

PUBLIC LAW 108-156—DEC. 3, 2003

BASIC PILOT PROGRAM EXTENSION AND
EXPANSION ACT OF 2003

Public Law 108–156
108th Congress

An Act

Dec. 3, 2003
[S. 1685]

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

Basic Pilot
Program
Extension and
Expansion Act of
2003.
8 USC 1101 note.

*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 Program Extension
and Expansion Act of 2003”.

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 “6-year period” and inserting “11-year period”.

SEC. 3. EXPANSION OF THE BASIC PILOT PROGRAM.

Deadline.

(a) **IN GENERAL.**—Section 401(c)(1) of the Illegal Immigration
Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a
note) is amended by inserting after “United States” the following:
“, and the Secretary of Homeland Security shall expand the oper-
ation of the program to all 50 States not later than December
1, 2004”.

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

(1) by striking “The” and inserting:

“(a) **IN GENERAL.**—The”, and

(2) by adding at the end the following new subsection:

Deadline.

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

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

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

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

(1) in paragraph (2)(B), by striking “or entity elect-
ing—” and all that follows through “(ii) the citizen attestation

pilot program” and inserting “or entity electing the citizen attestation pilot program”;

(2) by striking paragraph (3); and

(3) by redesignating paragraph (4) as paragraph (3).

(d) **ADDITIONAL TECHNICAL AND CONFORMING AMENDMENTS.**— 8 USC 1360 note.
Title IV of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is amended by striking “Attorney General” each place that term appears and inserting “Secretary of Homeland Security”.

SEC. 4. PILOT IMMIGRATION PROGRAM.

(a) **PROCESSING PRIORITY UNDER PILOT IMMIGRATION PROGRAM FOR REGIONAL CENTERS TO PROMOTE ECONOMIC GROWTH.**—Section 610 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note) is amended—

(1) by striking “Attorney General” each place such term appears and inserting “Secretary of Homeland Security”; and

(2) by adding at the end the following:

“(d) In processing petitions under section 204(a)(1)(H) of the Immigration and Nationality Act (8 U.S.C. 1154(a)(1)(H)) for classification under section 203(b)(5) of such Act (8 U.S.C. 1153(b)(5)), the Secretary of Homeland Security may give priority to petitions filed by aliens seeking admission under the pilot program described in this section. Notwithstanding section 203(e) of such Act (8 U.S.C. 1153(e)), immigrant visas made available under such section 203(b)(5) may be issued to such aliens in an order that takes into account any priority accorded under the preceding sentence.”.

(b) **EXTENSION.**—Section 610(b) of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note) is amended by striking “10 years” and inserting “15 years”.

SEC. 5. GAO STUDY.

8 USC 1153 note.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the General Accounting Office shall report to Congress on the immigrant investor program created under section 203(b)(5) of the Immigration and Nationality Act (8 U.S.C. 1153(b)(5)).

Deadline.
Reports.

(b) **CONTENTS.**—The report described in subsection (a) shall include information regarding—

(1) the number of immigrant investors that have received visas under the immigrant investor program in each year since the inception of the program;

(2) the country of origin of the immigrant investors;

(3) the localities where the immigrant investors are settling and whether those investors generally remain in the localities where they initially settle;

(4) the number of immigrant investors that have sought to become citizens of the United States;

(5) the types of commercial enterprises that the immigrant investors have established; and

(6) the types and number of jobs created by the immigrant investors.

Approved December 3, 2003.

LEGISLATIVE HISTORY—S. 1685 (H.R. 2359):

HOUSE REPORTS: No. 108–304, Pts. 1 and 2 accompanying H.R. 2359 (Comm. on the Judiciary).

CONGRESSIONAL RECORD, Vol. 149 (2003):

Nov. 12, considered and passed Senate.

Nov. 19, considered and passed House.

