect the freedom of the American people, not to make privacy invasion more efficient.

Mr. Speaker, while I do not question the sincerity of those Members who suggest that Congress can ensure that citizens' rights are protected through legislation restricting access to personal information, the only effective privacy protection is to forbid the Federal Gov-

ernment from mandating national identifiers. Legislative "privacy protections" are inadequate to protect the liberty of Americans for a couple of reasons.

First, it is simply common sense that repealing those Federal laws that promote identity theft is more effective in protecting the public than expanding the power of the Federal police force. Federal punishment of identity thieves provides cold comfort to those who have suffered financial losses and the destruction of their good reputations as a result of identity theft.

Federal laws are not only ineffective in stopping private criminals, but these laws have not even stopped unscrupulous government officials from accessing personal information. After all, laws purporting to restrict the use of personal information did not stop the well-publicized violations of privacy by IRS officials or the FBI abuses of the Clinton and Nixon administrations.

In one of the most infamous cases of identity theft, thousands of active-duty soldiers and veterans had their personal information stolen, putting them at risk of identity theft. Imagine the dangers if thieves are able to obtain the universal identifier, and other personal information, of millions of Americans simply by breaking, or hacking, into one government facility or one government database?

Second, the Federal Government has been creating proprietary interests in private information for certain State-favored special interests. Perhaps the most outrageous example of phony privacy protection is the "medical privacy" regulation, that allows medical researchers, certain business interests, and law enforcement officials access to health care information, in complete disregard of the Fifth Amendment and the wishes of individual patients! Obviously, "privacy protection" laws have proven greatly inadequate to protect personal information when the government is the one seeking the information.

Any action short of repealing laws authorizing privacy violations is insufficient primarily because the Federal Government lacks constitutional authority to force citizens to adopt a universal identifier for health care, employment, or any other reason. Any Federal action that oversteps constitutional limitations violates liberty because it ratifies the principle that the Federal Government, not the Constitution, is the ultimate judge of its own jurisdiction over the people. The only effective protection of the rights of citizens is for Congress to follow Thomas Jefferson's advice and "bind (the Federal Government) down with the chains of the Constitution."

Mr. Speaker, those members who are not persuaded by the moral and constitutional reasons for embracing the Identity Theft Prevention Act should consider the American people's opposition to national identifiers. The numerous complaints over the ever-growing uses of the Social Security number show that Americans want Congress to stop invading their privacy. Furthermore, according to a survey by the Gallup company, 91 percent of the American people oppose forcing Americans to obtain a universal health ID.

In conclusion, Mr. Speaker, I once again call on my colleagues to join me in putting an end to the Federal Government's unconstitutional use of national identifiers to monitor the actions of private citizens. National identifiers threaten all Americans by exposing them to

the threat of identity theft by private criminals and abuse of their liberties by public criminals, while diverting valuable law enforcement resources away from addressing real threats to public safety. In addition, national identifiers are incompatible with a limited, constitutional government. I, therefore, hope my colleagues will join my efforts to protect the freedom of their constituents by supporting the Identity Theft Prevention Act.

INTRODUCTION OF AN AMENDMENT TO THE CONSTITUTION PROVIDING THAT FOREIGN-BORN CITIZENS OF 20 YEARS ARE ELIGIBLE FOR THE OFFICE OF PRESIDENT

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 4, 2005

Mr. CONYERS. Mr. Speaker, today I am introducing a proposed amendment to the Constitution of the United States that will enable all citizens of this country to be eligible to hold the Office of President. No citizen should be denied the opportunity to seek the Nation's highest office. The proposal that I am introducing will allow foreign-born individuals who have been citizens of this country for at least 20 years to be eligible for this office.

As you know, Article II of the Constitution of the United States provides that only natural-born citizens are entitled to hold the Office of President. I believe that this limitation contradicts the principles for which this country stands. This Nation prides itself on its diversity of culture, experience, and opinion. This quality is achieved only by welcoming immigrants to this country, allowing them to become citizens, and enabling them make full contributions to society.

For the most part, the United States treats its citizens, those natural-born and foreign-born, the same. However, when determining who is eligible for the Offices of President, this country unfairly distinguishes between the two. Allowing the United States to be a better country because of the contributions that foreign-born citizens make, and then not allowing them to fully participate in all aspects of society, is un-American.

As you may also know, some of our country's foreign-born citizens are our country's greatest public servants. There are also 700 foreign-born citizens who have received the Medal of Honor. It is unjust to deny citizens that have risked their lives for this country the chance to become President of the United States as well. A 2002 Pentagon study reports that more than 30,000 foreign-born citizens are currently serving in the U.S. military.

I realize that constitutional amendments are rare and that those proposed should be subject to great scrutiny. I truly respect one of the documents on which our country was founded, the Constitution of the United States. Therefore, it is after great consideration and with the utmost gravity, that I introduce this proposal today. I am hopeful that my fellow colleagues in Congress will properly consider the proposed amendment and realize that every citizen of the United States should be entitled to dream of becoming President.

HONORING THE LIFE OF PATRICIA RITTER

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 4, 2005

Mr. LARSON of Connecticut. Mr. Speaker, I rise today to pay tribute to Patricia Ritter, who passed away on December 10, 2004. Mrs. Ritter was one of Connecticut's most influential civil rights leaders and she leaves a legacy that will not soon be forgotten. Her passion for social justice was only matched by her passion for her family. She leaves behind her husband and five children, two of whom served in the Connecticut General Assembly. While I served as State Senate President Pro Tempore I had the privilege of working with her son Tom, who served as Speaker of the House. My deepest condolences go out to Tom and his family during this time.

Mr. Speaker, I ask my colleagues to join me in remembering and honoring the life of Patricia Ritter. I would also like to submit for the RECORD this editorial from the Hartford Courant which captures the essence of what made Mrs. Ritter such a special person.

[From the Hartford Courant, Dec. 14, 2004]

THE REMARKABLE PAT RITTER

She stood for something. She acted on her beliefs. She changed things.

Patricia Ritter, who died last week at the age of 84, was an activist, civil rights pioneer, internationalist and teacher as well as the wife and mother of three state legislators.

A woman of grace, good cheer and quiet intensity, Mrs. Ritter was exposed to, and appalled by, a segregated restaurant when she was a 16-year-old freshman at the University of Iowa. She organized a protest and then headed South with the first of the Freedom Riders—traveling in the odious “Colored Only” train cars, and refusing to move.

After marrying and moving to Connecticut, she was named to the state's Commission on Human Rights in 1950, the first woman so honored. Facing the problem of segregated housing, she and her husband George co-founded the Connecticut Housing Investment Fund, Inc. in 1968 to finance integrated and affordable housing and neighborhood revitalization projects throughout Connecticut.

This allowed racial minorities to buy homes in the suburbs, which sometimes brought threats of violence and, on at least one occasion, actual violence to Mrs. Ritter.

To date, CHIF has provided more than \$108 million to help individuals and organizations purchase, rehabilitate or build homes for low- and moderate-income families.

The wall between city and suburb was not the only one she helped tear down. After China opened its doors to the West in the 1970s, Mrs. Ritter founded China in Connecticut, one of the first educational links between this country and China.

A college teacher, she spent a decade teaching English at Chinese universities, and sponsored many of her Chinese students to study at U.S. colleges. Several of Mrs. Ritter's children followed her example and taught in China as well. The results of such work are incalculable. Mrs. Ritter's five children carried on her beliefs; as artists, writers, teachers, businessmen and legislators. Her husband and sons Thomas and John served in the General Assembly; Thomas was speaker of the House for three terms.

“Her integrity, her character, her work, her children—she was just a marvelous per-

son,” said Judge Robert Satter, a longtime family friend. Mrs. Ritter's life affirms the proposition that, yes, one person can make a difference.

CONGRATULATIONS TO NOLAN CATHOLIC HIGH SCHOOL, STATE FOOTBALL CHAMPIONS

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 4, 2005

Mr. BURGESS. Mr. Speaker, I rise today to recognize the superior performance of the Nolan Catholic High School football team, The Vikings, on their State Championship for Texas Association of Private and Parochial Schools Division 1 6A.

The Vikings shut out Houston St. Pius X high school for the championship with a 14–0 score at Floyd Casey Stadium, Baylor University, in Waco, TX, on Saturday November 27, 2004. The championship victory marked the 8th time this season the Vikings shut out their opponent. This is the first trip to the state final in nine years for the Vikings, who have never won a State crown.

I extend my sincere congratulations to Brother Richard Thompson, S.M., principal of Nolan Catholic High School, the coaches and especially to the team for their talent and dedication to excellence.

VERMONT FOODBANK FIGHTS HUNGER

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 4, 2005

Mr. SANDERS. Mr. Speaker, even though this is the richest and most productive nation in the history of the world, hunger is still a major problem in the United States. In my State of Vermont alone, 55,000 households are living in poverty. In Vermont, many of these people find that the existence of food shelves provides the final protection to keep them from sinking into malnutrition and even starvation. Of those who go to food shelves, almost one out of four is elderly and over half are families with children. Most of these are working families. It is a terrible fact that 21,000 children under the age of 12 either go hungry or are at risk of hunger in Vermont. The situation is so severe that nationwide, over 29 percent of households that received emergency food last year literally had to choose between paying for food or paying for medical care.

Clearly our Nation's governmental policies are entirely wrong, placing as they do tax breaks for the wealthy and corporate welfare as high priorities, and ignoring the need to feed the hungry, guarantee health care to all, support the construction of affordable housing, and make college available to those who wish to attend. We need to change our skewed priorities which, rather than making life better and more secure for the vast majority of Americans, lead to the increasing gap between rich and poor, and to ever-increasing economic pressures faced by the middle class.