

1 **CONCURRENT RESOLUTION URGING CONGRESS TO**
2 **ADDRESS EMPLOYMENT RELATED CHILD IDENTITY**
3 **THEFT**

4 2011 GENERAL SESSION

5 STATE OF UTAH

6 **Chief Sponsor: Susan Duckworth**

7 Senate Sponsor: Mark B. Madsen

9 **LONG TITLE**

10 **General Description:**

11 This concurrent resolution of the Legislature and the Governor urges Congress to
12 implement policies and programs to protect American children from employment
13 related identity theft.

14 **Highlighted Provisions:**

15 This resolution:

16 ▶ urges the United States Congress to require federal agencies to report the misuse of
17 Social Security numbers to the victims, the appropriate law enforcement agencies,
18 and the Department of Homeland Security;

19 ▶ urges the United States Congress to require federal agencies to assist the victims of
20 child identity theft in recovering their identities, including issuing new Social
21 Security numbers, when appropriate; and

22 ▶ urges the United States Congress to require federal agencies to stop issuing Social
23 Security numbers to children and other individuals when those numbers are already
24 being used unlawfully.

25 **Special Clauses:**

26 None



28 *Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:*

29 WHEREAS, according to the Chief Actuary of the Social Security Administration,
30 millions of people pay payroll taxes with fraudulent Social Security numbers;

31 WHEREAS, pedophiles, criminals, deadbeat parents, and many others obtain jobs by
32 using fraudulent documents to hide their true identities;

33 WHEREAS, according to the Federal Trade Commission, employment related identity
34 theft accounts for 13% of total identity theft cases in the United States;

35 WHEREAS, investigations by the Utah Department of Workforce Services, the Social
36 Security Administration, and the Utah Attorney General's Office have identified thousands of
37 Utah children under age 13 and on public assistance who have had their Social Security
38 numbers fraudulently used by others to obtain jobs;

39 WHEREAS, investigations by the Utah Department of Workforce Services, the Social
40 Security Administration, and the Utah Attorney General's Office have identified 1,626
41 employers paying wages to individuals with Social Security numbers of children who are under
42 12;

43 WHEREAS, these children suffer serious harm, including the destruction of their good
44 names and their credit histories;

45 WHEREAS, these children are saddled with arrest records, income tax liabilities on
46 income earned under their stolen Social Security numbers, and compromised medical records
47 with life threatening consequences;

48 WHEREAS, current federal laws and regulations prohibit the Department of Workforce
49 Services from sharing information with law enforcement and the Department of Homeland
50 Security about individuals wrongfully using Social Security numbers belonging to children and
51 other American citizens and legal residents;

52 WHEREAS, the Social Security Administration does not inform or assist Americans
53 whose Social Security numbers are being used unlawfully;

54 WHEREAS, the Social Security Administration assigns numbers being unlawfully used
55 to newborn infants and other new recipients of Social Security numbers; and

56 WHEREAS, the Internal Revenue Service does not inform Americans whose Social
57 Security numbers are being used unlawfully about this identity theft as long as taxes are paid
58 on the income earned under the fraudulently obtained numbers:

59 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the
60 Governor concurring therein, urges the United States Congress to protect American children
61 from employment related identity theft by requiring federal agencies to report the fraudulent
62 use of these Social Security numbers to the victims, the appropriate law enforcement agencies,
63 and the Department of Homeland Security.

64 BE IT FURTHER RESOLVED that the Legislature and the Governor urge the United
65 States Congress to require federal agencies to assist the victims of child identity theft in
66 recovering their identities, including issuing new Social Security numbers, when appropriate.

67 BE IT FURTHER RESOLVED that the Legislature and the Governor urge the United
68 States Congress to require federal agencies to discontinue issuing Social Security numbers to
69 children and other individuals when those numbers are already being used unlawfully.

70 BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Majority
71 Leader of the United States Senate, the Speaker of the United States House of Representatives,
72 and to the members of Utah's congressional delegation.

Legislative Review Note
as of 12-3-10 8:51 AM

Office of Legislative Research and General Counsel