

Further Action Notice

U.S Department of Homeland Security Tentative Nonconfirmation (DHS TNC)

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| | |
| Employee's Last Name, First Name | Last Four Digits of Employee's Social Security Number |
| | |
| Employee's A-Number | Employee's Document Number |
| | |
| Date of DHS Tentative Nonconfirmation | Case Verification Number |
| Reason for this Notice: | |

EMPLOYER INSTRUCTIONS:

1. Review this Further Action Notice in private with the employee as soon as possible. Inform the employee that they may contact DHS to correct their DHS records without change to their employment.
IMPORTANT If the employee does not speak English as his or her primary language or has a limited ability to read or understand the English language, also provide the employee with a translated version of this notice from 'View Essential Resources' in E-Verify. If the employee cannot read the document for some other reason, provide the information in an alternative format (e.g., Braille, audiotope, etc.).
2. Check that all of the information above is correct. If this information is incorrect, close this case in E-Verify and create a new case with the correct information.
3. Ask the employee to indicate whether he or she will contest the DHS TNC by signing and dating Page 2 of this Further Action Notice, and then sign and date below as the employer.
4. Give the employee a copy of the signed Further Action Notice in English (and a translated version, if appropriate) and attach the original to the employee's Form I-9.
5. Log in to E-Verify and search for this case using the information above. Follow the instructions in E-Verify to refer the case to DHS if the employee contests the TNC, or close the case if the employee does not contest the DHS TNC. If the employee chooses not to contest the DHS TNC, you may terminate his or her employment and close the case in E-Verify.
IMPORTANT: If the employee contests the DHS TNC, refer the case to DHS, print the Referral Date Confirmation from E-Verify, provide it to the employee, and instruct the employee to contact DHS within 8 Federal Government working days as specified in the Referral Date Confirmation.

For Photo Mismatch ONLY

Complete this Further Action Notice and send a copy of it with a copy of the employee's photo document to DHS. Either attach and submit a digital copy of the photo document in E-Verify or send a paper copy to DHS via an express shipping carrier of your choice. Do NOT send the copies through regular United States Postal Service mail. The employee also needs to contact DHS to begin to resolve the DHS TNC.

| Express Shipping Carrier Address | Attach and Submit Electronically |
|---|---|
| U.S. Department of Homeland Security- USCIS 10 Fountain Plaza, 3rd Floor Buffalo, NY 14202 Attn: Status Verification Office - Photo Matching | Make a digital copy of the employee's photo document (e.g. with a scanner or a camera) and save it to your computer. Then attach and submit the copy in E-Verify. |

Employer Signature and Date

| | |
|---|-------------------------------------|
| I have notified this employee of the DHS Tentative Nonconfirmation and provided the employee with a copy of this Further Action Notice. | |
| | |
| Employer's Name | Employer Representative's Name |
| | |
| Date | Employer Representative's Signature |

EMPLOYEE INSTRUCTIONS:

Why you received this Further Action Notice

Your employer participates in E-Verify, a program managed by the U.S. Department of Homeland Security (DHS) in partnership with the Social Security Administration (SSA). E-Verify compares the information you provided on Form I-9, Employment Eligibility Verification, with records available to DHS to verify that you are authorized to work in the United States.

You received this Further Action Notice from your employer because E-Verify issued a result of DHS Tentative Nonconfirmation (DHS TNC). A DHS TNC means that the information entered into E-Verify by your employer does not match records available to DHS. A DHS TNC does not necessarily mean that you gave incorrect information to your employer or that you are not authorized to work in the United States. Visit the [For Employees](#) pages at www.dhs.gov/E-Verify to learn the reasons you may have received a DHS TNC.

What you should do:

1. Check that the information on Page 1 of this Further Action Notice is correct. If it is not correct, provide the correct information to your employer. Your employer should close this E-Verify case and use the corrected information to create a new case.

IMPORTANT: If you decide not to contest the DHS TNC, your employer may terminate your employment because DHS will not confirm that you are authorized to work in the United States.

3. Select your decision to contest or not contest and sign and date this Further Action Notice below. If you decide to contest the DHS TNC, you must contact DHS **within 8 Federal Government working days** from the date your employer refers your case in E-Verify.

IMPORTANT: Review Page 3 of this notice for important information about your rights and employer responsibilities.

Select box, sign and date below:

| | | | |
|---------------------------------|---|------|--|
| I choose to: (check one) | | | |
| <input type="checkbox"/> | CONTEST (take action to resolve the DHS TNC) | | |
| <input type="checkbox"/> | NOT CONTEST (not take action to resolve the DHS TNC) | | |
| Employee's Signature | | Date | |

What you must do to resolve the DHS TNC:

1. Call DHS at 888-897-7781 (TTY: 887-875-6028) **within 8 Federal Government working days** from the date your employer refers your case to DHS to begin to resolve the TNC. Your employer must give you a Referral Date Confirmation, which will tell you the date by which you must contact DHS.

Foreign Students and Exchange Visitors Only: DHS cannot resolve this case if your Student Exchange Visitor Information System (SEVIS) record is incorrect. Before you call DHS, try to contact your Designated School Official or Responsible Officer to correct your SEVIS record.

2. Have this Further Action Notice when you call DHS and save a copy for your records. DHS may ask you to provide additional information or documents to resolve your case. If you need assistance in a language other than English, ask the E-Verify customer representative for an interpreter.

NOTE: Since you received a DHS TNC from E-Verify, your immigration records could be incorrect. Correcting your immigration records can prevent DHS TNCs. Once you successfully resolve a DHS TNC, you may wish to take additional action to correct your immigration records. You may review the fact sheet "How to Correct Your USCIS Records after Resolving a Tentative Nonconfirmation in E-Verify," found at <http://www.uscis.gov/e-verify/employees/how-correct-your-immigration-records>. This fact sheet provides information on several options to correct your DHS record.

KNOW YOUR RIGHTS

This page provides important information about your rights and employer responsibilities.

- Employers must promptly notify you, in private, of a Tentative Nonconfirmation (TNC).
- Employers must allow you to contest a TNC and may not take adverse action against you because of the TNC while you are contesting the TNC and your E-Verify case is pending.
- You have 8 Federal Government working days to visit an SSA field office or contact DHS to begin resolving the TNC, from the date the employer refers the case in E-Verify. Your employer must give you a Referral Date Confirmation, which will tell you the date by which you must contact DHS.
- Employers must not discriminate against you because of your citizenship, immigration status, national origin, or other protected characteristic under federal, state, or local law. Employers must also provide a reasonable accommodation if you need assistance based upon your disability.
- Employers cannot use E-Verify for some new employees and not for others. E-Verify must be used for all new employees regardless of citizenship, immigration status, or national origin.
- Employers may not use E-Verify on job applicants.
- Employers can only use E-Verify to verify new hires, to reverify the expired work authorization of certain existing employees, and to verify existing employees of a federal contractor with the Federal Acquisition Regulation (FAR) E-Verify Clause in its federal contract.
- Employers are required to clearly display the 'Notice of E-Verify Participation' and the 'Right to Work' posters in all languages supplied by DHS.
- Employers may terminate employees because of a TNC only after receiving a Final Nonconfirmation, or after an employee has decided not to contest a TNC.

For More Information

If you have questions about what to do, contact E-Verify at 888-897-7781 (TTY: 877-875-6028) or email E-Verify@dhs.gov. If you need assistance in a language other than English, ask the E-Verify customer representative for an interpreter. For more information on E-Verify, including our privacy practices and program rules, visit the E-Verify website at www.dhs.gov/E-Verify.

Report Violations

If you believe your employer has violated E-Verify rules, or treated you in an unfair manner, we encourage you to report it. To report misuse of E-Verify, including privacy violations, and general E-Verify complaints, contact the E-Verify Employee Hotline at 888-897-7781 (TTY: 877-875-6028) or email E-Verify@dhs.gov.

To report employment discrimination based upon your citizenship, immigration status, or national origin, contact the Department of Justice, Civil Rights Division, Office of Special Counsel for Immigration-Related Unfair Employment Practices (OSC) at 800-255-7688 (TTY: 800-237-2515). Language interpretation is available to all callers. For more information, visit OSC's website at www.justice.gov/crt/about/osc.

Protect Your Identity

If you want to learn more about identity theft or fraud and the simple steps you can take to protect yourself, visit ftc.gov/idtheft.