AMENDMENT NO._____          Calendar No._____

Purpose: To enhance the accuracy of the E–Verify System.

**IN THE SENATE OF THE UNITED STATES—113th Cong., 1st Sess.**

# S. 744

To provide for comprehensive immigration reform and for
other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENTS intended to be proposed by Mr. FRANKEN

Viz:

1     On page 473, line 14, insert after "theft," the fol-

2  lowing: "to protect privacy and assess System accuracy,".


3     On page 476, between lines 18, and 19, insert the

4  following:

5              "(iii) ACCURACY AUDITS.—

6                   "(I) IN GENERAL.—Not later

7                   than November 30 each year, the In-

8                   spector General of the Department of

9                   Homeland Security shall submit to

10                  the Secretary, with a copy to the

11                  Speaker of the House of Representa-

12                  tives and the President of the Senate,

1    a report setting forth the error rate of

2    the System for the previous fiscal year

3    and the assessments required to be

4    submitted by the Secretary under sub-

5    paragraphs (A) and (B) of paragraph

6    (10). The report shall describe in de-

7    tail the methodology employed for

8    purposes of the report, and shall make

9    recommendations for how error rates

10   may be reduced.

11       "(II) ERROR RATE DEFINED.—In

12   this clause, the term 'error rate'

13   means the percentage determined by

14   dividing—

15           "(aa) the number of employ-

16       ment authorized individuals who

17       received further action notices,

18       contested such notices, and were

19       subsequently found to be employ-

20       ment authorized; by

21           "(bb) the number of System

22       inquiries submitted for employ-

23       ment authorized individuals.

24       "(III) REDUCTION OF PENALTIES

25   FOR        RECORDKEEPING        OR

1       VERIFICATION PRACTICES FOLLOWING

2       PERSISTENT     SYSTEM     INACCURA-

3       CIES.—Notwithstanding        subsection

4       (e)(4)(C)(i), in any calendar year fol-

5       lowing a report by the Inspector Gen-

6       eral under subclause (I) that the Sys-

7       tem had an error rate higher than

8       0.26 percent for the previous fiscal

9       year, the civil penalty assessable by

10      the Secretary or an administrative law

11      judge under that subsection for each

12      first-time violation by an employer

13      who has not previously been penalized

14      under this section may not exceed

15      $1,000.

16      On page 476, line 19, strike ''(iii)'' and insert ''(iv)''.

17      On page 477, line 13, strike ''(iv)'' and insert ''(v)''.

18      On page 477, line 15, strike ''(iii)'' and insert ''(iv)''.

19      On page 478, line 6, strike ''(v)'' and insert ''(vi)''.

1    On page 485, line 24, insert after "An assessment"
2  the following: ", as submitted to the Secretary by the In-
3  spector General of the Department of Homeland Security
4  pursuant to paragraph (8)(C)(iii)(I),".


5    On page 486, line 4, insert after "An assessment"
6  the following: ", as submitted to the Secretary by the In-
7  spector General of the Department of Homeland Security
8  pursuant to paragraph (8)(C)(iii)(I),".