

Federal Contractors Will Be Required To Use E-Verify.

Dear Readers:

There are new Federal Regulations that mandate the use of the E-Verify System for Federal Government Contractors starting on January 15th, 2009. If you should have any questions with regard to your organization's E-Verify obligations, please feel free to contact us at info@visaserve.com.

- **E-Verify Shall Be Mandatory for Federal Contractors.**

Effective January 15th, 2009, all Federal Contractors must enroll in E-Verify if and when they are awarded a federal contract or subcontract that requires participation in E-Verify as a term of the contract.

On June 6th, 2008, the President issued Executive Order 13465 "Economy and Efficiency in Government Procurement through Compliance with Certain Immigration and Nationality Act Provisions and the Use of an Electronic Employment Eligibility Verification System," providing that "Executive Departments and Agencies that enter into contracts shall require, as a condition of each contract, that the contractor agree to use an electronic employment eligibility verification system designated by the Secretary of the Department of Homeland Security ("DHS") to verify the employment of: (i) all persons hired during the contract term by the contractor to perform employment duties within the United States; and (ii) all persons assigned by the contractor to perform work within the United States on the federal contract." The Federal Acquisition Regulation ("FAR") was amended to require federal contractors to use E-Verify, which is the system designated to implement the Executive Order.

For those who are not aware, E-Verify is an internet-based system operated by the Department of Homeland Security ("DHS"), U.S. Citizenship and Immigration Services ("CIS") that allows employers to verify the employment eligibility of their employees, regardless of citizenship. Based upon the information provided by the employee on his or her Form I-9, E-Verify verifies this information electronically against records contained in DHS and Social Security Administration ("SSA") databases.

If you wish to enroll in E-Verify before the effective date of this rule you may certainly do so. Enrolling in the system early may help you become familiar with the program and help you to make it easier to use E-Verify if and when your organization is awarded a federal contract. Currently, verification of employees through E-Verify is limited to new hires only. However, as a federal contractor who has been awarded a contract on or after January 15th, 2009, there is an obligation to verify all "present" employees at the organization working on the federal contract or all of "present" employees of the organization.

If your organization has already enrolled in E-Verify and if your organization is awarded a federal contract after January 15th, 2009, then you will need to update your company profile through the "Maintain Company" page once the contract has been awarded. Once your organization is designated as a federal contractor then all of the E-Verify users at your company will need to complete a federal contractor

tutorial that explains the new policies and features that are unique to federal contractors.

[To Read the Frequently Asked Questions Posted on CIS' Website, Click Here](#)

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