

HR 4430

E-Verify Data Privacy and Wrongful Unemployment Act of 2023

Congress: 118 (2023–2025, Ended)

Chamber: House

Policy Area: Immigration

Introduced: Jun 30, 2023

Current Status: Referred to the Committee on the Judiciary, and in addition to the Committee on Education and the Wo

Latest Action: 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. (Jun 30, 2023)

Official Text: <https://www.congress.gov/bill/118th-congress/house-bill/4430>

Sponsor

Name: Rep. McCormick, Richard [R-GA-6]

Party: Republican • State: GA • Chamber: House

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Massie, Thomas [R-KY-4]	R · KY		Jun 30, 2023

Committee Activity

Committee	Chamber	Activity	Date
Education and Workforce Committee	House	Referred To	Jun 30, 2023
Judiciary Committee	House	Referred To	Jun 30, 2023

Subjects & Policy Tags

Policy Area:

Immigration

Related Bills

No related bills are listed.

## **E-Verify Data Privacy and Wrongful Unemployment Act of 2023**

This bill establishes certain privacy requirements for employment eligibility verification systems established under the immigration laws, including the E-Verify system. The bill also addresses issues relating to incorrect information in E-Verify.

Under this bill, such a system may not include data about (1) race; (2) religious, political, or philosophical beliefs; (3) genetic data; (4) biometric information; or (5) health information, including vaccination status.

The Inspector General of the Department of Homeland Security (DHS) must annually report to Congress on whether such systems are complying with all applicable laws. The report must specify instances where such a system violated requirements to protect the privacy and security of personal information, including the requirements imposed by this bill.

The bill also authorizes an employer to temporarily employ an individual even if E-Verify fails to confirm the individual's employment eligibility if the employer reasonably believes that the result is incorrect. Specifically, the employer (1) may hire the individual for up to 180 days, and (2) must immediately notify DHS of the supposed incorrect result. If DHS determines that the original result from E-Verify was correct, the employer must immediately terminate the individual's employment.

If an individual claims to have lost a job or job offer due to an error in E-Verify, that individual may only sue for injunctive relief to correct the error and only through the Federal Tort Claims Act. Such a claim may not be brought as a class action.

### **Actions Timeline**

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- **Jun 30, 2023:** Introduced in House
- **Jun 30, 2023:** 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.