

115TH CONGRESS
2D SESSION

H. R. 7239

To prohibit requests for the disclosure of a social security account number
in commercial transactions, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 10, 2018

Ms. LOFGREN introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To prohibit requests for the disclosure of a social security
account number in commercial transactions, and for
other purposes.

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 “Securing Social Secu-
5 rity Numbers Act”.

1 **SEC. 2. PROHIBITION ON REQUESTING DISCLOSURE OF A**
2 **SOCIAL SECURITY ACCOUNT NUMBER FOR**
3 **CONSUMER TRANSACTIONS.**

4 (a) IN GENERAL.—A commercial entity shall not re-
5 quest that an individual provide the individual’s social se-
6 curity account number when purchasing a commercial
7 good or service or deny an individual the good or service
8 for refusing to provide that number except—

9 (1) for any purpose relating to—

10 (A) obtaining a consumer report for any
11 purpose permitted under the Fair Credit Re-
12 porting Act;

13 (B) a background check of the individual
14 conducted by a landlord, lessor, employer, or
15 voluntary service agency;

16 (C) law enforcement; or

17 (D) a Federal, State, or local law require-
18 ment; or

19 (2) if the social security account number is nec-
20 essary to verify the identity of the consumer to ef-
21 fect, administer, or enforce the specific transaction
22 requested or authorized by the consumer, or to pre-
23 vent fraud.

24 (b) PURGING OF COLLECTED SOCIAL SECURITY AC-
25 COUNT NUMBERS.—A commercial entity that has ac-
26 quired social security account numbers prior to the enact-

1 ment of this Act is prohibited from intentional continued
2 possession of such social security account numbers and
3 must purge all such social security account numbers from
4 its records not later than 180 days after the effective date
5 of this Act, unless the commercial entity would qualify for
6 an exception under subsection (a).

7 (c) LIMITATION ON PREDISPUTE ARBITRATION
8 AGREEMENTS.—No predispute arbitration agreement
9 shall be valid or enforceable if it requires arbitration of
10 a violation of this section.

11 (d) STATE ATTORNEY GENERAL ENFORCEMENT.—
12 In any case in which the attorney general of a State has
13 reason to believe that an interest of the residents of that
14 State has been or is threatened or adversely affected by
15 the engagement of any person in a practice that is prohib-
16 ited under this section, the State, as parens patriae, may
17 bring a civil action on behalf of the residents of the State
18 in a district court of the United States of appropriate ju-
19 risdiction to—

- 20 (1) enjoin that practice;
- 21 (2) enforce compliance with such section;
- 22 (3) obtain damages, restitution, or other com-
23 pensation on behalf of residents of the State; or
- 24 (4) obtain such other relief as the court may
25 consider appropriate.

1 **SEC. 3. CIVIL ACTIONS AND CIVIL PENALTIES.**

2 (a) CIVIL ACTION IN STATE COURTS.—

3 (1) STATUTE OF LIMITATIONS.—An action may
4 be commenced under this subsection not later than
5 the earlier of—

6 (A) 5 years after the date on which the al-
7 leged violation occurred; or

8 (B) 3 years after the date on which the al-
9 leged violation was or should have been reason-
10 ably discovered by the aggrieved individual.

11 (2) NONEXCLUSIVE REMEDY.—The remedy pro-
12 vided under this subsection shall be in addition to
13 any other remedies available to the individual.

14 (b) CIVIL PENALTIES.—

15 (1) IN GENERAL.—Any person who the Attor-
16 ney General determines has violated any section of
17 this Act or of any amendments made by this Act
18 shall be subject, in addition to any other penalties
19 that may be prescribed by law—

20 (A) to a civil penalty of not more than
21 \$5,000 for each such violation; and

22 (B) to a civil penalty of not more than
23 \$50,000, if the violations have occurred with
24 such frequency as to constitute a pattern or
25 practice of violations.

1 (2) DETERMINATION OF VIOLATIONS.—Any in-
2 tentional violation committed contemporaneously
3 with respect to the social security account numbers
4 of 2 or more individuals shall be treated as a sepa-
5 rate violation with respect to each such individual.

6 **SEC. 4. EFFECTIVE DATE.**

7 The amendment made by this Act shall be in effect
8 1 year after the date of enactment of this Act.

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