subsection (b), shall apply with respect to violations of that section occurring on or after the effective date described in section 3(c).

SEC. 9. CRIMINAL PENALTIES FOR THE MISUSE OF A SOCIAL SECURITY NUMBER.

(a) PROHIBITION OF WRONGFUL USE AS PERSONAL IDENTIFICATION NUMBER.—No person may obtain any individual's social security number for purposes of locating or identifying an individual with the intent to physically injure, harm, or use the identity of the individual for any illegal purpose.

(b) CRIMINAL SANCTIONS.—Section 208(a) of the Social Security Act (42 U.S.C. 408(a)) is amended—

(1) in paragraph (8), by inserting ''or'' after the semicolon; and

(2) by inserting after paragraph (8) the following:

''(9) except as provided in subsections (e) and (f) of section 1028A of title 18, United States Code, knowingly and willfully displays, sells, or purchases (as those terms are defined in section 1028A(a) of title 18, United States Code) any individual's social security account number without having met the prerequisites for consent under section 1028A(d) of title 18, United States Code; or

''(10) obtains any individual's social security number for the purpose of locating or identifying the individual with the intent to injure or to harm that individual, or to use the identity of that individual for an illegal purpose;''.

SEC. 10. CIVIL ACTIONS AND CIVIL PENALTIES.

(a) CIVIL ACTION IN STATE COURTS.—

(1) IN GENERAL.—Any individual aggrieved by an act of any person in violation of this Act or any amendments made by this Act may, if otherwise permitted by the laws or rules of the court of a State, bring in an appropriate court of that State—

(A) an action to enjoin such violation;

(B) an action to recover for actual monetary loss from such a violation, or to receive up to $500 in damages for each such violation, whichever is greater; or

(C) both such actions.

It shall be an affirmative defense in any action brought under this paragraph that the defendant has established and implemented, with due care, reasonable practices and procedures to effectively prevent violations of the regulations prescribed under this Act. If the court finds that the defendant willfully or knowingly violated the regulations prescribed under this subsection, the court may, in its discretion, increase the amount of the award to an amount equal to not more than 3 times the amount available under subparagraph (B).

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

(A) 5 years after the date on which the alleged violation occurred; or

(B) 3 years after the date on which the alleged violation was or should have been reasonably discovered by the aggrieved individual.

(3) NONEXCLUSIVE REMEDY.—The remedy provided under this subsection shall be in addition to any other remedies available to the individual.

(b) CIVIL PENALTIES.—

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

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

(B) to a civil penalty of not more than $50,000, if the violations have occurred with such frequency as to constitute a general business practice.

(2) DETERMINATION OF VIOLATIONS.—Any willful violation committed contemporaneously with respect to the social security numbers of 2 or more individuals by means of mail, telecommunication, or otherwise, shall be treated as a separate violation with respect to each such individual.

(3) ENFORCEMENT PROCEDURES.—The provisions of section 1128A of the Social Security Act (42 U.S.C. 1320a–7a), other than subsections (a), (b), (f), (h), (i), (j), (m), and (n) and the first sentence of subsection (c) of such section, and the provisions of subsections (d) and (e) of section 205 of such Act (42 U.S.C. 405) shall apply to a civil penalty action under this subsection in the same manner as such provisions apply to a penalty or proceeding under section 1128A(a) of such Act (42 U.S.C. 1320a–7a(a)), except that, for purposes of this paragraph, any reference in section 1128A of such Act (42 U.S.C. 1320a–7a) to the Secretary shall be deemed to be a reference to the Attorney General.

SEC. 11. FEDERAL INJUNCTIVE AUTHORITY.

In addition to any other enforcement authority conferred under this Act or the amendments made by this Act, the Federal Government shall have injunctive authority with respect to any violation by a public entity of any provision of this Act or of any amendments made by this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 26—COMMENDING THE TAMPA BAY BUCCANEERS FOOTBALL TEAM FOR WINNING SUPER BOWL XXXVII

Mr. NELSON of Florida (for himself and Mr. GRAHAM of Florida) submitted the following resolution; which was considered and agred to:

S. RES. 26

Whereas on January 26, 2003, the Tampa Bay Buccaneers defeated the Oakland Raiders 48–21 in San Diego, capturing their first Super Bowl title;

Whereas Buccaneers head coach Jon Gruden became the youngest coach in National Football League history to win the Super Bowl, and led Tampa Bay to the title in his first year with the team;

Whereas Buccaneers safety Dexter Jackson was named the Most Valuable Player of Super Bowl XXXVII, becoming the first player in Super Bowl history to intercept two passes in the first half of the game;

Whereas the Buccaneers defensive unit finished the 2002–2003 season as the NFL's number one ranked defense and recorded a Super Bowl-record, five interceptions against the NFL's Most Valuable Player, Oakland quarterback Rich Gannon, and the NFL's number one ranked offense;

Whereas Buccaneers linebacker Derrick Brooks, the NFL's Defensive Player of the Year, sealed the Super Bowl victory with a 44-yard interception return for a touchdown with 1:18 to play;

Whereas the Buccaneers offensive unit was led by Brad Johnson's 215 yards passing, Michael Pittman's season-high 124 yards rushing, Joe Jurevicius' team-high 78 receiving yards and Keenan McCardell's two touchdowns;

Whereas the Tampa Bay Buccaneers completed the 2002 National Football League regular season with a 12–4 record, capturing the NFC South Division Title;

Whereas the Buccaneers defeated the San Francisco 49ers, 31–6, and the Philadelphia Eagles, 27–10, to win the NFC Championship;

Whereas Buccaneer players Mike Alstott, Derrick Brooks, Brad Johnson, John Lynch, Simeon Rice and Warren Sapp have been selected to play in the 2003 NFL Pro Bowl;

Whereas each player, coach, trainer, manager, and administrator dedicated this season and their efforts to ensure the Tampa Bay Buccaneers reached the pinnacle of the sports world—a Super Bowl Championship; and

Whereas Buccaneer fans and the Tampa Bay community are to be commended for their long-standing support, perseverance and pride in the team: Now, therefore, be it

Resolved, that the Senate—

(1) commends the loyalty, perservance and pride of the Tampa Bay Buccaneers' fans;

(2) congratulates the World Champion Tampa Bay Buccaneers for their historic win in Super Bowl XXXVII; and

(3) recognizes the achievements of the players, coaches and support staff who were instrumental in helping the Tampa Bay Buccaneers win Super Bowl XXXVII.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to Tampa Bay Buccaneers owner Malcolm Glazer and head coach Jon Gruden for appropriate display and transmit copies of this resolution to each player and coach of the Super Bowl XXXVII Championship team.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, January 29, 2003, at 10:00 a.m. in Room 485 of the Russell Senate Office Building to conduct a business meeting to organize for the 108th Congress by electing the Chairman and Vice Chairman of the Committee and to adopt the rules of the Committee and any other organizational business the committee needs to attend to.

Those wishing additional information may contact the Indian Affairs Committee at 224–2251.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Tuesday, January 28, 2003, at 2:30 p.m., in SR–253, to consider the State of the United States Olympic Committee.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on Tuesday, January 28, 2003, at 10:00 a.m., to hear testimony on the Nomination of John W. Snow to be Secretary of the United States Treasury.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. STEVENS. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the

Senate on Tuesday, January 28, 2003 at 2:30 p.m. to hold a Business Meeting.

Agenda

The Committee will consider and vote on the following agenda items—Committee Organizational Matters: (1) Committee Rules for the 108th Congress and (2) Subcommittee Jurisdiction and Membership for the 108th Congress.

PRIVILEGE OF THE FLOOR

Mrs. BOXER. Mr. President, I ask unanimous consent that Dan Hammer, a member of my California staff, be granted the privilege of the floor during my morning business speech.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMENDING TAMPA BAY BUCCANEERS FOR WINNING SUPER BOWL XXXVII

Mr. SANTORUM. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 26, submitted earlier today by Senators NELSON of Florida and GRAHAM of Florida.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 26) commending the Tampa Bay Buccaneers football team for winning Super Bowl XXXVII.

Mr. DASCHLE. Mr. President, I have consulted with the California Senators, and they do not object.

The PRESIDING OFFICER. The Senate will proceed.

Mr. SANTORUM. Mr. President, I ask unanimous consent that the resolution and preamble be agreed to en bloc, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD at the appropriate place as if read.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 26) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 26

Whereas on January 26, 2003, the Tampa Bay Buccaneers defeated the Oakland Raiders 48–21 in San Diego, capturing their first Super Bowl title;

Whereas Buccaneers head coach Jon Gruden became the youngest coach in National Football League history to win the Super Bowl, and led Tampa Bay to the title in his first year with the team;

Whereas Buccaneers safety Dexter Jackson was named the Most Valuable Player of Super Bowl XXXVII, becoming the first player in Super Bowl history to intercept two passes in the first half of the game;

Whereas the Buccaneers defensive unit finished the 2002–2003 season as the NFL's number one ranked defense and recorded a Super Bowl-record, five interceptions against the NFL's Most Valuable Player, Oakland quarterback Rich Gannon, and the NFL's number one ranked offense;

Whereas Buccaneers linebacker Derrick Brooks, the NFL's Defensive Player of the Year, sealed the Super Bowl victory with a 44-yard interception return for a touchdown with 1:18 to play;

Whereas the Buccaneers offensive unit was led by Brad Johnson's 215 yards passing, Michael Pittman's season-high 124 yards rushing, Joe Jurevicius' team-high 78 receiving yards and Keenan McCardell's two touchdowns;

Whereas the Tampa Bay Buccaneers completed the 2002 National Football League regular season with a 12–4 record, capturing the NFC South Division Title;

Whereas the Buccaneers defeated the San Francisco 49ers, 31–6, and the Philadelphia Eagles, 27–10, to win the NFC Championship;

Whereas Buccaneer players Mike Alstott, Derrick Brooks, Brad Johnson, John Lynch, Simeon Rice and Warren Sapp have been selected to play in the 2003 NFL Pro Bowl;

Whereas each player, coach, trainer, manager, and administrator dedicated this season and their efforts to ensure the Tampa Bay Buccaneers reached the pinnacle of the sports world—a Super Bowl Championship; and

Whereas Buccaneer fans and the Tampa Bay community are to be commended for their long-standing support, perseverance and pride in the team: Now, therefore, be it

Resolved, that the Senate—

(1) commends the loyalty, perservance and pride of the Tampa Bay Buccaneers' fans;

(2) congratulates the World Champion Tampa Bay Buccaneers for their historic win in Super Bowl XXXVII; and

(3) recognizes the achievements of the players, coaches and support staff who were instrumental in helping the Tampa Bay Buccaneers win Super Bowl XXXVII.

SEC. 2. The Secretary of the Senate shall transmit a copy of this resolution to Tampa Bay Buccaneers owner Malcolm Glazer and head coach Jon Gruden for appropriate display and transmit copies of this resolution to each player and coach of the Super Bowl XXXVII Championship team.

ORDERS FOR WEDNESDAY, JANUARY 29, 2003

Mr. SANTORUM. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in recess until the hour of 8:30 p.m. this evening, to allow for the President's State of the Union address; further, I ask consent that immediately following the joint session, the Senate automatically stand in adjournment until 12 noon, Wednesday, January 29. I further ask consent that on Wednesday, following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and there be a period of morning business until 4 p.m. with the time equally divided between the two leaders or their designees, with Senators limited to 10 minutes each, and the first hour under the control of the Democratic leader or his designee, and the second hour under the control of the Republican leader or his designee.

PROGRAM

Mr. SANTORUM. For the information of all Senators, when the Senate convenes tomorrow, there is a period of morning business until 4 p.m. The Senate may consider any legislative or executive item that becomes available. In addition, the Senate will need to address a short-term continuing resolution this week, as well. Members, therefore, should expect the possibility of rollcall votes during tomorrow's session.

RECESS

Mr. SANTORUM. If there is no further business to come before the Senate, I ask unanimous consent the Senate stand in recess under the previous order.

Mr. REID. Mr. President, reserving the right to object, if I can have the attention of my friend, tomorrow, under the Democrats' first hour, I ask unanimous consent that Senator DASCHLE be recognized for the first half hour and the Senator from Nevada, Senator REID, be recognized for the second half hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. SANTORUM. If there is no further business, I ask unanimous consent the Senate stand in recess under the previous order.

There being no objection, the Senate, at 5:21 p.m., recessed until 8:30 p.m. and reassembled when called to order by the Presiding Officer (Mr. TALENT).

The PRESIDING OFFICER. The Chair recognizes the majority leader.

MEASURE READ THE FIRST TIME—S. 228

Mr. FRIST. Mr. President, I understand that S. 228 is at the desk. I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill.

The legislative clerk read as follows:

A bill (S. 228) to amend title 18 United States Code, to limit the misuse of social security numbers, to establish criminal penalties for such misuse, and for other purposes.

Mr. FRIST. I now ask for its second reading, and I object to my own request.

The PRESIDING OFFICER. The bill will remain at the desk.

ORDER OF BUSINESS

Mr. FRIST. For the information of Senators, we will shortly proceed to the Hall of the House of Representatives for the President's State of the Union Address. Following the address, the Senate will adjourn over until 12 noon tomorrow. Votes are possible tomorrow as the Senate may consider any legislative or executive items that are available.