

One of them is, there is no new use by my amendment for the Social Security card from existing law. The Social Security card, whether we like it or not, is today utilized as one of the documents to show a person is eligible to get a job. It is also utilized in welfare. It is utilized in a lot of other places. I add not one new use to the Social Security card.

Second, through the year 2006 at least there is no real new cost to issuing cards because the Social Security Administration regularly issues new cards anyway, and reissues cards upon request, and there would be no additional demand on them, at least through that period of time, and the cost, as the CBO [Congressional Budget Office] has indicated, is very minimal to make this transition to what would equivalently be like the passports which has paper like this, that has all kinds of codes and inking and special designs in it, which today is simply not a part of the Social Security card.

I wish I could agree with the gentleman that the Social Security card, as my colleagues know, is already tamper-proof, but it is not. It is the most fraudulently used card today in America, it is rampant with counterfeiting, and that is why INS and others have so much trouble with it.

I do not wish to expand in any way, and I do not believe the costs I am imposing in any way, impinges in the way that the Social Security Administration wants, and neither does the Congressional Budget Office.

Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. BEILENSEN].

Mr. BEILENSEN. Mr. Chairman, I rise in strong support of the McCollum amendment.

When Congress enacted employer sanctions as part of the 1986 Immigration Reform and Control Act, we did so in recognition of the fact that the primary reason immigrants come to the United States is to find jobs, and that we cannot possibly stop illegal immigration unless we stop employers from hiring illegal immigrants.

Unfortunately, however, we made the employer sanctions law virtually impossible to enforce, because we failed to provide a sound and dependable way for employers to determine whether or not a prospective employee is here in the United States legally.

Right now, a person can use any of 29 documents to demonstrate work eligibility. That has given rise to a huge, multimillion-dollar industry in counterfeit Social Security cards, and other documents, that are easy to forge.

It has also put employers in the position of trying to determine whether or not work authorization documents are authentic. Many employers, not wanting to take on that responsibility simply avoid hiring employees who look or sound foreign, causing widespread discrimination against U.S. citizens and legal residents.

H.R. 2202 wisely reduces the number of documents a job seeker can use to

prove employment authorization, but it does nothing to make one of those key remaining documents—Social Security cards—counterfeit-resistant. That is a major flaw in this bill that this amendment would correct.

I would like to point out that using Social Security for proof of work eligibility does not pose any greater threat to privacy than already exists. All workers must already provide a Social Security number upon taking employment. This proposal would simply help ensure that the Social Security card a prospective employee shows to an employer is not fraudulent.

No matter how many other ways we attempt to curb illegal immigration, we will not succeed unless we have a realistic way of stopping illegal immigrants from getting jobs in this country. If Social Security cards are going to be one of the primary documents prospective employees use to prove employment eligibility—as this bill provides for—it is absolutely essential that we ensure that those cards cannot be easily forged, as they can be right now.

Mr. Chairman, this amendment would provide one of the most effective tools possible to fight illegal immigration. If we are really serious about stopping illegal immigration, we must ensure that the documentation workers use to obtain jobs is authentic. I urge Members to vote “yes” on the McCollum amendment.

Mr. MCCOLLUM. Mr. Chairman, I reserve the balance of my time.

Mr. JACOBS. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, it has been said that we need a reliable source to identify illegal immigrants, or legal immigrants or legal people, citizens. So the question arises: Just how reliable would a Social Security card with a picture on it be? And the answer lies in an old Volkswagen ad on a snowy day, when a guy gets up real dark and early, gets in a Volkswagen, tools along, goes to a barn and pulls out a snow plow and they said, “Do you ever wonder how the guy who drives the snow plow gets to the snow plow in the morning?”

Now, how does one get to a Social Security card if one is not born in the United States? Submit a birth certificate. How difficult is it to fake a birth certificate? Or do we want to amend this now and require pictures on birth certificates?

The law would require that a baby submit a picture, I guess. Here we got a 3-day-old baby in the hospital, and they motor on down to the Federal building, take a shot of the baby and, as my colleagues know, people will not always look the same after 20 years or so as they do 2 or 3 days after they are born.

What would we do with Mrs. Clinton? I mean, she might look one way one day and another way another day. So how reliable is it ultimately going to be?

As a matter of fact, my own judgment is that we have had this over the

years. This is about \$3 billion worth of wishful thinking.

Now, let us try another one. Two hundred million mug shots on file here in the Federal Government. Well, that makes the original terrorism bill that everybody was up in arms about look like a tinker toy set. It is a noble purpose, but I do not really think that it would accomplish its purpose after we finish bankrupting the Federal Government by blowing \$3 billion on it.

Mr. Chairman, I reserve the balance of my time.

Mr. MCCOLLUM. Mr. Chairman, I yield 1½ minutes to the gentleman from Virginia [Mr. GOODLATTE].

Mr. GOODLATTE. Mr. Chairman, I thank the gentleman from Florida [Mr. MCCOLLUM] for yielding me the time, and I rise in support of this amendment.

Mr. Chairman, I think it is important that we make clear what this does not do. First of all, it is not a national ID card, as some have suggested. One would not have to carry it with them. They would not use it in any way different than they use their Social Security card right now, which is if someone presents it at the time they enroll with an employer for employment purposes.

There is no new use called for for the Social Security card or Social Security number. There is no new data base here. There is nothing involved here other than the information that the Social Security Administration uses right now, and yet it ends a substantial amount of bureaucracy.

Mr. Chairman, it is going to be the step toward curing the problem of dealing with whether or not, when somebody presents, they are using somebody else's Social Security number, and all manner of havoc can be caused when somebody takes somebody else's identity and uses that Social Security number. It costs the taxpayer money if we add to somebody else's record in terms of how much Social Security benefits have been paid. It can have a devastating impact on somebody if that takes place.

The bill does not require that a photograph be put on the card. The Congressional Budget Office says that it does not cost \$3 to \$6 billion. It costs \$51 million, according to the Congressional Budget Office, our own agency, and we need this, and I am afraid I do not have the time to yield.

I support the amendment.

Mr. MCCOLLUM. Mr. Chairman, I reserve the balance of my time.

Mr. JACOBS. Mr. Chairman, I yield 1 minute to the gentleman from Texas, Mr. SAM JOHNSON.

Mr. SAM JOHNSON of Texas. Mr. Chairman, as my colleagues know, I think it is time we took a look at this thing. The purpose of the Social Security Administration is to provide benefits to seniors, not to police the borders.

This card that we are talking about here costs about \$10.54 to make. A card

like my colleagues are talking about, if it is like a passport, is \$60. Taxpayers pay for a passport. They do not pay for this except through payroll tax deductions.

Let me just read for my colleagues what the Social Security Administration says this is today. The current Social Security card is already counterfeit resistant, contains most of the features that have been incorporated in the newly redesigned \$100 bill, such as small disks that can be seen with the eye, cannot be reproduced by color photographs. In addition, the current card is printed on banknote-quality card paper that has blue marbled background with raised printing that can be felt by running one's fingers across the card.

It seems to me that maybe we are not looking at the Social Security cards when we hire people or when we ask people, "Are you a legal immigrant?"

Now I think it is time that we got down to brass tacks and said Americans do not want, do not need, and do not deserve a Federal identification card.

Mr. MCCOLLUM. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. STENHOLM].

(Mr. STENHOLM asked and was given permission to revise and extend his remarks.)

Mr. STENHOLM. Mr. Chairman, I rise in support of the McCollum amendment. This is not a national identification card; nothing could be further from the truth to make this argument.

We have to look and, first off, answer a simple question: Do we have an illegal immigration problem? The answer usually comes back, yes, we do. If we do, then we have to use all of the tools available to us to help solve the problem.

We currently have the technology to make identification cards highly resistant to counterfeiting. I do not know why we do not use it. Frankly, I believe we need to look beyond the Social Security card, as the previous speaker just mentioned, and apply this same technology that we have available to birth certificates and the other documents used to verify one's status in our country.

I think that would be committing the resources to the problem that we need to have in this country if we are, in fact, going to solve the problem. The Congressional Budget Office has scored the McCollum amendment at an annual average cost of approximately \$51 million over the next 10 years.

Mr. Chairman, I yield to the gentleman from Kentucky [Mr. BUNNING].

Mr. BUNNING of Kentucky. Mr. Chairman, I believe that scoring was on a different McCollum amendment, not the present one being offered.

Mr. STENHOLM. It is my information, according to the CBO, this is the amendment that we are talking about today.

Mr. BUNNING of Kentucky. It is on the original McCollum amendment; it is not on this one.

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Mr. STENHOLM. I believe it is in fact the amendment that we are considering today, Mr. Chairman. Also, we have heard a lot of other, I believe, well-intended but misinformed information concerning the cost of the technology that we are talking about on the particular card. We will be glad to provide the additional information as to the true cost of the technology involved in making this as counterfeit-proof as possible. Nothing is totally, counterfeit-proof, that is not technologically possible, but we can do a lot better job. I do not understand how my colleagues can argue that we should not do the best we possibly can in solving the problem.

Mr. JACOBS. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, the gentleman from Texas said we ought to do the same thing with birth certificates. There goes another \$3 billion, for my fiscally conservative friend. If it were worth \$3 billion, I would be the first one to say yes, but we are a little short of change here in the Federal Government right now. If we buy \$3 billion worth of wishful thinking, we have not exactly made a good bargain. It will not work.

There are not very many people in this country that want their pictures on file with the Social Security system, or any other part of the Federal Government. We can say it is not a national ID card, and we can say if it quacks it is not a duck, but it has a lot of the earmarks of a national identification card. I, for one, do not want my picture on file in the Federal Government. I do not want that many people to find out how ugly I am.

Mr. Chairman, I yield 1 minute to the gentleman from California [Mr. BECERRA].

Mr. BECERRA. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, I will be brief, because I believe the arguments have been made in this particular debate very well by those who are opposing the amendment.

Mr. Chairman, let me just say that it seems odd to me, at a time when we are talking about having the Federal Government downsize and devolve and allow us to have more control locally over what happens, that we have an initiative that would create a big Government enterprise. It would ask that the Social Security Administration do with the data base it has created over the last several decades what it was never meant to do, and that is, act as an identifier program. Never was the Social Security Administration told that the Social Security number would be used to check status. Yet, as we have seen and has been admitted by Members on both sides of the aisle, that is exactly what we see.

The Social Security card is used for all sorts of purposes. Yet, we are told by the Social Security Administration that fully 60 percent of all the people

who currently hold a Social Security card never had to prove that they were U.S. citizens, or whether they were here legally in this country. So we are talking about 60 percent of all the cards that we have issued out there that have no verification behind them. That will have to be provided, insurances would have to be provided, and we have to provide the money to do that. Where is the money? It is not there.

Mr. MCCOLLUM. Mr. Chairman, I understand I have the right to close.

The CHAIRMAN. The gentleman from Florida [Mr. MCCOLLUM] is correct.

Mr. JACOBS. Mr. Chairman, I yield 2 minutes to the gentleman from Kentucky [Mr. BUNNING].

Mr. BUNNING of Kentucky. Mr. Chairman, I would like to point out one thing about the Social Security Administration and their ability to deliver the services that they are now required to deliver. We have a program in Social Security called SSDI, or Social Security disability insurance. Because of lack of funds in the Social Security Administration's administrative budget, there is presently a backlog of a half million people waiting a year or more to qualify for Social Security disability. I know there are an awful lot of Members who hear from constituents who are having trouble getting on SSDI because the Social Security Administration's administrative budget is inadequate to process claims on time.

On the back end of SSDI, there is a backlog of 1.7 million people on disability that are overdue for continuing disability reviews. CDR's are not being done because the Social Security Administration does not have enough money in its administrative budget now to do those reviews in a timely fashion.

Mr. Chairman, if we could get just a little more money into the Social Security Administration's administrative budget, we could literally save billions of dollars. We have a GAO study that showed we can save \$6 in benefits for every \$1 we spend on continuing disability reviews. The point I am trying to make is that SSA cannot handle the functions that they are required to do now with the administrative budget that they have, without adding the additional burden the McCollum amendment would impose on SSA.

Mr. MCCOLLUM. Mr. Chairman, I yield 1½ minutes to the gentleman from New York [Mr. SCHUMER].

Mr. SCHUMER. Mr. Chairman, I thank the gentleman for yielding time to me, salute him for his work on this, and rise in support of the amendment.

First of all, the Social Security card is used from one end of America to the other as an identification card right now. Who are we kidding. If my colleagues want to pass a law and say it should not be, I would ask the chairman and the distinguished minority member of the Social Security Subcommittee to pass that law. But let us

admit the trust; everywhere people go they are asked for a Social Security card. In fact, one way to prove you are a bona fide person who can have a job is to ask for a driver's license and a Social Security card.

Mr. Chairman, this is an antifraud amendment. All over where we go people say, "Why can you not stop illegal immigrants or others from coming here?" The No. 1 answer we give our constituents is that when they come here they can get jobs, get benefits, against the law because of fraud. Here the Gentleman from Florida [Mr. MCCOLLUM] has put together the most effective antifraud measure we can find, without it changing the actions of the Government one bit, and we find all this opposition.

Mr. Chairman, what I worry about is that this bill, which started out with good intentions, whether Members agree with it or disagree with it, is going to end up being the same kind of thing that the public gets angry with us on: We say we are doing something and we do nothing, because every time someone makes a rational and small proposal to get something done, people say, "What about this hypothetical, that hypothetical," et cetera?

Mr. Chairman, I urge support of this amendment. If Members believe they want to stop fraud and immigration, they have no choice but to support this amendment.

Mr. JACOBS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, yes, do nothing. Which would we rather do? Do nothing for nothing, or do nothing for \$3 billion? Because that is what this comes up to. Now they say, "We will plug the loophole. We will just put pictures on birth certificates." States issue birth certificates. Now go out and get the 50 States to issue birth certificates with pictures on them. We do not have jurisdiction to do that. This is flawed. It will not work.

Finally, we have heard all evening long on this amendment that it is either a nickel ninety-eight or it is \$3 billion. They say, "Well, the Congressional Budget Office," which the gentleman from Florida, [Mr. MCCOLLUM], never had much faith in the past as I recall, says it hardly amounts to anything. He said the Social Security Administration can do it for peanuts, which is a bad taste in my mouth from the other day, by the way. However, the proponents of this amendment say that it will cost the Social Security Administration far less than \$3 billion. The Social Security Administration says it will cost the Social Security Administration \$3 billion.

I say to my friend, the gentleman from New York, even though we are in dire straits financially in this Government, I think the cause is worthy. If I thought it would be effective, I would probably be advocating it. I do not think it is effective. I think it fits right into that old show tune, "I Got Plenty of Nothing," and in this case it

would be about \$3 billion worth of nothing, and that we clearly cannot afford.

Mr. MCCOLLUM. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I want to clarify something. I had the Social Security Administration folks in my office a week ago this last Friday. I listened to what they had to say. I batted around a number of ideas with them, including the possibility of renewing the Social Security card every 10 years. They told me how expensive and difficult that would be; what it would be like if we required hardening and doing a lot of other things.

Then I presented to them the passport and the \$100 bill concept. They said "Look, the cost is not in creating the new card, the cost is in if you force us to reissue it to everybody." So I developed an amendment that does not require them to issue a new card to everybody or to reissue something every 10 years, or to reissue at all. I simply have an amendment out here to prevent fraud, as the gentleman from New York said, with the existing Social Security card, where we take it and make the single piece of paper that is not 24 pages long like the passport, that the gentleman from Texas [Mr. SAM JOHNSON] was referring to, so it does not cost anything near \$60 apiece; one page, just do the type of threading, coloring, and inking this passport does, and the threading, coloring, and inking that the \$100 bill does. It does not require them to do a picture or anything else, it would just make this more secure.

I said, "This is not going to cost very much," and CBO said, "Yes, it will not cost a whole lot to do this." I think it is the lease we can do if we are going to do the steps that are required to stop illegal immigration from coming into this country. That is what the McCollum amendment is all about, the key to making it work, a key to making employer sanctions work being the key to making it truly meaningful.

When we say, as the law now says, it is illegal to knowingly hire an illegal alien, and when you go to get a job, one, not the only, but one of the documents you may produce in conjunction with the driver's license is the Social Security card. We must make it tamper-resistant. We must make it at least as counterfeit-proof as the \$100 bill.

I urge the adoption of the McCollum amendment for the sake of saving us from the illegal alien overrun we have.

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Florida [Mr. MCCOLLUM].

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. BUNNING of Kentucky. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to the rule, further proceedings on the amendment offered by the gentleman from

Florida [Mr. MCCOLLUM] will be postponed.

It is now in order to consider amendment No. 5 printed in part 2 of House Report 104-483.

AMENDMENT OFFERED BY MR. TATE

Mr. TATE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. TATE: In section 301(c) of the bill (relating to revision to ground of inadmissibility for illegal entrants and immigration violators), in subparagraph (A) of section 212(a)(6) of the Immigration and Nationality Act as proposed to be amended by such section of the bill insert after clause (ii) the following clauses, and redesignate clause (iii) accordingly:

"(iii) ALIENS WHO HAD THE INTENT TO ILLEGALLY ENTER.—Any alien who had the intent to illegally enter the United States and who has been ordered removed under section 235(b)(1) or at the end of proceedings under section 240 initiated upon the alien's arrival in the United States and who again seeks admission is inadmissible.

"(iv) OTHER ALIENS WHO HAD THE INTENT TO ILLEGALLY ENTER.—Any alien not described in clause (i) who had the intent to illegally enter the United States and who has been ordered removed under section 240 or any other provision of law and who again seeks admission is inadmissible.

In redesignated clause (v) (as redesignated by this provision), strike "(i) and (ii)" and insert "(i) through (iv)".

The CHAIRMAN. Pursuant to the rule, the gentleman from Washington [Mr. TATE] and the gentleman from Texas [Mr. BRYANT] each will control 15 minutes.

The Chair recognizes the gentleman from Washington [Mr. TATE].

Mr. TATE. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, first and foremost, I would like to thank the chairman of the committee, the gentleman from Texas [Mr. SMITH], for his tireless efforts on this issue. It is a volatile and tough issue, and I appreciate his efforts.

Mr. Chairman, this amendment is designed to bring honesty and integrity back to our administration system. But what most Americans are not aware of is that those that come to this country and intentionally violate our immigration laws are still eligible for legal immigration and temporary visa benefits in future years. We have created a revolving door, so to speak.

Mr. Chairman, our Forefathers, with great foresight, created a system to make this the strongest, most prosperous country in the world by allowing people from all countries to come to our great Nation. However, many take advantage of this open door policy. Even if one is caught and deported, they can still in the future apply for a student visa or a green card. This is not what America is all about.

Mr. Chairman, illegals enter at the expense of those that play by the rules, and there is no incentive to comply. There is not much differentiation between a criminal, someone who has