

from sharing information with prison officials, information that would allow them to take action to punish and to stop this fraud from going on in their prison facilities right under their noses. So, in other words, Mr. Speaker, Federal law enforcement is effectively blocked from pursuing these cases because of the ban on information sharing.

Well, this legislation that I have introduced and have brought here today, the Inmate Tax Fraud Prevention Act, would allow the IRS to reveal information on tax fraud to the Federal Bureau of Prisons and to compile statistics on tax fraud in each and every Federal and State prison. The authority for the IRS to disclose tax fraud information sunsets in 3 years, and the Treasury Inspector General for Tax Administration will issue a report, so in 3 years, Congress can determine whether the program should be renewed and whether other changes should be implemented.

Mr. Speaker, in conclusion, let me just say that it's obviously time to protect honest taxpayers from this blatant, outrageous fraud that's being committed by prison inmates. I urge my colleagues to protect this commonsense, bipartisan legislation that will protect the taxpayers. Support the Inmate Tax Fraud Prevention Act because the taxpayers of America deserve nothing less.

I reserve the balance of my time.

Mr. LEWIS of Georgia. Mr. Speaker, I would like to inquire as to whether Mr. RAMSTAD has any additional speakers.

Mr. RAMSTAD. Mr. Speaker, I have no further speakers.

Mr. LEWIS of Georgia. I am prepared to close, Mr. Speaker.

Mr. RAMSTAD. Mr. Speaker, having no further speakers, I would be happy to yield back my time, and I look forward to Mr. LEWIS' closing.

Mr. LEWIS of Georgia. Mr. Speaker, again, I want to thank my friend from Minnesota (Mr. RAMSTAD) for his good and great work for bringing this bill before us today. The Inmate Tax Fraud Prevention Act is an important bill, and I urge its passage. I fully support House bill 7082, and I urge all of my colleagues on both sides of the aisle to support this bill.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. LEWIS) that the House suspend the rules and pass the bill, H.R. 7082, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to amend the Internal Revenue Code of 1986 to permit the Secretary of the Treasury to disclose certain prisoner return information to the Federal Bureau of Prisons, and for other purposes."

A motion to reconsider was laid on the table.

#### MEDICARE IDENTITY THEFT PREVENTION ACT OF 2008

Mr. DOGGETT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6600) to amend title II of the Social Security Act to prohibit the inclusion of Social Security account numbers on Medicare cards, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6600

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Medicare Identity Theft Prevention Act of 2008".

#### SEC. 2. PROHIBITION OF INCLUSION OF SOCIAL SECURITY ACCOUNT NUMBERS ON MEDICARE CARDS.

(a) IN GENERAL.—Section 205(c)(2)(C) of the Social Security Act (42 U.S.C. 405(c)(2)(C)) is amended by adding at the end the following new clause:

"(x) The Secretary of Health and Human Services, in consultation with the Commissioner of Social Security, shall establish cost-effective procedures to ensure that a social security account number (or any derivative thereof) is not displayed, coded, or embedded on the Medicare card issued to an individual who is entitled to benefits under part A of title XVIII or enrolled under part B of title XVIII and that any other identifier displayed on such card is easily identifiable as not being the social security account number (or a derivative thereof)."

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendment made by subsection (a) shall apply with respect to Medicare cards issued on and after an effective date specified by the Secretary of Health and Human Services, but in no case shall such effective date be later than the date that is 24 months after the date adequate funding is provided pursuant to subsection (d)(2).

(2) REISSUANCE.—Subject to subsection (d)(2), in the case of individuals who have been issued such cards before such date, the Secretary of Health and Human Services—

(A) shall provide for the reissuance for such individuals of such a card that complies with such amendment not later than 3 years after the effective date specified under paragraph (1); and

(B) may permit such individuals to apply for the reissuance of such a card that complies with such amendment before the date of reissuance otherwise provided under subparagraph (A) in such exceptional circumstances as the Secretary may specify.

(c) OUTREACH PROGRAM.—Subject to subsection (d)(2), the Secretary of Health and Human Services, in consultation with the Commissioner of Social Security, shall conduct an outreach program to Medicare beneficiaries and providers about the new Medicare card provided under this section.

(d) REPORT TO CONGRESS AND LIMITATIONS ON EFFECTIVE DATE.—

(1) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Health and Human Services, acting through the Administrator of the Centers for Medicare & Medicaid Services and in consultation with the Commissioner of Social Security, shall submit to Congress a report that includes detailed options regarding the implementation of this section, including line-item estimates of and jus-

tifications for the costs associated with such options and estimates of timeframes for each stage of implementation. In recommending such options, the Secretary shall take into consideration, among other factors, cost-effectiveness and beneficiary outreach and education.

(2) LIMITATION; MODIFICATION OF DEADLINES.—With respect to the amendment made by subsection (a), and the requirements of subsections (b) and (c)—

(A) such amendment and requirements shall not apply until adequate funding is appropriated pursuant to paragraph (3) to implement the provisions of this section, as determined by Congress; and

(B) any deadlines otherwise established under this section for such amendment and requirements are contingent upon the receipt of adequate funding (as determined in subparagraph (A)) for such implementation.

(3) AUTHORIZATION OF APPROPRIATIONS.—

(A) IN GENERAL.—In addition to any amounts made available to the Secretary of Health and Human Services for the Program Management Account of the Centers for Medicare & Medicaid Services for administrative expenses and to the Commissioner of Social Security for administrative expenses, and subject to subparagraph (B), taking into consideration the report submitted under paragraph (1), there is authorized to be appropriated such sums as are necessary to carry out the provisions of this section, including section 205(c)(2)(C) of the Social Security Act, as added by subsection (a), for each of the five fiscal years beginning after the date of submittal of the report under paragraph (1).

(B) LIMITATION.—Such funds are not authorized to be appropriated until after receipt of the report provided under paragraph (1).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. DOGGETT) and the gentleman from Texas (Mr. SAM JOHNSON) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Thank you, Mr. Speaker. It is an all-Texas act this afternoon, but it's about a measure that affects seniors and individuals with disabilities all over this country.

GENERAL LEAVE

Mr. DOGGETT. Let me first ask unanimous consent that Members have 5 legislative days in which to revise and extend their remarks and to add any extraneous material in the RECORD concerning H.R. 6600, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. DOGGETT. Mr. Speaker, I yield myself such time as I may consume.

There are 44 million seniors and individuals with disabilities who carry in their wallets or in their purses something that makes them unnecessarily more vulnerable to identity theft, and that is their Medicare cards. Apart from the Social Security card, itself, the Medicare card is the most frequently issued government document displaying a Social Security number. This practice invites foul play.

To protect both the savings and the peace of mind of Medicare beneficiaries, I've introduced with the assistance and the encouragement of my

colleague from Texas, the ranking member on the Social Security Subcommittee, Mr. JOHNSON, the Medicare Identity Theft Prevention Act. This bipartisan legislation would require Medicare to take the steps that private companies and that other government agencies have already taken to protect the identities of our seniors.

Every time a senior or an individual with a disability hands over a Medicare card, that person is handing over the keys of financial security. With increasingly sophisticated thefts by identity thieves, inaction is unacceptable. Seniors have saved and have built over their lifetimes their financial security and their reputations.

□ 1500

Their savings and their credit should not be put needlessly at risk if someone steals their Medicare card. Just as a doctor swears an oath to do no harm in practicing medicine, Medicare should make sure that it does no harm to the financial security and credit rating of its beneficiaries. The Medicare Identity Theft Prevention Act will help to ensure that the government better protects seniors from identity theft, denying thieves access to this critical data.

The private sector and government agencies, including the Veterans Administration and the Department of Defense, have begun to protect Social Security numbers from identity thieves. But Medicare has not yet taken appropriate steps to do this, hence this legislation.

Inaction jeopardizes the safety of millions of our seniors and individuals with disabilities. This legislation has the support of the Consumers Union, the National Committee to Preserve Social Security and Medicare, the National Silver-Haired Congress, and the Texas Silver-Haired Legislature, as well as the Elder Justice Coalition.

Seniors confront many threats to their retirement security these days. This bill is one way to prevent their falling victim to swindlers. I urge the adoption of the bill.

I reserve the balance of my time.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise in support of the bill H.R. 6600, the Medicare Identity Prevention Act. I thank Mr. DOGGETT for bringing it up. Apparently we can't get any resolution on Social Security so we need to do it one baby step at a time.

Americans are rightly worried about the security of their personal information, including their Social Security number. Practically every day we hear about another data breach in the private or public sector where identity information of hundreds, if not thousands, of people is stolen.

According to the Privacy Rights Clearinghouse, the total number of known records that have been compromised since January 2005 is over 158 million. Even though Social Security numbers were created to track earn-

ings for determining benefit amounts under Social Security, these numbers are now unfortunately widely used as personal identifiers.

According to the Government Accountability Office, Social Security numbers have become the "identifier of choice" and are used for all sorts of business transactions. In an April 2007 report, the President's Identity Theft Task Force identified the Social Security number as the most valuable commodity for an identity thief.

These thieves are hard at work. The Federal Trade Commission estimates that about 5 percent of all of the adult population has been victim of identity theft. Even worse, the true number of victims of that crime is unknown since most victims don't report it.

We also know that this is a serious problem for illegal immigration. During a recent hearing at the Social Security Subcommittee, we learned that a credible set of fake identity documents costs about \$350. With those fake documents, illegal immigrants can get a job and even sneak through the government's E-Verify system which is meant to verify whether an employee is eligible to work in this country.

Congress must get to work on identity theft, and removing the Social Security number from widespread circulation is an excellent place to start. For years, the Ways and Means Subcommittee on Social Security has been working on this problem in a bipartisan way. We have approved bills to protect the privacy of Social Security numbers and prevent identity theft since the 106th Congress when it first approved the Social Security Number Privacy and Identity Theft Prevention Act. That legislation was introduced on a bipartisan basis by then-Subcommittee Chairman Clay Shaw and then-ranking member, the late Bob Matsui.

The Ways and Means Committee has begun working on this and so has the Energy and Commerce Committee. Our two comprehensive bills are really not that far apart, yet we are repeatedly met with opposition from those groups which prefer to splash Social Security numbers on every personal document they want. The comprehensive efforts of our two committees are being met with the same resistance they met in previous years until now.

I commend my colleague from Texas (Mr. DOGGETT) for working in a bipartisan way and not giving up on the issue. Sometimes you just have to take an issue one bite at a time.

The bill H.R. 6600, Medicare Identity Theft Prevention Act, will take the Social Security number off the Medicare card. It is completely ridiculous that people are told not to carry their Social Security card in order to protect their identity, but then every senior citizen is told they must carry their Medicare card, which has their Social Security number on it.

When the wallet of a senior citizen has been stolen, even a low-tech crook

can get the identity theft. It's not the card itself; it's a fact that then every medical record at nursing homes, hospitals, and doctor offices has a Social Security number written on it.

The wholesale amount of Social Security numbers that are available to identity thieves is staggering and completely unnecessary. The Centers for Medicare and Medicaid Services must change their tracking number for Medicare purposes.

In just a few years, the first baby boomers are going to be turning 65 and become eligible for Medicare. Rather than a huge wave of retirees being issued an "identity theft kit" when they receive a Medicare card, that card should have a unique identifier. Private insurance moved away from Social Security cards years ago. Medicare needs to do that, too.

The problem of identity theft is not going to be addressed with one single piece of legislation, but we must start somewhere, and starting with Medicare cards before Boomers become eligible is a great place to start.

Thank you, Mr. DOGGETT, for your support. I urge my colleagues to support this bill as well.

I yield back the balance of my time.

Mr. DOGGETT. Mr. Speaker, I would yield myself such time as I might consume in closing.

Mr. Speaker, I think our colleague from Texas. Mr. JOHNSON has done an excellent job of outlining the scope of identity theft. It's something we hear about every day and sometimes think it's about someone else in some other place until it strikes a friend or loved one.

We need to do a great deal to address identity theft. This is one small measure to encourage the folks at Medicare to begin to phase in a new type of identity marker for Medicare beneficiaries so that we will eliminate this particular source of the problem of identity theft.

I want to acknowledge Kathleen Black on Mr. JOHNSON's staff, Jackie Binder on mine, as well as our colleague, the chairman of the Social Security Subcommittee, who will be completing his last term here, Mike McNulty of New York, and also to acknowledge the great interest and help from our colleague Representative PAUL HODES of New Hampshire who filed similar legislation and then worked with us to get this legislation approved. He's unable to be here today, but he's been very concerned about the identity theft issue and has offered great help in fashioning this legislation.

And with that, Mr. Speaker, I believe the problem is clear. The small step we're taking through this legislation is clear, and I would move adoption of the bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in strong support of H.R. 6600, the "Medicare Identity Theft Prevention Act of 2008" I would like to thank my colleague Congressman DOGGETT and the Ways and Means Committee.

This legislation today to require the federal government to remove Social Security numbers from Medicare identification cards and communications to Medicare beneficiaries.

The Centers for Medicare and Medicaid Services (CMS), which administers the Medicare program, has fallen behind most other public and private organizations in recognizing the danger of displaying Social Security numbers. The Social Security Number Protection Act ensures that the Social Security numbers of Medicare beneficiaries are properly protected.

Every year, millions of Americans are victims of identity theft—many after their Social Security numbers are stolen. Instead of leading by example, the federal government is lagging behind private health insurers and other public agencies in protecting Medicare recipients from identity theft. CMS's continued use of Social Security numbers on Medicare cards needlessly places people at risk.

This bill ensures that a premium is placed on security and that personal information is protected. It makes no sense for a CMS to continue exposing Medicare beneficiaries to the risk of identity theft. We should pass this bill quickly and fix this problem once and for all.

I believe that this is one of those clear-cut problems that is easy to fix. With identity theft on the rise, removing social security numbers from Medicare beneficiary cards is the smart thing to do. Identity theft is one of the fastest-growing crimes in the nation. Nearly 8.4 million people were victims of identity theft last year alone, and these crimes accounted for more than \$49.3 billion in fraudulent charges.

Nearly three years ago, Senator DURBIN raised concerns about the use of Social Security numbers on Medicare cards. Because of his efforts, CMS issued a report to Congress that outlined the steps that would be required to remove Social Security numbers from Medicare cards, but has failed to implement those changes.

In May 2008, the Inspector General of the Social Security Administration issued a report which concluded that: "Given the millions of individuals at risk for identity the and OMB's directive to eliminate unnecessary uses of Social Security numbers, we believe immediate action is needed to address this significant vulnerability."

Today's legislation sets a timeframe for CMS to remove Social Security numbers from Medicare cards and communications to beneficiaries. The bill will:

Require the Health and Human Services Secretary to implement procedures to eliminate the unnecessary collection, use, and display of Social Security numbers of Medicare beneficiaries within three years;

Prohibit the display or the unencrypted electronic storage of Social Security numbers on newly issued Medicare cards;

Prohibit the display or the unencrypted electronic storage of Social Security numbers on all Medicare cards with five years of enactment; and

Prohibit the display of Social Security numbers on written and electronic communications to Medicare beneficiaries, unless essential for the operation of the Medicare program.

I am proud to cosponsor legislation that will protect our elderly. I urge my colleagues to join me in supporting this legislation.

Mr. DOGGETT. I yield back my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. DOGGETT) that the House suspend the rules and pass the bill, H.R. 6600, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SAM JOHNSON of Texas. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

#### FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 3229. An act to require the Secretary of the Treasury to mint coins in commemoration of the legacy of the United States Army Infantry and the establishment of the National Infantry Museum and Soldier Center.

H.R. 5872. An act to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the Boy Scouts of America, and for other purposes:

The message also announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 6098. An act to amend the Homeland Security Act of 2002 to improve the financial assistance provided to State, local, and tribal governments for information sharing activities, and for other purposes.

The message also announced that the Senate agreed to the amendment of the House to the amendment of the Senate to the bill (H.R. 2638) "An Act making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2008, and for other purposes."

The message also announced that the Senate has passed bills of the following titles in which the concurrence of the House is requested:

S. 3569. An act to make improvements in the operation and administration of the Federal courts, and for other purposes.

S. 3641. An act to authorize funding for the National Crime Victim Law Institute to provide support for victims of crime under Crime Victims Legal Assistance Programs as a part of the Victims of Crime Act of 1984.

#### PRESIDENTIAL HISTORICAL RECORDS PRESERVATION ACT OF 2008

Mr. CLAY. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 3477) to amend title 44, United

States Code, to authorize grants for Presidential Centers of Historical Excellence.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 3477

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Presidential Historical Records Preservation Act of 2008".

#### SEC. 2. GRANT PROGRAM.

Section 2504 of title 44, United States Code, is amended by—

(1) redesignating subsection (f) as subsection (g); and

(2) inserting after subsection (e) the following:

"(f) GRANTS FOR PRESIDENTIAL CENTERS OF HISTORICAL EXCELLENCE.—

"(1) IN GENERAL.—The Archivist, with the recommendation of the Commission, may make grants, on a competitive basis and in accordance with this subsection, to eligible entities to promote the historical preservation of, and public access to, historical records and documents relating to any former President who does not have a Presidential archival depository currently managed and maintained by the Federal Government pursuant to section 2112 (commonly known as the 'Presidential Libraries Act of 1955').

"(2) ELIGIBLE ENTITY.—For purposes of this subsection, an eligible entity is—

"(A) an organization described under section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of that Code; or

"(B) a State or local government of the United States.

"(3) USE OF FUNDS.—Amounts received by an eligible entity under paragraph (1) shall be used to promote the historical preservation of, and public access to, historical records or historical documents relating to any former President covered under paragraph (1).

"(4) PROHIBITION ON USE OF FUNDS.—Amounts received by an eligible entity under paragraph (1) may not be used for the maintenance, operating costs, or construction of any facility to house the historical records or historical documents relating to any former President covered under paragraph (1).

"(5) APPLICATION.—

"(A) IN GENERAL.—An eligible entity seeking a grant under this subsection shall submit to the Commission an application at such time, in such manner, and containing or accompanied by such information as the Commission may require, including a description of the activities for which a grant under this subsection is sought.

"(B) APPROVAL OF APPLICATION.—The Commission shall not consider or recommend a grant application submitted under subparagraph (A) unless an eligible entity establishes that such entity—

"(i) possesses, with respect to any former President covered under paragraph (1), historical works and collections of historical sources that the Commission considers appropriate for preserving, publishing, or otherwise recording at the public expense;

"(ii) has appropriate facilities and space for preservation of, and public access to, the historical works and collections of historical sources;

"(iii) shall ensure preservation of, and public access to, such historical works and collections of historical sources at no charge to the public;