

CLIENT ALERT: Mandatory Electronic Employee Verification For Government Contractors Delayed to September 8, 2009

President Obama's administration has delayed the implementation of an executive order and a related procurement law that requires federal contractors and subcontractors to use "E-Verify," the electronic verification system designated by the Secretary of Homeland Security to verify the employment eligibility. The effective date of the final rule requiring federal government contractors and subcontractors to use "E-Verify" has been delayed from June 30, 2009, to September 8, 2009. The program would apply to all new hires and existing employees assigned to perform work on federal contracts. All employers, including federal contractors and subcontractors, may choose to voluntarily enroll in E-Verify at any time without waiting for the effective date.

This postponement is the fourth delay in implementing the rule. This delay coincides with a lawsuit filed by business groups seeking to postpone implementation. Further delays may occur and you should contact your attorney for the most up-to-date information.

For more information on the E-Verify program, please see [MBJ's Client Alert entitled, "Electronic Employee Verification and Revised Form I-9 Deadlines Delayed" dated March 16, 2009](#), or contact your MBJ attorney.

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