

HR 138 IH

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.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. REQUIREMENT FOR FEDERAL CONTRACTORS TO PARTICIPATE IN BASIC PILOT PROGRAM FOR EMPLOYMENT ELIGIBILITY VERIFICATION.**

(a) In General- Section 402(e)(1) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is amended by adding at the end the following:

`(C) FEDERAL CONTRACTORS AND SUBCONTRACTORS-

`(i) IN GENERAL- Any Federal contractor described in clause (ii), and any subcontractor described in clause (iii), shall elect to participate in the basic pilot program described in section 403(a) and shall comply with the terms and conditions of such election.

`(ii) FEDERAL CONTRACTORS DESCRIBED- A Federal contractor is described in this clause if the contractor--

`(I) employs individuals; and

`(II) has been awarded (and has not completed performance of) a contract by the Federal government for the procurement of goods or

services in an amount exceeding the simplified acquisition threshold.

` (iii) SUBCONTRACTORS DESCRIBED- A subcontractor is described in this clause if the subcontractor--

` (I) employs individuals; and

` (II) has been awarded (and has not completed performance of) a subcontract by a Federal contractor described in clause (ii).

` (iv) COVERAGE OF ENTIRE WORKFORCE- In implementing this subparagraph, the Attorney General shall ensure that the pilot program is applied to all of the employees of a Federal contractor or subcontractor, not just the employees performing the contract or subcontract, as the case may be.'.

(b) Effective Date- The amendment made by subsection (a) shall apply to contracts entered into on or after the expiration of the 60-day period beginning on the date of the enactment of this Act.

*END*

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