



United States  
Department of  
Agriculture

June 24, 2008

Marketing and  
Regulatory  
Programs

Agricultural  
Marketing  
Service

Washington, DC  
20250

## NOTICE TO THE TRADE

### PROPOSED RULEMAKING THAT WILL REQUIRE THE USE OF E-VERIFY FOR ALL CONTRACTORS AND SUPPLIERS OF FRUITS AND VEGETABLES

On June 6, 2008, the President issued an Executive Order announcing that Federal “departments and agencies that enter into contracts shall require, as a condition of each contract, that the contractor agree to use an electronic employment eligibility verification system designated by the Secretary of Homeland Security to verify the employment eligibility of: (i) all persons hired during the contract term by the contractor to perform employment duties within the United States; and (ii) all persons assigned by the contractor to perform work within the United States on the Federal contract.”

Details of this new requirement are currently within a proposed rule that was jointly developed by the Department of Defense, General Services Administration, and the National Aeronautics and Space Administration. The proposed rule will amend the Federal Acquisition Regulations (FAR), and can be found at the following website:

<http://www.regulations.gov/fdmspublic/component/main?main=DocumentDetail&o=0900006480620ee8>.

The link above also provides a 60-day public comment period, which ends on August 11, 2008. **As Federal Government contractors for fruit and vegetable products, we want you to be aware of this rule and have the opportunity to provide comments.** All comments should be sent according to the instructions in the link above, and not through our office.

Additionally, below is a link to the U.S. Citizenship and Immigration Services website that provides Frequently Asked Questions (FAQs) regarding the verification system and the proposed rule:

<http://www.uscis.gov/portal/site/uscis/menuitem.5af9bb95919f35e66f614176543f6d1a/?vgnextoid=00ccb85299d6a110VgnVCM1000004718190aRCRD&vgnnextchannel=75bce2e261405110VgnVCM1000004718190aRCRD>

**NOTICE TO THE TRADE**

**Page 2**

Should the FAR be amended to include this new provision, we will notify contractors of the implementation date for the purchase of fruits, vegetables, and specialty crops.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dave Tuckwiller', with a long horizontal flourish extending to the right.

Dave Tuckwiller  
Chief  
Commodity Procurement Branch  
Fruit and Vegetable Programs