

**Protecting U.S. Workers and Securing Our Borders Through Worksite Enforcement**

An effective worksite enforcement program will impact millions of workers and must be done right. Answers to the following questions will help Members choose the right system for their constituents.

<b>Mandated E-Verify</b>	<b>New Employee Verification Act (NEVA)</b>
<b><i>Protects U.S. Citizens and Other Legal Workers?</i></b>	
<b>NO</b> – Citizens’ personal and new job information would be checked by the Department of Homeland Security – a Federal law enforcement agency. Also, E-Verify does not provide the victims of the government’s mistakes with any recourse, such as back-pay for lost wages.	<b>YES</b> – Citizens’ personal and new job information would be checked only by the Social Security Administration, an agency that already maintains this information for all workers. NEVA also provides employees the right to contest any system response and request an administrative review followed by a judicial review of any decision that they believe wrongly denies them the opportunity to work.
<b><i>Prevents Identity Theft?</i></b>	
<b>NO</b> – E-Verify is unable to detect document fraud and identity theft.	<b>YES</b> – Employees are required to produce fewer, more secure identity documents; and their employment eligibility must be verified. NEVA also creates a new voluntary system whereby employers may access private sector experts – certified by the government – to verify the identity of workers and safeguard their identity with cutting-edge biometric technology. NEVA also allows an individual to block the verification of their SSN during periods when they are not seeking employment.
<b><i>Is Easy to Use?</i></b>	
<b>NO</b> – E-Verify has enrolled only about 2% (208,000) of all employers and would need to launch a costly campaign in order to enroll thousands of new employers each day.	<b>YES</b> – builds upon the existing new hire reporting process already used by 90% of employers and replaces the current paper-based, error-prone I-9 process with a secure electronic verification system.
<b><i>Protects Employers?</i></b>	
<b>NO</b> – leaves employers vulnerable to paperwork errors and the unreliable I-9 system without providing any certainty that those cleared by E-Verify will not later be found to be unauthorized. This in turn leads to raids and forced terminations of long-term employees that had been cleared by the system.	<b>YES</b> – provides a “safe-harbor” from prosecution for employers who faithfully follow the law. The accuracy of the system assures employers that their workforce is legal and eliminates virtually all risk of exposure or loss because of subsequent enforcement action. NEVA improves the verification process so that enforcement is focused on substantive violations, not paperwork issues.
<b><i>Supported by Employers?</i></b>	
<b>NO</b> – Human Resource experts and other business groups do not support mandatory use of the E-Verify system due to system inaccuracies and liability laid upon employers.	<b>YES</b> - the H.R. Initiative for a Legal Workforce, representing thousands of H.R. professionals, strongly supports NEVA for its innovation and employer and employee protections.