

Report Summary

Social Security Administration Office of the Inspector General

March 2012



Objective

To determine whether the Social Security Administration's (SSA) contractors were complying with the requirement to verify employment eligibility of their employees through the E-Verify program.

Background

E-Verify is an Internet-based system operated by the Department of Homeland Security (DHS) with SSA's support. It allows participating employers to verify employment authorization of their employees. As of September 8, 2009, all Federal agencies, when applicable, are to include the Federal Acquisition Regulation E Verify clause. The E-Verify clause requires that Federal contractors register and use E-Verify to verify that new hires and all new or existing employees directly performing work under a qualifying Federal contract are authorized to work in the United States.

To view the full report, visit <http://oig.ssa.gov/audits-and-investigations/audit-reports/A-03-11-11111>

Use of the E-Verify Program by the Social Security Administration's Contractors (A-03-11-11111)

Our Findings

Our review found SSA did not insert the E-Verify clause into 18 percent of the contracts reviewed.

Specifically, of the 50 sample contracts reviewed,

- 7 (14 percent) included the clause, but 6 of the contractors had not registered for E-Verify, as required;
- 9 (18 percent) did not include the clause; and
- 34 (68 percent) did not require the clause because either the contracts were awarded before the effective date of the final rule and the remaining period of performance was not substantial or the contract was determined to be a commercially available off-the-shelf purchase.

Of the 16 contracts that should, or did, have the E-Verify clause, 6 contractors did not use E-Verify to confirm the employment eligibility of 107 employees who worked on the contracts and 1,047 new employees hired in 2010. Thirteen of the new hires would have received an SSA Tentative Nonconfirmation response or been referred to DHS had the contractors used E-Verify.

Our Recommendations

1. Modify the janitorial service contract to include the E-Verify clause and determine whether the remaining 72 contracts require the E-Verify clause.
2. Issue reminders to contracting officers about the requirements for inserting the E Verify clause into qualifying contracts
3. As part of contract administration, review DHS' Federal contractors list to confirm whether contractors are registered for the E-Verify Program.

SSA agreed with the recommendations.