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News and Legislation Relating to Employment and Background Checks

News and Federal Legislation:

Background Checks

- On October 20th, Sen. Amy Klobuchar (D-MN) introduced a bill (S. 1744), which would direct the Department of Justice (DOJ) to establish a pilot program for the performance of criminal history background checks on persons appointed by state courts as guardians or conservators. The bill would require participating states to inform such potential guardians or conservators as well as collect those individuals' fingerprints to run the checks. Under the bill, any information obtained from such a check could only be used to determine the fitness of the individual for appointment as a guardian or conservator.
(<http://www.gpo.gov/fdsys/pkg/BILLS-112s1744is/pdf/BILLS-112s1744is.pdf>)
- On October 20th, Sen. Al Franken (D-MN) introduced a bill (S. 1750), which would require the Department of Health and Human Services (HHS) and the states to establish quality assurance standards for home and community healthcare providers, including employee background checks.
(<http://www.gpo.gov/fdsys/pkg/BILLS-112s1750is/pdf/BILLS-112s1750is.pdf>)
- On October 7th, the Internal Revenue Service (IRS) held a hearing on a proposal to require certified tax preparers to undergo a fingerprint-based FBI criminal history background check. Testifying on behalf of the National Society of Tax Professionals, Keith Huebel questioned whether the collection of fingerprints from all certified tax preparers was "overreaching and unnecessary." Christine Cunneen testified on behalf of the National Association of Professional Background Screeners that such checks could be performed more efficiently by the private sector.
(<http://www.irs.gov/pub/irs-utl/reg-116284-11.pdf>)

Employment

- On October 12th, Rep. Paul Broun (R-GA) introduced a bill (H.R. 3160), which would make permanent the federal government's E-Verify pilot program. Broun's bill would also allow employers to use E-Verify to check the work authorization of currently employed persons in addition to applicants for new employment. The bill also establishes a penalty of \$200-\$2,000 for employers who knowingly accept false documentation for employment purposes.
(<http://www.gpo.gov/fdsys/pkg/BILLS-112hr3160ih/pdf/BILLS-112hr3160ih.pdf>)