

FACT SHEET

THE LOOPHOLE ELIMINATION AND VERIFICATION ENFORCEMENT ACT (LEAVE ACT)

THE LEAVE ACT CLOSSES LOOPHOLES:

- **Prohibits Assistance for Illegal Aliens:** The LEAVE Act prohibits all activities that assist, encourage, direct, or induce a person to reside in or remain in the U.S. or to attempt to reside in the U.S., knowing or in reckless disregard of the fact that the person is an illegal alien.
- **Tightens Identity Security:** The LEAVE Act dramatically tightens the forms of identification that may be accepted by the federal government and financial institutions. Specifically, accepted forms of identification include a Social Security card with a photo ID, a REAL ID Act identification, a passport, or a USCIS photo identification card.
- **Establishes Electronic Birth / Death Registrations:** The LEAVE Act requires federal agencies to coordinate with states in creating an electronic birth and death registration system. This provision will reduce Social Security fraud.
- **Reduces Passport Fraud:** The LEAVE Act mandates fines and penalties for those that compromise national security by engaging in passport fraud.
- **Reduces Individual Taxpayer Number (ITIN) Abuse:** Currently, ITIN and Social Security numbers have no visible difference and this continues to facilitate fraud and abuse. Under the LEAVE Act, ITIN are required to be comprised of a sequence of numbers and dashes that are distinguishable from a Social Security account. Additionally, prior to issuing an ITIN, the IRS is required to verify the status of the alien with DHS.
- **Expands and Makes the E-Verify System Permanent:** The LEAVE Act makes the basic pilot program, also known as E-verify, permanent. Also, the LEAVE Act gradually expands the E-verify program to all employers and mandates fines for employers that fail to comply.
- **Ends Self-Employed Subcontractor Loophole:** The LEAVE Act prevents allocating DHS and Department of Justice funds to state and local governments unless they comply with the E-verify program for business license applicants. Right now, there is a loophole in the E-verify program because a company could potentially hire a subcontractor to provide goods and services. Because subcontractors can bypass the E-verify program, the subcontractor itself could be an illegal alien.
- **Prohibits Illegal Aliens from Working in the Capitol:** Under the LEAVE Act, the legislative branch is prohibited from awarding federal contracts for the provision of goods and services within the Capitol Complex to any contractor who does not participate in the E-verify program or who does not certify that each of its subcontractors elected to participate in the E-verify program as well.
- **Streamlines Coordination Between SSA and IRS:** The LEAVE Act requires SSA and IRS to share any information related to the investigation and enforcement of no-match letters

THE LEAVE ACT ENDS BENEFITS TO ILLEGALS

- **No Driver's Licenses for Illegals:** The LEAVE Act prohibits states from issuing driver's licenses unless the state has satisfied certain citizenship or lawful immigration status verification requirements.
- **Ends Birthright Citizenship:** The LEAVE Act prohibits the children of illegal aliens born in the United States from obtaining birthright citizenship.
- **Eliminates Housing Benefits and Homeownership for Illegals:** Under the LEAVE Act, illegals will be barred from renting or owning a home, and will also be ineligible for public and Section 8 housing. To accomplish this, in order to obtain a mortgage or apply for housing benefits, applicants must show an accepted form of identification, such as a Social Security card accompanied by a photo ID, a REAL ID Act identification, a passport, or a USCIS photo identification card.
- **Prohibits Totalization Agreements that Benefit Illegals:** The LEAVE Act disapproves of the 2004 totalization agreement between the United States Social Security system and the Social Security system of Mexico.
- **Prohibits Illegals from Receiving Social Security:** The LEAVE Act prohibits illegals from receiving Social Security credit for illegally performed work in the United States at the time of assignment or at any later time.
- **Prohibits Illegals from Obtaining Financial Services:** Under the LEAVE Act financial and nonfinancial institutions are prohibited from accepting Individual Taxpayer Identification Numbers (ITIN) or any foreign-source of identification, such as a Matricula Consular card. Forms of accepted identification include a Social Security card with a photo ID, a REAL ID Act identification, 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.
- **Bars Illegals from Receiving In-State Tuition:** The LEAVE Act prohibits states from giving in-state tuition to illegal aliens while simultaneously barring other U.S. citizens and nationals from the same benefit.

THE LEAVE ACT INCREASES BORDER SECURITY / LAW ENFORCEMENT

- **Reinstates the Border Fence:** The LEAVE Act requires two-layered fencing along the Southwest Border by July 31, 2009. This amends provisions of the FY 2008 Omnibus Appropriations bill that has hindered the construction of the border fence.
- **Increases Manpower Along the Border:** The LEAVE Act adds an additional 8,000 Border Patrol agents and 3,000 ICE agents by 2012.
- **Equips State and Local Law Enforcement with Tools Needed to Fight Illegal Immigration:** The LEAVE Act affirms the right of states to enforce immigration laws in the course of carrying out routine duties. Furthermore, the LEAVE Act mandates DHS to provide immigration enforcement training to state and local law enforcement officials.
- **Reimburse States for Costs Associated with Immigration Enforcement:** The LEAVE Act reimburses states for the costs associated with immigration enforcement. Specifically, DHS will

make grants to states and localities for the procurement of equipment, technology, facilities, and other products that directly relate to investigating, apprehending, arresting, detaining, or transporting illegal aliens.

- **Expands SCAAP Program:** The LEAVE Act expands the State Criminal Alien Assistance Program (SCAAP) to include not only illegal aliens that have been convicted of a crime, but also those charged with a crime.
- **Penalizes Sanctuary Cities:** The LEAVE Act bars cities that recklessly disregard our immigration laws from receiving Homeland Security and Justice federal funds.