

HR 19 IH

111th CONGRESS

1st Session

**H. R. 19**

To require employers to conduct employment eligibility verification.

**IN THE HOUSE OF REPRESENTATIVES**

**January 6, 2009**

Mr. CALVERT introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

**A BILL**

To require employers to conduct employment eligibility verification.

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

**SECTION 1. REQUIREMENT FOR EMPLOYERS TO CONDUCT EMPLOYMENT ELIGIBILITY VERIFICATION.**

(a) Renaming of Basic Pilot Program- The basic pilot program established under section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 8 U.S.C. 1324a note) is hereby renamed as the 'Employment Eligibility Verification System' (and is referred to in this section as such).

(b) Extension of Scope of Program- The Secretary of Homeland Security shall provide for the implementation of the Employment Eligibility Verification System throughout the United States on a timely basis, consistent with the implementation of subsection (c) and such System shall continue in operation permanently and shall not terminate.

(c) Requirement for Use of Employment Eligibility Verification-

(1) IN GENERAL- Subject to paragraph (3), any person or other entity that hires any individual for employment in the United States shall participate in the Employment Eligibility Verification System.

(2) SANCTIONS FOR NONCOMPLIANCE; CONTINUATION OF CURRENT COMPLIANCE AUTHORITY- The provisions of paragraph (2) of section 402(e) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 8 U.S.C. 1324a note) shall apply with respect to a person or entity required to participate in the Employment Eligibility Verification System in the same manner as

such paragraph applies to a person or entity required to participate under such subsection. <sup>FEEDBACK</sup>

(3) PHASING-IN OF REQUIREMENT- Subject to paragraph (2), the requirement of paragraph (1) shall only apply to persons and other entities as follows:

(A) As of the date that is 1 year after the date of the enactment of this Act, such requirement shall apply only to a person or other entity that employs more than 10,000 individuals in the United States.

(B) As of the date that is 2 years after the date of the enactment of this Act, such requirement shall apply only to a person or other entity that employs more than 5,000 individuals in the United States.

(C) As of the date that is 3 years after the date of the enactment of this Act, such requirement shall apply only to a person or other entity that employs more than 1,000 individuals in the United States.

(D) As of the date that is 4 years after the date of the enactment of this Act, such requirement shall apply only to a person or other entity that employs more than 500 individuals in the United States.

(E) As of the date that is 5 years after the date of the enactment of this Act, such requirement shall apply only to a person or other entity that employs more than 250 individuals in the United States.

(F) As of the date that is 6 years after the date of the enactment of this Act, such requirement shall apply only to a person or other entity that employs more than 100 individuals in the United States.

(G) As of the date that is 7 years after the date of the enactment of this Act, such requirement shall apply to any person or other entity that employs 1 or more individuals in the United States.

(4) VOLUNTARY PARTICIPATION OF EMPLOYERS NOT SUBJECT TO REQUIREMENT- Nothing in this subsection shall be construed as preventing a person or other entity that is not subject to the requirement of paragraph (1) pursuant to paragraph (2) or (3) from voluntarily participating in the Employment Eligibility Verification System.

(d) Authorization of Appropriations- There are authorized to be appropriated such sums as may be required to carry out the Employment Eligibility Verification System throughout the United States

*END*