

112<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 695

To require each applicant for a home mortgage to be insured under the FHA mortgage insurance program of the Department of Housing and Urban Development, held by Fannie Mae or Freddie Mac, or made, insured, or guaranteed by the Secretary of Veterans Affairs or any other agency or entity of the Federal Government, to provide to the lender information sufficient to perform a verification of the applicant through the E-Verify program.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 14, 2011

Mr. MARCHANT (for himself, Ms. FOXX, Mr. FLORES, Mr. NEUGEBAUER, Mrs. LUMMIS, Mr. POSEY, Mr. CARTER, and Mr. NUGENT) introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committee on Veterans' Affairs, 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

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## A BILL

To require each applicant for a home mortgage to be insured under the FHA mortgage insurance program of the Department of Housing and Urban Development, held by Fannie Mae or Freddie Mac, or made, insured, or guaranteed by the Secretary of Veterans Affairs or any other agency or entity of the Federal Government, to provide to the lender information sufficient to perform a verification of the applicant through the E-Verify program.

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 “Legal Eligibility for  
5 Granting A Loan Act of 2011”.

6 **SEC. 2. REQUIREMENT TO PROVIDE E-VERIFY FORM WITH**  
7 **MORTGAGE APPLICATION.**

8        (a) REQUIREMENT.—Notwithstanding any other pro-  
9 vision of law—

10            (1) the Secretary of Housing and Urban Devel-  
11 opment may not newly insure, under the National  
12 Housing Act (12 U.S.C. 1701 et seq.) or any other  
13 provision of law, any single-family housing mort-  
14 gage,

15            (2) the Federal National Mortgage Association  
16 and the Federal Home Loan Mortgage Corporation  
17 may not newly purchase any single-family housing  
18 mortgage,

19            (3) the Secretary of Veterans Affairs may not  
20 newly make, guarantee, or insure any single-family  
21 housing mortgage, and

22            (4) no other agency or entity of the Federal  
23 Government may not newly make, guarantee, insure,  
24 or otherwise provide assistance for any single-family  
25 housing mortgage,

1 unless, at the time the mortgagor submitted an application  
2 for the extension of credit under the mortgage to the lend-  
3 er or creditor, the applicant also submitted to the lender  
4 or creditor information sufficient for the lender or creditor  
5 to obtain a verification of identity and work eligibility of  
6 the mortgagor under such mortgage through the basic  
7 pilot program under section 403(a) of the Illegal Immigra-  
8 tion Reform and Immigrant Responsibility Act of 1996  
9 (8 U.S.C. 1324a note; commonly referred to as the E-  
10 Verify program).

11 (b) SUBMISSION OF E-VERIFY INQUIRIES.—Notwith-  
12 standing any other provision of law, lenders and creditors  
13 for single-family housing mortgages may submit inquiries  
14 regarding the identities and work eligibility of mortgagors  
15 under such mortgages through such basic pilot program,  
16 and may be provided confirmations and nonconfirmations  
17 pursuant to such inquiries under such basic pilot program.

18 (c) DEFINITION OF SINGLE-FAMILY HOUSING MORT-  
19 GAGE.—For purposes of this paragraph, the term “single-  
20 family housing mortgage” means a mortgage that is se-  
21 cured by a 1- to 4-family residence.

22 (d) APPLICABILITY.—This section shall apply with  
23 respect to any single-family housing mortgage for which  
24 an application for the extension of credit under the mort-

1 gage is submitted to a lender or creditor after the date  
2 of the enactment of this Act.

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