

105TH CONGRESS
2D SESSION

S. 1865

To amend title IV of the Social Security Act to provide safeguards against the abuse of information reported to the National Directory of New Hires.

IN THE SENATE OF THE UNITED STATES

MARCH 26, 1998

Mr. BAUCUS introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To amend title IV of the Social Security Act to provide safeguards against the abuse of information reported to the National Directory of New Hires.

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 “Safeguard of New Em-
5 ployee Information Act of 1998”.

6 **SEC. 2. PENALTY FOR UNAUTHORIZED ACCESS, DISCLO-**
7 **SURE, OR USE OF INFORMATION.**

8 Section 453(l) of the Social Security Act (42 U.S.C.
9 653(l)) is amended—

1 (1) by striking “Information” and inserting the
 2 following:

3 “(1) IN GENERAL.—Information”; and

4 (2) by adding at the end the following:

5 “(2) PENALTY FOR MISUSE OF INFORMATION
 6 IN THE NATIONAL DIRECTORY OF NEW HIRES.—The
 7 Secretary shall require the imposition of an adminis-
 8 trative penalty (up to and including dismissal from
 9 employment), and a fine of \$1,000, for each act of
 10 unauthorized access to, disclosure of, or use of, in-
 11 formation in the National Directory of New Hires
 12 established under subsection (i) by any officer or
 13 employee of the United States who knowingly and
 14 willfully violates this paragraph.”.

15 **SEC. 3. 24-MONTH LIMIT ON RETENTION OF NEW HIRE**
 16 **DATA.**

17 Section 453(i)(2) of the Social Security Act (42
 18 U.S.C. 653(i)(2)) is amended to read as follows:

19 “(2) DATA ENTRY AND DELETION REQUIRE-
 20 MENTS.—Information shall be—

21 “(A) entered into the database maintained
 22 by the National Directory of New Hires within
 23 2 business days of receipt pursuant to section
 24 453A(g)(2); and

1 “(B) deleted from such database 24
2 months after the date of entry.”.

3 **SEC. 4. EFFECTIVE DATE.**

4 The amendments made by sections 2 and 3 shall take
5 effect on January 1, 1999.

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