

Informational Report

Social Security Numbers Assigned to
Diversity Visa Immigrants



Office of the Inspector General

SOCIAL SECURITY ADMINISTRATION

MEMORANDUM

Date: November 17, 2015

Refer To:

To: The Commissioner

From: Inspector General

Subject: Social Security Numbers Assigned to Diversity Visa Immigrants (A-08-15-15021)

The attached final report presents the results of the Office of Audit's review. This report conveys information related to diversity visa immigrants' use of Social Security numbers.

If you wish to discuss the final report, please call me or have your staff contact Rona Lawson, Deputy Assistant Inspector General for Audit, at (410) 965-9700.

Beth & Olavell Jr

Patrick P. O'Carroll, Jr.

Attachment

Social Security Numbers Assigned to Diversity Visa Immigrants

A-08-15-15021



November 2015

Office of Audit Report Summary

Background

Because the Social Security number (SSN) is one of the keys to financial, legal, and social assimilation in this country, we are issuing this report to convey information related to diversity visa (DV) immigrants' use of SSNs.

The DV program makes available up to 50,000 immigrant visas, annually, to individuals from countries with historically low rates of immigration to the United States. A small number of individuals reside in the United States in a nonimmigrant or other legal status when they apply.

Recent reports have warned that the DV program is vulnerable to fraud committed by, and against, DV applicants. According to one report, criminal activity continued after some DV immigrants entered the United States, including situations where fraudsters kept the DV immigrants' Social Security card and number for misuse.

We requested that the Department of Homeland Security (DHS) provide us data on individuals to whom the Department of State issued a DV from 2010 through 2012. We did not independently verify the reliability of the data DHS provided nor could we share the results with the Social Security Administration (SSA). Decisions about specific individuals' rights, benefits, or privileges cannot be determined from the data.

Summary

We reviewed the earnings and enumeration records for 60,549 DV immigrants whom SSA assigned an original SSN from 2010 through 2012. Over this 3-year period, SSA placed over 1,100 wage items in the Earnings Suspense File because the name on the earnings record did not match over 400 DV immigrants' SSNs. These wage items represented almost \$11 million in suspended wages. In some cases, it appeared multiple individuals used DV immigrants' SSNs to work. For example, the first and last name an employer reported was different from the DV immigrant's name.

SSA earnings records from 2010 through 2014 showed 53,260 (88 percent) of the 60,549 DV immigrants had posted wages. Of the DV immigrants who had earnings in 2013, the most current full year of information available, approximately 48,000 (98 percent) had earnings from 1 to 5 employers. About 700 DV immigrants had earnings from 6 to 9 employers, and 32 had earnings from 10 or more employers. The primary occupations of DV immigrants with 10 or more employers were healthcare, restaurant, staffing, construction, and retail.

Earnings records also showed that 7,289 (12 percent) of the 60,549 DV immigrants had no posted earnings in the Master Earnings File for Tax Years 2010 through 2014. Of the DV immigrants who had no earnings, 71 percent was between ages 25 and 49, and 26 percent was between ages 50 and 74. Although we could not determine why these DV immigrants had no posted earnings, we believe some may not have reported their self-employment income. In addition, some DV immigrants may not have worked or may have received support from a family member.

SSA issued replacement SSN cards to almost 12,000 (20 percent) of the 60,549 DV immigrants from 2010 through 2013. While most DV immigrants received 2 or fewer replacement SSN cards, SSA issued 3 or more replacement cards to 207, including 17 who received 4 or more cards.

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ABBREVIATIONS

C.F.R.	Code of Federal Regulations
DHS	Department of Homeland Security
DV	Diversity Visa
ESF	Earnings Suspense File
GAO	Government Accountability Office
ITIN	Individual Taxpayer Identification Number
MEF	Master Earnings File
OIG	Office of the Inspector General
Pub. L. No.	Public Law Number
SSA	Social Security Administration
SSN	Social Security Number
Stat.	Statutes at Large
TY	Tax Year
U.S.C.	United States Code

Forms

1099-MISC	<i>Miscellaneous Income</i>
W-2	<i>Wage and Tax Statement</i>

BACKGROUND

Over the past decade, we have issued numerous reports addressing Social Security number (SSN) integrity (Appendix A). These reports included recommendations that addressed vulnerabilities in several Social Security Administration (SSA) processes, including SSN assignment and issuance and employer wage reporting. While SSA has enhanced the integrity of the SSN,¹ we believe further strengthening of the SSN is one way SSA can make an important contribution to protect the Government, the people, and the business community. Since the SSN's creation, its value has increased and the SSN has become one of the keys to financial, legal, and social assimilation in this country. We are issuing this report to convey information related to diversity visa (DV) immigrants' use of SSNs.

Most individuals who reside outside the United States immigrate through consular processing and issuance of an immigrant visa, while a small number of individuals reside in the United States in a nonimmigrant or other legal status when they apply. The DV program makes available up to 50,000 immigrant visas, annually, to individuals from countries with historically low rates of immigration to the United States. The Department of State distributes potential selectees among six geographic regions, and no single country may receive more than 7 percent of the available DVs in any 1 year.

To be eligible for the DV program, immigrants must have a high school education or equivalent, or 2 years' experience in an occupation that requires at least 2 years' training or experience. The immigrant or the immigrant's spouse must be a native of one of the qualifying countries to be eligible for the DV lottery. Lottery winners, their spouses, and their children must undergo reviews performed by the Department of State consular officers abroad and Department of Homeland Security (DHS) immigration officers upon entry to the United States. The reviews ensure the immigrants are eligible for visas or admission to the United States. If admitted, the immigrant enters as a lawful permanent resident, which allows them to work and live permanently in the country. Once DHS determines an individual is work-authorized, section 205(c)(2)(B)(i)(I) of the *Social Security Act* requires that SSA assign an SSN to the work-authorized noncitizen. All noncitizens must provide SSA with acceptable evidence of age, identity, and work authorized immigration status. In addition, SSA verifies the current work authorization and immigration status with DHS before it assigns the SSN.

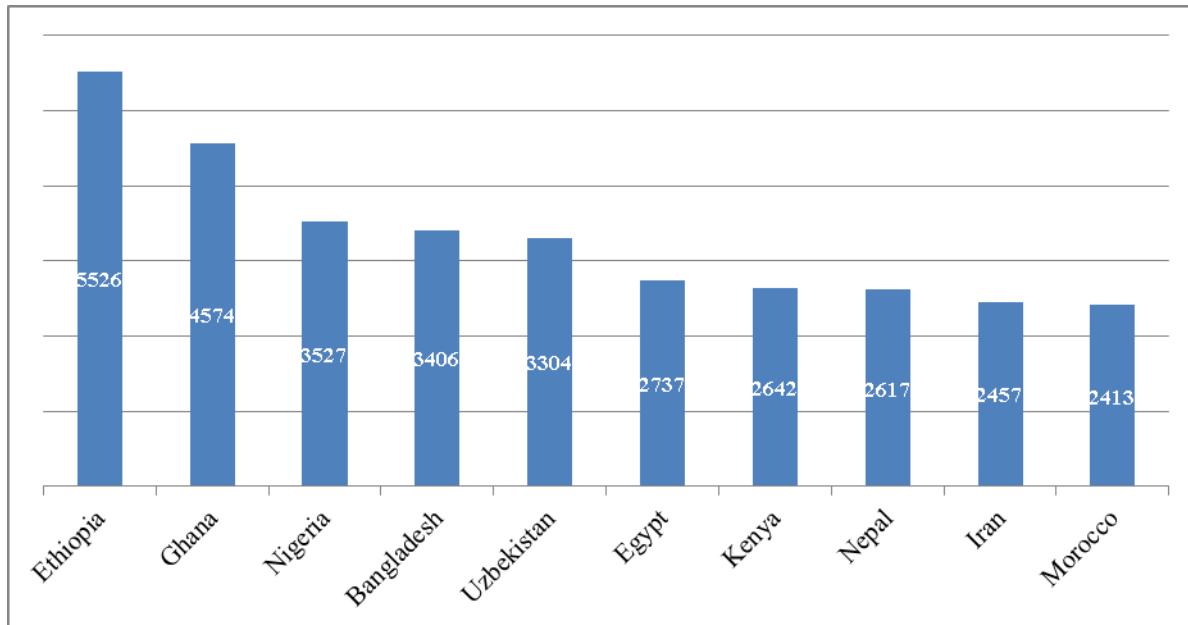
Because SSA calculates future benefit payments based on earnings an individual has accumulated over his/her lifetime, it is critical that the Agency accurately record those earnings. SSA depends on employers correctly reporting names and SSNs on Forms W-2, *Wage and Tax Statement*. SSA uses automated edits to match employees' names and SSNs with Agency

¹ SSA OIG, *Accuracy of the Social Security Administration's Numident* (A-08-12-11280), October 2012.

records to ensure it properly credits earnings to the Master Earnings File (MEF).² SSA places wage items³ that fail to match the name and SSN in its Earnings Suspense File (ESF).

Figure 1 shows the top countries of birth for immigrants issued a DV from 2010 through 2012. According to the Congressional Research Service, Ethiopia and Nigeria were in the top 10 in 1999, 2004, and 2009 (Appendix B).

Figure 1: Top 10 Countries of Birth for Immigrants Issued a DV from 2010 Through 2012



Source: OIG Analysis

Critics have warned that the DV program, administered by the Department of State and DHS, is vulnerable to fraud and misuse and is potentially an avenue for terrorists, citing the difficulties of performing background checks in many of the countries eligible for the diversity lottery. For example, the Government Accountability Office (GAO) reported that the DV program was vulnerable to fraud committed by, and against, DV applicants. GAO reported that the availability of fake documents, such as birth certificates, marriage certificates, and passports, presents challenges for individuals who are verifying applicants' and dependents' identities (Appendix B). In addition, the Department of State reported that organized fraud rings masquerading as travel agencies targeted the DV program at one Foreign Service post.⁴

² The MEF contains all earnings data reported by employers and self-employed individuals. SSA uses the data to determine eligibility for, and the amount of, Social Security benefits.

³ A wage item is an individual employee report prepared by employers on a Form W-2 after the close of the calendar year that shows wages paid and taxes withheld during the prior calendar year.

⁴ U.S. Department of State OIG, *Inspection of Embassy Kyiv, Ukraine* (ISP-I-13-45A), September 2013, pp. 12-14.

According to the report, the fraud ring’s involvement continued after the DV immigrants entered the United States, including situations where fraudsters kept the DV immigrants’ Social Security card and number for misuse. Furthermore, the Department of State Inspector General has raised concerns that aliens from countries designated as state sponsors of terrorism can apply for DVs (Appendix B).

We requested that DHS provide us data on individuals to whom the Department of State had issued a DV from 2010 through 2012. We identified 60,549 individuals to whom SSA, as required by law, assigned original SSNs during that time.⁵ We then reviewed the ESF, Numident, and Detailed Earnings Queries. We did not independently verify the reliability of the data DHS provided nor could we share the results with SSA. Decisions about specific individuals’ rights, benefits, or privileges cannot be determined from the data. Appendix C provides additional information on our scope and methodology.

Because DHS and the Department of State have oversight responsibility of the DV program, we plan to share this report with the DHS and Department of State Inspectors General. However, we have not taken action or referred possible SSN misuse cases to any investigative unit. Our *Data Use Agreement* and *PII Request Form* with DHS only permitted us to use the DV immigrant information we obtained for statistical purposes. Our agreement with DHS expressly stated “The data will be used for research and statistical purposes only. We will not take any action or make any referrals on any individual from the findings of the data analysis. Accordingly, we shall use none of the data derived from comparing DHS data to SSA data to make decisions concerning the specific individuals’ rights, benefits, privileges.”⁶ In addition, much of the information used in our analysis was related to wages reported for these individuals. According to SSA, Section 6103 of the *Internal Revenue Code* generally prohibits SSA from disclosing federal tax information outside the Agency. Therefore, we are limited in our ability to share the wage information in SSA’s databases we reviewed for this report.

EARNINGS SUSPENSE FILE

From Tax Years (TY) 2010 through 2012, SSA placed over 1,100 wage items in the ESF because the name on the earnings record did not match over 400 DV immigrants’ SSNs. These wage items represented almost \$11 million in suspended wages over the 3-year period. In some cases, it appeared multiple individuals may have used DV immigrants’ SSNs to work. For example, the first and last name an employer reported was different from the DV immigrant’s name.

We recognize there are legitimate reasons why an individual’s name and reported SSN may not match SSA records. For example, an employee might have requested a legal name change or an employer could have reported the name incorrectly, transposed digits in the SSN, or provided an

⁵ This population did not include the spouses or children of the principal DV immigrant. DHS also indicated that some DV immigrants might have entered the country under other visa categories.

⁶ See 5 U.S.C. § 552a(a)(8)(B)(ii).

individual taxpayer identification number (ITIN).⁷ However, based on prior audit work, we believe some individuals deliberately use an SSN that does not belong to them.⁸ When an individual uses another person's SSN to work, SSA's system usually posts these wages to the ESF because it does not know whether the wages belong to the true numberholder or the individual who misused the SSN. The following examples illustrate potential SSN misuse.⁹

- One DV immigrant from Nigeria had four wage items, totaling almost \$227,000, reported under his SSN posted to the ESF. Earnings records indicated that two other individuals (with different first and last names) were using his SSN.
- One DV immigrant from Cameroon had four wage items, totaling almost \$216,000, reported under his SSN posted to the ESF. Earnings records indicated that two other individuals (with different first and last names) were using his SSN.
- One DV immigrant from Cameroon had 10 wage items, totaling over \$94,000, reported under his SSN posted to the ESF. Earnings records indicated that four other individuals (with different first and last names) were using his SSN.
- One DV immigrant from Albania had 27 wage items, totaling over \$85,000, reported under his SSN posted to the ESF. Earnings records indicated that three other individuals (with different first and last names) were using his SSN.

DV immigrants from 64 different countries had wage items in the ESF. The countries with the highest numbers of DV immigrants with wage items in the ESF were Ethiopia, Nigeria, Cameroon, Ghana, and Iran.

MASTER EARNINGS FILE

Our review of SSA earnings records showed that 53,260 (88 percent) of the 60,549 DV immigrants had posted wages from 2010 through 2014. As shown in Table 1, over 48,000 (98 percent) of the 49,000 DV immigrants with earnings in 2013, the most current full year of information available, had earnings from 1 to 5 employers. About 700 DV immigrants had earnings from 6 to 9 employers, and 32 had earnings from 10 or more employers. The primary occupations of DV immigrants with earnings from 10 or more employers were healthcare, restaurant, staffing, construction, and retail.¹⁰

⁷ An ITIN is a tax processing number issued by the Internal Revenue Service to individuals who are required to have a U.S. taxpayer identification number but who do not have and are not eligible to obtain an SSN.

⁸ SSA OIG, *Potential Misuse of Foster Children's Social Security Numbers* (A-08-12-11253), September 2013; and SSA OIG, *Employers Who Report Wages with Significant Errors in the Employee Name and Social Security Numbers* (A-08-12-13036), August 2013.

⁹ For the purpose of this review, SSN misuse is described as one person using another's name/and or SSN for work purposes.

¹⁰ To determine diversity immigrants' occupations, we reviewed the most current full year of earnings records.

Table 1: TY 2013 Earnings Records

Number of Employers Reporting Wages for DV Immigrants	Number of DV Immigrants	Percent of Total
1 to 5	48,431	98.5
6 to 9	701	1.4
10 or more	32	0.1
Total	49,164	100.0

Source: OIG Analysis

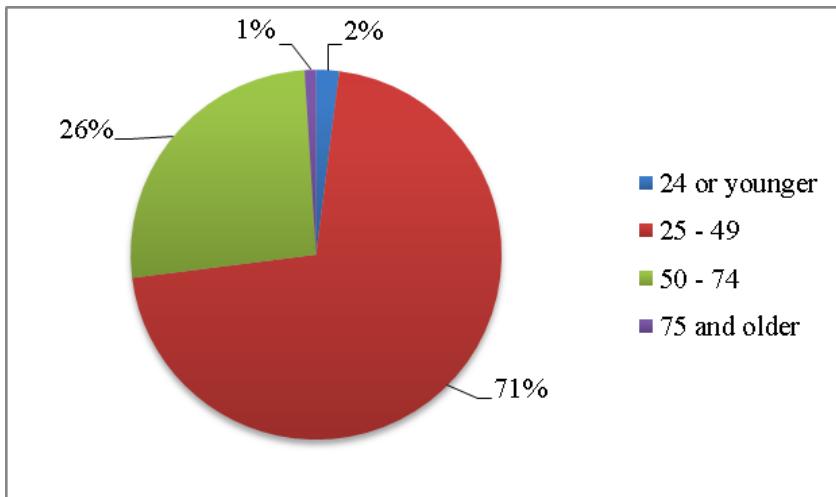
While we recognize these employment fields routinely involve multiple employers and some individuals may have worked for more than one employer, we believe it is questionable when a numberholder's earnings record indicates he/she worked for a high number of employers. Prior audit work has shown that multiple individuals may use the same name and SSN to work.¹¹ The following examples illustrate DV immigrants who had earnings from multiple employers on their 2013 earnings record.

- One DV immigrant's earnings record showed wage items totaling over \$35,000 from 13 different employers. These employers were generally associated with the construction industry.
- One DV immigrant's earnings record showed wage items totaling over \$25,000 from 15 different employers. These employers were generally associated with the entertainment and accounting industries.
- One DV immigrant's earnings record showed wage items totaling over \$15,000 from 17 different employers. These employers were generally associated with the staffing and accounting industry.

SSA earnings records also showed that 7,289 (12 percent) of the 60,549 DV immigrants had no posted earnings in the MEF for TYs 2010 through 2014. As shown in Figure 2, 71 percent of DV immigrants with no earnings was between ages 25 and 49. In addition, 26 percent was between ages 50 and 74, 2 percent was age 24 or younger, and 1 percent was 75 or older.

¹¹ SSA OIG, *Earnings Records with Multiple Employer Identification Numbers* (A-08-08-18002), January 2009.

Figure 2: DV Immigrants with No Posted Earnings



Source: OIG Analysis

Although we could not determine why these DV immigrants had no posted earnings, we believe there are several scenarios that may help explain such situations. For example, some DV immigrants may not have reported self-employment income. Although employers may report self-employment income on Internal Revenue Service Form 1099-MISC, *Miscellaneous Income*, these wages would only be posted to SSA records if the DV immigrant filed an income tax return and paid *Federal Insurance Contributions Act* tax on the earnings. In addition, some DV immigrants may not have worked or may have received support from a family member.

REPLACEMENT SOCIAL SECURITY NUMBER CARDS

SSA issued replacement SSN cards to almost 12,000 (20 percent) of the 60,549 DV immigrants from 2010 through 2013, as shown in Table 2.¹² While most DV immigrants received 2 or fewer replacement SSN cards, SSA issued 3 or more cards to 207 DV immigrants. Although we could not determine why some DV immigrants requested multiple replacement SSN cards, prior audit work has shown this may be questionable (Appendix A).

¹² While we confirmed that SSA issued SSN cards to those receiving four or more, we did not confirm whether SSA issued or suppressed the issuance of some replacement SSN cards for those receiving three or fewer cards.

Table 2: Replacement SSN Cards Issued to DV Immigrants

Number of Replacement SSN Cards Issued	Number of DV Immigrants
1	10,190
2	1,387
3	190
4	16
6	1
Total	11,784

Source: OIG Analysis

The following examples illustrate DV immigrants who received multiple replacement SSN cards within 1 year.¹³

- SSA issued six replacement SSN cards to a 27-year-old female between June 2012 and April 2013. The same SSA field office issued the original and six replacement SSN cards.
- SSA issued four replacement SSN cards to a 28-year-old male between March 2011 and January 2012. Two different field offices issued the original and first replacement SSN card. The same field office issued three replacement SSN cards. The DV immigrant's SSN was also in the ESF.
- SSA issued four replacement SSN cards to a 37-year-old female between April and July 2012. The same field office issued the original and four replacement SSN cards.

¹³ Section 7213 of the *Intelligence Reform and Terrorism Prevention Act of 2004*, Pub. L. No. 108-458, 118 Stat. 3638, 3830 (codified at section 205 note of the *Social Security Act*, 42 U.S.C. § 405 note) directed the Social Security Commissioner to restrict the issuance of multiple replacement Social Security cards to any individual to 3 per year and 10 for the life of the individual, except that the Commissioner may allow for reasonable exceptions from these limits on a case-by-case basis. SSA issued implementing regulations at 20 C.F.R. § 422.103(e)(2). Exception reasons include name change, non-receipt of an SSN card, legend change, SSA mistake, and hardship of numberholder. SSA's limit on replacement SSN cards is based on a calendar year.

SUMMARY

SSA placed over 1,100 wage items in the ESF because the name on the earnings record did not match over 400 DV immigrants' SSNs. These wage items represented almost \$11 million in suspended wages for TYs 2010 through 2012. Earnings records showed that some DV immigrants' SSNs may have been used by multiple individuals to work.

For those DV immigrants with posted wages in the MEF, most had earnings from one to five employers. About 700 DV immigrants had earnings from 6 to 9 employers, and 32 had earnings from 10 or more employers. The primary occupations of DV immigrants with 10 or more employers were healthcare, restaurant, staffing, construction, and retail, employment fields known to have multiple employers. Earnings records also showed that about 12 percent of the DV immigrants had no posted earnings and most of these individuals were between the ages of 25 and 49.

Finally, SSA issued replacement SSN cards to about 20 percent of the DV immigrants from 2010 through 2013. While most DV immigrants received 2 or fewer replacement SSN cards, SSA issued 3 or more replacement cards to 207, including 17 who received 4 or more cards.



for

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Assistant Inspector General for Audit

APPENDICES

Appendix A – PRIOR OFFICE OF THE INSPECTOR GENERAL AUDIT REPORTS

Social Security Administration Office of the Inspector General Reports Related to Social Security Number Integrity	Date Report Issued
Potential Misuse of Foster Children's Social Security Numbers (A-08-12-11253)	9/25/2013
Employers Who Report Wages with Significant Errors in the Employee Name and Social Security Number (A-08-12-13036)	8/9/2013
Collection, Use, and Disclosure of Social Security Numbers in States' Newborn Screening Programs (A-08-11-11181)	11/28/2011
Follow-up: The Social Security Administration's Program for Issuing Replacement Social Security Cards to Prisoners (A-08-10-10141)	11/23/2011
H-1B Workers' Use of Social Security Numbers (A-08-11-11114)	9/7/2011
Kindergarten Through 12th Grade Schools' Collection and Use of Social Security Numbers (A-08-10-11057)	7/22/2010
Prisoners' Access to Social Security Numbers (A-08-10-11042)	3/12/2010
Potential Social Security Number Misuse in Certain Unique Populations (A-08-08-28060)	5/26/2009
R-1 Religious Workers' Use of Social Security Numbers (A-08-08-18079)	3/9/2009
Assignment of Social Security Numbers to Individuals in the Commonwealth of the Northern Mariana Islands and American Samoa (A-08-08-18098)	2/25/2009
Earnings Records with Multiple Employer Identification Numbers (A-08-08-18002)	1/5/2009
Assignment of Social Security Numbers to Noncitizens with Fiancé Visas (A-08-07-17044)	5/6/2008
Removing Social Security Numbers from Medicare Cards (A-08-08-18026)	5/2/2008
Social Security Numbers Assigned to Citizens of Compact of Free Association Countries (A-08-07-17077) (Limited Distribution)	9/24/2007
Assessment of F-1 Students' Use of Social Security Numbers (A-08-07-17085)	9/12/2007
State and Local Governments' Collection and Use of Social Security Numbers (A-08-07-17086)	9/10/2007
Assignment of Social Security Numbers to J-1 Exchange Visitors (A-08-07-17076)	7/20/2007
Original Social Security Numbers Assigned to U.S. Citizens Age 12 or Older (A-08-07-17043)	6/18/2007
Prisoners' Access to Social Security Numbers (A-08-06-16082)	8/23/2006
The Social Security Administration's Program for Issuing Replacement Social Security Cards to Prisoners (A-08-06-16025)	7/13/2006

Social Security Administration Office of the Inspector General Reports Related to Social Security Number Integrity	Date Report Issued
Employers with the Most Wage Items in the Nonwork Alien File (A-08-05-15138)	6/19/2006
Hospitals' Use and Protection of Social Security Numbers (A-08-06-16056)	1/27/2006
Impact of Nonimmigrants Who Continue Working After Their Immigration Status Expires (A-08-05-15073)	9/9/2005
Social Security Number Misuse in the Service, Restaurant, and Agriculture Industries (A-08-05-25023)	4/29/2005
Universities' Use of Social Security Numbers as Student Identifiers in Region X (A-08-05-15033)	3/8/2005
Follow-up of Federal Agencies' Controls over the Access, Disclosure, and Use of Social Security Numbers by External Entities (A-08-05-25101)	2/28/2005
Universities' Use of Social Security Numbers as Student Identifiers in Region IV (A-08-05-15034)	12/9/2004
Report to The President's Council on Integrity and Efficiency: Federal Agencies' Controls Over the Access, Disclosure and Use of Social Security Numbers by External Entities (A-08-03-13050)	3/11/2003
Review of Social Security Administration Controls Over the Access, Disclosure and Use of Social Security Numbers by External Entities (A-08-02-22071)	12/30/2002
The Social Security Administration Continues Assigning Original Social Security Numbers to Foreign-Born Individuals Who Present Invalid Evidentiary Documents (A-08-02-12056)	8/22/2002
Social Security Number Integrity: An Important Link in Homeland Security (A-08-02-22077)	5/9/2002
Terrorist Misuse of Social Security Numbers (A-08-02-32041) (Limited Distribution)	10/25/2001
SSN Misuse: A Challenge For the Social Security Administration (A-08-02-22030)	10/3/2001
Replacement Social Security Number Cards: Opportunities to Reduce the Risk of Improper Attainment and Misuse (A-08-00-10061)	9/27/2001
Obstacles to Reducing Social Security Number Misuse in the Agriculture Industry (A-08-99-41004)	1/22/2001
Procedures for Verifying Evidentiary Documents Submitted with Original Social Security Number Applications (A-08-98-41009)	9/19/2000
Using Social Security Numbers to Commit Fraud (A-08-99-42002)	5/28/1999

Appendix B – OTHER PRIOR REPORTS ON THE DIVERSITY VISA PROGRAM

Prior Reports Related to Diversity Visa Program	Date Issued
Congressional Research Service Report, <i>Diversity Immigrant Visa Lottery Issues</i> (R41747)	April 2011
Government Accountability Office, <i>Border Security: Fraud Risks Complicate State's Ability to Manage Diversity Visa Program</i> (GAO-07-1174)	September 2007
U.S. Department of State OIG, <i>Memorandum Inspection Report, Diversity Visa Program</i> (ISP-CA-03-52)	September 2003

Appendix C – SCOPE AND METHODOLOGY

For this review, we:

- Reviewed relevant laws, regulations, news articles, and audit reports related to the diversity visa (DV) program.
- Discussed the DV program with officials from the Departments of State and Homeland Security (DHS).
- Reviewed data DHS provided on individuals to whom the Department of State issued a DV from 2010 through 2012. From this population of more than 108,000, we identified 60,549 individuals to whom the Social Security Administration (SSA) assigned an original Social Security number during that time.
- Reviewed SSA's system of records—Earnings Suspense File, Numident, and Detailed Earnings Queries—for these DV immigrants.

We found the Earnings Suspense File and earnings data used in this review to be sufficiently reliable. However, we did not determine the reliability of the data DHS provided. The performance period for this review was from January to October 2015 in accordance with the Council of the Inspectors General on Integrity and Efficiency's *Quality Standards for Inspection and Evaluation*.

Appendix D – ACKNOWLEDGMENTS

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