

# United States Senate

WASHINGTON, DC 20510

May 15, 2025

Frank Bisignano  
Commissioner  
Social Security Administration  
6401 Security Blvd  
Baltimore, MD 21235

Dear Commissioner Bisignano:

We write to strongly object to the Social Security Administration's (SSA) apparent decision to list living noncitizens as "dead" in the agency's master files. These arbitrary actions—intended to weaponize Social Security in the Administration's attack on immigrants—are disgraceful and will erode the integrity of and trust in Social Security.

SSA collects death records from families, financial institutions, and government agencies and compiles them into death master files, which the agency then shares with certain federal agencies, banks, credit bureaus, and other financial institutions to prevent improper payments to people who have died or those fraudulently seeking to impersonate someone who is deceased.<sup>1</sup> In fact, the death master files help to prevent more than \$50 million in improper payments each month.<sup>2</sup> However, it appears that SSA is now using the death master files for another purpose: a weapon against living noncitizens.

In April, the *New York Times* reported SSA maliciously has listed living noncitizens as "dead" in its death master files.<sup>3</sup> These noncitizens were lawfully present and granted work authorization by the Department of Homeland Security (DHS), making them eligible for Social Security numbers (SSNs) to work and contribute to our nation. SSNs allow noncitizens to participate in the economy by obtaining housing, bank accounts, and insurance. Their work helps to boost the United States' Gross Domestic Product by trillions of dollars.<sup>4</sup> But now, these noncitizens will no longer have access to their own financial resources because SSA has taken the unprecedented action of declaring them "dead" in a cruel and Orwellian attempt to force them to leave the United States.

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<sup>1</sup> Paul S. Davies, [The Social Security Administration's Death Data: In Brief](#), Congressional Research Service (January 11, 2021).

<sup>2</sup> *Id.*

<sup>3</sup> Alexandra Berzon et. al, [Social Security Lists Thousands of Migrants as Dead to Prompt Them to 'Self-Deport'](#), *New York Times* (April 10, 2025).

<sup>4</sup> James C. Capretta, *CBO Confirms Again Immigration's Economic and Fiscal Benefits*, American Enterprise Institute (October 18, 2024).

According to an internal memo, DHS claims that these noncitizens are “criminals” and “suspected terrorists.”<sup>5</sup> But the proper procedure if a noncitizen is a criminal or a suspected terrorist is to initiate proceedings against them in immigration court, not for the SSA to arbitrarily declare them “dead” without any proof.<sup>6</sup> In addition, DHS, not the SSA, makes determinations as to whether or not a noncitizen is eligible to work and whether to terminate or revoke work authorization.<sup>7</sup> Finally, SSA has procedures the agency follows when it is determined that an individual no longer has work authorization or has lost status, and they do not involve declaring an individual dead.<sup>8</sup> For example, a noncitizen’s Social Security card may state “Valid for work only with DHS authorization” or “Not valid for employment.”<sup>9</sup>

Yet, according to press reports, most of the more than 6,000 noncitizens declared “dead” were lawfully authorized by DHS to be in the United States and lawfully obtained SSNs.<sup>10</sup> They were thoroughly vetted and underwent mandatory security checks before receiving authorization to travel to United States airports, where they then were individually screened by U.S. Customs and Border Patrol officers before being cleared to enter. The *New York Times* report indicated SSA has listed several minors, including a 13-year-old, as “dead” in the death master files,<sup>11</sup> while the *Washington Post* reported that SSA workers “found no evidence of crimes or law enforcement interactions” for others.<sup>12</sup> Further, SSA has no authority to erroneously categorize living noncitizens as “dead” in its death master files. Such use of the death master files raises the question of whether SSA may list other living legal immigrants—or even American citizens—as “dead” in the death master files without justification. It should frighten every American that SSA could make the unilateral decision to ruin their financial lives without even a chance to appeal.

In his Joint Address to Congress in March, President Trump claimed there were people over the age of 300 receiving Social Security benefits, simply because some of the death master files lacked a recorded death date.<sup>13</sup> His assertion was not true,<sup>14</sup> and SSA’s actions now are turning this tool to prevent fraud into one that instead facilitates it. We urge

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<sup>5</sup> Alexandra Berzon et. al, [Social Security Lists Thousands of Migrants as Dead to Prompt Them to ‘Self-Deport’](#), *New York Times* (April 10, 2025).

<sup>6</sup> 8 USC 1229.

<sup>7</sup> See, 8 USC 1324a(h)(3)(B); 8 C.F.R. 274a.12; see also Policy Operations Manual System (POMS), [GN 00303.400 Authorized Alien Status](#), Social Security Administration (Effective Feb. 23, 2024 to date).

<sup>8</sup> POMS, [GN 00303.500 Deportees](#), Social Security Administration (Effective Mar. 4, 2024); see also POMS, [GN 00304.000 Proof of Death](#), Social Security Administration (Effective Apr. 15, 2025).

<sup>9</sup> [Types of Social Security Cards](#), Social Security Administration.

<sup>10</sup> Alexandra Berzon et. al, [Social Security Lists Thousands of Migrants as Dead to Prompt Them to ‘Self-Deport’](#), *New York Times* (April 10, 2025).

<sup>11</sup> *Id.*

<sup>12</sup> Hannah Natanson et. al, [Trump administration overrode Social Security staff to list immigrants as dead](#), *The Washington Post* (April 12, 2025)

<sup>13</sup> President Trump, [Remarks By President Trump In Joint Address To Congress](#), The White House (March 4, 2025).

<sup>14</sup> Todd Frankel et al, [Why DOGE is struggling to find fraud in Social Security](#), *The Washington Post* (March 24, 2025).

SSA not to use the death master files in this manner and to remove noncitizens falsely listed as “dead” from the files.

Sincerely,



Richard J. Durbin  
United States Senator



Ron Wyden  
United States Senator  
Ranking Member,  
Committee on Finance



Tammy Duckworth  
United States Senator



Mazie K. Hirono  
United States Senator



Elizabeth Warren  
United States Senator



Chris Van Hollen  
United States Senator



Alex Padilla  
United States Senator



Jack Reed  
United States Senator



Sheldon Whitehouse  
United States Senator



Richard Blumenthal  
United States Senator



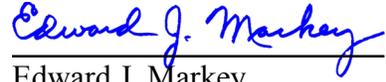
Cory A. Booker  
United States Senator



Peter Welch  
United States Senator



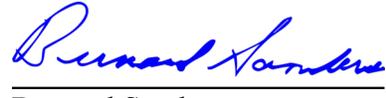
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