

Changes to the E-Verify Program
Memorandum of Understanding (MOU)

- (1) Article I – deletes Social Security Administration (SSA) as a party to the memorandum and adds general language regarding application of the MOU to Federal contractors.
- (2) Article II (A-B) – removes wage reporting to the SSA and clarifies language regarding providing means of verification.
- (3) Article II (C. 1.) – Clarifies posting requirements as being available to all employees who are to be verified through the system.
- (4) Article II (C. 3-4) – Includes requirements for employers to become familiar with the “most recent version” of the E-Verify manual and requirements for Federal contractors to take the E-Verify tutorials.
- (5) Article II (C. 6.) – Includes language regarding non-discrimination. Updates civil money penalty amounts.
- (6) Article II (C. 8.) – Includes reference to Federal contractor rules.
- (7) Article II (C. 10-11) – Expands description of adverse actions to actions during a case in continuance and certain actions. Includes an updated telephone number for DOJ/OSC.
- (8) Article II (C. 15) – Rewording of prior clause requiring employers to cooperate with DHS “upon reasonable notice” in interviews and document reviews. Decreases burden from prior language.
- (9) Article II (D) – Rewritten to explain expanded time frames for compliance and exclusions to include employees with security clearances and HSPD-12 credentials, institutions of higher education, state, local and tribal governments and sureties operating under takeover agreements. Permits employers to verify all employees of the contractor under certain circumstances. Permits use of a previously completed I-9 Form to verify employees in certain circumstances.
- (10) Article V (C) – adds a statement that DHS and SSA have entered into a separate agreement.