

This bipartisan bill ensures that the punishment fits the crime. Current law states that any violation shall be a felony punishable by a fine in any amount not to exceed \$5,000 or imprisonment of not more than 5 years or both.

This bill increases the maximum penalty for the unauthorized disclosure of returns and return information to include a fine of up to \$250,000 or imprisonment of not more than 10 years or both. It also ensures that prosecutors can consider each taxpayer impacted by a disclosure to support a separate and distinct violation of the law.

Increasing the punishment for this crime will result in better deterrence for potential criminals and fewer crimes of this sort being committed.

I urge all my colleagues to support this legislation and send a very clear message that Congress will not tolerate the theft and leak of taxpayer information.

Mr. Speaker, I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 8292, the Taxpayer Data Protection Act. I am proud to vote for this bill that will enhance criminal penalties for the unlawful disclosure of taxpayer information.

Under Section 6103 of the tax code, tax returns and return information are confidential and may only be disclosed by the Internal Revenue Service and its employees, agents, or contractors if an exception applies.

Any unauthorized disclosure of tax information is a felony punishable by a maximum fine of \$5,000 or imprisonment up to 5 years or both.

This bill significantly increases the maximum penalty to \$250,000 and imprisonment of up to 10 years. It also makes clear that each taxpayer disclosed is treated as a separate violation subject to the maximum penalty.

This bill responds to one of the largest leaks of taxpayer information in the history of the IRS. While working at the IRS, a former contractor, Charles Littlejohn, unlawfully accessed and stole confidential tax information of the former President and thousands of wealthy taxpayers and disclosed it to two news organizations, including ProPublica. These news organizations then published a series of articles using the confidential tax information they were provided.

Earlier this year, Mr. Littlejohn was sentenced to 5 years in Federal prison for unlawfully accessing and disclosing tax information, which is the maximum sentence under current law.

This bill would have provided the judge with the discretion to increase the sentence, given the massive leak of information.

As required by law, the IRS has notified nearly 70,000 taxpayers who were impacted by this unauthorized disclosure. We must do all that we can to prevent this from happening again. This bill will provide taxpayers addi-

tional confidence in the IRS that their information is safe and protected.

Mr. Speaker, I urge my colleagues to vote "yes" on this bill, and I reserve the balance of my time.

Mr. SMITH of Missouri. Mr. Speaker, I yield such time as he may consume to the gentleman from Indiana (Mr. YAKYM).

Mr. YAKYM. Mr. Speaker, I thank the gentleman from Missouri and the chairman for his time as well as his leadership on this bill.

I rise in strong support of the Taxpayer Data Protection Act, which will increase penalties for the unauthorized disclosure of personal information.

Americans want certain things kept private. For example, the secret ballot protects the sanctity of the voting booth. HIPAA keeps medical history between you and your doctor. Section 6103 is supposed to safeguard the sensitive information of our tax returns.

Beginning in 2017, an IRS contractor illegally downloaded tax returns for thousands of Americans and began sharing them with reporters. When the investigators caught on, he tried to destroy the evidence of his crime. Yet the Biden-Harris administration let off the perpetrator of this egregious breach of trust with only a single count of unauthorized disclosure.

We cannot let partisan actors with delusions of white knighthood think they can get away with sacrificing institutional trust in furtherance of their personal political vendettas.

I thank Chairman SMITH for keeping the spotlight on this case, and I urge my colleagues to support the bill.

Ms. SANCHEZ. Mr. Speaker, I yield myself the balance of my time for closing.

Taxpayers must have full confidence that the IRS will safeguard their data. As Members of Congress, we must strengthen our laws to ensure that every American's tax information is protected.

This bill increases the maximum penalty for unauthorized disclosure and will serve as a big deterrent for folks who may think about breaking the law.

Mr. Speaker, I urge my colleagues to vote "yes" in support of this bill, and I yield back the balance of my time.

Mr. SMITH of Missouri. Mr. Speaker, I yield myself the balance of my time.

Every taxpayer deserves to have their data protected from theft and illegal disclosure. Our voluntary tax filing system depends on trust, a trust that was betrayed by a criminal with political motives who calculated that the crime would be worth the current punishment.

Simply put, he knew the crime he was committing, he knew the likelihood he would end up in prison for just a few months or years, and he decided the risks were clearly worth his reward.

We have an opportunity to deter similar actions from happening again in the future by making the punishment match the crime.

Mr. Speaker, I urge my colleagues to join me in voting for the Taxpayer Data Protection Act, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BUCSHON). The question is on the motion offered by the gentleman from Missouri (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 8292, as amended.

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

A motion to reconsider was laid on the table.

IMPROVING SOCIAL SECURITY'S SERVICE TO VICTIMS OF IDENTITY THEFT ACT

Mr. SMITH of Missouri. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3784) to amend title VII of the Social Security Act to provide for a single point of contact at the Social Security Administration for individuals who are victims of identity theft, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3784

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 "Improving Social Security's Service to Victims of Identity Theft Act".

SEC. 2. SINGLE POINT OF CONTACT FOR IDENTITY THEFT VICTIMS.

(a) IN GENERAL.—Title VII of the Social Security Act (42 U.S.C. 901 et seq.) is amended by adding at the end the following:

"SEC. 714. SINGLE POINT OF CONTACT FOR IDENTITY THEFT VICTIMS.

"(a) IN GENERAL.—The Commissioner of Social Security shall establish and implement procedures to ensure that any individual whose social security account number has been misused (such as to fraudulently obtain benefits under title II, VIII, or XVI of this Act, or in a manner that affects an individual's records at the Social Security Administration, or in a manner that prompts the individual to request a new social security account number) or whose social security card has been lost in the course of transmission to the individual has a single point of contact at the Social Security Administration throughout the resolution of the individual's case. The single point of contact shall track the individual's case to completion and coordinate with other units to resolve issues as quickly as possible.

"(b) SINGLE POINT OF CONTACT.—

"(1) IN GENERAL.—For purposes of subsection (a), the single point of contact shall consist of a team or subset of specially trained employees who—

"(A) have the ability to coordinate with other units to resolve the issues involved in the individual's case, and

"(B) shall be accountable for the case until its resolution.

"(2) TEAM OR SUBSET.—The employees included within the team or subset described in paragraph (1) may change as required to meet the needs of the Social Security Administration, provided that procedures have been established to—

"(A) ensure continuity of records and case history, and

"(B) notify the individual when appropriate."

(b) *EFFECTIVE DATE.*—The amendment made by subsection (a) shall take effect 180 days after the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. SMITH) and the gentleman from Connecticut (Mr. LARSON) each will control 20 minutes.

The Chair recognizes the gentleman from Connecticut.

GENERAL LEAVE

Mr. SMITH of Missouri. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

Mr. SMITH of Missouri. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 3784, the Improving Social Security's Service to Victims of Identity Theft Act.

In 2022 alone, there were over a thousand data breaches which exposed the private data, such as names, dates of birth, and Social Security numbers of millions of Americans, putting their identities and financial well-being at risk.

We all know someone who has been a victim of identity theft, and we have seen how difficult and time consuming it is for those individuals to take back control of their credit and financial well-being.

The longer it takes to resolve an issue like the loss or theft of a Social Security number, the longer fraudsters have to compromise or exploit an individual's identity.

This Congress, the Ways and Means Committee held a hearing that underlined exactly why this bill is needed. We heard from Margaret, a new mother, who testified about her 9-month-old daughter's Social Security number being compromised and the stress associated with such a situation. She testified that having a single point of contact at the Social Security Administration to talk to about her case would have made a world of difference. That is exactly what this bill does.

H.R. 3784 will streamline the process of addressing concerns with lost or stolen Social Security numbers by reducing the burdens on victims and ensuring a more efficient resolution of their issues.

I thank my colleagues, Social Security Subcommittee Chairman DREW FERGUSON and Ranking Member JOHN LARSON for their bipartisan work on this bill.

Mr. Speaker, I urge my colleagues to support this legislation, and I reserve the balance of my time.

Mr. LARSON of Connecticut. Mr. Speaker, I yield myself such time as I may consume.

I also extend my congratulations to Mr. FERGUSON, and I thank Mr. SMITH

for his comments on this very important piece of legislation. I think the public is always glad to see bipartisanship at work, and there is nobody who exemplifies that more than the chairman of the subcommittee, Mr. FERGUSON himself.

Americans are increasingly vulnerable to identity theft, as we all know. In 2023, the Federal Trade Commission received over a million reports of identity theft.

Addressing identity theft can be complex and time consuming. Currently, a victim could run into incredible red tape when you try to go through the current system and get a resolution to what, obviously, is a very disturbing incident that has just happened to you.

We must do everything we can to improve the process for victims. That is why we initiated this legislation that will allow that one-stop provision and allow the individuals to make sure that they have a point of contact and work this way through instead of working their way through an entanglement of bureaucracy.

We must also ensure that the SSA has the necessary funding, however, and the resources to carry out its mission. There have been years of underfunding. The American public should understand this.

Social Security manages over 70 million people. What other Federal agency do you know of that administers that bureaucracy for under 1 percent?

That is a shameful cut. We need to make sure that Social Security is funded appropriately and make sure they have all of the latest technology to deal with the more than 70 million people now that are receiving Social Security.

Again, I think the Nation is astounded. I come from the insurance capital of the world. On average, they administer their insurance programs for around 20 percent.

I think we ought to take a hard look, and I think everybody has to take a look into their heart. If we expect to provide people with the kind of service they should get from the number one antipoverty program for the elderly and the number one antipoverty program for children, then we have to make sure that that is appropriately funded.

Mr. Speaker, I reserve the balance of my time.

□ 1530

Mr. SMITH of Missouri. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. FERGUSON), the chairman of the Subcommittee on Social Security.

Mr. FERGUSON. Mr. Speaker, I thank the chairman for his support, and I thank Mr. LARSON for his engagement on this issue.

Mr. Speaker, I rise today in support of H.R. 3784, a bill I introduced called the Improving Social Security's Service to Victims of Identity Theft Act.

In 2021, roughly 1.5 million children were the victims of identity fraud.

That is 1 in nearly 50 children. The numbers are staggering.

Now, I as chairman, along with Ranking Member LARSON, held a subcommittee hearing to discuss ways the Social Security Administration could responsibly do more to protect America's Social Security numbers from identity theft.

The hearing also highlighted the government's failure to help individuals whose Social Security numbers had been compromised.

During the hearing, we heard from Mrs. Hayward, who testified her family had been forced to navigate the Social Security Administration's bureaucratic maze to protect her daughter's financial future.

Mr. Speaker, she told the subcommittee that after giving birth to her third child, she promptly submitted the proper paperwork for a new birth certificate and a Social Security card. While the birth certificate arrived without issue, the Social Security card did not.

By the time her daughter was 7 weeks old, and having not received the card, she grew concerned and contacted the Social Security Administration about the fact that the website said that it had been sent and received when, in fact, it had not.

She initially assumed the card might have been misplaced, but after thoroughly checking her mail and contacting the Social Security Administration, she learned that the card had been issued but not received. The Social Security Administration advised patience, but concerns about identity theft were dismissed.

When she requested information about whether the card had been received or issued, she was simply told she could apply for a replacement card, but not a new number, nor could she get the old number directly.

Mr. Speaker, Mrs. Hayward eventually went to the Social Security office. She stated that other employees provided inconsistent information, dismissed the need for a new number, and even suggested that a remedy was contacting the post office to locate the missing card. It was only after she sought help from her U.S. Senator that they were able to request a new card. When a replacement card finally arrived, the original card was still unaccounted for and potentially compromised.

The process to monitor and protect her daughter's identity was really much too cumbersome and stressful, and having to re-explain the situation to multiple Social Security Administration employees about navigating this complex system and the issues that she had faced is simply unacceptable.

Preventing identity theft must be a top priority, yet Mrs. Hayward's family and countless others across the Nation have faced serious bureaucratic obstacles that extend the time that fraudsters have to misuse the personal information of their victims.

This underscores the need for a system that proactively prevents identity theft and provides clear, consistent support for American families.

Mr. Speaker, my bill addresses this by streamlining the process to a single point of contact at the Social Security Administration so that they can get their issues resolved more efficiently. I am proud to offer this bill along with my colleague, Mr. LARSON, and ask that Members support this bill.

Mr. LARSON of Connecticut. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, let me compliment the chairman, Mr. FERGUSON, and thank him for his incredible work in this area. I also thank Commissioner O'Malley, who doesn't get the credit I believe he richly deserves, especially dealing with less resources and a larger and growing problem. Imagine, if you will, for I think most viewers don't know, that 10,000 baby boomers a day become eligible for Social Security, and it is growing rapidly.

I am glad that Republicans support this bill to improve customer service for victims of identity theft, but they must also support giving SSA the resources it needs to implement it. I think that is pretty clear and straightforward.

Mr. Speaker, I also believe that, as was pointed out by Mr. SMITH and also by Mr. FERGUSON, the unfortunate experience people go through is a crime, identity theft, and even more of a crime when you can't get service.

Yet, what is really criminal about Social Security is that Congress has not taken on the responsibility of enhancing a program that was last improved when Richard Nixon was President of the United States—53 years. Every single district, every single individual, everyone who is retiring is stuck at the same benefit level they were in 1971.

There are 5 million Americans who get below-poverty-level checks because Congress hasn't acted. For over 40 percent of Social Security recipients, which is 28 million people, all they have is Social Security. The only body that can resolve that problem for them is the United States Congress.

We took a baby step here as it relates to making sure about identity theft. We need to take a major step and vote for enhancements for people who richly deserve them. They are counting on us. It is the Nation's insurance program, and we have not done our job as a Congress.

Mr. Speaker, I yield back the balance of my time.

Mr. SMITH of Missouri. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, a Social Security number is the gateway to taking control of an American's identity and finances. Congress owes it to the American people to do everything that we can to ensure their identities are protected and that the process for taking back control of their identity when their Social

Security number is compromised is streamlined and easy. We especially owe it to the almost 1 million children who were victims of identity fraud in 2022 through no fault of their own.

H.R. 3784 is a long-overdue step forward in streamlining the Social Security Administration's process and alleviating the burden on victims.

Mr. Speaker, I urge all of my colleagues to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 3784, as amended.

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

A motion to reconsider was laid on the table.

FIND AND PROTECT FOSTER YOUTH ACT

Mr. SMITH of Missouri. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1146) to amend part E of title IV of the Social Security Act to require the Secretary of Health and Human Services to identify obstacles to identifying and responding to reports of children missing from foster care and other vulnerable foster youth, to provide technical assistance relating to the removal of such obstacles, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1146

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 "Find and Protect Foster Youth Act".

SEC. 2. ELIMINATING OBSTACLES TO IDENTIFYING AND RESPONDING TO REPORTS OF CHILDREN MISSING FROM FOSTER CARE AND OTHER VULNERABLE FOSTER YOUTH.

Section 476 of the Social Security Act (42 U.S.C. 676) is amended by adding at the end the following:

"(f) EVALUATION OF PROTOCOLS RELATING TO CHILDREN MISSING FROM FOSTER CARE AND OTHER VULNERABLE YOUTH; TECHNICAL ASSISTANCE.—

"(1) IN GENERAL.—The Secretary shall conduct an evaluation of the protocols established by States in accordance with the requirements of section 471(a)(35) and, to the extent applicable, by Indian tribes or tribal organizations (as defined in section 479B(a)) or tribal consortia with a plan approved under section 471 in accordance with section 479B.

"(2) REQUIREMENTS.—The evaluation shall include the following:

"(A) A review of relevant aspects of reports submitted by States, Indian tribes, tribal organizations, and tribal consortia under this part and part B, and data and other information reported pursuant to the system established under section 479.

"(B) Analysis of the extent to which States, Indian tribes, tribal organizations, and tribal consortia comply with, and enforce, the protocols required by section 471(a)(35).

"(C) Analysis of the effectiveness of such protocols.

"(D) Identification of obstacles for States, Indian tribes, tribal organizations, and tribal consortia to identifying and responding to reports of children missing from foster care and other vulnerable foster youth.

"(E) Identification of best practices for identifying such children and youth and intervening with effective services.

"(3) TECHNICAL ASSISTANCE.—The Secretary shall provide States, Indian tribes, tribal organizations, and tribal consortia with information, advice, educational materials, and technical assistance relating to eliminating identified obstacles to identifying and responding to reports of children missing from foster care and other vulnerable foster youth and providing such children and youth with effective services. Such assistance may include dissemination of—

"(A) processes and tools to identify and examine risk factors and potential trends related to children who go missing from foster care and other vulnerable youth;

"(B) best practices for runaway tracking and recovery; and

"(C) guidelines for intervention, including with respect to services, types of providers, and placement settings.

"(4) REPORT.—Not later than 5 years after the date of enactment of this subsection, the Secretary shall submit a report to Congress on the results of the evaluation conducted under this subsection and the technical assistance provided in accordance with paragraph (3)."

SEC. 3. IMPROVING SCREENING AND ASSESSMENT OF CHILDREN RETURNED TO FOSTER CARE AFTER GOING MISSING TO DETERMINE WHETHER THEY WERE, OR ARE AT RISK OF BECOMING, VICTIMS OF SEX TRAFFICKING.

Section 476 of the Social Security Act (42 U.S.C. 676), as amended by section 2, is further amended by adding at the end the following:

"(g) IMPROVING IDENTIFICATION OF, AND SERVICES FOR, CHILDREN WHO RETURN TO FOSTER CARE AFTER RUNNING AWAY OR OTHERWISE BEING ABSENT FROM FOSTER CARE AND WHO ARE, OR ARE AT RISK OF BEING, VICTIMS OF SEX TRAFFICKING.—

"(1) ASSISTANCE.—

"(A) SCREENING AFTER A RETURN TO FOSTER CARE.—The Secretary shall provide States, Indian tribes, tribal organizations, and tribal consortia, with information, advice, educational materials, and technical assistance to improve compliance with section 471(a)(35)(A)(iii).

"(B) IMPROVING OTHER REQUIREMENTS.—The information, advice, educational materials, and technical assistance provided may include information, advice, educational materials, and technical assistance to improve or modify policies and procedures (including relevant training for caseworkers) developed by States, Indian tribes, tribal organizations, and tribal consortia under section 471(a)(9)(C), including the following:

"(i) Identifying, through screening, whether the State has reasonable cause to believe the child or youth is, or is at risk of being, a victim of sex trafficking.

"(ii) Documenting the results of such screening in agency records.

"(iii) Determining appropriate services for a child or youth for whom the State determines there is reasonable cause to identify the child or youth as a victim of sex trafficking, or as at risk of being a victim of sex trafficking.

"(iv) Documenting in agency records the determination of appropriate services for a child or youth described in clause (iii).

"(2) FORMS OF ASSISTANCE.—The assistance provided under this subsection shall include the following: