



Democrats Abroad
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May 28, 2018

Representative Sam Johnson, Chairman
Representative John Larson, Ranking Member
House Ways and Means Social Security Subcommittee
waysandmeans.submissions@mail.house.gov

Dear Chairman Johnson, Ranking Member Larson and Members of the Subcommittee,

Re: House Ways & Means Social Security Subcommittee Hearing on Securing Americans' Identities: The Future of the Social Security Number – Thursday May 17, 2018

Democrats Abroad thanks you for holding this important hearing related to Social Security Number (SSN) safety. We respectfully request that you accept this report for inclusion in the hearing record.

Our particular interest in this topic arises from the way SSNs submitted on applications to obtain or renew passports are being used by federal agencies.¹ Regulations dating from 2014 require those preparing applications to obtain or renew a U.S. passport to provide their SSN.² Further, those regulations require the Department of State (DOS) to forward SSNs (and information collected about the U.S. citizen) to the Department of Treasury (“Treasury”).³

We ask that Congress seek clarification on a number of issues:

- **Sharing SSNs:** It is critical for both Congress and Democrats Abroad to understand which federal agencies the DOS routinely shares the SSNs of citizens living abroad with. We understand SSNs are shared with Treasury and seek clarification of which others receive them, eg USCIS; ICE; state revenue agencies; etc.
- **Use of SSNs:** We understand that DOS, in coordination with the Treasury and IRS, uses SSNs obtained from passport applications for the purpose of enforcing provisions in 22 CFR 51.60 (Denial and restriction of passports)⁴ as well as provisions in the 26 USC §7345 (Revocation or denial of passport in case of certain tax delinquencies)⁵. We are interested to know what other ways Congress expects DOS and Treasury/IRS to use this information.
- **Obtaining a SSN:** The ease and experience of obtaining a SSN for citizens living abroad differs considerably from place to place. We are interested in understanding from the

¹ <https://travel.state.gov/content/travel/en/passports/apply-renew-passport/outside-us.html>

² 22 U.S.C. 2714a <http://uscode.house.gov/view.xhtml?hl=false&edition=prelim&req=granuleid%3AUSC-prelim-title22-section2714a&num=0&saved=%7CMzg%3D%7CdHJIZXNvcnQ%3D%7CdHJ1ZQ%3D%3D%7C1556%7Ctrue%7Cprelim>

³ 26 U.S.C. 6039E <https://www.gpo.gov/fdsys/pkg/USCODE-2015-title26/pdf/USCODE-2015-title26-subtitleF-chap61-subchapA-partIII-subpartA-sec6039E.pdf>

⁴ 22 C.F.R 51.60 <https://www.gpo.gov/fdsys/pkg/CFR-2011-title22-vol1/pdf/CFR-2011-title22-vol1-sec51-60.pdf>

⁵ 26 U.S.C. 7345 <https://www.irs.gov/businesses/small-businesses-self-employed/revocation-or-denial-of-passport-in-case-of-certain-unpaid-taxes>

Commissioner of the Social Security Administration the process of applying for a SSN from abroad and the anticipated time frame for obtaining one.

- SSN as federal ID: The mandatory inclusion of the SSN on DOS materials suggests that SSNs are being used as a federal ID. We see SSNs being used to identify citizens for the purpose of social security administration, tax filing and now passport administration. We would like to know what other federal procedures require citizens to have a SSN.
- SSN identity theft: In line with widespread concerns about cyber-security and identity theft, we would like to understand what provisions have been made to ensure the security of SSNs provided by citizens living abroad in the passport application process.
- Social Security Reports: Citizens living abroad need to be able to obtain reports of their social security savings and to challenge errors. We are interested in knowing what process exists for citizens living abroad to challenging problems with social security accounts particularly when those problems are discovered years after they occur.

Tangentially, we urge all members of the Subcommittee to support H.R. 2710, which would establish a Commission to study the impact of Federal laws and regulations on Americans living abroad and to avoid passing laws and implementing regulations than inadvertently harm or endanger Americans abroad.

We thank you for considering our views. If you have any questions regarding this letter or would like to discuss these matters further, please do not hesitate to contact either me or Democrats Abroad's Carmelan Polce who can be reached at Carmelan@democratsabroad.org.

Sincerely,
Julia Bryan
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