

H.R.994

Loophole Elimination and Verification Enforcement (LEAVE) Act

Sponsored by Rep. Gary Miller (R-Calif.)

Major Points:

- Prohibit dealings that assist or encourage an illegal alien to cross the border or remain in the United States.
- Increase alien smuggling penalties including 3 and 30 year prison sentences, depending on the type of offense.
- Uphold identification security by specifying what forms of identification may be accepted by the federal government or financial institutions. Accepted forms of identification include a Social Security card with a photo ID, a REAL ID Act compliant identification card, a passport, or a USCIS photo identification card.
- Require federal agencies to coordinate with states to develop an electronic birth and death registration system, which would reduce the number of stolen identities and help prevent Social Security fraud.
- Mandate new fines and penalties for passport fraud.
- Make E-Verify (Basic Pilot program) permanent.
- Requires all employees to be verified with the E-Verify program after four years of enactment.
- Prevent illegal aliens from working in the U.S. Capitol Complex by prohibiting the House of Representatives and the Senate from awarding contracts to any contractor or subcontractor who does not participate in the E-Verify program.
- Close the self-employed subcontractor loophole by withholding funds to a state or local government that does not require all business license applicants to comply with E-Verify. A company can currently hire a subcontractor to provide goods and services, bypassing the E-Verify process.
- Prohibit states from issuing driver's licenses unless they first verify citizenship or lawful immigration status.
- Require the SSA (Social Security Administration) and IRS (Internal Revenue Service) to share information related to the investigation and enforcement of no-match letters.
- Prevent children born to illegal aliens in the United States from obtaining birthright citizenship.
- Prohibit an illegal alien from renting or owning a home, and make them ineligible for public and Section 8 housing. Specifically, applicants would be required to present an accepted form of identification such as a Social Security card accompanied by a photo ID, a REAL ID compliant identification card, a passport, or a USCIS photo identification card in order to obtain a mortgage or apply for housing benefits.
- Prohibit Social Security totalization agreements that benefit illegal aliens, including the 2004 agreement between the United States and Mexico.
- Prohibit illegal aliens from receiving Social Security credit for illegal work in the United States.

- Prohibit financial and nonfinancial institutions from accepting Individual Taxpayer Identification Numbers (ITIN) or any other foreign-source of identification from an illegal alien, such as a Matricula Consular card. Forms of accepted identification include a Social Security card with a photo ID, a REAL ID compliant identification card, a passport, or a USCIS photo identification card. These requirements also apply to the U.S. Postal Service’s “Dinero Seguro” program and the Federal Reserve’s “Directo a Mexico” program.
- Prohibit states from granting in-state tuition to illegal aliens while U.S. citizens and nationals are excluded from the same benefit.
- Reinstate the Secure Fence Act by requiring two-layered fencing along the Southwest Border by July 31, 2010. This amends provisions of the FY 2008 Omnibus Appropriations bill that has hindered construction of the border fence.
- Add an additional 8,000 Border Patrol agents and 3,000 ICE (Immigration and Customs Enforcement) agents by 2014.
- Affirm the right of state and local authorities to enforce immigration laws in the course of carrying out routine law enforcement activities.
- Require the DHS (Department of Homeland Security) to provide immigration enforcement training for state and local law enforcement officials.
- Reimburse states and localities for costs associated with immigration enforcement by making grants available for equipment, technology, facilities, and other products that directly relate to investigating, apprehending, arresting, detaining, or transporting illegal aliens.
- Make the Institutional Removal Program available to all states, which would expedite the deportation of criminal aliens after incarceration.
- List all immigration violators in the (NCIC) National Crime Information Center Database.
- Expand the State Criminal Alien Assistance Program (SCAAP) to include illegal aliens that have been convicted or charged with a crime.
- Prohibit the DHS and DOJ (Department of Justice) from making funds available to cities that provide sanctuary to illegal aliens.