

HR 6782

Electronic Employment Eligibility Verification and Illegal Immigration Control Act of 2008

Congress: 110 (2007–2009, Ended)

Chamber: House

Policy Area: Immigration

Introduced: Aug 1, 2008

Current Status: Referred to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, and

Latest Action: Referred to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, and 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. (Aug 1, 2008)

Official Text: <https://www.congress.gov/bill/110th-congress/house-bill/6782>

Sponsor

Name: Rep. Marshall, Jim [D-GA-8]

Party: Democratic • **State:** GA • **Chamber:** House

Cosponsors (9 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Barrow, John [D-GA-12]	D · GA		Aug 1, 2008
Rep. Bartlett, Roscoe G. [R-MD-6]	R · MD		Aug 1, 2008
Rep. Cole, Tom [R-OK-4]	R · OK		Aug 1, 2008
Rep. Cooper, Jim [D-TN-5]	D · TN		Aug 1, 2008
Rep. Davis, Tom [R-VA-11]	R · VA		Aug 1, 2008
Rep. DeFazio, Peter A. [D-OR-4]	D · OR		Aug 1, 2008
Rep. Reynolds, Thomas M. [R-NY-26]	R · NY		Aug 1, 2008
Rep. Shimkus, John [R-IL-19]	R · IL		Aug 1, 2008
Rep. Taylor, Gene [D-MS-4]	D · MS		Aug 1, 2008

Committee Activity

Committee	Chamber	Activity	Date
Education and Workforce Committee	House	Referred To	Aug 1, 2008
Judiciary Committee	House	Referred To	Aug 1, 2008
Ways and Means Committee	House	Referred To	Aug 1, 2008

Subjects & Policy Tags

Policy Area:

Immigration

Related Bills

No related bills are listed.

Electronic Employment Eligibility Verification and Illegal Immigration Control Act of 2008 - Amends the Immigration and Nationality Act to direct the Secretary of Homeland Security to establish a toll-free telephone- or electronic media-based employment eligibility verification system.

Requires such system to: (1) provide verification or tentative non-verification of an individual's identity and employment eligibility within three days of an inquiry; and (2) provide, in the case of tentative non-verification, a secondary process for final verification or non-verification within 10 days.

Provides that: (1) the Commissioner of Social Security shall develop a process for comparing names and social security numbers against appropriate databases in response to employer inquiries; and (2) the Secretary shall develop a process for comparing names and alien identification or authorization numbers and shall investigate uses of the same social security number that suggest fraud.

Limits verification system-related individual relief to procedures under the Federal Tort Claims Act. Prohibits class actions. Immunizes from civil or criminal liability a person or entity who takes action in good faith reliance on verification system information.

Sets forth employer verification requirements with respect to an affirmative defense to liability for employment of unauthorized workers, including revision of attestation and retention of verification form provisions.

Places limits on the collection and use of data from the verification system.

Expands the employment eligibility verification system to include: (1) previously hired individuals; and (2) recruitment and referral.

Provides for: (1) voluntary employer verification utilizing such system two years after enactment of this Act for previously hired individuals; (2) mandatory employer verification three years after enactment of this Act by federal, state, and local governments, and the military for employees not verified under such system working at federal, state or local government buildings, military bases, nuclear energy sites, weapons sites, airports, or critical infrastructure sites; and (3) mandatory employer verification six years after enactment of this Act for all employees not previously verified under such system.

Amends the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to extend the E-Verify program (formerly the basic pilot program) until two years after enactment of this Act.

Applies employment eligibility verification requirements to labor service agencies.

Revises civil and criminal penalty provisions.

Establishes in the Treasury the Employment Verification Compensation Fund.

Directs the Secretary to establish a publicly available contractor database.

Requires the Commissioner to report to Congress on Social Security card-based verification, including requirements for: (1) durable and machine-readable cards; (2) a unified database that specifies work authorizations; and (3) employer verification of new hires using the new Social Security cards and an electronic mechanism to seek verification.

Authorizes the Commissioner (subject to limits) to carry out verification responsibilities under this Act. Prohibits funds

from the Federal Old-Age and Survivors Insurance Trust Fund or the Federal Disability Insurance Trust Fund from being used to carry out such responsibilities.

Sets forth other reporting requirements by the Secretary and the Commissioner.

Actions Timeline

- **Aug 1, 2008:** Introduced in House
- **Aug 1, 2008:** Referred to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, and 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.