TESTIMONY OF CONGRESSMAN KEN CALVERT

HOUSE JUDICIARY COMMITTEE'S SUBCOMMITTE ON IMMIGRATION,
CITISENSHIP, REGUREES BORDER SECURITY AND INTERNATAL LAW

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Hearing to Examine Proposals to Improve the Electronic Employment Verification and
Worksite Enforcement System

Congressman Calvert Statement on H.R. 19, The Employment Eligibility Verification System

I would like to thank my colleague from California, Chairwoman Lofgren, Ranking Member Steve King, and the entire subcommittee for inviting me to testify on my bill, The Employment Eligibility Verification System.

There are approximately 16,000 employers using the Basic Pilot Program and the program continues to evolve to meet new demands. As you heard this past Tuesday, it is incorporating a Photo Tool to enable employers to better verify the identity of non-citizen new hires. The Basic Pilot Program is also exploring a relationship with the Federal Trade Commission to check Social Security numbers against the FTC database of stolen Social Security numbers. The program is developing a system to flag multiple uses of Social Security numbers in different locations. The Basic Pilot program has been steadily preparing to go mandatory and is currently capable of handling 25 million queries a year.

My legislation, HR 19, would make the Basic Pilot Program mandatory over a period of seven years – companies with 10,000 employees or more would be required to be compliant a year after enactment. Companies with 5,000 employees or more would be required to be compliant after two years and so on down to businesses with fewer than 100 employees which would be required to be compliant after seven years. My bill does **not** require employers to retroactively check employees already hired, only newly hired employees.

The current Basic Pilot Program was created from legislation I drafted in the 104th Congress. The legislation was included in the omnibus consolidated appropriations act of 1997 and several members of the both the subcommittee and full Judiciary committee voted in favor of the bill. In the 107th Congress and the 108th Congress, the Basic Pilot Program was extended and expanded. Both bills were agreed to by voice vote in the House.

I recognize there are concerns about the current Basic Pilot Program. The program was not originally designed to catch identity theft and I understand this is a desirable capability to add. However, the United States Customs and Immigration Service **are** addressing the problem through the development of Photo Tool and cooperation with the FTC.

The question before this subcommittee and Congress is how best to build upon an effective, **working** program for which Congress has voted for three times. To create a new program from scratch would be a step backwards that would be hard to explain to budget-conscious American taxpayers.

The Basic Pilot Program has the ability and authority to address the concerns regarding identity theft and with the support of Congress through the passage of HR 19, our country will continue to have a working employment verification system with a decade of experience behind it.

Thank you again for inviting me to testify and I welcome any questions you may have.