

FEDERAL CONTRACTORS REQUIRED TO USE E-VERIFY

On November 14, the federal government announced amendments to the Federal Acquisition Regulation (FAR) requiring federal contractors to use the online employment eligibility verification tool, E-Verify. The amendments become effective on January 15, 2009.

After January 15, 2009 federal contracts worth at least \$100,000 will contain a clause committing federal government contractors to the E-Verify System to verify that all new hires and all employees – existing and new – directly performing work under the federal contract are authorized to work in the United States. The same clause is also required for subcontracts over \$3,000. Additionally, the new regulation allows federal contractors to E-Verify all existing employees, regardless of whether or not they work on the federal contract. This signifies a major change to existing E-Verify law.

E-Verify is an online system that compares databases maintained by the Department of Homeland Security and the Social Security Administration with information presented by the employer regarding the employee. If the employee's information does not match either database, the employee must go to the local agency office to remedy the discrepancy or face termination of employment.

The new E-Verify regulation will signify a major change in the way federal contractors operate. Also, many experts predict that mandatory use of E-Verify will be required in the future for all employers.

If you are a federal contractor, an existing E-Verify user, or just contemplating using E-Verify, plan to attend MSEC's briefing session, "E-Verify for Everyone – volunteers, federal contractors, and players to be named later," on January 12, 2009 in Denver. For more information or to register call 303.894.6732 or visit www.msec.org.