

110TH CONGRESS  
2D SESSION

# H. R. 5732

To establish procedures for the issuance by the Commissioner of Social Security of “no match” letters to employers, and for the notification of the Secretary of Homeland Security regarding such letters.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 8, 2008

Mrs. MYRICK introduced the following bill; which was referred to the  
Committee on Ways and Means

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## A BILL

To establish procedures for the issuance by the Commissioner of Social Security of “no match” letters to employers, and for the notification of the Secretary of Homeland Security regarding such letters.

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

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Securing the Home-  
5       land Through Agency Reporting Enhancement Act”.

1 **SEC. 2. LETTERS TO EMPLOYERS BY THE COMMISSIONER**  
2 **OF SOCIAL SECURITY FOR PURPOSES OF RE-**  
3 **SOLVING DISCREPANCIES IN WAGE RECORDS**  
4 **AND NOTIFICATION OF THE SECRETARY OF**  
5 **HOMELAND SECURITY REGARDING SUCH**  
6 **LETTERS.**

7 (a) IN GENERAL.—Section 205(c)(2) of the Social  
8 Security Act (42 U.S.C. 405(c)(2)) is amended by adding  
9 at the end the following new subparagraph:

10 “(I)(i) In any case in which the Commissioner deter-  
11 mines that the social security account number in the wage  
12 records provided to the Social Security Administration by  
13 an employer with respect to an employee do not match  
14 relevant records otherwise maintained by the Social Secu-  
15 rity Administration, the Commissioner shall promptly  
16 send to the employer a written notice—

17 “(I) informing the employer of the discrep-  
18 ancies,

19 “(II) requesting such information as may be in  
20 the possession of the employer as would assist the  
21 Commissioner in resolving the discrepancies, and

22 “(III) informing the employer that a copy of  
23 such notice is being provided to the Secretary of  
24 Homeland Security to assist such Secretary in the  
25 enforcement of applicable Federal immigration laws

1 relating to employment of individuals who are not  
2 authorized to work in the United States.

3 “(ii) In any case in which the Commissioner sends  
4 a notice described in clause (i) with respect to an employee  
5 of an employer, the Commissioner shall simultaneously  
6 transmit a copy of such notice to the Secretary of Home-  
7 land Security, including a listing of the name, addresse,  
8 and social security account number of such employee, ac-  
9 cording to the wage records described in clause (i), and  
10 any nonmatching information with respect to the name,  
11 addresse, or social security account number of such em-  
12 ployee in the relevant records otherwise maintained by the  
13 Social Security Administration.”.

14 (b) EFFECTIVE DATE.—The amendment made by  
15 subsection (a) shall apply with respect to determinations  
16 by the Commissioner of Social Security (that relevant  
17 records maintained by the Commissioner do not match so-  
18 cial security account numbers provided to the Commis-  
19 sioner by employers) made on or after the date of the en-  
20 actment of this Act.

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