

Immigration
Voter Eligibility
Verification Act.

INGRID M. SCHROEDER

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Record Type: Record

To: See the distribution list at the bottom of this message

cc: James J. Jukes/OMB/EOP, Darlene O. Gaymon/OMB/EOP

Subject: LRM IMS 230 - Statement of Administration Policy on HR1428 Voter Eligibility Verification Act

Total Pages: _____

LRM ID: IMS230

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

Friday, February 6, 1998

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer - See Distribution below

FROM: James J. Jukes (for) Assistant Director for Legislative Reference

OMB CONTACT: Ingrid M. Schroeder

PHONE: (202)395-3883 FAX: (202)395-3109

SUBJECT: **Statement of Administration Policy on HR1428 Voter Eligibility Verification Act**

DEADLINE: **10am Monday, February 9, 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: H.R. 1428 is scheduled for House floor action under suspension of the rules on Thursday, February 12th. Please note that the attached draft SAP contains a **veto recommendation.**

Justice and SSA strongly opposed H.R. 1428 in testimony before a House Judiciary subcommittee on June 25, 1997.

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SUBJECT: Statement of Administration Policy on HR1428 Voter Eligibility

The Administration strongly supports protecting the integrity of elections and agrees that voter eligibility determinations must be conducted in a non-discriminatory, uniform fashion. For the following principal reasons, however, H.R. 1428 fails to achieve those goals. Thus, the Administration strongly opposes enactment of H.R. 1428. If this bill were presented to the

President, _____ would recommend that he veto it.

First, H.R. 1428 depends upon data systems not suited for voter verification purposes. Second, it would be so cumbersome as to likely raise discriminatory barriers to the right to vote for many qualified U.S. citizens, particularly minority and elderly citizens. Third, the Immigration and Naturalization Service (INS) already routinely cooperates with State and local officials in the execution of their duties, including, in appropriate cases, duties relating to elections.

The system mandated by the bill will not result in accurate and timely information. The Social Security Administration (SSA) cannot confirm citizenship based on its records. 269 million of its records created before 1981 reflect only unverified information on citizenship status, and newer records are not routinely updated for changes in citizenship status. Only about 10 percent of INS records contain Social Security numbers, and SSA cannot supply Alien Registration numbers. A forced linking of two databases not designed for this purpose will result in the denial of the right to vote for U.S. citizens.

The bill poses important civil rights problems. In 1986, Congress sought to guard against employment discrimination by requiring that the identity and immigration status of all employees be verified. H.R. 1428 lacks this safeguard. Some, but not all, voters may be subject to citizenship verification under H.R. 1428 without regard to any underlying information indicating that a person is not a citizen. The potential for discriminatory abuse, particularly against minorities, is clear.

In addition to accuracy and civil rights concerns, verification for citizenship, as opposed to immigration status, is highly burdensome on local and State election officials, as well as Federal agencies. Even if the system envisioned by the bill were workable, voter registration would be greatly impeded because of the administrative burden in verifying everyone's citizenship. H.R. 1428 would render meaningless existing voter registration deadlines under State laws and thwart the protections of the National Voter Registration Act and Voting Rights Act.

In addition, there is already a citizenship question on the voter application forms of all States, in most (if not all) cases carrying a perjury penalty for false statements. Existing cooperation and assistance furnished to State and local election officials are far more effective than the system mandated by H.R. 1428.

* * * * *

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→ Immigration
Voter Eligibility
Total Pages: 11

LRM ID: IMS97

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

Monday, June 23, 1997

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer - See Distribution below

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

SUBJECT: Social Security Administration Testimony on HR1428 Voter Eligibility
Verification Act

DEADLINE: 5pm Monday, June 23, 1997

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.

^{subcommittee}
COMMENTS: The H. Judiciary hearing is scheduled for June 25th. Please note that SSA strongly opposes HR 1428 on page 2 of the testimony.

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LRM ID: IMS97SUBJECT: Social Security Administration Testimony on HR1428 Voter Eligibility Verification Act

**RESPONSE TO
LEGISLATIVE REFERRAL
MEMORANDUM**

If your response to this request for views is short (e.g., concur/no comment), we prefer that you respond by e-mail or by faxing us this response sheet. If the response is short and you prefer to call, please call the branch-wide line shown below (NOT the analyst's line) to leave a message with a legislative assistant.

You may also respond by:

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FROM: _____ (Date)
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The following is the reponse of our agency to your request for views on the above-captioned subject:

_____ Concur

_____ No Objection

_____ No Comment

_____ See proposed edits on pages _____

_____ Other: _____

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

Draft

H.R. 1428
VOTER ELIGIBILITY
VERIFICATION ACT

FOR RELEASE UPON DELIVERY

HEARING BEFORE THE
HOUSE COMMITTEE ON THE JUDICIARY
SUBCOMMITTEE ON IMMIGRATION AND
CLAIMS

JUNE 25, 1997



STATEMENT BY
SANDY CRANK
ASSOCIATE COMMISSIONER FOR POLICY
AND PLANNING

DRAFT

Draft

Mr. Chairman and Members of the Subcommittee:

Thank you for inviting the Social Security Administration (SSA) to testify on H.R. 1428, a bill which would require the Commissioner of Social Security and the Attorney General to establish a system to verify the citizenship of voter registration applicants.

H.R. 1428 Provisions that Affect SSA

Let me begin by briefly summarizing the provisions of the bill that affect SSA. The stated purpose of H.R. 1428 is to establish a confirmation system that would be used for the purpose of assessing the eligibility of voter registration applicants through citizenship verification. Specifically, the bill would require the following:

- The Attorney General, in consultation with SSA and the Immigration and Naturalization Service (INS), would establish a voter eligibility confirmation system under which SSA would respond to inquiries made by voter registration officials to confirm or nonconfirm the citizenship of voter registration applicants;
- SSA would maintain a record of the inquiries that were made and of confirmations provided (or not provided);
- INS would establish a secondary verification process (for an SSA tentative nonconfirmation) to provide a final confirmation or nonconfirmation;
- SSA would validate the name and SSN provided by voter registration authorities to confirm (or nonconfirm) whether the person is a citizen of the U.S.; and

DRAFT—June 23, 1997

-2-

- SSA would provide the requester any information maintained regarding an alien identification or authorization number established by INS for the person.

SSA Views on H.R. 1428

We strongly oppose a citizenship confirmation process that is based on the use of SSA records as verification of U.S. citizenship. It would not be appropriate for SSA to confirm citizenship because SSA is not the official custodian of birth, naturalization, or other records which constitute evidence of citizenship. Our records regarding the citizenship/ noncitizenship status of individuals are not necessarily current and are not necessarily based on documentary evidence. SSA records generally reflect citizenship or noncitizenship status at the time an SSN is assigned, or at the time a duplicate or corrected Social Security card is issued, and are not routinely updated to reflect status changes. Furthermore, the accuracy of our records is dependent on the validity of the documents presented to us as evidence.

As a point of clarification, SSN validation would enable voter registration officials to verify that the name and SSN provided by the applicant match SSA records, that is, that, according to SSA records, a given SSN was assigned to a given person. However, I want to emphasize that the SSN validation process does not confirm that the voter registration applicant is, in fact, the person to whom the SSN was assigned.

Were the system described in H.R. 1428 to be adopted, SSA validation of SSNs would have to be done on a reimbursable basis. Since voter registration does not relate to a Social Security program purpose, the Social Security trust funds may not be used to pay for the activities assigned to SSA under H.R. 1428. Furthermore, we are concerned about the impact of the bill on SSA resources, even if SSA were to be reimbursed (which the bill does not provide for).

DRAFT--June 23, 1997

-3-

Finally, we believe it would be premature to implement a nationwide voter registration verification system without waiting for the results of a pilot test of a similar verification system for employment eligibility purposes required by the 1996 Immigration Reform legislation.

Establishing a Person's Social Security Record

SSA maintains lifetime records of each worker's earnings for purposes of determining entitlement to Social Security benefits and the amount of such benefits. Each person's records are stored and accessed electronically. The key to this massive recordkeeping operation is the SSN, a unique number assigned by SSA for this purpose. Over 384 million SSNs have been assigned since 1936. SSA's records reflect the following information about the person to whom an SSN is assigned (based on information furnished by the SSN applicant): applicant's full name, date and place of birth, gender, mother's maiden name, and father's name. In some cases, citizenship/ noncitizenship status is also recorded. Although evidence of identity, age, and citizenship/lawful noncitizen status is required of new applicants, generally, SSN records compiled before May 1978 were not supported by documentation.

Although SSA is the appropriate agency to verify that a person's name and SSN match the official record of SSN assignments, we are not the custodian of birth or naturalization records and thus cannot confirm U.S. citizenship. We do not routinely receive notification when a noncitizen becomes naturalized. Our SSN records reflect a person's citizenship/noncitizen status only as of the time the SSN is assigned or a replacement Social Security card is issued. If a noncitizen becomes a naturalized citizen after being assigned an SSN, we reflect this information on our records only if the person applies for a replacement Social Security card. Finally, we do not routinely maintain records of alien registration numbers, which are assigned by INS.

DRAFT--June 23, 1997

-4-

From the beginning of the program in 1936 to November 1971, all SSNs were assigned based solely on information alleged by the applicant; proof of identity or of the information provided was not required. Beginning in November 1971, persons age 55 and over applying for an SSN for the first time were required to submit evidence of identity. Beginning April 15, 1974, all noncitizens, all applicants age 18 or older, and all applicants for Aid to Families with Dependent Children (now Temporary Assistance to Needy Families) applying for original SSNs were required to submit documentary evidence of age, identity, and citizenship/lawful noncitizen status. This made it more difficult to obtain an SSN on the basis of a false identity. Because of our concern that people who had been assigned SSNs for purposes other than work might use the SSN to obtain unauthorized employment, in July 1974, we began to annotate our paper records to reflect the fact that a noncitizen had been assigned a nonwork SSN, that is, an SSN which was not valid for employment purposes. In May 1982, SSA began annotating Social Security cards with this restriction when appropriate.

Several years later, the integrity of the SSN process was further improved. On May 15, 1978, we began requiring all applicants for original SSNs to provide documentary evidence of age, identity, and U.S. citizenship or noncitizenship status. We also required all applicants for replacement (duplicate or corrected) Social Security cards to submit evidence of identity and, if foreign-born, evidence of current noncitizen status. People who alleged birth in the United States when applying for their original SSN or who previously submitted evidence of citizenship are not required to provide evidence of citizenship when applying for a replacement card.

It was not until 1981 that our recordkeeping system was able to record whether the person had provided proof of citizenship or noncitizenship status. This means that any information about U.S. citizenship obtained as a result of the SSN application process before 1981 is limited to unverified allegations of birth in the U.S. and unverified allegations of naturalization. Of the 384 million SSNs assigned, approximately 115 million were assigned prior to 1981.

DRAFT--June 23, 1997

-5-

Generally, to obtain an original SSN and Social Security card, an applicant now must submit at least two documents to establish identity, age, and citizenship/lawful noncitizen status. Evidence of U.S. citizenship can be a U.S. birth certificate, naturalization certificate, or U.S. passport. Evidence of lawful noncitizen status is an appropriate unexpired document issued by the INS.

Breeder Documents

The documents which an SSN applicant must present to establish age, identity, and citizenship or noncitizenship status--primarily a birth certificate and INS documents--may, of course, have been altered, counterfeited, or obtained through fraud. SSA accepts a U.S. birth certificate as evidence of age and citizenship, but not as evidence of identity. A birth certificate establishes the fact of birth, but not that the person named on the certificate is the person presenting it. Even though SSA employees are trained to recognize counterfeited INS documents and U.S. birth certificates, we should keep in mind that some SSA records may have been established based on fraudulent documents.

Workload Considerations

As I previously mentioned, while we do not object to validating SSNs, we are concerned about devoting limited SSA resources to this nonprogram workload. SSA would have to be reimbursed because trust funds may not be used for non-Social Security program-related work. Because the language of the bill does not limit the verification system to new voter registrants, it would be possible for voter registration officials to submit to SSA an entire list of registered voters for validation. Depending on the number of records involved, this could be an enormous workload that would interfere with Social Security workloads, especially if large numbers of validation requests were received shortly before elections.

DRAFT--June 23, 1997

-6-

Employment Eligibility Verification Pilot Project

The voter registration confirmation system in H.R. 1428 appears similar to the employment eligibility verification pilot required by the 1996 Immigration Reform legislation. This legislation requires SSA and INS to test a verification system under which employers may confirm a newly hired employee's work eligibility. We are working with INS on a pilot--the Joint Employment Verification Pilot--to provide employers with telephone access to verify the name, SSN, and work authorization status of a newly hired employee.

At the outset, the pilot will involve 25 to 50 employers in Chicago. Subsequent expansion will include 4 of the 7 States with the highest populations of noncitizens who are not lawfully present in the U.S. The results of this project are due in 1999 and 2000. We expect this study to provide useful information on the potential for verification of a person's SSN and work authorization status based on SSA and INS records. It may also be useful in evaluating how SSA records could or should be used for other non-Social Security program purposes. It would be inappropriate to provide for a similar verification process for voter registration purposes without waiting for the results of the employment eligibility verification pilot.

I want to stress, however, that regardless of the results obtained from the employment eligibility verification pilots, that any data regarding citizenship verified by SSA is subject to the limitations I have mentioned--the SSN evidentiary policies in effect at the time the SSN card was issued to the person, the validity of any documents submitted, and the fact that SSN records do not necessarily reflect current citizenship status.

DRAFT--June 23, 1997

-7-

Conclusion

In conclusion, Mr. Chairman, while we fully understand and share the subcommittee's concerns about improving the integrity of the voter registration process, we are strongly opposed to H.R. 1428 because of its reliance on SSA records for confirmation of citizenship. Furthermore, we question the inconsistency of requiring nationwide implementation of a voter registration verification system without waiting for the results of a pilot test of a similar system required by the Immigration Reform legislation.

In addition, the process appears to give the Federal Government the responsibility for determining voter eligibility by providing for final confirmation or nonconfirmation of citizenship at the Federal level. We suggest that this function be left with State and local governments, which are in the best position to determine what evidentiary policies are most appropriate for their circumstances.

DRAFT--June 23, 1997

file - Immigration
Voter Eligibility
Total Pages: 11

LRM ID: IMS96

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

Monday, June 23, 1997

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer - See Distribution below

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

SUBJECT: JUSTICE Testimony on HR1428 Voter Eligibility Verification Act

DEADLINE: 5pm Monday, June 23, 1997

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.

submitted
COMMENTS: The H. Judiciary hearing is scheduled for June 25th. Please note that Justice *strongly opposes* HR 1428 on page 1 of the testimony.

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Peter G. Jacoby

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Draft

Mr. Chairman and Members of the Immigration Subcommittee:

I am David Ogden, Associate Deputy Attorney General. Thank you for inviting the Department of Justice to testify on H.R. 1428, a bill which would establish a federal verification system of the citizenship eligibility requirement for voting in local, state and federal elections. We appreciate being provided the opportunity to present our views on this bill. We have previously expressed to the majority and minority staff of the Subcommittee as well as that of the bill's author the reasons for our strong concern and opposition to H.R. 1428.

Under H.R. 1428, the Attorney General and the Commissioner of the Social Security Administration (SSA) would establish an eligibility confirmation system which local registrars and state election officials would be able to access via a toll-free number to verify whether a newly or currently registered voter is a United States citizen. Those persons whose U.S. citizenship status can not be verified affirmatively through a search of SSA records may be subject to a secondary verification process by the Immigration and Naturalization Service (INS), and have an opportunity to update or correct their SSA records. Election officials may reject a registration application or grant provisional voting status to persons who do not have citizenship confirmed by this process, subject to their producing satisfactory proof of citizenship. While we support the goal of ensuring the integrity of elections, we have very serious concerns that H.R. 1428 imposes a federal system that is cumbersome, dependent upon databases not suited for this purpose, and beset with the real possibility of raising barriers to the right to vote for all U.S. citizens.

**New Law is not required for the INS to Respond to Legitimate Inquiries by
Election Officials**

Before addressing the specific provisions of H.R. 1428, I want to note an apparent misunderstanding upon which the bill may be based. In a letter printed in the Congressional record at page H 1855 upon the introduction of H.R. 1428, California Secretary of State Bill Jones states that the bill would assist California because it "would provide for access to records residing with the Immigration and Naturalization Service." However, state and local election officials already have access to such records in appropriate circumstances. INS routinely cooperates with state and local law enforcement officials in the execution of their duties. Although the Privacy Act limits executive branch agencies from providing information on individuals to third parties, there is an exception which permits INS to release immigration and citizenship status information for law enforcement purposes. Moreover, under Section 642^b of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, the Immigration and Naturalization Service is obligated to respond to an inquiry by a Federal, State or local government agency, seeking to verify or ascertain the citizenship or immigration status of any individual within the jurisdiction of the agency for any purpose authorized by law, by providing the requested verification or status information.

Consequently, new legislation is not required in order for state election officials to seek INS information or assistance with legitimate law enforcement inquiries regarding the citizenship status of voters. The INS is working hard to upgrade and improve its verification

systems and procedures so that it can continue to respond effectively to federal, state and local agencies' verification needs, particularly given the new demands of the welfare reform law.

For example, INS began working in December 1996 with the District Attorney of Orange County, California to assist his inquiry on possible illegal voting by non-citizens in the November 1996 election. On January 8, 1997, INS provided an initial response to the District Attorney's request to review a list of approximately 1,160 registered voters. The Department and INS have engaged in productive discussions on a regular basis with the Secretary of State and the House Oversight Committee regarding registered voters in California's 46th Congressional District and all of Orange County. As a result, we produced on May 21, 1997 approximately 504,000 names from INS databases which matched certain names and dates of birth of Orange County registrants. Subsequently, INS compared a list provided by the Secretary of State containing registered voters by first name, surname and date of birth to its databases to locate matches which lacked a date of naturalization or in which the date of voter registration preceded the date of naturalization. The search resulted in the identification of 4,023 names. However, due to the possibility of duplication or error due to conducting a search using only a name and a date of birth, these 4,023 files must now be further investigated. The files are being located and examined to determine the citizenship status of the individuals at the time of registration. In addition, based upon a series of productive meetings and conversations, we expect that the Department and the California Secretary of State will be able to enter into Memorandum of Understanding

governing future requests for INS data and assistance in this area.

Based upon our experience with state and local officials, establishing a complex, separate and labor-intensive INS verification system for the sole purpose of responding to voter qualification inquiries is unnecessary. The method mandated by H.R. 1428 will not result in accurate and timely information being provided to state and local elections officials. For purposes of this testimony, discuss the limitations of the SSA database which are fully described in the SSA testimony except to note that the 115 million SSA records created prior to 1978 lack verified information and holders of more recently created records are not obligated to update their SSA records for changes in citizenship status. While H.R. 1428 acknowledges that SSA records will not provide confirmation in all cases, secondary verification with INS is similarly troublesome.

The Proposed Link Between SSA and INS Data Will Not Work Because SSA Records do not use the Alien Number

While SSA records are organized by the Social Security number, INS has its own separate enumerator--the Alien Identification Number, a number SSA typically does not have. (Until recently, the INS did not have the authority to require an alien to provide his or her Social Security number. The INS estimates that perhaps ten percent of its records contain Social Security numbers.) Secondary verification under Section (e)(2) of H.R. 1428 is dependent upon SSA providing information it does not have to the local election official

who then makes an inquiry with the INS. We would question the advisability of mandating the local collection of alien numbers as a requirement for voting as a matter of both federalism and practicality. As a society, we have sought to lessen, rather than sharpen, the distinctions between native-born and naturalized citizens. To require a long-time citizen who may have naturalized decades ago to produce his or her alien registration number in order to continue to vote may not be the right course, particularly when, as I will describe, that record is not easily retrievable, either by the INS or the individual.

Without the alien identification number, most voter registration inquiries to INS would have to rely solely on other information such as name and date of birth. These identifiers are often inconclusive and result in numerous duplicate matches and false matches. If for whatever reason a native-born citizen's status could not be confirmed by SSA, secondary verification by INS would be of no value since INS has no records on native-born citizens. Indeed, in that circumstance, a native-born citizen could be mistaken for an illegal immigrant, the other sector of the population which lacks INS records.

INS records are valuable and effective for employment verification but not for voter verification because of the critical differences in the nature of the inquiries. In employment verification, INS determines whether a non-citizen has work authorization based upon a readily accessible alien identification number. H.R. 1428, on the other hand, seeks citizenship information which INS has only for naturalized citizens. Since naturalized citizens have no reason to have contact with INS after they become citizens, INS may have

no current information on most naturalized citizens, especially those who became citizens decades ago. If, in the intervening years, a naturalized citizen changed her name through marriage, verification becomes even more difficult. Similarly, if the naturalized citizen moved from his or her place of naturalization in the intervening years, the alien file which would have to be consulted for the existence of a naturalization certificate could be on microfiche or archived in a federal records center anywhere in the country. Finally, unlike the employment verification context which requires proof of identity, INS has no way to verify that the identity of the person seeking to register to vote is identical to the subject of the requested file.

H.R. 1428 poses some civil rights problems that cannot be ignored

H.R. 1428 would make it difficult for many citizens, naturalized and native-born alike, to register and vote.

We strongly support the principle, as do the proponents of H.R. 1428, that voter eligibility verification be done in a non-discriminatory, uniform fashion. This principle is critical in protecting the voting rights of all Americans, particularly minority voters who have suffered a history of discriminatory treatment in obtaining and exercising the right to vote. H.R. 1428 requires that the confirmation system respond only to inquiries that are uniform, nondiscriminatory and in compliance with the Voting Rights Act. Fulfilling this important obligation, however, makes H.R. 1428 more unworkable, even assuming that it would result

in accurate verification.

Currently, INS fulfills a parallel responsibility in the employment verification context by requiring employers to verify the identity and work authorization status of all new employees. However, translated into the voting context, INS would have no ability to determine whether all local and state election officials are doing the same nor have authority to investigate or penalize those local or state officials who fail to meet this obligation.

Selectively using the federal verification system under H.R. 1428 would inevitably lead to even greater discrimination than is associated with employer sanctions which is a uniform system for all employees. We note that registrars are invited to use the citizenship check on anyone they choose, and need no information indicating that a person is not a citizen before seeking information on that person's citizenship status. County registrars could send the name of just Asian or Spanish-surnamed registered voters and applicants for registration through a citizenship check, causing many legal citizens to be discouraged to register to vote out of fear of being singled out for another governmental citizenship inquiry. Furthermore, if a local or state official submitted for verification only those registrations submitted by certain political parties, religious or labor affiliated political or other organizations or registrants in particular neighborhoods, INS would have no way to know this. H.R. 1428 provides no effective check or prohibition on such activities. If H.R. 1428 contemplates a federal preclearance for registration verification methods, additional lead time is also required for that process to take place.

Finally, using this system to verify all voters would be highly burdensome and costly on the federal system and, as previously noted, not necessarily result in reliable information about any particular registrant. The sheer volume of verifications of all new and current registrants would necessarily take substantial time and force all individuals to register to vote many months before an election. This would contravene the current registration deadlines in every state which in no case exceed thirty days before the election.

Conclusion

Today, individuals attest to their eligibility to vote under penalty of perjury. H.R. 1428, by imposing a federal system of verification, threatens to turn on its head the presumption that individuals are telling the truth in order to register to vote. It would rely on databases neither intended nor suited for this purpose. We are unaware of local jurisdictions whose election or law enforcement officials have requested INS or other federal assistance and have been denied or who can not successfully determine voter eligibility without the federal system contemplated by H.R. 1428. However desirable it may be for citizens' status to be reflected correctly in SSA databases, this should not stand in the way of their right to vote. The limited benefits that an INS automated verification system could provide to agencies seeking to verify claims to U.S. citizenship would not appear to justify its cost and complexity, as compared, for example, to case-by-case responses to SSA or other agencies seeking information on a particular claim to naturalized or derivative citizenship status.

As INS and SSA update our records and explore linking data bases, we will keep you apprised of our progress. Thank you for the opportunity to share with the Subcommittee our concerns with the approach of H.R. 1428 to a goal upon which we all remain committed. I would be pleased to answer your questions.