

110TH CONGRESS  
1ST SESSION

# H. R. 4459

To amend section 404 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to allow public institutions of higher education to use the employment eligibility confirmation system established under that section to verify immigration status for purposes of determining eligibility for in-State tuition.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 12, 2007

Mr. SHADEGG introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Education and Labor, 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

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## A BILL

To amend section 404 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to allow public institutions of higher education to use the employment eligibility confirmation system established under that section to verify immigration status for purposes of determining eligibility for in-State tuition.

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

1 **SECTION 1. USE OF EMPLOYMENT ELIGIBILITY CONFIRMA-**  
2 **TION SYSTEM FOR STATUS INQUIRIES BY**  
3 **PUBLIC COLLEGES AND UNIVERSITIES.**

4 Section 404(h) of the Illegal Immigration Reform and  
5 Immigrant Responsibility Act of 1996 (division C of Pub-  
6 lic Law 104–208; 110 Stat. 3009–664) is amended by  
7 adding at the end the following:

8 “(3) STATUS INQUIRIES BY PUBLIC COLLEGES  
9 AND UNIVERSITIES.—Notwithstanding any other  
10 provision of this section, the confirmation system  
11 may be used to submit, and to respond to, inquiries  
12 made by public institutions of higher education to  
13 verify the authorization of a current or prospective  
14 student to be present in the United States for the  
15 purpose of determining the eligibility of the student  
16 for reduced tuition made available on the basis of  
17 residence within a State or political subdivision of a  
18 State.”.

19 **SEC. 2. CONSTITUTIONAL AUTHORITY.**

20 The constitutional authority on which this Act rests  
21 is the power of Congress to establish a uniform rule of  
22 naturalization and authority to provide for the general  
23 welfare of the United States as enumerated in article I,  
24 section 8 of the United States Constitution.

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