

110TH CONGRESS  
1ST SESSION

# S. 699

To prevent the fraudulent use of social security account numbers by allowing the sharing of social security data among agencies of the United States for identity theft prevention and immigration enforcement purposes, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 28, 2007

Mr. ALLARD introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To prevent the fraudulent use of social security account numbers by allowing the sharing of social security data among agencies of the United States for identity theft prevention and immigration enforcement purposes, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Social Security Num-  
5       ber Fraud and Identity Theft Prevention Act”.

1 **SEC. 2. SHARING OF SOCIAL SECURITY DATA FOR IMMI-**  
2 **GRATION ENFORCEMENT PURPOSES.**

3 (a) SOCIAL SECURITY ACCOUNT NUMBERS.—Section  
4 264(f) of the Immigration and Nationality Act (8 U.S.C.  
5 1304(f)) is amended to read as follows:

6 “(f) Notwithstanding any other provision of law (in-  
7 cluding section 6103 of the Internal Revenue Code of  
8 1986), the Secretary of Homeland Security, the Secretary  
9 of Labor, and the Attorney General are authorized to re-  
10 quire an individual to provide the individual’s social secu-  
11 rity account number for purposes of inclusion in any  
12 record of the individual maintained by either such Sec-  
13 retary or the Attorney General, or of inclusion in any ap-  
14 plication, document, or form provided under or required  
15 by the immigration laws.”.

16 (b) EXCHANGE OF INFORMATION.—Section 290(c) of  
17 the Immigration and Nationality Act (8 U.S.C. 1360(c))  
18 is amended by striking paragraph (2) and inserting the  
19 following new paragraphs:

20 “(2)(A) Notwithstanding any other provision of law  
21 (including section 6103 of the Internal Revenue Code of  
22 1986), if earnings are reported on or after January 1,  
23 1997, to the Social Security Administration on a social  
24 security account number issued to an alien not authorized  
25 to work in the United States, the Commissioner of Social  
26 Security shall provide the Secretary of Homeland Security

1 with information regarding the name, date of birth, and  
2 address of the alien, the name and address of the person  
3 reporting the earnings, and the amount of the earnings.

4 “(B) The information described in subparagraph (A)  
5 shall be provided in an electronic form agreed upon by  
6 the Commissioner and the Secretary.

7 “(3)(A) Notwithstanding any other provision of law  
8 (including section 6103 of the Internal Revenue Code of  
9 1986), if a social security account number was used with  
10 multiple names, the Commissioner of Social Security shall  
11 provide the Secretary of Homeland Security with informa-  
12 tion regarding the name, date of birth, and address of  
13 each individual who used that social security account num-  
14 ber, and the name and address of the person reporting  
15 the earnings for each individual who used that social secu-  
16 rity account number.

17 “(B) The information described in subparagraph (A)  
18 shall be provided in an electronic form agreed upon by  
19 the Commissioner and the Secretary for the sole purpose  
20 of enforcing the immigration laws.

21 “(C) The Secretary, in consultation with the Commis-  
22 sioner, may limit or modify the requirements of this para-  
23 graph, as appropriate, to identify the cases posing the  
24 highest possibility of fraudulent use of social security ac-

1 count numbers related to violation of the immigration  
2 laws.

3       “(4)(A) Notwithstanding any other provision of law  
4 (including section 6103 of the Internal Revenue Code of  
5 1986), if more than one person reports earnings for an  
6 individual during a single tax year, the Commissioner of  
7 Social Security shall provide the Secretary of Homeland  
8 Security information regarding the name, date of birth,  
9 and address of the individual, and the name and address  
10 of the each person reporting earnings for that individual.

11       “(B) The information described in subparagraph (A)  
12 shall be provided in an electronic form agreed upon by  
13 the Commissioner and the Secretary for the sole purpose  
14 of enforcing the immigration laws.

15       “(C) The Secretary, in consultation with the Commis-  
16 sioner, may limit or modify the requirements of this para-  
17 graph, as appropriate, to identify the cases posing the  
18 highest possibility of fraudulent use of social security ac-  
19 count numbers related to violation of the immigration  
20 laws.

21       “(5)(A) The Commissioner of Social Security shall  
22 perform, at the request of the Secretary of Homeland Se-  
23 curity, a search or manipulation of records held by the  
24 Commissioner if the Secretary certifies that the purpose  
25 of the search or manipulation is to obtain information that

1 is likely to assist in identifying individuals (and their em-  
 2 ployers) who are using false names or social security ac-  
 3 count numbers, who are sharing a single valid name and  
 4 social security account number among multiple individ-  
 5 uals, who are using the social security account number of  
 6 a person who is deceased, too young to work, or not au-  
 7 thorized to work, or who are otherwise engaged in a viola-  
 8 tion of the immigration laws. The Commissioner shall pro-  
 9 vide the results of such search or manipulation to the Sec-  
 10 retary, notwithstanding any other provision law (including  
 11 section 6103 of the Internal Revenue Code of 1986).

12 “(B) The Secretary shall transfer to the Commis-  
 13 sioner the funds necessary to cover the costs directly in-  
 14 curred by the Commissioner in carrying out each search  
 15 or manipulation requested by the Secretary under sub-  
 16 paragraph (A).”.

17 (c) FALSE CLAIMS OF CITIZENSHIP BY NATIONALS  
 18 OF THE UNITED STATES.—Section 212(a)(6)(C)(ii)(I) of  
 19 the Immigration and Nationality Act (8 U.S.C.  
 20 1182(a)(6)(C)(ii)(I)) is amended by inserting “or na-  
 21 tional” after “citizen”.

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