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Social Security Administration

Report To Congress
On Options for
Enhancing the
Social Security
Card



Leanne A. Shimabukuro	09/17/97 06:14:03 PM
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Record Type: Record

To: Jack A. Smalligan/OMB/EOP

cc: Cynthia A. Rice/OPD/EOP, WARNATH_S @ A1 @ CD @ LNGTWY, Jose Cerda III/OPD/EOP

Subject: edits to SSA report

Here are the agreed upon revisions to the report:

Executive summary, p.v. Conclusion section. After first sentence, "However, the issuance of an enhanced card raises public policy issues about privacy and the potential of the card to be used as a national identification card. Any consideration of an enhanced card needs to address these policy issues."

On p. 89, third paragraph, strike first sentence and replace with: "Issuing enhanced cards is technologically feasible and would cost between \$3,989 million and \$9,213 million depending on the card option selected." (You may want to double check the amount.)

As a final note that we didn't explicitly agree upon, I would propose that on p.v of the executive summary, third paragraph, the last part of the sentence referring to drivers licenses be dropped. Strike "...that would be more cost effective and less burdensome to the public."

Please let me know the final resolution of the drivers license provisions of the report. Thanks!!

Jack A. Smalligan
09/09/97 12:29:36 PM

Record Type: Record

To: Leanne A. Shimabukuro/OPD/EOP
cc: Christopher M. Sauer/OMB/EOP, Keith J. Fontenot/OMB/EOP
Subject: Social Security Card Report

Below are the edits we discussed. Let me know if you have any concerns.

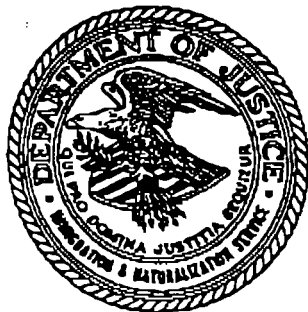
1) At the "conclusion" paragraph at the end of page v the following would be inserted after "...is feasible":

"...but would be extremely costly and raises many policy issues which would need to be resolved. The implications of an enhanced Social Security card on individual privacy and concerns with the perceived creation of a national identifier are among the most important and complex issues which would need to be considered. The SSN is the single most widely used record identifier. However, by itself, it is not a national identifier because it lacks systematic assignment to every person."

2) On page 89, in the third paragraph after "feasible" insert:

"but would be extremely costly."

3) On page 89 in the seventh paragraph replace "Expenditures of this magnitudes should have commensurate benefits" with "The enormous cost of this undertaking and the serious privacy and other policy issues raised by an enhanced Social Security card should be considered."



United States Department of Justice
Immigration and Naturalization Service
425 I Street, N.W., Washington, D.C. 20536

Facsimile Transmission Cover Sheet

TO: Leanne Shimabukuro **Date:** 9/15

OFFICE: _____ **Room:** _____

Phone No.: _____

Fax No.: 456-7028

FROM: _____
Office of the Executive Associate Commissioner,
Policy and Planning

Room - 6038

Phone No.: (202) 514-3242

Fax No.: (202) 305-0134

No. of Pages: Cover +

SUBJECT: _____

DISCUSSION:

**INS Comments on SSA Report to Congress
on Options for Enhancing the Social Security Card**

9/8/97

Page 4, second paragraph: The report mentions that SSA and INS are working together on a pilot project on employment eligibility verification. The pilot actually began on August 22, 1997. The report states "results [will be] available beginning in the fall of 2000" (emphasis added). This is potentially misleading, since SSA and INS will be monitoring the pilot all along, and we will have some results much sooner than 2000.

Further, this paragraph does not mention the other joint SSA/INS employment pilots required by Section 401 et seq. of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, which will be starting September 30, 1997. Since these pilots are congressionally mandated and will involve thousands of employers -- compared to the 35-50 employers in the current effort -- it appears disproportionate to mention one and not the other.

Page 6, opening paragraph and quote: This is not a sentence -- a verb is missing.

Page 13, first paragraph in Section D: This paragraph states "[t]here are few valid reasons for issuance of a nonwork Social Security card since IRS began assigning taxpayer identification numbers" Elsewhere, however, the report says that many states require SSNs for driver's licenses. The District of Columbia, for example, won't issue a driver's license without an SSN. Especially since driver's licenses are offered as an alternative to enhancing the Social Security card, is "few valid reasons" the right characterization?

Page 16: See marked-up page attached. The discussion suggests that IIRIRA created two immediate prohibitions -- one on federal agencies accepting non-conforming birth certificates and one on accepting non-conforming driver's licenses. In fact, neither of these prohibitions kicks in for several years, and that should be clarified to prevent confusion and concern.

Page 17, last paragraph: what is "OIO"?

Barbara Strack
514-3242

**INS Comment on SSA Report to Congress
on Options for Enhancing the Social Security Card -
Suggested Insert**

9/9/97

On page 4, 2d paragraph: Replace the last two sentences with the following --

"Currently, under the 1996 immigration reform legislation, SSA is working with the Immigration and Naturalization Service (INS) on several pilot employment eligibility verification projects to allow employers to verify the name, SSN, and work authorization status of newly hired employees. A small test of a prototype system is already underway, with deployment on a larger scale to occur later this year. The pilots are slated to run for up to 4 years, with reports to Congress in 2000 and 2001."

Note: We suggest dropping the method of verification because it may be telephone, PC, or magnetic stripe, and it becomes unwieldy to name them all.

217R

Total Pages: _____

LRM ID: IMS224

**EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
Washington, D.C. 20503-0001**

Friday, January 16, 1998

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer - See Distribution below

FROM: James J. Jukes (for) Assistant Director for Legislative Reference *Ji-*
OMB CONTACT: Ingrid M. Schroeder
PHONE: (202)395-3883 FAX: (202)395-3109

SUBJECT: Social Security Administration Report on HR2716 To Codify and Enact, without Substantive Change, Certain General and Permanent Laws, Related to Aliens and Nationality; as title 8 United States Code, "Aliens and Nationality"

DEADLINE: Noon Friday, January 23, 1998

In accordance with OMB Circular A-19, OMB requests the views of your agency on the above subject before advising on its relationship to the program of the President. **Please advise us if this item will affect direct spending or receipts for purposes of the "Pay-As-You-Go" provisions of Title XIII of the Omnibus Budget Reconciliation Act of 1990.**

COMMENTS: HR2716 is a codification bill and can be found on the internet in THOMAS.
DISTRIBUTION LIST

AGENCIES:

61-JUSTICE - Andrew Fois - (202) 514-2141
52-HHS - Sondra S. Wallace - (202) 690-7760

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William P. Marshall
Peter G. Jacoby
Jim Hurr

_____ **Concur**

_____ **No Objection**

_____ **No Comment**

_____ **See proposed edits on pages _____**

_____ **Other: _____**

_____ **FAX RETURN of _____ pages, attached to this response sheet**



SOCIAL SECURITY

Office of the Deputy Commissioner for Legislation and Congressional Affairs

January 15, 1998

Mr. Kenneth Paretzky
Office of the Law Revision Counsel
U.S. House of Representatives
H2-304 Ford HOB
Washington, DC 20515

Draft

Dear Mr. Paretzky:

We have reviewed H.R. 2716, a bill to codify and enact, without substantive change, certain general and permanent laws, related to aliens and nationality; as title 8 United States Code, "Aliens and Nationality."

We have only one comment on H.R. 2716. We recommend that Section 15121(b)(2) of the codification of Title 8 be deleted. Section 15121(b)(2) codifies section 401(b)(2) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Pub. L. No. 104-193) concerning the eligibility of noncitizens for benefits under Title II of the Social Security Act. That provision was effective for benefit applications filed on or after September 1, 1996. However, subsequent to the enactment of Pub. L. No. 104-193 Congress enacted section 503 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Pub. L. No. 104-208, 110 Stat. 3009-671) concerning the same subject. Section 503 accomplishes the same result as section 401(b)(2) by amending Title II of the Social Security Act and is effective for applications filed on or after December 1, 1996.

The Social Security Administration sought the language in section 503 because we believe that it is preferable to have a rule specific to Title II eligibility contained in Title II and because the delayed effective date was necessary for the orderly administration of the provision. Our General Counsel has taken the position that section 503 is the controlling provision because Pub. L. No. 104-208 was enacted subsequent to Pub. L. No. 104-193.

Codification of section 15121(b)(2) as drafted would have two effects. First, the legality of benefits which have been and will be paid to individuals who applied between September 1, 1996 and December 1, 1996 would be called into question by enacting the September 1, 1996 effective date. Second, future changes to the law governing payment

of benefits to individuals governed by this provision would be made more complex by the enactment of section 15121(b)(2) because there would be yet another enactment governing the same group.

We believe that enactment of section 503 subsequent to section 401(h)(2) and in response to SSA's concerns is evidence that Congress decided that the best way to provide for the eligibility of noncitizens to benefits under Title II of the Social Security Act was through provisions contained in Title II of the Social Security Act and not elsewhere.

Sincerely,

Judy L. Chesser
Deputy Commissioner
for Legislation and Congressional Affairs

