



COMMITTEE STATEMENT

Opening Statement of Rep. Ryan Mackenzie (R-PA), Chairman
Workforce Protections Subcommittee
“E-Verify: Ensuring Lawful Employment in America”
November 19, 2025

(As prepared for delivery)

Today’s hearing will examine the E-Verify program and how it can empower legal employment and protect American workers. Since the start of this year, our nation has made unprecedented strides in the fight to secure the border. According to the Border Patrol, crossings at our southwestern border have fallen 96% from September of 2023 to September of this year. Now that the crisis at the border has finally been addressed, it’s time to tackle the next issue: ensuring that American workers have the protections they need and deserve.

E-Verify is a free, reliable, and proven program run by the Department of Homeland Security (DHS) which helps employers verify they are only hiring those with a legal right to work in America. E-Verify helps protect Americans from having their wages undercut by bad actors hiring unauthorized workers. It also helps to provide a level playing field for employers who play by the rules and treat American workers with respect and dignity.

Since 1986, the Immigration and Nationality Act has prohibited employers from knowingly hiring or employing unauthorized workers. Under the law, all employees and employers must complete an I-9 form, and employers must review and verify documents establishing the identity and employment authorization of the employee.

However, an employer often cannot know the information and documents received from a worker are valid. This is where E-Verify comes in. An employer can verify a worker's employment authorization electronically in a matter of seconds through the Social Security Administration database and, if necessary, the DHS employment authorization database. An employer has no civil or criminal liability when relying in good faith on information provided through the E-Verify confirmation system.

Approximately 98 percent of the time, the employer will receive a result that employment is authorized. When there is a mismatch, the employer informs the worker, who has 10 days to take action to resolve the mismatch.

The E-Verify program is voluntary for most employers, and there are more than 1.4 million enrolled. A growing number of states require all or some employers in the state to use E-Verify.

Adding E-Verify requirements for employers has bipartisan support. In 2019, I was the prime sponsor of Act 75, the Construction Industry Employee Verification Act, in the Pennsylvania House of Representatives. This legislation had the support of both labor and business groups, and it passed with strong bipartisan support in both chambers of the legislature. Act Number 75 has ensured there is a lawful

workforce in the construction industry in my home state of Pennsylvania, protecting American workers from unfair competition, providing a level playing field for businesses, and helping to confirm all appropriate taxes are paid.

Our witnesses from the construction and home building industries will share their perspectives on how mandatory E-Verify in their states and industries has worked for them. They will also discuss the need to enhance workforce development to bolster the American workforce in their industries. We can build on these lessons and ensure that more American workers than ever are given these critical protections.

An area where mandatory E-Verify makes clear sense is for federal contractors. Under federal regulation, federal government contractors must use E-Verify, but small-dollar and short-term contracts are excluded. I have introduced H.R. 2641, the Day 1, Dollar 1 E-Verify Act, to codify a requirement that all federal contractors use E-Verify. We should all agree that businesses providing services to the federal government must verify their workers are lawful.

We also know that E-Verify is not perfect. Fraud can still occur through the use of stolen Social Security numbers and other forms of identity theft. But E-Verify remains a commonsense win for the American people. It helps employers comply with the law while advancing the public policy goals of ensuring a lawful workforce, protecting American workers, and guaranteeing a level playing field for businesses hiring legal workers.