

Amendment #3
Failed 10-13

AMENDMENT TO H.R. 1147
OFFERED BY MR. CONYERS

In section 2 in the 8th sentence of the proposed subsection (b)(1)(C)(ii)(II), strike “individual” and insert “individual, or take other adverse employment action against the individual,”.

In section 2 in the proposed subsection (b)(1)(C)(ii)(II), add at the end the following: “The failure of a person or other entity to comply with the requirements of this subclause with respect to an individual shall be deemed to constitute a violation of subsection (a)(1)(A) just not sure what the implication with respect to that individual.”.

In section 2 in the proposed subsection (b)(1)(E), strike the last sentence of clause (i)(II) and amend clause (ii) to read as follows:

1 “(ii) CONSEQUENCE OF UNAUTHOR-
2 IZED USE OF SYSTEM.—Use of the
3 verification system prior to the verification
4 period described in clause (i) with respect
5 to an individual shall be deemed to con-

1 stitute a violation of subsection (a)(1)(A)
2 with respect to that individual.”.

 In section 2 in the proposed subsection (b)(3)(C),
strike “system.” and insert the following: “system. A fail-
ure to comply with the preceding sentence with respect
to an individual shall be deemed to constitute a violation
of subsection (a)(1)(A) with respect to that individual.”.

 Insert the following after section 8 (and redesignate
provisions accordingly):

3 **SEC. 9. UNFAIR IMMIGRATION-RELATED EMPLOYMENT**
4 **PRACTICES.**

5 Section 274B(a) of the Immigration and Nationality
6 Act (8 U.S.C. 1324b(a)) is amended by adding at the end
7 the following :

8 “(7) MISUSE OF VERIFICATION SYSTEM.—It is
9 an unfair immigration-related employment practice
10 for a person or other entity to intentionally—

11 “(A) fail to notify an individual of the re-
12 ceipt of a tentative nonverification of an indi-
13 vidual’s identity or work eligibility, as required
14 by section 274A(b)(1)(C)(ii)(II);

15 “(B) take an adverse employment action
16 (including rescinding an offer of employment,
17 terminating employment, or withholding com-

1 pensation or benefits) against an individual due
2 to receipt of a tentative nonverification of an in-
3 dividual's identity or work eligibility;

4 “(C) require an individual to make an in-
5 quiry utilizing self-verification procedures as a
6 condition of hire or continued employment;

7 “(D) utilize the verification system prior to
8 the verification period described in section
9 274A(b)(1)(F) with respect to an individual; or

10 “(E) voluntarily verify an individual em-
11 ployed by the employer without verifying all in-
12 dividuals employed at the same geographic loca-
13 tion, or, at the option of the employer, all indi-
14 viduals employed within the same job category
15 as the individual with respect to whom the em-
16 ployer seeks voluntarily to use the verification
17 system.”.

