



DEPARTMENT OF DEFENSE
CIVILIAN PERSONNEL MANAGEMENT SERVICE
1400 KEY BOULEVARD
ARLINGTON, VA 22209-5144

JAN 22 2008

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Implementation of the Employment Eligibility Verification (E-Verify)
Program

As part of the Form I-9 employment eligibility verification process, the Office of Management and Budget (OMB) has mandated that all Federal departments and agencies begin using E-Verify for all new hires (Attachment 1). The E-Verify program is an automated tool operated by the U.S. Citizenship and Immigration Service (USCIS) and the Social Security Administration (SSA) that allows employers to quickly confirm identity and employment eligibility information provided on the I-9 form (e.g., name, date of birth, social security number, citizenship or permanent residency) as required by immigration law.

In accordance with OMB's memo, all Human Resource (HR) offices responsible for completing the Form I-9 for new hires must begin using E-Verify. HR Offices should register on-line to use E-Verify at: <https://www.vis-dhs.com/employerregistration>. The registration process allows for multiple users to be added to each account; therefore, offices that will have multiple users need only register once. As part of the registration process, HR offices will also need to accept the electronic Memorandum of Understanding that sets forth the responsibilities of SSA, USCIS, and the HR Office. This MOU has been reviewed and approved by the DoD Office of General Counsel.

Completion of the I-9 and the E-Verify process must be accomplished within USCIS designated timeframes. Further guidance, including frequently asked questions, may be found on the USCIS website at www.dhs.gov/ximgtn/programs and in the USCIS Handbook for Employers, M-274 (<http://www.uscis.gov/files/nativedocuments/m-274.pdf>).

Offices should note that the Form I-9 was recently revised. The most recent version is dated June 5, 2007 (Attachment 2). Prior versions may no longer be used since the list of acceptable documents for evidence of identity and employment eligibility has been modified.

Please remember that it is unlawful to discriminate against individuals on the basis of national origin or citizenship. Offices may not request new hires produce a particular document or more documents than are required, reject documents that reasonably appear to be genuine, or use the Form I-9 or E-Verify program to pre-screen candidates for

employment. Additionally, E-Verify may not be used to check the eligibility status of employees hired before the HR Office registered to use E-Verify.

Your assistance in this new initiative is appreciated. Use of E-Verify, along with the Form I-9, will help maintain a legal workforce. Please ensure this information is distributed immediately to all HR Offices in your Component or Agency. If you have any questions on this matter, please contact Ms. Georgina Boyce on (703) 696-6301, ext. 616 or DSN 426-6301, ext. 616 or via email at georgina.boyce@cpms.osd.mil.



Brad Bunn
Director

Attachments:
As stated

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EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

August 10, 2007

M-07-21

MEMORANDUM FOR THE HEADS OF DEPARTMENTS AND AGENCIES

FROM: Stephen S. McMillin
Acting Director

A handwritten signature in black ink, appearing to read "Stephen S. McMillin".

SUBJECT: Verifying the Employment Eligibility of Federal Employees

The ability to verify the employment eligibility of our nation's workforce is key to enforcing our immigration laws. An existing program operated by U.S. Citizenship and Immigration Services (USCIS), a component of the Department of Homeland Security (DHS), in coordination with the Social Security Administration, provides U.S. employers with a tool to confirm the employment eligibility of their workers.

The Employment Eligibility Verification Program (E-Verify), previously known as the Basic Pilot Program, allows U.S. employers to verify name, DOB, and SSN, along with immigration information for non-citizens, against Federal databases in order to verify the employment eligibility of both citizen and non-citizen new hires. Along with helping U.S. employers maintain a legal workforce and protect jobs for authorized U.S. workers, use of E-Verify also improves the accuracy of wage and tax reporting.

In this area, the Federal government has an opportunity to lead by example. Therefore, by October 1, 2007, all Federal departments and agencies shall begin verifying their new hires through E-Verify. This process complements your existing implementation plans in support of Homeland Security Presidential Directive 12. To ensure timely implementation of this requirement, agencies should provide a point of contact to Gerri Ratliff, USCIS Verification Division, at gerri.ratliff@dhs.gov by August 24, 2007. Additional implementation guidance for the E-Verify requirements will be provided as necessary following this memorandum.

Additionally, agencies should encourage their existing and future contractors to use E-Verify. Attached is a copy of a letter that DHS recently sent to its major contractors encouraging their use of E-Verify and emphasizing its ability to help contractors comply with immigration law. We are working with DHS and the Federal Acquisition Regulatory Council on appropriate government-wide regulatory coverage.

Attachment

August 10, 2007

Dear DHS Vendor:

The mission of the Department of Homeland Security (DHS) is to preserve our freedoms, protect America, and secure the homeland. Inherent in that mission is the duty to enforce our immigration and customs laws and ensure a legal and authorized workforce in the United States.

DHS is dedicated to enforcing federal immigration and customs laws. In that regard, the United States Citizenship and Immigration Services (USCIS) and the Social Security Administration (SSA) have developed and are currently operating a joint program previously known as the Employment Eligibility Verification (EEV) program which has been renamed E-Verify. E-Verify is a free program that allows employers electronically to verify the employment eligibility of all newly hired employees—both U.S. citizens and non-citizens.

E-Verify greatly limits subjectivity otherwise required in employer review during the Form I-9 process, virtually eliminates Social Security mismatch letters, improves the accuracy of wage and tax reporting, protects jobs for authorized U.S. workers, and helps U.S. employers maintain a legal workforce. Through the use of the E-Verify program, employers will better ensure the legality of their workforce and face a lower risk of a worksite audit by Immigration and Customs Enforcement (ICE).

In fiscal year 2006, ICE has expanded its efforts to identify employers who are non-compliant with immigration laws. ICE has concluded many criminal investigations that have resulted in 716 criminal arrests and the arrest of 3,667 aliens working in this country illegally. Many of those arrested were charged with illegally employing unauthorized workers. Penalties for these violations include prison sentences, forfeiture of assets and civil fines.

DHS would like to invite employers to participate in the E-Verify program. Employers can register on-line at <https://www.vis-dhs.com/employerregistration/>, which provides instructions for completing the Memorandum of Understanding (MOU) required for official registration for the program. If you would like additional information about the program, please visit the E-Verify website at www.dhs.gov/E-Verify, or call the E-Verify program at 1-888-464-4218.

Additionally we understand that the Office of Management and Budget has initiated action to change the Federal Acquisition Regulation to address the use of E-Verify by Federal Contractors. In the interim, the E-Verify Program can help you comply with the law and help us protect America!

Sincerely,

Paul A. Schneider
Under Secretary for Management
