

111TH CONGRESS
1ST SESSION

H. R. 138

To require Federal contractors to participate in the basic pilot program for employment eligibility verification.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2009

Mr. GALLEGLY 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

A BILL

To require Federal contractors to participate in the basic pilot program for employment eligibility verification.

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. REQUIREMENT FOR FEDERAL CONTRACTORS**

4 **TO PARTICIPATE IN BASIC PILOT PROGRAM**

5 **FOR EMPLOYMENT ELIGIBILITY**

6 **VERIFICATION.**

7 (a) IN GENERAL.—Section 402(e)(1) of the Illegal
8 Immigration Reform and Immigrant Responsibility Act of

1 1996 (8 U.S.C. 1324a note) is amended by adding at the
2 end the following:

3 “(C) FEDERAL CONTRACTORS AND SUB-
4 CONTRACTORS.—

5 “(i) IN GENERAL.—Any Federal con-
6 tractor described in clause (ii), and any
7 subcontractor described in clause (iii),
8 shall elect to participate in the basic pilot
9 program described in section 403(a) and
10 shall comply with the terms and conditions
11 of such election.

12 “(ii) FEDERAL CONTRACTORS DE-
13 SCRIBED.—A Federal contractor is de-
14 scribed in this clause if the contractor—

15 “(I) employs individuals; and

16 “(II) has been awarded (and has
17 not completed performance of) a con-
18 tract by the Federal government for
19 the procurement of goods or services
20 in an amount exceeding the simplified
21 acquisition threshold.

22 “(iii) SUBCONTRACTORS DE-
23 SCRIBED.—A subcontractor is described in
24 this clause if the subcontractor—

25 “(I) employs individuals; and

1 “(II) has been awarded (and has
2 not completed performance of) a sub-
3 contract by a Federal contractor de-
4 scribed in clause (ii).

5 “(iv) COVERAGE OF ENTIRE WORK-
6 FORCE.—In implementing this subpara-
7 graph, the Attorney General shall ensure
8 that the pilot program is applied to all of
9 the employees of a Federal contractor or
10 subcontractor, not just the employees per-
11 forming the contract or subcontract, as the
12 case may be.”.

13 (b) EFFECTIVE DATE.—The amendment made by
14 subsection (a) shall apply to contracts entered into on or
15 after the expiration of the 60-day period beginning on the
16 date of the enactment of this Act.

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