

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 agreed 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, persavance 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