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Permanent E-Verify Act

E-Verify is one of the most important federal programs to end the magnet of illegal employment and protect American workers. While E-Verify should eventually be mandatory for all employers, the first step is to make the program permanent.

Summary:

- Makes the E-Verify pilot program permanent, by removing the termination provision which has required Congress to repeatedly act to extend the program.

Background:

E-Verify is a fast, reliable and electronic system, administered by the Department of Homeland Security, offering employers a tool to verify that prospective employees are legally authorized to work in the U.S.

E-Verify is currently mandatory for all federal government employees and certain federal contractors. Roughly half of states require additional employers to use E-Verify. Still more employers use E-Verify voluntarily to confirm that their workforce is in compliance with immigration law. As of May 2019, there were 863,528 employers using E-Verify, representing approximately 14% of U.S. employers.

Congress originally created three pilot programs for employers to confirm employment eligibility in the Illegal Immigration Reform and Immigration Responsibility Act of 1996. Two of those programs no longer exist, but E-Verify has grown into a successful, necessary tool for employers across the country who want to verify their workers' employment eligibility.

Congress has repeatedly extended the E-Verify program – often only one year at a time – since its original expiration date, but these extensions are often short-term in nature, and do not provide necessary certainty for employers that use this critical tool. It is time to update the law to make the program permanent.

If Congress does not act to extend it, E-Verify is currently set to expire on September 30, 2019.

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