

H.R. 98
Illegal Immigration Enforcement and Social Security Protection Act of 2005
“The Bonner Plan”

Sponsored by Rep. David Dreier (R-CA)

- Requires the Social Security Administration (SSA) to issue Social Security cards that contain a digitized photo of the cardholder on the card.
- Requires Social Security cards to contain an electronic signature strip that contains an encrypted electronic identification code, unique to that individual.
- Requires Department of Homeland Security (DHS) to maintain an Employment Eligibility Database with a person’s proof of citizenship data and work and residency eligibility information (including expiration dates) for non-citizens.
 - Authorizes DHS to utilize currently existing Citizen Attestation Verification Pilot (CAVP) and Basic Pilot Program to aid in the creation of the Employment Eligibility Database.
- Requires those who intend to seek work in the United States (citizens and work-eligible immigrants) to apply for a new Social Security card containing a digitized photo and the electronic signature strip.
 - This is only necessary when the person is applying for a new job; current workers would not need to update their card until they intend to seek new employment, and would only need to update their card once.
- Requires all employers to require that prospective employees demonstrate possession of the improved Social Security card containing a digitized photo and electronic signature strip.
- Requires all employers to verify the work-status of the applicant by verifying the authenticity of the Social Security card.
 - Employers must verify the applicant is eligible to work via a phone verification system, to be set up by DHS, or via a card-reader approved by DHS that reads the electronic signature strip.
- The Employment Eligibility Database will report to the employer on the applicant’s work eligibility.
- Employers are prohibited from hiring applicants who are determined not to be work-eligible by the Database.

- Specifies that employers who knowingly hire any applicant who did not pass scrutiny of the DHS Employment Eligibility Database face fines of \$50,000 per occurrence.
- Makes the hiring of a known illegal worker a federal offense (felony) punishable by up to 5 years in prison, per count.
- Specifies that employers who fail to verify the applicant's Employment Eligibility via the Database face fines of \$50,000 per occurrence.
- Makes the failure to verify the applicant's eligibility a federal offense (felony) punishable by up to 5 years in prison per count.
- Requires the employer to reimburse the federal government, and any cooperating State and local governments and law enforcement agencies, for the cost of removing the illegal worker from the United States.
- Authorizes the Department of Homeland Security to add not less than 10,000 personnel for the express purpose of enforcing the requirements of this Act.
- Authorizes such sums as necessary to the Social Security Administration and the Department of Homeland Security to carry out the activities required under the Act.
- Authorizes a minimum of \$100 million to the Department of Homeland Security to enforce compliance by employers with the provisions of this Act and prosecute violations in each fiscal year starting October 1, 2005.
- Requires that the provisions of this Act go into effect no later than 2 years after the date of enactment.
- Requires that the border-patrol fingerprint identification system and the FBI fingerprint-database be integrated no later than 2 years after the date of enactment.
- Authorizes the Secretary of Homeland Security to make grants for the purpose of improving and developing new technologies to combat illegal border crossings into the United States. Authorizes \$10 million in each fiscal year from 2006 to 2010 for the grant program.
- Specifies that nothing in the Act shall be construed to require the presentation of a Social Security card for any purpose other than for the administration of Social Security and for the purpose of implementing and enforcing this Act.
- Specifies that nothing in the Act shall be construed to require the Social Security card to be carried by an individual.
- Establishes that it is the policy of the United States that the Social Security card shall not be used as a national identification card.