

Immigration Alert: Executive Order Mandates Federal Contractors to Confirm Employment Eligibility of Their Workforce

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This past week the White House released Executive Order 12989, which will require businesses entering into a contract with an agency or department of the federal executive branch to electronically verify the employment authorization of their employees using an electronic program designated by the Department of Homeland Security, currently known as E-Verify. The order requires government contractors to confirm the employment authorization of all individuals hired during the contract term for work conducted within the United States, and all employees assigned to work within the United States on the federal contract. The executive order does not specify when the electronic verification requirement will take effect.

E-Verify is an electronic system administered by the Department of Homeland Security (DHS) with the Social Security Administration for the verification of employment authorization. E-Verify provides access to federal databases to help employers determine employment eligibility of new hires and the validity of their Social Security numbers. While the executive order does not specify that federal contractors will be required to use the E-Verify system, since E-Verify is currently used and promoted by DHS, it is likely that this is the system that will be mandated. For more information on E-Verify, watch a video podcast of Mintz Levin's May 21, 2008 webinar on E-Verify, available [here](#).

We will update our clients with further developments regarding this executive order.

If you would like more information on any immigration matter, please contact your immigration attorney at Mintz Levin or visit www.mintz.com.

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