



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

January 15, 2025

MEMORANDUM FOR CHIEF ACQUISITION OFFICERS
SENIOR PROCUREMENT EXECUTIVES

FROM: Christine Harada
Senior Advisor, Office of Federal Procurement Policy,
Performing by Delegation the Duties of the Administrator
for Federal Procurement Policy
Office of Management and Budget

SUBJECT: Increasing Management Attention on E-Verify Contract Requirements

The purpose of this memorandum is to remind the acquisition workforce of the importance of ensuring covered federal contractors are meeting their contractual obligation to use the Employment Eligibility Verification (“E-Verify”) Program to confirm that their employees are eligible to work in the United States. E-Verify compares information entered by an employer from an employee’s Form I-9, Employment Eligibility Verification, to records available to the Department of Homeland Security (DHS) and the Social Security Administration to confirm employment eligibility. Contractors covered by the E-Verify clause in the Federal Acquisition Regulation (FAR) must enroll in E-Verify within 30 calendar days after contract award and begin using E-Verify within 90 calendar days of date of enrollment.¹

The proper inclusion of the E-Verify clause in federal contracts is key to holding contractors accountable for using E-Verify. In addition, the accurate and timely reporting of the clause in the Federal Procurement Data System (FPDS) is an important component for enabling the U.S. Citizenship and Immigration Service (USCIS), which manages the E-Verify Program, to perform a data crosswalk to identify where covered contractors may not have taken steps to enroll and use the system in accordance with the contract clause.

Accordingly, Chief Acquisition Officers (CAOs) and Senior Procurement Executives are strongly encouraged to take the following steps to support improved enrollment and use of E-Verify. These steps are designed to help address recommendations made by the Government Accountability Office in its review of the E-Verify Program:²

¹ E-Verify contractual requirements are covered by FAR clause 52.222-54. The clause is required in most contracts with a value of \$150,000 or more, except those for a period of performance less than 120 days, contracts for commercial-off-the-shelf (COTS) products, and commercial services that part of the purchase of a COTS item.

² See [Agencies Can Better Monitor E-Verify Compliance](#), GAO-24-106219 (October 3, 2023).

1. Ask contracting officers and contract specialists to review [training materials](#) prepared by the Procurement Committee for E-Government, a subcommittee of the Chief Acquisition Officers Council, to remind contracting offices when the E-Verify clause is required and how to report the clause's inclusion into FPDS.³
2. Alert contracting officers and other members of the acquisition workforce that the accuracy of the E-Verify clause data field will become part of the annual verification and validation process, beginning with the 2025-2026 data validation cycle.⁴
3. Continually educate the federal supplier base about E-Verify. At a minimum:
 - advocate E-Verify requirements at vendor engagements, small business events, and pre-solicitation conferences; and
 - highlight the contractor's responsibility to register and use E-Verify during the contract kickoff meeting, while the contractor is still within the compliance deadlines laid out in the contract clause; as part of the kickoff meeting, remind them of the recently released E-Verify+ service that combines the Form I-9 and E-Verify into a single, seamless process, so that employers may meet their obligations with less time and effort.⁵

Please share this memorandum broadly with all members of the workforce responsible for contracts that may include the E-Verify clause. OFPP and DHS will continue to work closely together, along with other federal agencies, to collectively strengthen monitoring of contractor enrollment in and use of E-Verify. For questions related to this memo please submit inquiries to MBX.OMB.OFPPv2@OMB.eop.gov.

³ Training materials are available at <https://www.acquisition.gov/datainitiatives> under the Guidance and Information Section.

⁴ FAR 4.604 and OFPP guidance provide instructions where the CAO annually validates and certifies on FPDS data completion and accuracy.

⁵ Questions from agencies or their contractors regarding E-Verify + may be sent to E-VerifyPlus@uscis.dhs.gov or directed to the E-Verify+ Hotline Number at 1-800-738-9019.