

105TH CONGRESS
1ST SESSION

H. R. 231

To improve the integrity of the Social Security card and to provide for criminal penalties for fraud and related activity involving work authorization documents for purposes of the Immigration and Nationality Act.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 1997

Mr. MCCOLLUM (for himself, Mr. SCHUMER, Mr. STENHOLM, Mr. HORN, Mr. GALLEGLY, Mr. CANADY of Florida, Mr. HUNTER, Mr. FRANK of Massachusetts, Mr. ACKERMAN, Mr. BEREUTER, Mr. BILBRAY, Mr. BRYANT, Mr. CAMPBELL, Mr. CUNNINGHAM, Mr. DEFazio, Ms. JACKSON-LEE of Texas, Mr. KIM, Mr. LaFALCE, Mr. LATOURETTE, Mr. PACKARD, Mr. ROHRABACHER, Mr. SHAYS, Mr. STARK, Mr. TRAFICANT, and Mr. WAXMAN) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To improve the integrity of the Social Security card and to provide for criminal penalties for fraud and related activity involving work authorization documents for purposes of the Immigration and Nationality Act.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. PROTECTING THE INTEGRITY OF THE SOCIAL**
2 **SECURITY ACCOUNT NUMBER CARD.**

3 (a) IMPROVEMENTS TO CARD.—

4 (1) IN GENERAL.—For purposes of carrying out
5 section 274A of the Immigration and Nationality
6 Act, the Commissioner of Social Security (in this
7 section referred to as the “Commissioner”) shall
8 make such improvements to the physical design,
9 technical specifications, and materials of the social
10 security account number card as are necessary to
11 ensure that it is a genuine official document and
12 that it offers the best possible security against coun-
13 terfeiting, forgery, alteration, and misuse.

14 (2) PERFORMANCE STANDARDS.—In making
15 the improvements required in paragraph (1), the
16 Commissioner shall—

17 (A) make the card as secure against coun-
18 terfeiting as the 100 dollar Federal Reserve
19 note, with a rate of counterfeit detection com-
20 parable to the 100 dollar Federal Reserve note,
21 and

22 (B) make the card as secure against fraud-
23 ulent use as a United States passport.

24 (3) REFERENCE.—In this section, the term “se-
25 cured social security account number card” means a

1 social security account number card issued in ac-
2 cordance with the requirements of this subsection.

3 (4) EFFECTIVE DATE.—All social security ac-
4 count number cards issued after January 1, 2000,
5 whether new or replacement, shall be secured social
6 security account number cards.

7 (b) USE FOR EMPLOYMENT VERIFICATION.—Begin-
8 ning on January 1, 2006, a document described in section
9 274A(b)(1)(C) of the Immigration and Nationality Act is
10 a secured social security account number card (other than
11 such a card which specifies on the face that the issuance
12 of the card does not authorize employment in the United
13 States).

14 (c) NOT A NATIONAL IDENTIFICATION CARD.—
15 Cards issued pursuant to this section shall not be required
16 to be carried upon one's person, and nothing in this sec-
17 tion shall be construed as authorizing the establishment
18 of a national identification card.

19 (d) NO NEW DATABASES.—Nothing in this section
20 shall be construed as authorizing the establishment of any
21 new databases.

22 (e) EDUCATION CAMPAIGN.—The Commissioner of
23 Immigration and Naturalization, in consultation with the

1 Commissioner of Social Security, shall conduct a com-
2 prehensive campaign to educate employers about the secu-
3 rity features of the secured social security card and how
4 to detect counterfeit or fraudulently used social security
5 account number cards.

6 (f) ANNUAL REPORTS.—The Commissioner of Social
7 Security shall submit to Congress by July 1 of each year
8 a report on—

9 (1) the progress and status of developing a se-
10 cured social security account number card under this
11 section,

12 (2) the incidence of counterfeit production and
13 fraudulent use of social security account number
14 cards, and

15 (3) the steps being taken to detect and prevent
16 such counterfeiting and fraud.

17 (g) GAO ANNUAL AUDITS.—The Comptroller Gen-
18 eral shall perform an annual audit, the results of which
19 are to be presented to the Congress by January 1 of each
20 year, on the performance of the Social Security Adminis-
21 tration in meeting the requirements in subsection (a).

22 (h) EXPENSES.—No costs incurred in developing and
23 issuing cards under this section that are above the costs
24 that would have been incurred for cards issued in the ab-
25 sence of this section shall be paid for out of any Trust

1 Fund established under the Social Security Act. There are
2 authorized to be appropriated such sums as may be nec-
3 essary to carry out this section.

4 **SEC. 2. CRIMINAL PENALTIES FOR FRAUD AND RELATED**
5 **ACTIVITY WITH WORK AUTHORIZATION**
6 **DOCUMENTS.**

7 (a) IN GENERAL.—Section 1028 of title 18, United
8 States Code, is amended—

9 (1) in subsection (a)—

10 (A) in paragraphs (1) and (2) by striking
11 “an identification document or a false identi-
12 fication document” each place it appears and
13 inserting “an identification document, false
14 identification document, work authorization
15 document, or false work authorization docu-
16 ment”;

17 (B) in paragraph (3) by striking “identi-
18 fication documents (other than those issued
19 lawfully for the use of the possessor) or false
20 identification documents” and inserting “identi-
21 fication or work authorization documents (other
22 than those issued lawfully for the use of the
23 possessor) or false identification or work au-
24 thorization documents”;

1 (C) in paragraph (4) by striking “an iden-
2 tification document (other than one issued law-
3 fully for the use of the possessor) or a false
4 identification document” and inserting “an
5 identification or work authorization document
6 (other than one issued lawfully for the use of
7 the possessor) or a false identification or work
8 authorization document”;

9 (D) in paragraph (5) by inserting “or in
10 the production of a false work authorization
11 document” after “false identification docu-
12 ment”; and

13 (E) in paragraph (6) by inserting “or work
14 authorization document” after “identification
15 document” each place it appears;

16 (2) in subsection (b)(1)—

17 (A) by striking “an identification docu-
18 ment or false identification document” in sub-
19 paragraph (A) and inserting “an identification
20 document, false identification document, work
21 authorization document, or false work author-
22 ization document”;

23 (B) in subparagraph (A)—

24 (i) by striking “or” at the end of
25 clause (i);

1 (ii) by inserting “or” at the end of
2 clause (ii); and

3 (iii) by inserting the following new
4 clause after clause (ii):

5 “(iii) a work authorization docu-
6 ment;”; and

7 (C) by striking “identification documents
8 or false identification documents” in subpara-
9 graph (B) and inserting “identification docu-
10 ments, false identification documents, work au-
11 thorization documents, or false work authoriza-
12 tion documents”;

13 (3) in subsection (b)(2)(A) by striking “an
14 identification document or false identification docu-
15 ment” and inserting “an identification document,
16 false identification document, work authorization
17 document, or false work authorization document”;

18 (4) in subsection (c)—

19 (A) by striking “identification document or
20 false identification document” each place it ap-
21 pears in paragraph (1) and inserting “identi-
22 fication document, false identification docu-
23 ment, work authorization document, or false
24 work authorization document”; and

1 (B) by adding “work authorization docu-
2 ment, false work authorization document,” after
3 “false identification document,” in paragraph
4 (3); and
5 (5) in subsection (d)—

6 (A) by striking “and” at the end of para-
7 graph (4);

8 (B) by striking the period at the end of
9 paragraph (5) and inserting “; and”; and

10 (C) by inserting after paragraph (5) the
11 following new paragraph:

12 “(6) the term ‘work authorization document’
13 means any document described in section
14 274A(b)(1)(C) of the Immigration and Nationality
15 Act.”.

16 (b) CONFORMING AMENDMENT.—The heading for
17 section 1028 of title 18, United States Code, is amended
18 to read as follows:

19 **“§ 1028. Fraud and related activity in connection**
20 **with identification and work authoriza-**
21 **tion documents”.**

22 (c) CLERICAL AMENDMENT.—The item relating to
23 section 1028 in the table of sections at the beginning of
24 chapter 47 of title 18, United States Code, is amended
25 to read as follows:

“1028. Fraud and related activity in connection with identification and work authorization documents.”.

