

George W. Bush Presidential Library

Collection: Executive Clerk, Office of the

Series: Saunders, G. Timothy (Tim) - Bill Files

Folder Title: 01/16/2002 [H.R. 3030]

Withdrawn/Redacted Material

The George W. Bush Library

DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
001	Letter	[Letter on H.R. 3030] - To: The Honorable Mitchell E. Daniels, Jr. - From: Daniel J. Bryant	1	12/28/2001	P5;
002	Letter	[Letter on H.R. 3030] - To: The Honorable Mitchell E. Daniels, Jr. - From: Ann M. Veneman	1	01/02/2002	P5;
003	Letter	[Letter on H.R. 3030] - To: The Honorable Mitchell E. Daniels, Jr. - From: Daniel J. Bryant	1	12/28/2001	P5;
004	Letter	[Letter on H.R. 3030] - To: The Honorable Mitchell E. Daniels, Jr. - From: Ann M. Veneman	1	01/02/2002	P5;
006	Letter	[Letter on H.R. 3030] - To: The Honorable Mitchell E. Daniels, Jr. - From: Ann M. Veneman	1	01/02/2002	P5;
007	Letter	[Letter on H.R. 3030] - To: The Honorable Mitchell E. Daniels, Jr. - From: Daniel J. Bryant	1	12/28/2001	P5;

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Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

01/16/2002 [H.R. 3030]

FRC ID:

782

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

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Records Not Subject to FOIA

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THE PRESIDENT HAS SEEN APPROVED

1-16-02

JAN 16 2002



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

'02 JAN 9 PM 10:52

THE DIRECTOR

January 9, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 3030 - Basic Pilot Extension Act of 2001
Sponsors - Rep. Latham (R) Iowa and 2 cosponsors

Last Day for Action

January 16, 2002 - Wednesday

Purpose

Extends by two years three pilot programs for employment eligibility confirmation: (1) the Basic Pilot Program; (2) the Citizen Attestation Pilot Program; and (3) the Machine-Readable Document Pilot Program.

Agency Recommendations

Office of Management and Budget	Approval
Department of Justice	Approval
Department of Agriculture	Approval
Department of Commerce	No objection (Informally)
Department of Labor	No objection (Informally)
Department of State	No objection (Informally)
Office of Personnel Management	No objection (Informally)
Department of Health and Human Services	Defers to Justice (Informally)
Central Intelligence Agency	No comment (Informally)
Office of the United States Trade Representative	No comment (Informally)
Social Security Administration	No comment (Informally)

Discussion

The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (P.L. 104-208) established three pilot programs to assist participating employers in confirming the eligibility of prospective employees to work in the United States. Participation in all three pilot programs is voluntary and at no cost to employers. P.L. 104-208 specifies that, unless Congress provides otherwise, the Attorney General is required to terminate the pilot programs four years after the first day that they went into effect. The enrolled bill would extend the termination date of each of the programs by two years.

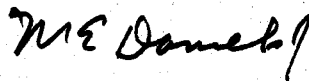
The Basic Pilot Program authorizes participating employers to access Immigration and Naturalization Service (INS) and Social Security Administration (SSA) databases to electronically verify the employment eligibility of all newly hired employees, regardless of citizenship status. The agencies give participating employers the software and training needed to access the databases. The pilot program is currently available to employers in California, Florida, Illinois, Nebraska, New York, and Texas. Approximately 1,758 employers are participating in this program. The Basic Pilot Program went into effect on November 30, 1997, and thus expired on November 30, 2001. The enrolled bill would retroactively extend the program until November 30, 2003.

The Citizen Attestation Pilot Program allows participating employers access to INS databases to electronically verify the employment eligibility of newly hired alien employees. The pilot program is currently available to employers in Arizona, Maryland, Massachusetts, Michigan, and Virginia. The enrolled bill would extend the program from its current expiration in June 2003 through June 2005.

The Machine-Readable Document Pilot Program is nearly identical to the Basic Pilot Program, except that it allows participating employers to use special technology (provided by the INS at no cost to the employer) capable of reading an applicant's relevant information from his or her driver's license in order to verify the information in INS and SSA databases. Currently, the program is only available to employers in Iowa. The enrolled bill would extend the program from its current expiration in May 2003 through May 2005.

Conclusion and Recommendations

We join the Departments of Justice and Agriculture in recommending approval of H.R. 3030, which passed the House by voice vote and the Senate by unanimous consent.



Mitchell E. Daniels, Jr.
Director

Enclosures



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

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Department of Justice	Approval
Department of Agriculture	Approval
Department of Commerce	No objection (Informally)
Department of Labor	No objection (Informally)
Department of State	No objection (Informally)
Office of Personnel Management	No objection (Informally)
Department of Health and Human Services	Defers to Justice (Informally)
Central Intelligence Agency	No comment (Informally)
Office of the United States Trade Representative	No comment (Informally)
Social Security Administration	No comment (Informally)

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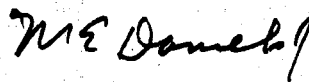
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Mitchell E. Daniels, Jr.
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WHITE HOUSE STAFFING MEMORANDUM

Date: 1-9-02 ACTION / CONCURRENCE / COMMENT DUE BY: 1-10-02, 5:00 PM

Subject: ENROLLED BILL H.R. 3030 - BASIC PILOT EXTENSION ACT OF 2001

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN	☒	☐	JOHNSON	☐	☐
CALIO	☒	☐	LINDSEY	☒	☐
CONNAUGHTON	☐	☐	MIERS	☐	☒
DANIELS	☐	☒	RICE	☒	☐
FLEISCHER	☒	☐	RIDGE	☒	☐
GERSON	☐	☐	ROVE	☒	☐
GONZALES	☒	☐	SPELLINGS	☒	☐
HAGIN	☐	☐	CLERK	☒	☒
HAWKINS	☒	☐		☐	☐

REMARKS:

Please forward comments directly to Jim Jukes, Ext. 53458, Fax 56148, no later than 5:00 pm Thursday, 1-10-02, with copy to Staff Secretary. Thank you.

RESPONSE:

Harriet E. Miers
 Assistant to the President
 and Staff Secretary
 Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

January 9, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 3030 - Basic Pilot Extension Act of 2001
Sponsors - Rep. Latham (R) Iowa and 2 cosponsors

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Department of Commerce	No objection (Informally)
Department of Labor	No objection (Informally)
Department of State	No objection (Informally)
Office of Personnel Management	No objection (Informally)
Department of Health and Human Services	Defers to Justice (Informally)
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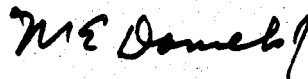
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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Letter	[Letter on H.R. 3030] - To: The Honorable Mitchell E. Daniels, Jr. - From: Ann M. Veneman	1	01/02/2002	P5;

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COLLECTION:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

01/16/2002 [H.R. 3030]

FRC ID:

782

OA Num.:

733

NARA Num.:

1459

FOIA IDs and Segments:

RESTRICTION CODES

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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

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WHITE HOUSE STAFFING MEMORANDUMDate: 1-9-02 ACTION / CONCURRENCE / COMMENT DUE BY: 1-10-02, 5:00 PMSubject: ENROLLED BILL H.R. 3030 - BASIC PILOT EXTENSION ACT OF 2001

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN	☒	☐	JOHNSON	☐	☐
CALIO	☒	☐	LINDSEY	☒	☐
CONNAUGHTON	☐	☐	MIERS	☒	☒
DANIELS	☐	☒	RICE	☒	☐
FLEISCHER	☒	☐	RIDGE	☒	☐
GERSON	☐	☐	ROVE	☒	☐
GONZALES	☒	☐	SPELLINGS	☒	☐
HAGIN	☐	☐	CLERK	☐	☒
HAWKINS	☒	☐		☐	☐

REMARKS:

Please forward comments directly to Jim Jukes, Ext. 53458, Fax 56148, no later than 5:00 pm Thursday, 1-10-02, with copy to Staff Secretary. Thank you.

RESPONSE:

Harriet E. Miers
 Assistant to the President
 and Staff Secretary
 Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

January 9, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 3030 - Basic Pilot Extension Act of 2001
Sponsors - Rep. Latham (R) Iowa and 2 cosponsors

Last Day for Action

January 16, 2002 - Wednesday

Purpose

Extends by two years three pilot programs for employment eligibility confirmation:
(1) the Basic Pilot Program; (2) the Citizen Attestation Pilot Program; and (3) the
Machine-Readable Document Pilot Program.

Agency Recommendations

Office of Management and Budget	Approval
Department of Justice	Approval
Department of Agriculture	Approval
Department of Commerce	No objection (Informally)
Department of Labor	No objection (Informally)
Department of State	No objection (Informally)
Office of Personnel Management	No objection (Informally)
Department of Health and Human Services	Defers to Justice (Informally)
Central Intelligence Agency	No comment (Informally)
Office of the United States Trade Representative	No comment (Informally)
Social Security Administration	No comment (Informally)

Discussion

The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (P.L. 104-208) established three pilot programs to assist participating employers in confirming the eligibility of prospective employees to work in the United States. Participation in all three pilot programs is voluntary and at no cost to employers. P.L. 104-208 specifies that, unless Congress provides otherwise, the Attorney General is required to terminate the pilot programs four years after the first day that they went into effect. The enrolled bill would extend the termination date of each of the programs by two years.

The Basic Pilot Program authorizes participating employers to access Immigration and Naturalization Service (INS) and Social Security Administration (SSA) databases to electronically verify the employment eligibility of all newly hired employees, regardless of citizenship status. The agencies give participating employers the software and training needed to access the databases. The pilot program is currently available to employers in California, Florida, Illinois, Nebraska, New York, and Texas. Approximately 1,758 employers are participating in this program. The Basic Pilot Program went into effect on November 30, 1997, and thus expired on November 30, 2001. The enrolled bill would retroactively extend the program until November 30, 2003.

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Conclusion and Recommendations

We join the Departments of Justice and Agriculture in recommending approval of H.R. 3030, which passed the House by voice vote and the Senate by unanimous consent.



Mitchell E. Daniels, Jr.
Director

Enclosures

Withdrawal Marker

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
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01/16/2002 [H.R. 3030]

FRC ID:

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Ready

Document Originally
Attached to
Following Page

WHITE HOUSE STAFFING MEMORANDUM

Date: 1-9-02 ACTION / CONCURRENCE / COMMENT DUE BY: 1-10-02, 5:00 PMSubject: ENROLLED BILL H.R. 3030 - BASIC PILOT EXTENSION ACT OF 2001

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT <i>W/C</i>	☒	☐	HUBBARD <i>W/C</i>	☒	☐
CARD <i>ok</i>	☒	☐	HUGHES <i>✓</i>	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN	☒	☐	JOHNSON	☐	☐
CALIO <i>OK</i>	☒	☐	LINDSEY <i>OK</i>	☒	☐
CONNAUGHTON	☐	☐	MIERS	☐	☒
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RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

January 9, 2002

02 JAN 9 PM 10:45

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 3030 - Basic Pilot Extension Act of 2001
Sponsors - Rep. Latham (R) Iowa and 2 cosponsors

Last Day for Action

January 16, 2002 - Wednesday

Purpose

Extends by two years three pilot programs for employment eligibility confirmation: (1) the Basic Pilot Program; (2) the Citizen Attestation Pilot Program; and (3) the Machine-Readable Document Pilot Program.

Agency Recommendations

Office of Management and Budget	Approval
Department of Justice	Approval
Department of Agriculture	Approval
Department of Commerce	No objection (Informally)
Department of Labor	No objection (Informally)
Department of State	No objection (Informally)
Office of Personnel Management	No objection (Informally)
Department of Health and Human Services	Defers to Justice (Informally)
Central Intelligence Agency	No comment (Informally)
Office of the United States Trade Representative	No comment (Informally)
Social Security Administration	No comment (Informally)

Discussion

The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (P.L. 104-208) established three pilot programs to assist participating employers in confirming the eligibility of prospective employees to work in the United States. Participation in all three pilot programs is voluntary and at no cost to employers. P.L. 104-208 specifies that, unless Congress provides otherwise, the Attorney General is required to terminate the pilot programs four years after the first day that they went into effect. The enrolled bill would extend the termination date of each of the programs by two years.

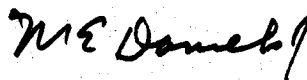
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Conclusion and Recommendations

We join the Departments of Justice and Agriculture in recommending approval of H.R. 3030, which passed the House by voice vote and the Senate by unanimous consent.



Mitchell E. Daniels, Jr.
Director

Enclosures

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	ACTION	FYI		ACTION	FYI
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CARD	☒	☐	HUGHES	☒	☐
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EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

January 9, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 3030 - Basic Pilot Extension Act of 2001
Sponsors - Rep. Latham (R) Iowa and 2 cosponsors

Last Day for Action

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Purpose

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Agency Recommendations

Office of Management and Budget	Approval
Department of Justice	Approval
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Department of Commerce	No objection (Informally)
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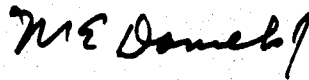
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Records Not Subject to FOIA

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Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Letter	[Letter on H.R. 3030] - To: The Honorable Mitchell E. Daniels, Jr. - From: Ann M. Veneman	1	01/02/2002	P5;

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COLLECTION:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

01/16/2002 [H.R. 3030]

FRC ID:

782

FOIA IDs and Segments:

OA Num.:

733

NARA Num.:

1459

RESTRICTION CODES

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TRANSMISSION OK

TX/RX NO 1549
 CONNECTION TEL 66212
 CONNECTION ID
 ST. TIME 01/10 01:01
 USAGE T 01'54
 PGS. SENT 5
 RESULT OK

SS/ RM NO. 505310

WHITE HOUSE STAFFING MEMORANDUM

Date: 1-9-02 ACTION / CONCURRENCE / COMMENT DUE BY: 1-10-02, 5:00 PM

Subject: ENROLLED BILL H.R. 3030 - BASIC PILOT EXTENSION ACT OF 2001

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN	☒	☐	JOHNSON	☐	☐
CALIO	☒	☐	LINDSEY	☒	☐
CONNAUGHTON	☐	☐	MIERS	☐	☒
DANIELS	☐	☒	RICE	☒	☐
FLEISCHER	☒	☐	RIDGE	☒	☐
GERSON	☐	☐	ROVE	☒	☐
GONZALES	☒	☐	SPELLINGS	☒	☐
HAGIN	☐	☐	CLERK	☐	☒
HAWKINS	☒	☐		☐	☐

REMARKS:

Please forward comments directly to Jim Jukes, Ext. 53458, Fax 56148, no later than 5:00 pm Thursday, 1-10-02, with copy to Staff Secretary. Thank you.

WHITE HOUSE STAFFING MEMORANDUM

Date: 1-9-02 ACTION / CONCURRENCE / COMMENT DUE BY: 1-10-02, 5:00 PMSubject: ENROLLED BILL H.R. 3030 - BASIC PILOT EXTENSION ACT OF 2001

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RESPONSE:

Harriet E. Miers
 Assistant to the President
 and Staff Secretary
 Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

January 9, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 3030 - Basic Pilot Extension Act of 2001
Sponsors - Rep. Latham (R) Iowa and 2 cosponsors

Last Day for Action

January 16, 2002 - Wednesday

Purpose

Extends by two years three pilot programs for employment eligibility confirmation: (1) the Basic Pilot Program; (2) the Citizen Attestation Pilot Program; and (3) the Machine-Readable Document Pilot Program.

Agency Recommendations

Office of Management and Budget	Approval
Department of Justice	Approval
Department of Agriculture	Approval
Department of Commerce	No objection (Informally)
Department of Labor	No objection (Informally)
Department of State	No objection (Informally)
Office of Personnel Management	No objection (Informally)
Department of Health and Human Services	Defers to Justice (Informally)
Central Intelligence Agency	No comment (Informally)
Office of the United States Trade Representative	No comment (Informally)
Social Security Administration	No comment (Informally)

Discussion

The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (P.L. 104-208) established three pilot programs to assist participating employers in confirming the eligibility of prospective employees to work in the United States. Participation in all three pilot programs is voluntary and at no cost to employers. P.L. 104-208 specifies that, unless Congress provides otherwise, the Attorney General is required to terminate the pilot programs four years after the first day that they went into effect. The enrolled bill would extend the termination date of each of the programs by two years.

The Basic Pilot Program authorizes participating employers to access Immigration and Naturalization Service (INS) and Social Security Administration (SSA) databases to electronically verify the employment eligibility of all newly hired employees, regardless of citizenship status. The agencies give participating employers the software and training needed to access the databases. The pilot program is currently available to employers in California, Florida, Illinois, Nebraska, New York, and Texas. Approximately 1,758 employers are participating in this program. The Basic Pilot Program went into effect on November 30, 1997, and thus expired on November 30, 2001. The enrolled bill would retroactively extend the program until November 30, 2003.

The Citizen Attestation Pilot Program allows participating employers access to INS databases to electronically verify the employment eligibility of newly hired alien employees. The pilot program is currently available to employers in Arizona, Maryland, Massachusetts, Michigan, and Virginia. The enrolled bill would extend the program from its current expiration in June 2003 through June 2005.

The Machine-Readable Document Pilot Program is nearly identical to the Basic Pilot Program, except that it allows participating employers to use special technology (provided by the INS at no cost to the employer) capable of reading an applicant's relevant information from his or her driver's license in order to verify the information in INS and SSA databases. Currently, the program is only available to employers in Iowa. The enrolled bill would extend the program from its current expiration in May 2003 through May 2005.

Conclusion and Recommendations

We join the Departments of Justice and Agriculture in recommending approval of H.R. 3030, which passed the House by voice vote and the Senate by unanimous consent.



Mitchell E. Daniels, Jr.
Director

Enclosures

Withdrawal Marker

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Letter	[Letter on H.R. 3030] - To: The Honorable Mitchell E. Daniels, Jr. - From: Daniel J. Bryant	1	12/28/2001	P5;

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Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

01/16/2002 [H.R. 3030]

FRC ID:

782

FOIA IDs and Segments:**OA Num.:**

733

NARA Num.:

1459

RESTRICTION CODES**Presidential Records Act - [44 U.S.C. 2204(a)]**

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Records Not Subject to FOIA

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TX/RX NO 1550
 CONNECTION TEL 51005
 CONNECTION ID
 ST. TIME 01/10 01:03
 USAGE T 01'51
 PGS. SENT 5
 RESULT OK

SS/ RM NO. 505310

WHITE HOUSE STAFFING MEMORANDUM

Date: 1-9-02 ACTION / CONCURRENCE / COMMENT DUE BY: 1-10-02, 5:00 PMSubject: ENROLLED BILL H.R. 3030 - BASIC PILOT EXTENSION ACT OF 2001

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RESPONSE:

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 Assistant to the President
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 Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

January 9, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 3030 - Basic Pilot Extension Act of 2001
Sponsors - Rep. Latham (R) Iowa and 2 cosponsors

Last Day for Action

January 16, 2002 - Wednesday

Purpose

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Agency Recommendations

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Department of Justice	Approval
Department of Agriculture	Approval
Department of Commerce	No objection (Informally)
Department of Labor	No objection (Informally)
Department of State	No objection (Informally)
Office of Personnel Management	No objection (Informally)
Department of Health and Human Services	Defers to Justice (Informally)
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Conclusion and Recommendations

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Director

Enclosures

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01/16/2002 [H.R. 3030]

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 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO 1551
 CONNECTION TEL 56958
 CONNECTION ID
 ST. TIME 01/10 01:05
 USAGE T 01'52
 PGS. SENT 5
 RESULT OK

SS/ RM NO. 505310

WHITE HOUSE STAFFING MEMORANDUM

Date: 1-9-02 ACTION / CONCURRENCE / COMMENT DUE BY: 1-10-02, 5:00 PM

Subject: ENROLLED BILL H.R. 3030 - BASIC PILOT EXTENSION ACT OF 2001

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
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	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN	☒	☐	JOHNSON	☐	☐
CALIO	☒	☐	LINDSEY	☒	☐
CONNAUGHTON	☐	☐	MIERS	☐	☒
DANIELS	☐	☒	RICE	☒	☐
FLEISCHER	☒	☐	RIDGE	☒	☐
GERSON	☐	☐	ROVE	☒	☐
GONZALES	☒	☐	SPELLINGS	☒	☐
HAGIN	☐	☐	CLERK	☐	☒
HAWKINS	☒	☐		☐	☐

REMARKS:

Please forward comments directly to Jim Jukes, Ext. 53458, Fax 56148, no later than 5:00 pm Thursday, 1-10-02, with copy to Staff Secretary. Thank you.

RESPONSE:

Harriet E. Miers
 Assistant to the President
 and Staff Secretary
 Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

January 9, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 3030 - Basic Pilot Extension Act of 2001
Sponsors - Rep. Latham (R) Iowa and 2 cosponsors

Last Day for Action

January 16, 2002 - Wednesday

Purpose

Extends by two years three pilot programs for employment eligibility confirmation: (1) the Basic Pilot Program; (2) the Citizen Attestation Pilot Program; and (3) the Machine-Readable Document Pilot Program.

Agency Recommendations

Office of Management and Budget	Approval
Department of Justice	Approval
Department of Agriculture	Approval
Department of Commerce	No objection (Informally)
Department of Labor	No objection (Informally)
Department of State	No objection (Informally)
Office of Personnel Management	No objection (Informally)
Department of Health and Human Services	Defers to Justice (Informally)
Central Intelligence Agency	No comment (Informally)
Office of the United States Trade Representative	No comment (Informally)
Social Security Administration	No comment (Informally)

Discussion

The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (P.L. 104-208) established three pilot programs to assist participating employers in confirming the eligibility of prospective employees to work in the United States. Participation in all three pilot programs is voluntary and at no cost to employers. P.L. 104-208 specifies that, unless Congress provides otherwise, the Attorney General is required to terminate the pilot programs four years after the first day that they went into effect. The enrolled bill would extend the termination date of each of the programs by two years.

The Basic Pilot Program authorizes participating employers to access Immigration and Naturalization Service (INS) and Social Security Administration (SSA) databases to electronically verify the employment eligibility of all newly hired employees, regardless of citizenship status. The agencies give participating employers the software and training needed to access the databases. The pilot program is currently available to employers in California, Florida, Illinois, Nebraska, New York, and Texas. Approximately 1,758 employers are participating in this program. The Basic Pilot Program went into effect on November 30, 1997, and thus expired on November 30, 2001. The enrolled bill would retroactively extend the program until November 30, 2003.

The Citizen Attestation Pilot Program allows participating employers access to INS databases to electronically verify the employment eligibility of newly hired alien employees. The pilot program is currently available to employers in Arizona, Maryland, Massachusetts, Michigan, and Virginia. The enrolled bill would extend the program from its current expiration in June 2003 through June 2005.

The Machine-Readable Document Pilot Program is nearly identical to the Basic Pilot Program, except that it allows participating employers to use special technology (provided by the INS at no cost to the employer) capable of reading an applicant's relevant information from his or her driver's license in order to verify the information in INS and SSA databases. Currently, the program is only available to employers in Iowa. The enrolled bill would extend the program from its current expiration in May 2003 through May 2005.

Conclusion and Recommendations

We join the Departments of Justice and Agriculture in recommending approval of H.R. 3030, which passed the House by voice vote and the Senate by unanimous consent.



Mitchell E. Daniels, Jr.
Director

Enclosures

Withdrawal Marker

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Letter	[Letter on H.R. 3030] - To: The Honorable Mitchell E. Daniels, Jr. - From: Daniel J. Bryant	1	12/28/2001	P5;

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COLLECTION:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

01/16/2002 [H.R. 3030]

FRC ID:

782

OA Num.:

733

NARA Num.:

1459

FOIA IDs and Segments:

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

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BASIC PILOT EXTENSION ACT OF 2001

NOVEMBER 30, 2001.—Committed to the Committee of the Whole House on the state of the Union and ordered to be printed

Mr. SENSENBRENNER, from the Committee on the Judiciary,
submitted the following

R E P O R T

[To accompany H.R. 3030]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the bill (H.R. 3030) to extend the “Basic Pilot” employment verification system, and for other purposes, having considered the same, reports favorably thereon with amendments and recommends that the bill as amended do pass.

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The amendments (stated in terms of the page and line numbers of the introduced bill) are as follows:

Page 1, line 8, strike “1966 (division C of Public Law 104-208 (Sept. 30, 1996), 110 Stat. 3009-656)” and insert “1996 (8 U.S.C. 1324a note)”.

Page 2, beginning on line 1, strike "in lieu thereof".

Page 2, line 4, strike "amendments" and insert "amendment".

Page 2, line 5, insert "the" before "enactment".

Amend the title so as to read:

A bill to extend the basic pilot program for employment eligibility verification, and for other purposes.

PURPOSE AND SUMMARY

H.R. 3030 extends for 2 years the operation of the pilot programs for employment eligibility verification that were instituted by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

BACKGROUND AND NEED FOR THE LEGISLATION

I. BACKGROUND

The Immigration Reform and Control Act of 1986 ("IRCA") made it unlawful for employers to knowingly hire or employ aliens not eligible to work and required employers to check the identity and work eligibility documents of all new employees.¹ If the documents provided by an employee reasonably appear on their face to be genuine, the employer has met its document review obligation. Certain documents, such as passports and resident alien cards, establish both identity and work eligibility. Others, such as most Social Security cards, establish work eligibility. Others, such as drivers' licenses, establish identity.

If a new hire produces the required documents, the employer is not required to solicit the production of additional documents and the employee is not required to produce additional documents. In fact, an employer's request for more or different documents than are required, or refusal to honor documents that reasonably appear to be genuine, shall be treated as an unfair immigration-related employment practice if made for the purpose or with the intent of discriminating against an individual because of such individual's national origin or citizenship status.²

The easy availability of counterfeit documents has made a mockery of IRCA. Fake documents are produced by the millions and can be obtained cheaply.³ Thus, the IRCA system both benefits unscrupulous employers who do not mind hiring illegal aliens but want to show that they have met legal requirements and harms employers who don't want to hire illegal aliens but have no choice but to accept documents they know have a good likelihood of being counterfeit.

II. THE BASIC PILOT PROGRAM

In response to the deficiencies of IRCA, title IV of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996

¹ See, generally, section 274A of the Immigration and Nationality Act.

² See, generally, section 274B of the INA.

³ See, i.e., *verification of Eligibility for Employment and Benefits: Hearing Before the Subcomm. on Immigration and Claims of the House Comm. on the Judiciary*, 104th Cong., 1st Sess. (March 30, 1995).

("IIRIRA") instituted three employment eligibility confirmation pilot programs for volunteer employers that were to last for 4 years. The "basic pilot program" was implemented first, and expires in November 2001. Under the basic pilot, the proffered Social Security numbers and alien identification numbers of new hires would be checked against Social Security Administration and Immigration and Naturalization Service ("INS") records in order to weed out documents containing counterfeit numbers and real numbers used by multiple individuals and thus to ensure that new hires are genuinely eligible to work. The pilot is available to employers having locations in California, Florida, Illinois, Nebraska, New York and Texas. Approximately 1,758 employers are currently participating in the pilot.

The pilot works as follows:⁴

- As under current law, once an applicant has accepted a job offer, he or she will present certain documents to the employer. The employer must examine the documents to determine whether they reasonably appear on their face to be genuine and complete an I-9 form attesting to this examination.
- The employer will have 3 days from the date of hire to make an inquiry by phone or other electronic means to the confirmation office established to run the mechanism. If the new hire claims to be a citizen, the employer will transmit his or her name and Social Security number. If the new hire claims to be a non-citizen, the employer will transmit his or her name, INS-issued number, and Social Security number.
- The confirmation office will compare the name and Social Security number provided against information contained in Social Security Administration records and will compare the name and INS-issued number provided against information contained in INS records.
- If in checking the records, the confirmation office ascertains that the new hire is eligible to work, the operator will within 3 days so inform the employer and provide a confirmation number.
- If the confirmation office cannot confirm the work eligibility of the new hire, it will within 3 days so inform the employer of a tentative nonconfirmation and provide a tentative nonconfirmation number.
- If the new hire wishes to contest a tentative nonconfirmation, secondary verification will be undertaken. Secondary verification is an expedited procedure set up to confirm the validity of information contained in the government records and provided by the new hire. Under this process, the new hire will typically contact or visit the Social Security Administration and/or the INS to see why the government records disagree with the information he or she has provided. If the new hire requests secondary verification, he or she cannot be fired on the basis of the tentative nonconfirmation.

⁴ See, generally, sections 403(a) and 404 of IIRIRA.

- If the discrepancy can be reconciled within 10 days, then confirmation of work eligibility and a confirmation number will be given to the employer by the end of this period.
- If the discrepancy cannot be reconciled within 10 days, final denial of confirmation and a final nonconfirmation number will be given by the end of this period. The employer then has two options:

The employer can dismiss the new hire as being ineligible to work in the United States.

The employer can continue to employ the new hire. The employer must notify the Attorney General of this decision. If action is brought by the government, the employer has the burden of proof in showing the new hire is eligible to work. If the employer fails to so prove, the employer will be deemed to have knowingly hired an illegal alien.

The SSA and the INS agree as part of the pilot to safeguard the information provided to them by employers and to limit access to the information as appropriate by law. An employer must agree not to use the pilot for pre-employment screening of job applicants or for support of any unlawful employment practice, not to verify selectively, and to ensure that the information it receives from the government is used only to confirm employment eligibility and is not otherwise disseminated.

Operation of the basic pilot program commenced in November 1997 and expires in November 2001.

Section 405 of IIRIRA required that the INS provide a report to this Committee and the Senate Judiciary Committee on the operations of the pilot programs within 3 months after the end of the third and fourth years in which the programs are in effect. The reports were to assess the benefits of the pilot programs to employers and the degree to which they assist in the enforcement of the rules regarding the employment of aliens and to include recommendations on whether or not the pilot programs should be continued or modified.

The INS has not complied with section 405. The agency provided Congress with no report after the third year of operation of the basic pilot program and there is no assurance that one will be provided within the time limit specified after the fourth year of operation. The INS's failure to provide reports as required by law is unfortunately a frequent failing of the agency. It can only be hoped that once the immigration functions of the Justice Department are restructured and the INS disbanded will such negligence and/or malfeasance be a thing of the past.

In any event, this Committee must now decide upon reauthorization of the basic pilot program in absence of agency reports on the program. The Committee has received word from businesses and trade associations in the meat packing and processing industry that the basic pilot program has been a great success and that they favor a 2-year extension of the program. They stated in a letter to the Committee that:

While the program does not provide 100% deterrence of persons seeking unauthorized employment, it is far superior to the current practice. . . .

Employers have embraced the additional tools granted by Congress to confirm that new employees are legally eligible to work. These pilot programs enhance the current . . . employment verification process by providing employers with greater assurances that they are not hiring unauthorized aliens and by establishing larger obstacles to aliens seeking to work illegally. This result is accomplished without disruption or inconvenience to U.S. citizens or aliens authorized to work.⁵

The Committee has received no adverse comment regarding the basic pilot program.

III. H.R. 3030

In light of the continuing relevance of the original goals of the basic pilot program and the evidence of its successful operation, the Committee supports a 2-year extension. H.R. 3030 provides such an extension.

The Committee can only hope that when it is again called upon to consider the pilot program it will have in hand evaluation of the program's operation from the Justice Department.

HEARINGS

No hearings were held on H.R. 3030.

COMMITTEE CONSIDERATION

On November 1, 2001, the Subcommittee on Immigration and Claims met in open session and ordered favorably reported the bill H.R. 3030, by a voice vote, a quorum being present. On November 15, 2001, the Committee met in open session and ordered favorably reported the bill H.R. 3030 with amendment by a voice vote, a quorum being present.

VOTE OF THE COMMITTEE

There were no recorded votes on H.R. 3030.

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee reports that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

PERFORMANCE GOALS AND OBJECTIVES

H.R. 3030 does not authorize funding. Therefore, clause 3(c) of rule XIII of the Rules of the House of Representatives is inapplicable.

⁵ See letter from the American Meat Institute, Cargill, Inc., ConAgra Foods, Inc., Farmland Industries, Inc., IBP, Inc., the National Chicken Council, the National Turkey Federation, Seaboard Corporation, Smithfield Foods, Inc., and Tyson Foods, to House Judiciary Committee Chairman F. James Sensenbrenner, Jr. (October 9, 2001).

NEW BUDGET AUTHORITY AND TAX EXPENDITURES

Clause 3(c)(2) of House Rule XIII is inapplicable because this legislation does not provide new budgetary authority or increased tax expenditures.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

In compliance with clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the Committee sets forth, with respect to the bill, H.R. 3030, the following estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, November 29, 2001.

Hon. F. JAMES SENSENBRENNER, Jr., *Chairman,*
Committee on the Judiciary,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 3030, the Basic Pilot Extension Act of 2001.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Mark Grabowicz, who can be reached at 226-2860.

Sincerely,

DAN L. CRIPPEN, *Director.*

Enclosure

cc: Honorable John Conyers, Jr.
Ranking Member

H.R. 3030—Basic Pilot Extension Act of 2001.

CBO estimates that implementing H.R. 3030 would cost about \$1 million in each of fiscal years 2002 and 2003 and less than \$500,000 annually over the 2004-2005 period, assuming the availability of appropriations. The bill would not affect direct spending or receipts, so pay-as-you-go procedures would not apply. H.R. 3030 would impose a private-sector mandate, as defined by the Unfunded Mandates Reform Act (UMRA), but CBO estimates that the direct cost of the mandate would fall well below the annual threshold established by UMRA (\$113 million in 2001, adjusted annually for inflation). The bill contains no intergovernmental mandates as defined in UMRA and would impose no costs on state, local, or tribal governments.

The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 directed the Immigration and Naturalization Service (INS) and the Social Security Administration (SSA) to establish three pilot programs, each lasting 4 years, to assist employers in confirming the eligibility of prospective employees to work in the United States. The programs provide employers with software, training, and access to INS and SSA databases to determine work eligibility. The major pilot program started in 1997 and will end in 2001, while the two other programs began in 1999 and will termi-

nate in 2003. H.R. 3030 would extend the length of each program by 2 years.

According to the INS and the SSA, the agencies spend a total of about \$1 million annually to operate the programs. Implementing H.R. 3030 would extend the major pilot program through the end of fiscal year 2003 and would extend the other two programs until the middle of fiscal year 2005. Based on information from the two agencies, CBO estimates that the bill would cost about \$1 million annually in 2002 and 2003, and less than \$500,000 annually in 2004 and 2005, all from appropriated funds.

H.R. 3030 would impose a private-sector mandate by requiring certain employers to participate in the pilot programs. Participation in the programs is voluntary except for employers who have been found to have violated certain immigration laws. According to the INS, one company in Texas is required to participate in the pilot programs. Therefore, CBO estimates that the direct cost, if any, to comply with the mandate would be minimal and would fall well below the annual threshold established by UMRA (\$113 million in 2001, adjusted annually for inflation).

The CBO staff contacts for this estimate are Mark Grabowicz (for Federal costs), who can be reached at 226-2860, and Paige Piper/Bach (for impacts on the private sector), who can be reached at 226-2940. This estimate was approved by Robert A. Sunshine, Assistant Director for Budget Analysis.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds the authority for this legislation in article I, section 8, clause 4 of the Constitution.

SECTION-BY-SECTION ANALYSIS AND DISCUSSION

Section 1. Short Title.

This Act may be cited as the "Basic Pilot Extension Act of 2001."

Section 2. Extension of Programs.

Section 2 amends section 401(b) of IIRIRA (8 U.S.C. sec. 1324a note) to provide that unless the Congress provides otherwise, the Attorney General shall terminate a pilot program established by title IV of IIRIRA at the end of the 6-year period beginning on the first day the pilot program is in effect. This will apply not only to the basic pilot program (section 403(a) of IIRIRA) but also to the "citizen attestation pilot program" (section 403(b)) and the "machine-readable-document pilot program" (section 403(c)). However, the citizen attestation pilot program began operation in June 1999 and the machine-readable-document pilot program began in May 1999 and they are not about to expire.

Section 3. Effective Date.

Section 3 provides that the amendment made by this Act shall take effect on the date of the enactment of the Act.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

**SECTION 401 OF THE ILLEGAL IMMIGRATION REFORM
AND IMMIGRANT RESPONSIBILITY ACT OF 1996**

SEC. 401. ESTABLISHMENT OF PROGRAMS.

(a) * * *

(b) IMPLEMENTATION DEADLINE; TERMINATION.—The Attorney General shall implement the pilot programs in a manner that permits persons and other entities to have elections under section 402 of this division made and in effect no later than 1 year after the date of the enactment of this Act. Unless the Congress otherwise provides, the Attorney General shall terminate a pilot program at the end of the [4-year] *6-year* period beginning on the first day the pilot program is in effect.

* * * * *

COMMITTEE JURISDICTION LETTERS

F. JAMES SENSENBRENNER, JR.
Chairman

HENRY J. WAXE, Illinois
GEORGE W. GILLES, Pennsylvania
HOWARD COLE, North Carolina
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NEEDY D. GRAMM, South Carolina
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BO KELER, Florida
CARROLL A. TOLSON, California
MELISSA A. HART, Pennsylvania
JEFF FLAKE, Arizona
ANDY PENCE, Indiana

ONE HUNDRED SEVENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON THE JUDICIARY
2138 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6216

(202) 225-3951
<http://www.house.gov/judiciary>

November 27, 2001

The Honorable John Boehner
Chairman
House Committee on Education and the Workforce
2181 Rayburn HOB
Washington, D.C. 20515

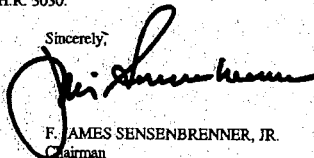
Dear Chairman Boehner:

This letter responds to your letter dated November 27, 2001, concerning H.R. 3030, the "Basic Pilot Extension Act of 2001," which was favorably reported by the House Committee on the Judiciary on November 15, 2001.

I agree that the bill contains matters within the jurisdiction of the House Committee on Education and the Workforce and appreciate your willingness to be discharged from further consideration of H.R. 3030 so that we may proceed to the floor. Your waiver does not prejudice the jurisdictional interest and prerogatives of your committee.

Pursuant to your request, a copy of your letter and this letter will be included in the report of the Committee on the Judiciary on H.R. 3030.

Sincerely,



F. JAMES SENSENBRENNER, JR.
Chairman

cc: The Honorable J. Dennis Hastert
The Honorable John Conyers, Jr.

MARKUP TRANSCRIPT
BUSINESS MEETING
THURSDAY, NOVEMBER 15, 2001

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC.

The Committee met, pursuant to notice, at 10:10 a.m., in Room 2141, Rayburn House Office Building, Hon. F. James Sensenbrenner, Jr. (Chairman of the Committee) presiding.

Chairman SENSENBRENNER. The Committee will be in order.

The next item on the agenda is the adoption of H.R. 3030 to extend the Basic Pilot employment verification system and for other purposes.

JOHN CONYERS, JR., Michigan
RICHARD BLUMENTHAL, Connecticut

BARRY FRANK, Massachusetts
HOWARD BERNHARDT, California
RICK BOUCHER, Maine
JEROLD HENDERSON, New York
ROBERT C. ROBERTS, Virginia
MELVIN L. BENTON, South Carolina
DICK LUGER, Kentucky
TOMMY JACKSON, Tennessee
MARION WATERS, California
PATRICK J. MEEHAN, Massachusetts
WILLIAM D. DELANEY, Massachusetts
ROBERT HELLER, Nevada
TAMMY BALDWIN, Wisconsin
ANTHONY D. SORRELL, New York
ADAM B. SCHIFF, California

The Chair recognizes the gentleman from Pennsylvania, Mr. Gekas, the Chairman of the Subcommittee on Immigration and Claims.

Mr. GEKAS. Thank you, Mr. Chairman.

The Subcommittee on Immigration and Claims reports favorably the bill H.R. 3030 and moves its favorable recommendation to the full House.

Chairman SENSENBRENNER. Without objection, the bill H.R. 3030 will be considered as read and open for amendment at any point. [The bill, H.R. 3030, follows:]

107TH CONGRESS
1ST SESSION

H. R. 3030

To extend the “Basic Pilot” employment verification system, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 4, 2001

Mr. LATHAM introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, 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 extend the “Basic Pilot” employment verification system,
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 Extension
5 Act of 2001”.

6 **SEC. 2. EXTENSION OF PROGRAM.**

7 Section 401(b) of the Illegal Immigration Reform and
8 Immigrant Responsibility Act of 1996 (division C of Pub-
9 lic Law 104–208 (Sept. 30, 1996), 110 Stat. 3009–656)

13

2

1 is amended by striking “4-year period” and inserting in
2 lieu thereof “6-year period”.

3 **SEC. 3. EFFECTIVE DATE.**

4 The amendments made by this Act shall take effect
5 on the date of enactment of this Act.

○

Ms. JACKSON LEE. Mr. Chairman?

Chairman SENSENBRENNER. The Chair recognizes the gentleman from Pennsylvania to strike the last word.

Mr. GEKAS. I thank the Chair.

The Chair in its introductory remarks alluded to the fact that this is a program that is already in place and working very handsomely. The purpose of this legislation here today is to extend the validity of that program beyond its expiration date of November 30, 2001.

In 1986, we made it illegal for employers to knowingly hire people who are aliens ineligible to work in the United States. We decided as a Congress to crack down on that. And then we imposed on employers stringent rules on what documentation they should accept follow and what inquiries they should conduct, et cetera, and pretty soon it became a mess on both sides of the application desk, the employer and the employee.

What the Pilot Program did 5 years ago was to simplify the process and put the employer under the onus of checking the Social Security and INS numbers of the prospective employee. And the law would allow the employer to rely on that, thus everybody could go merrily on his way in the employer-employee relationship.

The pilot program has worked. It is supported by countless organizations, who have found it feasible and workable.

And I ask the Members to support the extension of this program.

Chairman SENSENBRENNER. The gentlewoman from Texas, Ms. Jackson Lee.

Ms. JACKSON LEE. I thank the gentleman and the Chairman and the Chairman of the Subcommittee.

I join in supporting the extension of this pilot program, acknowledging in the backdrop of all of our minds September 11th.

This will be helpful to employers around the country, but in particular to areas where there is a large number of immigrants. This will protect the immigrants with legal documentation, and it will protect employers as well.

And so I look to this as a fair bill that addresses the posture that I think we would like to be in, in this country, which is a respect for immigration and for laws.

This should complement, ultimately, legislation and a reassessment our vocational visa and student visa program, which will allow us to be more accurate in who obtains those visas and, as well, be able to ascertain the right utilization of them.

In particular, I would just add the necessity of having to determine whether someone is coming to be trained as an airline pilot for good reasons or negative reasons. That has nothing to do with this particular legislation but certainly ties into individuals who are documented but, as well, documented and using visas for the right reason.

So I support this legislation because I think it helps the basic policies of immigration law. And that is to help create a pathway for access to legalization and to applaud those who have legal standing.

I yield back.

[The statement of Ms. Jackson Lee follows:]

PREPARED STATEMENT OF THE HONORABLE SHEILA JACKSON LEE, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF TEXAS

Thank you Mr. Chairman. I am gratified to be here today to vote on a bill that will improve the employment verification process. As you know, the Congress is exploring new ways, methods, and techniques to ensure the security and integrity of the way in which we admit and track aliens who apply for non-immigrant visas. We do live in dangerous times. This bill is extending a pilot program that would improve and ensure integrity in the employment verification process.

This bill, introduced by Congressman Tom Latham extends the Basic Pilot employment verification program under expedited procedures. The Basic employment verification system is a program that many companies use to ensure that new companies are legal. This program is a voluntary electronic employment verification system, which allow employers to verify I-9 documents. Companies with facilities in any of the "pilot" states may use the verification program throughout all of their facilities, including states outside the program. Approximately 2,000 employers are presently using the Basic Pilot Program.

In Title IV of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, Congress authorized the Immigration and Naturalization Service to conduct voluntary pilot programs that allow these participating employers to access by computer certain governmental databases for purposes of new employment verification. This program allows employers signing a memorandum of understanding (MOU) with the INS to query an INS-Social Security Administration (SSA) data base regarding the work-authorization status of new employment applicants, instead of simply recording and retaining the numbers of documents that such applicants chose to submit. The Basic Pilot Program provides greater ease of verification for employers and employees and greater deterrence of the use of fraudulent INS and SSA documents.

Industries such as meat packing and food processing have stated an interest in cooperating with the INS to maximize its ability to ensure its interest in cooperating with the INS to maximize its ability to ensure its workforce is authorized. Many believe that while the program does not provide 100% deterrence of persons seeking unauthorized employment, it is far superior to the current practice of recording in I-9 forms the numbers of documents physically presented by new employees.

I will support this legislation because it is needed because Section 401(b) of the 1996 Act states that "the . . . Attorney General shall terminate a pilot program at the end of the 4-year period beginning on the first day the pilot program is in effect." H.R. 3030 extends the life of the program by two years, from four years to six years. This pilot program enhances the current I-9 form employment verification process by providing employers with greater assurances that they are not hiring unauthorized aliens and by establishing larger obstacles to aliens seeking to work illegally.

I support this legislation.

Chairman SENSENBRENNER. Are there amendments?

Hearing none, the Chair notes the presence of a reporting quorum. The question occurs on the motion to report the bill H.R. 3030 favorably.

Those in favor will say aye.

Opposed, no.

The ayes appear to have it. The ayes have it. The motion to report favorably is agreed to.

Without objection, the Chairman is authorized to move to go to conference pursuant to House rules. Without objection, the staff is directed to make any technical and conforming changes. And all Members will be given 2 days as provided by House rules in which to submit additional dissenting, supplemental, or minority views.

[Intervening business.]

The Chair thanks the Members for their indulgence and support. This concludes the business on the notice, and the Committee is adjourned.

[Whereupon, at 11:06 a.m., the Committee was adjourned.]

One Hundred Seventh Congress
of the
United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Wednesday,
the third day of January, two thousand and one*

An Act

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

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Basic Pilot Extension Act of 2001".

SEC. 2. EXTENSION OF PROGRAMS.

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

SEC. 3. EFFECTIVE DATE.

The amendment made by this Act shall take effect on the date of the enactment of this Act.

Speaker of the House of Representatives.

*Vice President of the United States and
President of the Senate.*



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

January 9, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 3030 - Basic Pilot Extension Act of 2001
Sponsors - Rep. Latham (R) Iowa and 2 cosponsors

Last Day for Action

January 16, 2002 - Wednesday

Purpose

Extends by two years three pilot programs for employment eligibility confirmation: (1) the Basic Pilot Program; (2) the Citizen Attestation Pilot Program; and (3) the Machine-Readable Document Pilot Program.

Agency Recommendations

Office of Management and Budget	Approval
Department of Justice	Approval
Department of Agriculture	Approval
Department of Commerce	No objection (Informally)
Department of Labor	No objection (Informally)
Department of State	No objection (Informally)
Office of Personnel Management	No objection (Informally)
Department of Health and Human Services	Defers to Justice (Informally)
Central Intelligence Agency	No comment (Informally)
Office of the United States Trade Representative	No comment (Informally)
Social Security Administration	No comment (Informally)

Discussion

The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (P.L. 104-208) established three pilot programs to assist participating employers in confirming the eligibility of prospective employees to work in the United States. Participation in all three pilot programs is voluntary and at no cost to employers. P.L. 104-208 specifies that, unless Congress provides otherwise, the Attorney General is required to terminate the pilot programs four years after the first day that they went into effect. The enrolled bill would extend the termination date of each of the programs by two years.

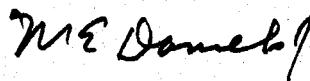
The Basic Pilot Program authorizes participating employers to access Immigration and Naturalization Service (INS) and Social Security Administration (SSA) databases to electronically verify the employment eligibility of all newly hired employees, regardless of citizenship status. The agencies give participating employers the software and training needed to access the databases. The pilot program is currently available to employers in California, Florida, Illinois, Nebraska, New York, and Texas. Approximately 1,758 employers are participating in this program. The Basic Pilot Program went into effect on November 30, 1997, and thus expired on November 30, 2001. The enrolled bill would retroactively extend the program until November 30, 2003.

The Citizen Attestation Pilot Program allows participating employers access to INS databases to electronically verify the employment eligibility of newly hired alien employees. The pilot program is currently available to employers in Arizona, Maryland, Massachusetts, Michigan, and Virginia. The enrolled bill would extend the program from its current expiration in June 2003 through June 2005.

The Machine-Readable Document Pilot Program is nearly identical to the Basic Pilot Program, except that it allows participating employers to use special technology (provided by the INS at no cost to the employer) capable of reading an applicant's relevant information from his or her driver's license in order to verify the information in INS and SSA databases. Currently, the program is only available to employers in Iowa. The enrolled bill would extend the program from its current expiration in May 2003 through May 2005.

Conclusion and Recommendations

We join the Departments of Justice and Agriculture in recommending approval of H.R. 3030, which passed the House by voice vote and the Senate by unanimous consent.



Mitchell E. Daniels, Jr.
Director

Enclosures



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OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

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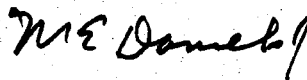
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Mitchell E. Daniels, Jr.
Director

Enclosures

WHITE HOUSE STAFFING MEMORANDUM

Date: 1-9-02

ACTION / CONCURRENCE / COMMENT DUE BY: 1-10-02, 5:00 PM

02 JAN 10 AM 9:34

Subject: ENROLLED BILL H.R. 3030 - BASIC PILOT EXTENSION ACT OF 2001

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN	☒	☐	JOHNSON	☐	☐
CALIO	☒	☐	LINDSEY	☒	☐
CONNAUGHTON	☐	☐	MIERS	☐	☒
DANIELS	☐	☒	RICE	☒	☐
FLEISCHER	☒	☐	RIDGE	☒	☐
GERSON	☐	☐	ROVE	☒	☐
GONZALES	☒	☐	SPELLINGS	☒	☐
HAGIN	☐	☐	CLERK	☐	☒
HAWKINS	☒	☐		☐	☐

REMARKS:

Please forward comments directly to Jim Jukes, Ext. 53458, Fax 56148, no later than 5:00 pm Thursday, 1-10-02, with copy to Staff Secretary. Thank you.

RESPONSE:

CEA has not
Comment

DE
Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

WHITE HOUSE STAFFING MEMORANDUM

02 JAN 10 PM 12:15

Date: 1-9-02 ACTION / CONCURRENCE / COMMENT DUE BY: 1-10-02, 5:00 PM

Subject: ENROLLED BILL H.R. 3030 - BASIC PILOT EXTENSION ACT OF 2001

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN	☒	☐	JOHNSON	☐	☐
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CONNAUGHTON	☐	☐	MIERS	☐	☒
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FLEISCHER	☒	☐	RIDGE	☒	☐
GERSON	☐	☐	ROVE	☒	☐
GONZALES	☒	☐	SPELLINGS	☒	☐
HAGIN	☐	☐	CLERK	☐	☒
HAWKINS	☒	☐		☐	☐

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GK

RESPONSE:

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

January 9, 2002

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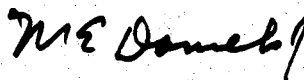
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Mitchell E. Daniels, Jr.
Director

Enclosures

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Letter	[Letter on H.R. 3030] - To: The Honorable Mitchell E. Daniels, Jr. - From: Daniel J. Bryant	1	12/28/2001	P5;

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

01/16/2002 [H.R. 3030]

FRC ID:

782

OA Num.:

733

NARA Num.:

1459

FOIA IDs and Segments:

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Records Not Subject to FOIA

Court Sealed - The document is withheld under a court seal and is not subject to the Freedom of Information Act.

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Letter	[Letter on H.R. 3030] - To: The Honorable Mitchell E. Daniels, Jr. - From: Ann M. Veneman	1	01/02/2002	P5;

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Records Not Subject to FOIA

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WHITE HOUSE STAFFING MEMORANDUM

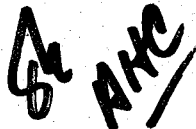
Date: 1-9-02ACTION / CONCURRENCE / COMMENT DUE BY: 1-10-02, 5:00 PMSubject: ENROLLED BILL H.R. 3030 - BASIC PILOT EXTENSION ACT OF 2001

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD 	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN	☒	☐	JOHNSON	☐	☐
CALIO	☒	☐	LINDSEY	☒	☐
CONNAUGHTON	☐	☐	MIERS	☐	☒
DANIELS	☐	☒	RICE	☒	☐
FLEISCHER	☒	☐	RIDGE	☒	☐
GERSON	☐	☐	ROVE	☒	☐
GONZALES	☒	☐	SPELLINGS	☒	☐
HAGIN	☐	☐	CLERK	☐	☒
HAWKINS	☒	☐	_____	☐	☐

REMARKS:

Please forward comments directly to Jim Jukes, Ext. 53458, Fax 56148, no later than 5:00 pm Thursday, 1-10-02, with copy to Staff Secretary. Thank you.

RESPONSE:



Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

January 9, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 3030 - Basic Pilot Extension Act of 2001
Sponsors - Rep. Latham (R) Iowa and 2 cosponsors

Last Day for Action

January 16, 2002 - Wednesday

Purpose

Extends by two years three pilot programs for employment eligibility confirmation: (1) the Basic Pilot Program; (2) the Citizen Attestation Pilot Program; and (3) the Machine-Readable Document Pilot Program.

Agency Recommendations

Office of Management and Budget	Approval
Department of Justice	Approval
Department of Agriculture	Approval
Department of Commerce	No objection (Informally)
Department of Labor	No objection (Informally)
Department of State	No objection (Informally)
Office of Personnel Management	No objection (Informally)
Department of Health and Human Services	Defers to Justice (Informally)
Central Intelligence Agency	No comment (Informally)
Office of the United States Trade Representative	No comment (Informally)
Social Security Administration	No comment (Informally)

Discussion

The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (P.L. 104-208) established three pilot programs to assist participating employers in confirming the eligibility of prospective employees to work in the United States. Participation in all three pilot programs is voluntary and at no cost to employers. P.L. 104-208 specifies that, unless Congress provides otherwise, the Attorney General is required to terminate the pilot programs four years after the first day that they went into effect. The enrolled bill would extend the termination date of each of the programs by two years.

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Letter	[Letter on H.R. 3030] - To: The Honorable Mitchell E. Daniels, Jr. - From: Daniel J. Bryant	1	12/28/2001	P5;

**This marker identifies the original location of the withdrawn item listed above.
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Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

01/16/2002 [H.R. 3030]

FRC ID:

782

FOIA IDs and Segments:

OA Num.:

733

NARA Num.:

1459

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

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SB

WHITE HOUSE STAFFING MEMORANDUM

Date: 1-9-02 ACTION / CONCURRENCE / COMMENT DUE BY: 1-10-02, 5:00 PM

Subject: ENROLLED BILL H.R. 3030 - BASIC PILOT EXTENSION ACT OF 2001

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN	☒	☐	JOHNSON	☐	☐
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GONZALES	☒	☐	SPELLINGS	☒	☐
HAGIN	☐	☐	CLERK	☐	☒
HAWKINS	☒	☐		☐	☐

REMARKS:

Please forward comments directly to Jim Jukes, Ext. 53458, Fax 56148, no later than 5:00 pm Thursday, 1-10-02, with copy to Staff Secretary. Thank you.

1-10
RESPONSE:

Sub 2:30

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

January 9, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 3030 - Basic Pilot Extension Act of 2001
Sponsors - Rep. Latham (R) Iowa and 2 cosponsors

Last Day for Action

January 16, 2002 - Wednesday

Purpose

Extends by two years three pilot programs for employment eligibility confirmation: (1) the Basic Pilot Program; (2) the Citizen Attestation Pilot Program; and (3) the Machine-Readable Document Pilot Program.

Agency Recommendations

Office of Management and Budget	Approval
Department of Justice	Approval
Department of Agriculture	Approval
Department of Commerce	No objection (Informally)
Department of Labor	No objection (Informally)
Department of State	No objection (Informally)
Office of Personnel Management	No objection (Informally)
Department of Health and Human Services	Defers to Justice (Informally)
Central Intelligence Agency	No comment (Informally)
Office of the United States Trade Representative	No comment (Informally)
Social Security Administration	No comment (Informally)

Discussion

The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (P.L. 104-208) established three pilot programs to assist participating employers in confirming the eligibility of prospective employees to work in the United States. Participation in all three pilot programs is voluntary and at no cost to employers. P.L. 104-208 specifies that, unless Congress provides otherwise, the Attorney General is required to terminate the pilot programs four years after the first day that they went into effect. The enrolled bill would extend the termination date of each of the programs by two years.

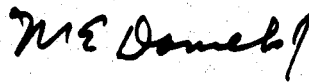
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The Citizen Attestation Pilot Program allows participating employers access to INS databases to electronically verify the employment eligibility of newly hired alien employees. The pilot program is currently available to employers in Arizona, Maryland, Massachusetts, Michigan, and Virginia. The enrolled bill would extend the program from its current expiration in June 2003 through June 2005.

The Machine-Readable Document Pilot Program is nearly identical to the Basic Pilot Program, except that it allows participating employers to use special technology (provided by the INS at no cost to the employer) capable of reading an applicant's relevant information from his or her driver's license in order to verify the information in INS and SSA databases. Currently, the program is only available to employers in Iowa. The enrolled bill would extend the program from its current expiration in May 2003 through May 2005.

Conclusion and Recommendations

We join the Departments of Justice and Agriculture in recommending approval of H.R. 3030, which passed the House by voice vote and the Senate by unanimous consent.



Mitchell E. Daniels, Jr.
Director

Enclosures

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
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SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

01/16/2002 [H.R. 3030]

FRC ID:

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SERIES:

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FOLDER TITLE:

01/16/2002 [H.R. 3030]

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OFFICE OF THE VICE PRESIDENT
WASHINGTON

'02 JAN 10 PM4:14

January 10, 2002

MEMORANDUM FOR JIM JUKES

FROM: JONATHAN BURKS *JB*
DEPUTY STAFF SECRETARY TO THE VICE PRESIDENT

SUBJECT: Enrolled Bill HR 3030 – Basic Pilot Extension Act of
2001

The Office of the Vice President has reviewed the above-referenced draft and has no comments.

cc: Harriet Miers
STAFF SECRETARY

SS/ RM NO. 505310

WHITE HOUSE STAFFING MEMORANDUM

BRAD

Date: 1-9-02 ACTION / CONCURRENCE / COMMENT DUE BY: 1-10-02, 5:00 PM

Subject: ENROLLED BILL H.R. 3030 - BASIC PILOT EXTENSION ACT OF 2001

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
BLAKEMAN	☐	☐	IRASTORZA	☐	☐
BOLTEN	☒	☐	JOHNSON	☐	☐
CALIO	☒	☐	LINDSEY	☒	☐
CONNAUGHTON	☐	☐	MIERS	☐	☒
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GONZALES	☒	☐	SPELLINGS	☒	☐
HAGIN	☐	☐	CLERK	☐	☒
HAWKINS	☒	☐		☐	☐

REMARKS:

Please forward comments directly to Jim Jukes, Ext. 53458, Fax 56148, no later than 5:00 pm Thursday, 1-10-02, with copy to Staff Secretary. Thank you.

RESPONSE:

NO COMMENTS

- BRANSON

x 62318

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

WHITE HOUSE STAFFING MEMORANDUM

Date: 1-9-02 ACTION / CONCURRENCE / COMMENT DUE BY: 1-10-02, 5:00 PM

'02 JAN 10 PM 5:22

Subject: ENROLLED BILL H.R. 3030 - BASIC PILOT EXTENSION ACT OF 2001

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VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
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OK-NEC

RESPONSE:

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THE DIRECTOR

January 9, 2002

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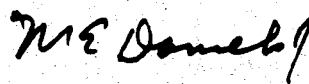
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Conclusion and Recommendations

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Mitchell E. Daniels, Jr.
Director

Enclosures

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COLLECTION:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

01/16/2002 [H.R. 3030]

FRC ID:

782

OA Num.:

733

NARA Num.:

1459

FOIA IDs and Segments:

RESTRICTION CODES

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Records Not Subject to FOIA

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WHITE HOUSE STAFFING MEMORANDUM

Date: 1-9-02 ACTION / CONCURRENCE / COMMENT DUE BY: 1-10-02, 5:00 PMSubject: ENROLLED BILL H.R. 3030 - BASIC PILOT EXTENSION ACT OF 2001

	ACTION	FYI		ACTION	FYI
VICE PRESIDENT	☒	☐	HUBBARD	☒	☐
CARD	☒	☐	HUGHES	☒	☐
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BOLTEN	☒	☐	JOHNSON	☐	☐
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GERSON	☐	☐	ROVE	☒	☐
GONZALES	☒	☐	SPELLINGS	☒	☐
HAGIN	☐	☐	CLERK	☐	☒
HAWKINS	☒	☐		☐	☐

REMARKS:

Please forward comments directly to Jim Jukes, Ext. 53458, Fax 56148, no later than 5:00 pm Thursday, 1-10-02, with copy to Staff Secretary. Thank you.

RESPONSE:

Legislative Affs (General) - [Signature]

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

January 9, 2002

MEMORANDUM FOR THE PRESIDENT

SUBJECT: Enrolled Bill H.R. 3030 - Basic Pilot Extension Act of 2001
Sponsors - Rep. Latham (R) Iowa and 2 cosponsors

Last Day for Action

January 16, 2002 - Wednesday

Purpose

Extends by two years three pilot programs for employment eligibility confirmation: (1) the Basic Pilot Program; (2) the Citizen Attestation Pilot Program; and (3) the Machine-Readable Document Pilot Program.

Agency Recommendations

Office of Management and Budget	Approval
Department of Justice	Approval
Department of Agriculture	Approval
Department of Commerce	No objection (Informally)
Department of Labor	No objection (Informally)
Department of State	No objection (Informally)
Office of Personnel Management	No objection (Informally)
Department of Health and Human Services	Defers to Justice (Informally)
Central Intelligence Agency	No comment (Informally)
Office of the United States Trade Representative	No comment (Informally)
Social Security Administration	No comment (Informally)

Discussion

The Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (P.L. 104-208) established three pilot programs to assist participating employers in confirming the eligibility of prospective employees to work in the United States. Participation in all three pilot programs is voluntary and at no cost to employers. P.L. 104-208 specifies that, unless Congress provides otherwise, the Attorney General is required to terminate the pilot programs four years after the first day that they went into effect. The enrolled bill would extend the termination date of each of the programs by two years.

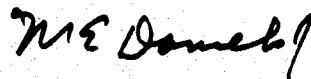
The Basic Pilot Program authorizes participating employers to access Immigration and Naturalization Service (INS) and Social Security Administration (SSA) databases to electronically verify the employment eligibility of all newly hired employees, regardless of citizenship status. The agencies give participating employers the software and training needed to access the databases. The pilot program is currently available to employers in California, Florida, Illinois, Nebraska, New York, and Texas. Approximately 1,758 employers are participating in this program. The Basic Pilot Program went into effect on November 30, 1997, and thus expired on November 30, 2001. The enrolled bill would retroactively extend the program until November 30, 2003.

The Citizen Attestation Pilot Program allows participating employers access to INS databases to electronically verify the employment eligibility of newly hired alien employees. The pilot program is currently available to employers in Arizona, Maryland, Massachusetts, Michigan, and Virginia. The enrolled bill would extend the program from its current expiration in June 2003 through June 2005.

The Machine-Readable Document Pilot Program is nearly identical to the Basic Pilot Program, except that it allows participating employers to use special technology (provided by the INS at no cost to the employer) capable of reading an applicant's relevant information from his or her driver's license in order to verify the information in INS and SSA databases. Currently, the program is only available to employers in Iowa. The enrolled bill would extend the program from its current expiration in May 2003 through May 2005.

Conclusion and Recommendations

We join the Departments of Justice and Agriculture in recommending approval of H.R. 3030, which passed the House by voice vote and the Senate by unanimous consent.



Mitchell E. Daniels, Jr.
Director

Enclosures

Withdrawal Marker

The George W. Bush Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Letter	[Letter on H.R. 3030] - To: The Honorable Mitchell E. Daniels, Jr. - From: Daniel J. Bryant	1	12/28/2001	P5;

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COLLECTION:

Executive Clerk, Office Of the

SERIES:

Saunders, G. Timothy (Tim) - Bill Files

FOLDER TITLE:

01/16/2002 [H.R. 3030]

FRC ID:

782

OA Num.:

733

NARA Num.:

1459

FOIA IDs and Segments:

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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

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Records Not Subject to FOIA

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FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
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SS/ RM NO. 505310

WHITE HOUSE STAFFING MEMORANDUM

02 JAN 10 PM 5:14

Date: 1-9-02 ACTION / CONCURRENCE / COMMENT DUE BY: 1-10-02, 5:00 PMSubject: ENROLLED BILL H.R. 3030 - BASIC PILOT EXTENSION ACT OF 2001

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GONZALES	☒	☐	SPELLINGS	☒	☐
HAGIN	☐	☐	CLERK	☐	☒
HAWKINS	☒	☐		☐	☐

REMARKS:

Please forward comments directly to Jim Jukes, Ext. 53458, Fax 56148, no later than 5:00 pm Thursday, 1-10-02, with copy to Staff Secretary. Thank you.

RESPONSE:

No comment

CJB
1/10/02

Harriet E. Miers
Assistant to the President
and Staff Secretary
Ext. 62702

WHITE HOUSE STAFFING MEMORANDUM

02 JAN 14 PM 5:40

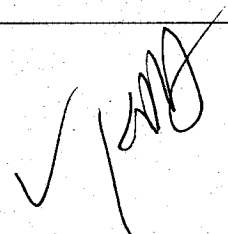
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RESPONSE:



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EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

January 9, 2002

MEMORANDUM FOR THE PRESIDENT

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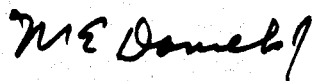
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One Hundred Seventh Congress
of the
United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Wednesday,
the third day of January, two thousand and one*

An Act

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

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Basic Pilot Extension Act of 2001".

SEC. 2. EXTENSION OF PROGRAMS.

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

SEC. 3. EFFECTIVE DATE.

The amendment made by this Act shall take effect on the date of the enactment of this Act.

Wayne T. Gilchrest

Speaker of the House of Representatives pro tempore.

Robert C. Byrd

Vice President of the United States and

President of the Senate.

Pro Tempore.

APPROVED
JAN 1. 6 2002

John R. ...

JAN 14 2002