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111TH CONGRESS
1ST SESSION

H. R. 589

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.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 15, 2009

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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Securing the Homeland Through Agency Reporting Enhancement Act''.

SEC. 2. LETTERS TO EMPLOYERS BY THE COMMISSIONER OF SOCIAL SECURITY FOR PURPOSES OF RESOLVING DISCREPANCIES IN WAGE RECORDS AND NOTIFICATION OF THE SECRETARY OF HOMELAND SECURITY REGARDING SUCH LETTERS.

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

"(I)(i) In any case in which the Commissioner determines that the social security account number in the wage records provided to the Social Security Administration by an employer with respect to an employee do not match relevant records otherwise maintained by the Social Security Administration, the Commissioner shall promptly send to the employer a written notice—

"(I) informing the employer of the discrepancies,

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

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

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

"(ii) In any case in which the Commissioner sends a notice described in clause (i) with respect to an employee of an employer, the Commissioner shall simultaneously transmit a copy of such notice to the Secretary of Homeland Security, including a listing of the name, addresse, and social security account number of such employee, according to the wage records described in clause (i), and any nonmatching information with respect to the name, addresse, or social security account number of such employee in the relevant records otherwise maintained by the Social Security Administration.".

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to determinations by the Commissioner of Social Security (that relevant records maintained by the Commissioner do not match social security account numbers provided to the Commissioner by employers) made on or after the date of the enactment of this Act.

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