

110TH CONGRESS  
2D SESSION

# H. R. 5405

To protect seniors from identity theft and strengthen our national security  
by providing for the issuance of a secure Social Security card.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 13, 2008

Mr. KIRK (for himself and Mr. ROSKAM) introduced the following bill; which  
was referred to the Committee on Ways and Means

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## A BILL

To protect seniors from identity theft and strengthen our  
national security by providing for the issuance of a se-  
cure Social Security card.

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 “Social Security Ident-  
5 tity Theft Prevention Act”.

6 **SEC. 2. UPDATED AND SECURE SOCIAL SECURITY CARDS.**

7 (a) IN GENERAL.—Section 205(c)(2)(G) of the Social  
8 Security Act (42 U.S.C. 405(c)(2)(G)) is amended—

9 (1) by inserting “(i)” after “(G)”;

1           (2) in the last sentence, by striking “shall be  
2           made of banknote paper, and”; and

3           (3) by adding at the end the following new  
4           clauses:

5           “(ii) A social security card issued pursuant to clause  
6 (i) of this subparagraph to an individual described in sub-  
7 paragraph (B)(ii) shall—

8           “(I) be made of tamperproof and wear-resistant  
9           material;

10           “(II) have clearly marked on its face the name  
11           and social security account number of the individual  
12           to whom the card is issued;

13           “(III) in the case of a card issued to an indi-  
14           vidual after attaining age 16, display a digital  
15           image, captured directly by an officer or employee of  
16           the Social Security Administration acting in his or  
17           her official capacity, of the person to whom the so-  
18           cial security account number was issued and the  
19           date on which that image was captured; and

20           “(IV) contain an encrypted, machine-readable  
21           electronic record which shall include records of bio-  
22           metric identifiers unique to the individual to whom  
23           the card is issued, including a copy of any digitized  
24           facial image printed on the face of the card pursuant  
25           to subclause (III).

1       “(iii) The Commissioner shall take such actions as  
2 are necessary to ensure that replacement cards meeting  
3 the requirements of clause (ii)(III) are issued to individ-  
4 uals upon attaining age 16.

5       “(iv) The Commissioner may charge a reasonable fee  
6 to the recipient as a condition for issuance of a social secu-  
7 rity card under this subparagraph to an individual de-  
8 scribed in subparagraph (B)(ii). Fees charged under this  
9 clause shall be in amounts not greater than amounts nec-  
10 essary to meet the administrative costs attributable to the  
11 requirements of clauses (ii) and (iii) of this subparagraph.  
12 Amounts received by the Commissioner under this clause  
13 shall be deposited in the Federal Old-Age and Survivors  
14 Insurance Trust Fund and shall be available for use by  
15 the Commissioner solely for purposes of meeting such re-  
16 quirements.

17       “(v) The Commissioner may through a Memorandum  
18 of Understanding and a reimbursement of costs, delegate  
19 to the Secretary of Homeland Security the process of  
20 meeting the requirements of this subparagraph by using  
21 the existing secure card manufacturing facilities and re-  
22 lated systems used to produce the Permanent Resident  
23 Card and the B1/B2 Visa.”.

24       (b) EFFECTIVE DATE.—The amendments made by  
25 subsection (a) of this section shall apply with respect to

1 social security cards issued after 2 years after the date  
2 of the enactment of this Act. Nothing in this Act or the  
3 amendments made thereby shall be construed to require  
4 the reissuance of a social security card that has been  
5 issued during or prior to such 2-year period in a form that  
6 meets the standards established in such amendments, un-  
7 less the reissuance of such card is determined by the Com-  
8 missioner of Social Security to be necessary by reason of  
9 loss or theft of, or damage to, the card.

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