

**From:** U.S. Citizenship and Immigration Services [mailto:uscis@public.govdelivery.com]  
**Sent:** Thursday, October 17, 2013 10:32 AM  
**To:**  
**Subject:** E-Verify is Available

E-Verify has resumed operations following the federal government shutdown. All E-Verify features and services are now available.

The following information addresses questions on how the federal government's shutdown affected [E-Verify](#) and Form I-9.

## **Information For Employers**

### ***Form I-9***

The Form I-9 requirements were not affected during the federal government shutdown. All employers must complete and retain a Form I-9 for every person hired to work for pay in the United States during the shutdown.

### ***E-Verify***

#### **Employees who received a Tentative Nonconfirmation (TNC)**

If an employee had a TNC referred between September 17, 2013 and September 30, 2013 and was not able to resolve the TNC due to the federal government shutdown, add 12 federal business days to the date printed on the 'Referral Letter' or 'Referral Date Confirmation.' Employees have until this new date to contact the Social Security Administration (SSA) or the Department of Homeland Security (DHS) to resolve their cases. If you have an employee who decided to contest his or her TNC while E-Verify was unavailable, you should now initiate the referral process in E-Verify. Employers may not take any adverse action against an employee because of a TNC.

#### **Employees who received a SSA Final Nonconfirmation (FNC) or DHS No Show result**

If an employee received a Final Nonconfirmation (FNC) or No Show because of the federal government shutdown, please close the case and select "The employee continues to work for the employer after receiving a Final Nonconfirmation result," or "The employee continues to work for the employer after receiving a No Show result." The employer must then enter a new case in E-Verify for that employee. These steps are necessary to ensure the employee is afforded the opportunity to timely contest and resolve the Tentative Nonconfirmation (TNC) that led to the FNC result.

#### **Creating Cases: Three-Day Rule**

You must create an E-Verify case for each employee hired during or otherwise affected by the shutdown by November 5, 2013. If you are prompted to provide a reason why the case is late (i.e., does not conform to the three-day rule), select 'Other' from the drop-down list of reasons and enter 'federal government shutdown' in the field.

#### **Federal Contractor Deadlines**

During the federal government shutdown, federal contractors could not enroll or use E-Verify as required by the federal contractor rule. If your organization missed a deadline because E-Verify was unavailable or if it has an upcoming deadline for complying with the federal contractor rule, please follow the instructions above and notify your contracting officer of these instructions.

## Information For Employees

If the federal government shutdown prevented you from contesting a [Tentative Nonconfirmation](#) (TNC), you will be allowed additional time to contact the Social Security Administration (SSA) or Department of Homeland Security (DHS). If your TNC was referred between September 17, 2013 and September 30, 2013, and you were not able to resolve the mismatch due to the federal government shutdown, you should:

- Add 12 federal business days to the date printed on the ‘Referral Letter’ or ‘Referral Date Confirmation’ that your employer provided you after you contested the TNC. Federal business days are Monday through Friday and do not include federal holidays.
- Contact SSA or DHS by the new date to resolve your TNC.

If you received a Final Non-Confirmation (FNC) because you could not contact DHS or SSA during the federal government shutdown, or because you could not contact DHS or SSA in the first ten days after the government reopened, please contact your employer and request that the employer re-enter your query. For more information about contesting your TNC or FNC, please refer to [Employee section](#) of the E-Verify website.

## Customer Support

E-Verify Customer Support expects an increase in requests for assistance. Due to this increase, customers may experience longer than normal delays and response times. We apologize for any inconvenience and appreciate your patience. For any questions or additional information about how the federal shutdown affects E-Verify, please email [E-Verify@dhs.gov](mailto:E-Verify@dhs.gov). For questions about Form I-9, please visit [I-9 Central](#) or email [I-9Central@dhs.gov](mailto:I-9Central@dhs.gov). Employers and employees may also contact E-Verify at 888-464-4218. Customer Support representatives are available Monday through Friday 8:00 am to 5:00 pm local time.

**Please do not reply to this message. See our [Contact E-Verify](#) page for phone numbers and e-mail addresses.**



U.S. Citizenship  
and Immigration  
Services

**E-Verify**

