

**Congress of the United States**  
**Washington, DC 20515**

May 2, 2019

Nancy Berryhill  
Acting Commissioner  
Social Security Administration  
6401 Security Boulevard  
Baltimore, MD 21235-6401

RE: Employer Correction Request Notices

Dear Acting Commissioner Berryhill:

We are writing to strongly oppose the directive to impose Employer Correction Request Notices also referred to as “No-Match Letters.” This action will cause numerous problems by diverting resources away from frontline workers whose primary mission is administering benefits. Additionally, this rule can result in increased discrimination and abuses against U.S. workers, particularly women.

The Social Security Administration’s (SSA) current policy already uses “front-end validation routines” to identify and address possible errors in worker names and Social Security Numbers, such as typographical errors, transpositions, and misspellings. We do not oppose the routine practice of removing records from the Earnings Suspense File (ESF). In fact, these first validation processes resolve approximately 60 percent of the reports initially categorized as mismatches.<sup>1</sup> On the other hand, the cost of producing and mailing No-Match Letters and handling follow-up calls to employers was approximately \$1.3 million and resulted in only 35,000 items being removed from the ESF with a case file of 39 million inaccurate records.

The \$1.3 million “No-Match Letter” production cost can be used for better means to serve America’s growing Social Security beneficiary population -- growing at a rate of nearly 1 million yearly. These investments could include: (1) sending earning statements to American wage earners, as the law requires, but is not being done; (2) more fully staffing existing field offices and re-opening those that have been closed in underserved areas; (3) hiring additional SSA customer service staff to operate the 1-800 number, so the American people are not confronted with long waits and busy signals; (4) clear disability back logs; (5) increasing SSA’s core operating budget; (6) increasing field office hours; (7) improve technological advancements to aid in clearing backlogs, and (8) hiring additional administrative law judges (ALJ).

It is imperative to recognize that many legal workers -- including U.S. citizens -- will receive No-Match Letters because of clerical errors, unreported name changes, and other discrepancies in their records. The consequences include: (1) causing the firing of employment-authorized workers and U.S. citizens; (2) imposing additional costs and fees on employers; (3) increased discriminations and abuses on the basis of citizenship, nationality, or by pursuing unfair

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<sup>1</sup> Hincapié, Marielena, Tyler Moran, and Michele Waslin. “The Social Security Administration No Match Program: Inefficient, Ineffective, and Costly.” *Immigration Policy in Focus*6, no. 2 (May 2008). Accessed March 15, 2019.  
<https://www.americanimmigrationcouncil.org/sites/default/files/research/InFocusSSANo-Match05-08.pdf>

documentary practices in violation of the Immigration and Nationality Act (INA); and ultimately, (4) overwhelming SSA by diverting resources away from its mission of processing benefits in a timely way.

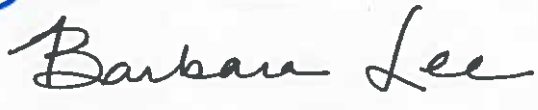
For the reasons above, we urge you to immediately suspend the employer No-Match letter program. Experience has proven that the program does not effectively serve its purpose and causes harmful impacts on the Social Security Administration. American workers and small businesses – serious consequences which outweigh any benefits derived from them.


Thank you for the opportunity to comment on the upcoming directive.

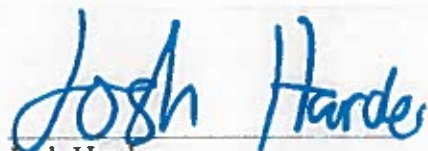
Sincerely,


  
Jesús G. "Chuy" García  
Member of Congress

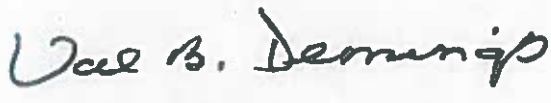
  
Raúl M. Grijalva  
Member of Congress

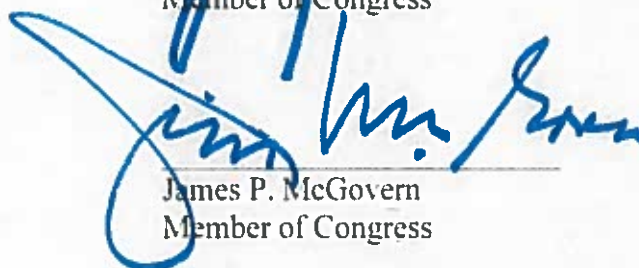
  
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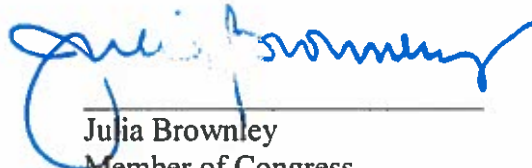
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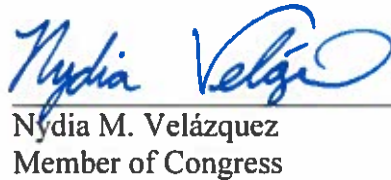
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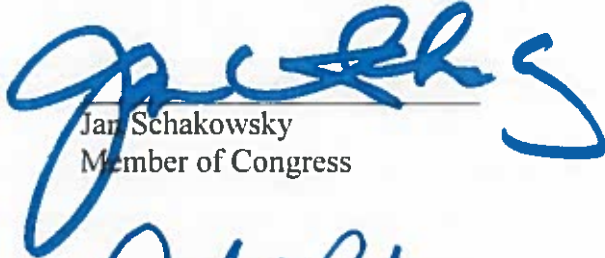
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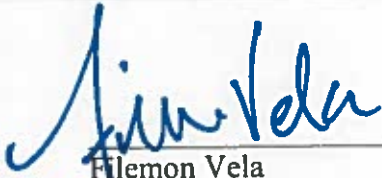
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