

# Calendar No. 374

108TH CONGRESS  
1ST SESSION

# S. 1685

To extend and expand the basic pilot program for employment eligibility verification, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 30 (legislative day, SEPTEMBER 29), 2003

Mr. GRASSLEY (for himself, Mr. KYL, and Mr. KENNEDY) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

NOVEMBER 6, 2003

Reported by Mr. HATCH, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

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## A BILL

To extend and expand the basic pilot program for employment eligibility verification, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Basic Pilot Program  
5 Extension and Expansion Act of 2003”.

1 **SEC. 2. EXTENSION OF PROGRAMS.**

2 Section 401(b) of the Illegal Immigration Reform and  
3 Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a  
4 note) is amended by striking “6-year period” and inserting  
5 “11-year period”.

6 **SEC. 3. EXPANSION OF THE BASIC PILOT PROGRAM.**

7 (a) **IN GENERAL.**—Section 401(e)(1) of the Illegal  
8 Immigration Reform and Immigrant Responsibility Act of  
9 1996 (8 U.S.C. 1324a note) is amended by striking “in,”  
10 and all that follows through the semicolon and inserting  
11 “in all States;”.

12 (b) **CONFORMING AMENDMENTS.**—Section 402(e) of  
13 the Illegal Immigration Reform and Immigrant Responsi-  
14 bility Act of 1996 (8 U.S.C. 1324a note) is amended—

15 (1) in paragraph (2)(B), by striking “or entity  
16 electing—” and all that follows through “(ii) the citi-  
17 zen attestation pilot program” and inserting “or en-  
18 tity electing the citizen attestation pilot program”;

19 (2) by striking paragraph (3); and

20 (3) by redesignating paragraph (4) as para-  
21 graph (3).

22 **SECTION 1. SHORT TITLE.**

23 *This Act may be cited as the “Basic Pilot Program*  
24 *Extension and Expansion Act of 2003”.*

1 **SEC. 2. EXTENSION OF PROGRAMS.**

2        *Section 401(b) of the Illegal Immigration Reform and*  
 3 *Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a*  
 4 *note) is amended by striking “6-year period” and inserting*  
 5 *“11-year period”.*

6 **SEC. 3. EXPANSION OF THE BASIC PILOT PROGRAM.**

7        *(a) IN GENERAL.—Section 401(c)(1) of the Illegal Im-*  
 8 *migration Reform and Immigrant Responsibility Act of*  
 9 *1996 (8 U.S.C. 1324a note) is amended by inserting after*  
 10 *“United States” the following: “, and the Secretary of*  
 11 *Homeland Security shall expand the operation of the pro-*  
 12 *gram to all 50 States not later than December 1, 2004”.*

13        *(b) REPORT.—Section 405 of the Illegal Immigration*  
 14 *Reform and Immigrant Responsibility Act of 1996 (8*  
 15 *U.S.C. 1324a note) is amended—*

16                *(1) by striking “The” and inserting:*

17                *“(a) IN GENERAL.—The”, and*

18                *(2) by adding at the end the following new sub-*  
 19 *section:*

20                *“(b) REPORT ON EXPANSION.—Not later than June 1,*  
 21 *2004, the Secretary of Homeland Security shall submit to*  
 22 *the Committees on the Judiciary of the House of Represent-*  
 23 *atives and the Senate a report—*

24                *“(1) evaluating whether the problems identified*  
 25 *by the report submitted under subsection (a) have*  
 26 *been substantially resolved; and*

1           “(2) describing what actions the Secretary of  
2           Homeland Security shall take before undertaking the  
3           expansion of the basic pilot program to all 50 States  
4           in accordance with section 401(c)(1), in order to re-  
5           solve any outstanding problems raised in the report  
6           filed under subsection (a).”

7           (c) *CONFORMING AMENDMENTS.*—Section 402(c) of the  
8           *Illegal Immigration Reform and Immigrant Responsibility*  
9           *Act of 1996 (8 U.S.C. 1324a note)* is amended—

10           (1) in paragraph (2)(B), by striking “or entity  
11           electing—” and all that follows through “(i) the cit-  
12           izen attestation pilot program” and inserting “or en-  
13           tity electing the citizen attestation pilot program”;

14           (2) by striking paragraph (3); and

15           (3) by redesignating paragraph (4) as para-  
16           graph (3).

17           (d) *ADDITIONAL TECHNICAL AND CONFORMING*  
18           *AMENDMENTS.*—Title IV of the *Illegal Immigration Reform*  
19           *and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a*  
20           *note)* is amended by striking “Attorney General” each place  
21           that term appears and inserting “Secretary of Homeland  
22           Security”.



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