

The graphic features the word "TRUE" in large, bold, blue letters with a white outline, set against a background of the United States Capitol building and an American flag. To the right of "TRUE", the words "Enforcement and Border Security Act of 2005" are written in a smaller, bold, black font.

TRUE Enforcement and Border Security Act of 2005

How the TRUE Enforcement and Border Security Act of 2005 Fixes Broken Promises

Mandatory Verification of Worker Eligibility

Congress in 1986 made employers the chief agents for immigration law enforcement in the interior of the country with the employer sanctions provision, but Congress failed to give employers the means to verify whether their foreign workers were legal. In 1996, Congress partially addressed this negligence by setting up a verification system on a trial basis. It has yet to mandate that all employers to verify the legal status of their workforce.

- **TRUE Enforcement** mandates that all employers verify eligibility of their workers, first by expanding the basic pilot program to all 50 states, then by implementing a new Work Eligibility Verification System.
- Under the new system, **citizens** must use either a REAL ID driver's license or a new, secure social security card to establish work eligibility (10 year phase-in); **non-citizens** must use a new, biometric social security card (3 year phase-in).

Punishing Employers who Hire Illegal Aliens

The administration for decades has neglected to do more than token enforcement of the law against hiring illegal aliens. Immigration officials have regularly explained that they do not have sufficient resources to implement the law, but administrations have ignored the resource deficit. The recommendations of the 9/11 Commission adopted by Congress to strengthen interior enforcement resources have been reduced in the President's budget request.

- **TRUE Enforcement** increases the criminal penalty for hiring illegal aliens from 6 months to (up to) 2 years. It also changes the law to allow the penalty for a single instance instead of an established pattern of hiring illegal aliens.
- **TRUE Enforcement** increases the civil penalty for hiring illegal aliens to \$50,000. It provides for Department of Homeland Security enforcement proceedings but also allows private parties to file administrative actions with the Department of Justice to enforce the law. Prevailing plaintiffs may receive up to three times of the awardable penalties.

Tracking Aliens Who Cross Our Borders

In 1996, Congress instructed the administration to establish a comprehensive entry-exit tracking system for foreign visitors. It reversed that decision the next year, and it took the September 11, 2001 terrorist attacks and the Patriot Act to restore this essential law enforcement measure. The implementation is not yet complete, and there are efforts to again undermine the comprehensiveness of the tracking system, which will leave an enormous security loophole.

- **TRUE Enforcement** requires that the entry-exit system be implemented at land borders no later than October 26, 2006. By this deadline, all data in the system or entered into the system must be accessible to immigration officers at all ports of entry.

Reforming Legal Immigration

The U.S. Commission on Immigration Reform (the Jordan Commission) issued comprehensive legal immigration reform recommendations ten years ago. That Commission recommended, among other things, the elimination of adult siblings and adult children preference categories as well as the elimination of the visa lottery. Congress in 1996 set those aside for later action while it enacted illegal immigration enforcement measures. It has never returned the legal reform agenda.

- **TRUE Enforcement** eliminates the preference categories for adult siblings and adult children
- **TRUE Enforcement** eliminates the visa lottery.