

109TH CONGRESS
1ST SESSION

H. R. 19

To require employers to conduct employment eligibility verification.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2005

Mr. CALVERT (for himself, Mr. HUNTER, Mr. GALLEGLY, Mr. SENSENBRENNER, Mrs. BLACKBURN, Mr. ISSA, Mrs. BONO, Mr. GARY G. MILLER of California, Mr. CUNNINGHAM, Mr. ROHRABACHER, Mr. DREIER, and Mr. ROYCE) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, 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.

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. REQUIREMENT FOR EMPLOYERS TO CONDUCT**
4 **EMPLOYMENT ELIGIBILITY VERIFICATION.**

5 (a) RENAMING OF BASIC PILOT PROGRAM.—The
6 basic pilot program established under section 403(a) of
7 the Illegal Immigration Reform and Immigrant Responsi-
8 bility Act of 1996 (division C of Public Law 104–208; 8

1 U.S.C. 1324a note) is hereby renamed as the “Employ-
2 ment Eligibility Verification System” (and is referred to
3 in this section as such).

4 (b) EXTENSION OF SCOPE OF PROGRAM.—The Sec-
5 retary of Homeland Security shall provide for the imple-
6 mentation of the Employment Eligibility Verification Sys-
7 tem throughout the United States on a timely basis, con-
8 sistent with the implementation of subsection (c) and such
9 System shall continue in operation permanently and shall
10 not terminate.

11 (c) REQUIREMENT FOR USE OF EMPLOYMENT ELIGI-
12 BILITY VERIFICATION.—

13 (1) IN GENERAL.—Subject to paragraph (3),
14 any person or other entity that hires any individual
15 for employment in the United States shall partici-
16 pate in the Employment Eligibility Verification Sys-
17 tem.

18 (2) SANCTIONS FOR NONCOMPLIANCE; CON-
19 TINUATION OF CURRENT COMPLIANCE AUTHOR-
20 ITY.—The provisions of paragraph (2) of section
21 402(e) of the Illegal Immigration Reform and Immi-
22 grant Responsibility Act of 1996 (division C of Pub-
23 lic Law 104–208; 8 U.S.C. 1324a note) shall apply
24 with respect to a person or entity required to partici-
25 pate in the Employment Eligibility Verification Sys-

1 tem in the same manner as such paragraph applies
2 to a person or entity required to participate under
3 such subsection.

4 (3) PHASING-IN OF REQUIREMENT.—Subject to
5 paragraph (2), the requirement of paragraph (1)
6 shall only apply to persons and other entities as fol-
7 lows:

8 (A) As of the date that is 1 year after the
9 date of the enactment of this Act, such require-
10 ment shall apply only to a person or other enti-
11 ty that employs more than 10,000 individuals
12 in the United States.

13 (B) As of the date that is 2 years after the
14 date of the enactment of this Act, such require-
15 ment shall apply only to a person or other enti-
16 ty that employs more than 5,000 individuals in
17 the United States.

18 (C) As of the date that is 3 years after the
19 date of the enactment of this Act, such require-
20 ment shall apply only to a person or other enti-
21 ty that employs more than 1,000 individuals in
22 the United States.

23 (D) As of the date that is 4 years after the
24 date of the enactment of this Act, such require-
25 ment shall apply only to a person or other enti-

1 ty that employs more than 500 individuals in
2 the United States.

3 (E) As of the date that is 5 years after the
4 date of the enactment of this Act, such require-
5 ment shall apply only to a person or other enti-
6 ty that employs more than 250 individuals in
7 the United States.

8 (F) As of the date that is 6 years after the
9 date of the enactment of this Act, such require-
10 ment shall apply only to a person or other enti-
11 ty that employs more than 100 individuals in
12 the United States.

13 (G) As of the date that is 7 years after the
14 date of the enactment of this Act, such require-
15 ment shall apply to any person or other entity
16 that employs 1 or more individuals in the
17 United States.

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

1 (d) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated such sums as may be
3 required to carry out the Employment Eligibility
4 Verification System throughout the United States

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