



STATE OF UTAH

Office of the Legislative Auditor General

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Audit Subcommittee of the Legislative Management Committee

President John L. Valentine, Co-Chair • Speaker Greg J. Curtis, Co-Chair
Senator Mike Dmitrich • Representative Ralph Becker

JOHN M. SCHAFF, CIA
AUDITOR GENERAL

February 8, 2005

ILR 2005-B

President John L. Valentine
Utah State Senate
W115 State Capitol Complex
Salt Lake City, UT 84114-5115

Subject: Driver's Licenses Issued to Undocumented Aliens

President Valentine:

The Legislative Auditor General was asked to identify the extent to which undocumented aliens are obtaining Utah's driver licenses. We found that a large number of undocumented aliens has taken advantage of Utah's relatively lenient requirements for obtaining a driver license. One concern is that Utah is being used as a portal for undocumented aliens living out of the state to obtain driver licenses. Furthermore, some undocumented aliens may be using the driver license application process to register to vote. Our findings are preliminary and a more extensive audit could be requested.

As Many as 58,000 Driver Licenses Have Been Issued To Undocumented Aliens

Utah has issued over 58,000 driver licenses to individuals who appear to be undocumented aliens. Personal identification cards were issued to another 37,000 individuals who also appear to be undocumented aliens. State law requires that individuals applying for a driver license present either a Social Security Number or an Individual Tax Identification Number (ITIN). An ITIN is issued by the U.S. Internal Revenue Service to identify individuals who do not qualify for a Social Security Number. Because U.S. citizens and legal foreign workers qualify for a Social Security Number, we have been told that those who file for an ITIN and who reside in the United States are, for the most part, undocumented aliens. In fact, an agent from the U.S.

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Division of Immigration and Customs Enforcement told us that he has found that most people who used an ITIN to obtain a Utah driver license are undocumented aliens.

Utah is Used as a Portal By Undocumented Aliens To Obtain a Driver License

We are concerned that dozens of licenses have been issued to individuals from the same addresses. For example, during the past 12 months, state records show that driver licenses have been issued to 62 different individuals who resided at the same apartment at the same street address in Salt Lake City. The following figure lists some examples of addresses where an inordinate number of driver licenses have been issued. (Note: The street addresses are not reported because there is currently a federal investigation of the matter.)

Figure 1. Many Licenses are Issued to a Single Address. The large number of licenses issued to individuals from the same address raises concern that some people may be helping undocumented aliens from out of state obtain Utah driver licenses.

Number of Licenses Issued	Time Period in Months	Address
62	12	1 apartment, Salt Lake City
42	5	1 apartment, Salt Lake City
35	6	1 apartment, Salt Lake City
157	30	4 closely located apartments, West Valley City
31	5	1 apartment, Salt Lake City
65	15	1 apartment, Salt Lake City

According to an agent at the U.S. Immigration and Customs Enforcement agency, some of the addresses referred to in Figure 1 are under investigation by his office. In addition, the agent said that there are addresses in Price, Gunnison, St. George and other Utah cities where multiple driver licenses have been issued. The agent indicated that these addresses are used by “contractors” who charge a fee for helping undocumented aliens obtain a Utah driver license. He said that most of the contractors work with undocumented aliens from outside of Utah. Because a Utah driver license is easier to obtain than those from many other states, Utah has

become a portal through which undocumented aliens can obtain a widely accepted form of identification.

We provided the U.S. Immigration and Customs Enforcement agency the names and addresses for the 62 individuals described in the first line of Figure 1 above. The agent checked the names against the agency's records and found that 35 of the 62 are "deportable, non-immigrant visitors." The agent reports that many of the 35 names were South Americans, mainly from Brazil, who had left that country destined for New York, New Jersey and Florida but none were destined for Utah. The agency stated that no records were found for the remaining 27 of the 62 names we provided. He believes this is due to incorrect spelling or erroneous information provided to the Driver License Division or because the individual is not a documented alien, perhaps coming to the country illegally, and has therefore not been identified in the agency's database.

Voter Registration List Includes 383 Individuals with ITINs, Most Appear To Be Undocumented Aliens

Of those who appear to be undocumented aliens who were issued a driver license or personal identification card, 383 also registered to vote. We identified those individuals by comparing the names and birth dates of those with a driver license and an ITIN to the names and birth dates of individuals listed on the state's voter registration rolls. We found 383 records in which the person's name and birth date matched on both lists. We asked the U.S. Immigration and Customs Enforcement agency to research the 383 to identify their immigration status. After examining a sample of 135 registered voters from our list, the agency reported that five were naturalized citizens who were eligible to vote. However, 20 were "deportable" and one was a legal permanent resident, none of whom are eligible to vote. The remaining 109 were described as having no record and "likely to be illegal aliens" who would also be ineligible to vote. According to state voter registration records, 14 of the 383 actually voted in an election, but we could not confirm whether or not those 14 were actually citizens.

Possible Issues for Further Consideration

The following identifies several ways the legislature might respond to the concerns described in this letter.

- **Consider enacting legislation similar to that adopted by the State of Tennessee which allows non-citizens (with ITINs) to be identified as a separate class of drivers.**

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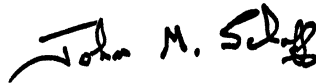
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- Request an audit of the Driver License Division that examines the division's procedures used to issue licenses and register applicants as voters.
- Request an audit of the voter registration rolls in order to determine the extent to which non-citizens are registered to vote and why roughly 60,000 individuals are registered in two or more voter precincts in the state.

We look forward to meeting with you if you have further questions about this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "John M. Schaff". The signature is stylized with a large, sweeping initial "J" and a distinct "S" at the end.

John M. Schaff, CIA
Auditor General

JMS:JPB/lm