

## Further Action Notice

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

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.  
**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 Further Action Notice. Translated versions are available in the 'View Essential Resources' section of E-Verify. If the employee cannot read this document for some other reason, provide the information in an alternative format.
2. Check that all of the information at the top of this Further Action Notice 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 Tentative Nonconfirmation (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.

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) and 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 provided 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](http://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.
2. Decide if you will contest (take action to resolve) the DHS TNC and inform your employer of your decision.  
**IMPORTANT:** If you decide not to contest the DHS TNC, your case will become a Final Nonconfirmation, which means that your employer may terminate your employment.
3. Select your decision to contest or not contest and sign and date this Further Action Notice below. If you decide to take action to contest the DHS TNC, to begin to resolve 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 employer responsibilities and your rights.

### Select box, sign and date below:

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

### What you must do to take action 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 your case. 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 and ensure your SEVIS record is correct.
2. Have this Further Action Notice when you call DHS. DHS may ask you to provide additional information or documents to resolve your case. If you need assistance in a language other than English, you may 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

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

- 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 contest the TNC from the date the employer refers the case in E-Verify.
- Employers must not discriminate against you because of your citizenship, immigration status, or national origin.
- Employers cannot use E-Verify selectively or to pre-screen job applicants. E-Verify must be used for all new employees regardless of citizenship, immigration status, or national origin.
- Employers cannot use E-Verify to verify existing employees, unless the employer is currently 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.
- Employers may not use E-Verify to reverify existing employees whose employment authorization has expired. Instead, employers must complete Section 3 of Form I-9, Employment Eligibility Verification, or complete a new Form I-9.

### 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](mailto:E-Verify@dhs.gov). If you need assistance in a language other than English, you may 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](http://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](mailto: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](http://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](http://ftc.gov/idtheft).