



Self-Assessment Guide

For E-Verify Web Services Users



U.S. Citizenship
and Immigration
Services

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1.0 INTRODUCTION

1.1 PURPOSE OF THIS DOCUMENT

This Self-Assessment Guide (SAG) for E-Verify Web Services Users will help current employers with user requirements as stated in the E-Verify User Manual and the E-Verify Memorandum of Understanding for Employers (MOU). This guide also helps improve participants' overall use of E-Verify.

Web services allow a user to transfer data to and from E-Verify using employer's software or by purchasing software from another company. If an employer chooses web services to create E-Verify cases, it receives a web services Interface Control Agreement (ICA). The ICA contains the information used to develop and test the software interface.

This guide is not intended to cover all aspects of a self-assessment program. Completing a voluntary self-assessment program allows E-Verify participants to:

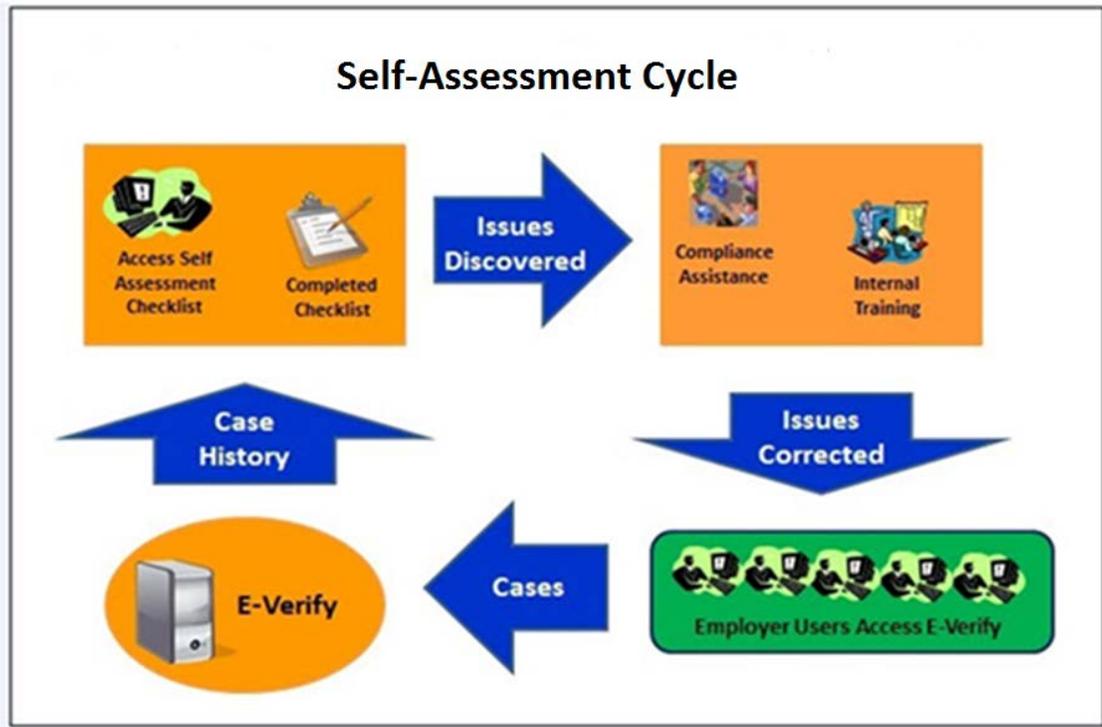
- Detect activities not consistent with E-Verify program requirements;
- Discourage activities that are not compliant and resolve internal detected noncompliant activities; and
- Promote proper use of E-Verify.

This guide also helps participating E-Verify employers comply with related employment eligibility verification requirements as described in the Handbook for Employers: Guidance for Completing Form I-9 (M-274), E-Verify Supplemental Guide for Federal Contractors (if applicable), E-Verify User Manual and the E-Verify tutorial. E-Verify compliance means meeting the terms of the MOU and applicable laws, including the Immigration Reform and Control Act of 1986 (IRCA) and the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA). The U.S. Department of Homeland Security (DHS) encourages employers enrolled in E-Verify to establish a process for complying with the statutes, regulations, and requirements that pertain to the Form I-9, Employment Eligibility Verification, process and E-Verify. This guide provides information on creating and maintaining appropriate compliance and self-assessment processes within your company.

An effective E-Verify compliance and self-assessment process can enhance the efficiency of your employment operations and human resource management. Depending on the size of your company, you may not need to use all of the recommendations contained in this guide, or you may need to develop others. Smaller companies with fewer employees may choose to adapt or only implement appropriate sections of this guidance.

1.2 BACKGROUND

E-Verify is an easy-to-use online tool that builds on the Form I-9 process by allowing the employer to quickly and easily confirm the employment eligibility of their new employees. However, misuse of the system should be of concern to E-Verify employers and employees. Employers may be subject to legal action for some types of E-Verify misuse.



1.3 COMMON MISTAKES FOUND BY MONITORING AND COMPLIANCE

The following list contains some common mistakes participants make when creating E-Verify cases. For the most part, these errors are minor and unintended, but in some instances, they are part of a larger compliance issue that could be more serious in nature:

- Immediately terminating employees because they receive a Tentative Nonconfirmation (TNC)
- Creating duplicate cases for the same employee
- Requiring an employee to use Self Check or myE-Verify
- Using incorrect case closure statements
- Failing to close cases
- Failing to create a case by the third day after the employee started work for pay
- Creating cases for employees who were hired before the participant enrolled in E-Verify unless the employer works under the FAR E-Verify clause
- Failing to print and provide a Further Action Notice (FAN) to the employee
- Not reviewing a document containing a photo if the employee provided a List B identity document
- Not having a program administrator on the account
- Requesting specific documents

2. HOW TO USE THE SELF-ASSESSMENT GUIDE

This Self-Assessment Guide has eight parts. Each part addresses a suggested area for your internal monitoring and compliance program. This guide includes checklists to address your related activities.

2.1 OVERVIEW

- Part 1: Account Maintenance Activities Checklist
- Part 2: Creating a Case Checklist
- Part 3: Photo Matching Checklist
- Part 4: TNC Process Checklist
- Part 5: Social Security Administration (SSA) Referral Process Checklist
- Part 6: Department of Homeland Security (DHS) Referral Process Checklist
- Part 7: Final Case Resolution Checklist
- Part 8: Final Case Closure Statements Checklist

2.2 OBJECTIVES

- Encourage E-Verify participants to implement an effective self-assessment program to detect, correct, and prevent noncompliant activities
- Emphasize the benefits of implementing an internal self-assessment program
- Provide E-Verify participants with a tool to help them achieve satisfactory compliance
- Provide educational information and training to participants
- React promptly to employee concerns and effectively use resources to address those concerns

3.0 SELF-ASSESSMENT CHECKLISTS

3.1 ACCOUNT MAINTENANCE ACTIVITIES CHECKLIST

After enrolling in E-Verify, the program administrator completes the E-Verify tutorial. Upon passing the knowledge test, the web services software is developed and deployed. DHS recommends that E-Verify employers perform account maintenance activities. Web services employers should review their accounts annually or twice a year to ensure they are current. For example, web services employers should delete users who are no longer with the company or update contact information as needed.

NOTE: Use this checklist along with the current MOU and the current E-Verify User Manual.

#	Question	Response Selection	Response Notes
1.0	Has the program administrator provided the name, telephone number, and email address for each new user (with valid first and last name)?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
1.1	Does each user have a separate user ID and password?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
1.2	Does each web services user have access to the current E-Verify User Manual?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
1.3	Has each user reviewed the E-Verify MOU?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
1.4	Has each current E-Verify user completed all of the tutorials, including any refresher tutorials?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
1.5	Does each user know who the company's current program administrator is?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
1.6	Once an individual has been terminated, has the employer determined how long to retain the individual's Form I-9? Note: Form I-9 must be retained for either three years after the date of hire, or one year after the date employment is terminated, whichever is later.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	

#	Question	Response Selection	Response Notes
1.7	Has each user reviewed the current version of the E-Verify User Manual?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
1.8	If an E-Verify employer uses an employer agent, has the employer agent provided copies of the Notice of E-Verify Participation and Right to Work posters?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
1.9	Has the E-Verify participant posted the Notice of E-Verify Participation and Right to Work posters in English and Spanish in plain view at all the hiring sites (posters are also available online)?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
1.10	If the posters cannot be displayed, has the E-Verify employer used another method to display them?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
1.11	Does the web services software comply with one of the supported Interface Control Agreements (ICAs)? This document will provide technical requirements that the web services E-Verify employer agent must meet to create and maintain a web services interface to the Verification Information System.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
1.12	Has the web services software been updated no later than six months after a new ICA was issued?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
1.13	Has the employer agent provided the employer with newly updated guidance materials, including the E-Verify User Manual, within 30 days after the new guidance was published?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
1.14	Does the account have at least one program administrator?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
1.15	If the E-Verify employer uses an employer agent's software, has the employer agent provided introductory training to new users?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
1.16	If the E-Verify employer uses an employer agent's software, has the employer agent provided updated training to the user every time the system was upgraded?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	

#	Question	Response Selection	Response Notes
1.17	Does the E-Verify employer have a management process to conduct system and security checks to ensure that only authorized users have access to E-Verify?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
1.18	Has the program administrator promptly terminated all accounts that are no longer necessary or those of people who have left and whose accounts should be deleted?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
1.19	Has the program administrator ensured that all users' contact information is updated and ensured that at least one valid point of contact is listed in E-Verify?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
1.20	Is the company profile up-to-date?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	

3.2 CREATING A CASE CHECKLIST

E-Verify participants must create E-Verify cases no later than the third business day after the employee begins work for pay and after completion of Form I-9. The date entered in the E-Verify hire date field is the date the employee began, or will begin, work for pay. This date must be the same date as that entered in Section 2 of Form I-9.

NOTE: Use this checklist along with the current MOU signed by the E-Verify participant and the current E-Verify User Manual.

#	Question	Response Selection	Response Notes
2.0	Was the employee's Form I-9 completed before the case was created in E-Verify?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
2.1	Except when the employee has not yet been assigned a Social Security number (SSN), have the SSNs been recorded on each Form I-9?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
2.2	Has the employer created an E-Verify case for all newly hired employees who have been assigned an SSN no later than the third business day after the employee started work for pay?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
2.3	Is all personally identifiable information (PII), (for example, SSN, name, and address) safeguarded at all times? For example, is PII stored in locked cabinets, with only minimal information retained (for example, the last four digits of SSNs) and was the rest of PII destroyed when no longer needed?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
2.4	Is the required information from Sections 1 and 2 of Form I-9 entered into E-Verify?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
2.5	Has the employer entered into E-Verify the same citizenship status that the employee chose in Section 1 of Form I-9?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
2.6	<p>Is the employee's email address entered in E-Verify, if completed in Section 1 of Form I-9?</p> <p>Note: While the email address field on Form I-9 is optional for the employee, if the employee provided an email address, employers must enter it in E-Verify.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	

#	Question	Response Selection	Response Notes
2.7	When a case resulted in a TNC, has the user checked the data against the employee's Form I-9 to ensure there are no data entry errors?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
2.8	Has the web services employer conducted a final review to make sure the information entered in E-Verify matches what's on the Form I-9 before sending the case for verification?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
2.9	If there was a data entry error, before creating a new case, has the user closed the case using the case closure statement: the case is invalid because the data entered is incorrect?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	

3.3 PHOTO MATCHING CHECKLIST

Photo matching is an additional step in creating a case in E-Verify that prompts the user to compare an employee's photo ID with a photo displayed in E-Verify. This step is only necessary when the employee presents a Permanent Resident Card (Form I-551), an Employment Authorization Document (Form I-766), a valid U.S. passport or a valid U.S. passport card. This helps ensure that the document presented by the employee is valid.

NOTE: Use this checklist along with the current MOU and the current E-Verify User Manual.

#	Question	Response Selection	Response Notes
3.0	If an employee presented one of the four List A documents (Permanent Resident Card (Form I-551), Employment Authorization Document (Form I-766), U.S. passport or U.S. passport card), has the document number been entered into E-Verify the same way as it is indicated on the document?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
3.1	Has the employer made and kept a copy of all the required documents that trigger photo matching (Permanent Resident Card (Form I-551), Employment Authorization Document (Form I-766), U.S. passport and/or passport card) with the employee's Form I-9?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
3.2	Has the employer compared the photo displayed by E-Verify to the photo on the document presented by the employee (rather than to the employee) and then determined that the photos are identical?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
3.3	Has the employer taken into account the minor variations in shading and detail between the two photos based on the age and wear of the employee's document and the quality of the computer monitor?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
3.4	Has the employer selected "yes" or "no" when answering the photo matching question?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
3.5	Whenever an employee received a DHS TNC because of a photo mismatch and chose to contest, has the employer followed the TNC process as described in the E-Verify User Manual?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
3.6	Whenever an employee who received a DHS TNC because of a photo mismatch chose not to contest, has the employer followed the TNC process as described in the E-Verify User Manual?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
3.7	Whenever an employee who received a DHS TNC because of a photo mismatch chose to contest, has the employer attached and submitted a copy of the employee's photo document either electronically or via express mail to E-Verify?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	

3.4 TENTATIVE NONCONFIRMATION (TNC) PROCESS CHECKLIST

A TNC occurs when the information entered into E-Verify from Form I-9 differs from either DHS or Social Security Administration (SSA) records. This does not necessarily mean that the employee is not authorized to work in the United States; it could mean there was a data mismatch originating from information provided by the employee, employer, or from information contained in a government database. While contesting a TNC, employees must be allowed to work without any change in working conditions that are based on the TNC.

A DHS TNC data mismatch may occur because the employee's:

- Name, A-Number (Alien Number), and/or Form I-94 number do not match with data in DHS records
- U.S. passport or passport card, driver's license, or state ID card information could not be verified
- Information was not updated in the employee's DHS records when the citizenship or immigration status changed
- Information was not entered correctly in E-Verify
- Information was not entered correctly on the employee's Form I-9
- Record contains another type of error

An SSA TNC data mismatch may occur because the employee's:

- Citizenship or immigration status was not updated with SSA
- Name change was not reported to SSA
- Name, SSN or date of birth is incorrect in SSA records
- SSA record contains another type of mismatch
- Information was not entered correctly in E-Verify
- Information was not entered correctly on the employee's Form I-9

NOTE: Use this checklist along with the current MOU and the current E-Verify User Manual.

#	Question	Response Selection	Response Notes
4.0	Has the web services software generated the SSA and DHS Further Action Notice that the employer is required to promptly give to the employee?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
4.1	Does the language in the web services-generated Further Action Notice exactly match the language of the Further Action Notice found on the E-Verify website?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
4.2	Has the user promptly printed the Further Action Notice and privately reviewed the notice with the employee?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	

#	Question	Response Selection	Response Notes
4.3	Has the employer given the employee a reasonable amount of time to decide if he or she wants to contest the TNC?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
4.4	<p>If the employee speaks a language other than English or Spanish, has the web services user promptly given the employee a copy of the pre-populated English-language version of the TNC Further Action Notice and a copy of the Further Action Notice in the employee's foreign language?</p> <p>Translated versions of the Further Action Notice and referral letter are available in several foreign languages on the E-Verify website, www.uscis.gov/everify, by first selecting the link for Publications, and then selecting the link for Foreign Language Resources.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
4.5	Has the employee indicated on the English-language version of the Further Action Notice his or her election to contest or not contest the TNC?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
4.6	Have both the user and the employee signed the English-language version of the Further Action Notice after the employee chose whether or not to contest?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
4.7	Has the user promptly given a copy of the signed English-language version of the Further Action Notice to the employee and, if applicable, a copy in the employee's language to the employee?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
4.8	Has the user checked periodically to ensure all TNCs have been affirmatively contested or affirmatively not contested?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
4.9	Has the original signed English-language version of the Further Action Notice been kept on file with the employee's Form I-9?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
4.10	If an employee elected not to contest the TNC, has the employee been advised that termination of employment is possible?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
4.11	If the employee elected not to contest the SSA or DHS TNC, has the user selected a case closure statement and closed a case?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
4.12	If an employee elected to contest a TNC, has the user selected "Continue" in order to refer the case?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
4.13	Has the user chosen the correct case closure statement to notify DHS that an employee who received a TNC and chose not to contest the TNC is not terminated?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	

3.5 SOCIAL SECURITY ADMINISTRATION REFERRAL PROCESS CHECKLIST

An employee who chooses to contest an SSA TNC is referred to SSA. The E-Verify employer must promptly print and verify the information on the SSA Further Action Notice. The E-Verify employer and the employee must both sign the English-language version of the SSA Further Action Notice. The E-Verify employer must retain the original English-language version of the SSA Further Action Notice with the employee's Form I-9 and give a copy to the employee. The E-Verify employer must print the SSA Referral Date Confirmation and give a copy to the employee. The SSA Referral Date Confirmation provides instructions to the employee on what to do next and a timeframe for action.

NOTE: Use this checklist along with the current MOU and the current E-Verify User Manual.

#	Question	Response Selection	Response Notes
5.0	Has the web services software promptly generated the SSA Referral Date Confirmation that the employer is required to give to the employee?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
5.1	Has the user promptly printed the SSA Referral Date Confirmation for each employee who chose to contest a SSA TNC?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
5.2	Does the language in the web services-generated SSA Referral Date Confirmation exactly match the language of the SSA Referral Date Confirmation found on the E-Verify website?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
5.3	If the employee speaks a language other than English or Spanish has the user promptly given the employee a copy of the pre-populated English-language version of the Referral Date Confirmation and a copy of the Referral Date Confirmation in the requested foreign language? The SSA Referral Date Confirmation is available in several foreign languages on the E-Verify website, www.uscis.gov/everify , by first selecting the link for Publications, and then selecting the link for Foreign Language Resources.	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
5.4	Has the employer promptly reviewed the SSA Referral Date Confirmation with the employee in private?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
5.5	Has the employer explained to the employee that to avoid possible termination, he or she should visit an SSA field office within eight federal government workdays from the date printed on the Referral Date Confirmation?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
5.6	In cases involving SSA TNCs based on failure to confirm U.S. citizenship, has the employer explained to the employee that he or she can call DHS at 1-888-897-7781 to resolve the mismatch?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	

#	Question	Response Selection	Response Notes
5.7	Has the employer kept the English-language version of the SSA Referral Date Confirmation on file with the employee's Form I-9?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
5.8	Has the employer checked E-Verify before the expiration of the eight-day period or immediately following that date for case result updates for employees who have been referred?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
5.9	Has the employer selected the correct case closure statement and closed a case?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
5.10	Has the employer selected the appropriate case closure statement to notify DHS that the employer is retaining an employee who chose not to contest an SSA TNC?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	

3.6 DEPARTMENT OF HOMELAND SECURITY REFERRAL PROCESS CHECKLIST

An employee who chooses to contest a DHS TNC is referred to DHS. The E-Verify employer must promptly print and verify the information on the DHS Further Action Notice. The E-Verify employer and the employee must both sign the English-language version of the DHS Further Action Notice.

The E-Verify participant must retain the original English-language version of the DHS Further Action Notice with the employee’s Form I-9 and promptly give a copy to the employee. The E-Verify employer must print the DHS Referral Date Confirmation and give a copy to the employee. The DHS Referral Date Confirmation offers instructions to the employee on what to do next and a timeframe for action.

NOTE: Use this checklist along with the MOU and the current E-Verify User Manual.

#	Question	Response Selection	Response Notes
6.0	Has the web services software generated the DHS Referral Date Confirmation that the employer is required to promptly give to the employee?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
6.1	Does the text in the web services-generated DHS Referral Date Confirmation exactly match the text of the DHS Referral Date Confirmation found on the E-Verify website?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
6.2	Has the employer promptly printed the DHS Referral Date Confirmation for each employee who chose to contest a DHS TNC?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
6.3	<p>If the employee speaks a language other than English or Spanish, has the employer promptly given the employee a copy of the pre-populated English-language version of the DHS Referral Date Confirmation along with a copy of the DHS Referral Date Confirmation in the employee’s requested foreign language?</p> <p>Translated versions of the Referral Date Confirmation are available in several foreign languages on the Foreign Language Resources of the E-Verify website.</p>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
6.4	Has the employer reviewed the DHS Referral Date Confirmation with the employee in private?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
6.5	Has the employer explained to the employee that to avoid possible termination he or she should contact DHS using the toll-free number (1-888-897-7781) on the Further Action Notice within eight federal government workdays from the date printed on the Referral Date Confirmation?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	

#	Question	Response Selection	Response Notes
6.6	If the employee elected to contest the TNC, has the user selected "Continue" and referred the case to DHS?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
6.7	Has the employer checked E-Verify before the expiration of the eight-day period or immediately following that date for case result updates for employees who have been referred?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
6.8	Has the employer informed employees who received a "DHS TNC" that they are allowed to continue working without a change in working conditions that are based on the TNC while they resolve the mismatch?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
6.9	Has the employer selected the appropriate case closure statement to notify DHS when they retained an employee who chose not to contest a DHS TNC?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
6.10	Once DHS returned a final employment determination, has the user selected the correct case closure statement and closed a case?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	

3.7 FINAL CASE RESOLUTION CHECKLIST

To complete the E-Verify process, every case must receive a final case result and be closed with the applicable case closure statement. There are four possible final case results:

- Employment Authorized
- DHS or SSA Final Nonconfirmation
- DHS No Show
- Error: Close Case and Resubmit

E-Verify generates a “DHS or SSA Final Nonconfirmation” message when it cannot confirm an employee’s employment eligibility based on the information provided to E-Verify after an employee has been referred to DHS or SSA. E-Verify generates a “DHS No Show” message when the employee fails to contact DHS within the required time. Once a “DHS No Show” or “DHS or SSA Final Nonconfirmation” has been issued, the user must select the appropriate case closure statement and close the case. If you receive the message, “Error: Close Case and Resubmit,” the case cannot continue because the expiration date entered for the employee’s U.S. passport, passport card or driver’s license is incorrect. This case must be resubmitted in E-Verify with an unexpired document date.

NOTE: Use this checklist along with the current MOU and the current E-Verify User Manual.

#	Question	Response Selection	Response Notes
7.0	Has the employer reviewed the case status for employees who have E-Verify cases pending with DHS or SSA?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
7.1	Has the employer checked E-Verify for case results for employees who reported that their case was resolved?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
7.2	Has the employer closed “DHS No Show” cases using the appropriate case closure statement?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
7.3	Has the employer closed all cases using the correct case closure statement once a DHS or SSA Final Nonconfirmation was received?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
7.4	Has the employer notified DHS when an employee who received a Final Nonconfirmation was not terminated by entering the correct case closure statement?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	

3.8 FINAL CASE CLOSURE STATEMENTS CHECKLIST

Employers **must** close every case created in E-Verify. There are 12 different case closure statements:

- The employee continues to work for the employer after receiving an Employment Authorized result.
- The employee continues to work for the employer after receiving a Final Nonconfirmation result.
- The employee continues to work for the employer after receiving a No Show result.
- The employee continues to work for the employer after choosing not to contest a Tentative Nonconfirmation.
- The employee was terminated by the employer for receiving a Final Nonconfirmation result.
- The employee was terminated by the employer for receiving a No Show result.
- The employee was terminated by the employer for choosing not to contest a Tentative Nonconfirmation.
- The employee voluntarily quit working for the employer.
- The employee was terminated by the employer for reasons other than E-Verify.
- This case is being closed because of technical issues with E-Verify.
- The case is invalid because another case with the same data already exists.
- The case is invalid because the data entered is incorrect.

Each case is closed using the appropriate case closure statement. **NOTE:** Use this checklist along with the current MOU and the current E-Verify User Manual.

#	Question	Response Selection	Response Notes
8.0	Has the employer closed every case created in E-Verify?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
8.1	Has the employer notified DHS if the employee is still working by selecting the appropriate "Yes" or "No" termination option?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
8.2	Has the employer selected the appropriate case closure statement?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
8.3	Has the employer recorded the case verification number on the employee's Form I-9 or printed and attached the case details screen to the employee's Form I-9?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	

#	Question	Response Selection	Response Notes
8.4	Has the employer retained the completed Form I-9 (including electronic copies) and all attachments in a secured location?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
8.5	Has the employer selected the corresponding case closure code for all cases that received "Employment Authorized" before closing its cases?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
8.6	For all cases when the employee continued working for the employer after the employee chose not to contest a TNC or after receiving a "Final Nonconfirmation" or "DHS No Show" result, has the employer correctly closed each case after selecting the corresponding case closure code?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	
8.7	For all cases when E-Verify did not confirm that the employee was eligible to work and issued a Final Nonconfirmation or "DHS No Show" result, has the employer chosen the corresponding case closure statement before closing the case?	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other	

4.0 RESOURCES

4.1 LINKS TO USCIS RESOURCES

- [E-Verify](#)
- [E-Verify Memorandum of Understanding](#)
- [E-Verify Supplemental Guidance for Federal Contractors](#)
- [Quick Reference Guide For E-Verify Enrollment](#)
- [E-Verify User Manual \(M-775\)](#)
- [Employee Rights Toolkit](#)
- [I-9 Central](#)
- [Handbook for Employers: Guidance for Completing Form I-9 \(M-274\)](#)
- [Webinars](#)
- Office of Management and Budget Protection of Sensitive Agency Information ([OMB](#))
[M-06-16](#)

5.0 GLOSSARY

5.1 COMMONLY USED ACRONYMS AND TERMS

The following table contains the acronyms commonly used throughout the document.

Acronym	Definition
DHS	Department of Homeland Security
MOU	Memorandum of Understanding
SSA	Social Security Administration
TNC	Tentative Nonconfirmation
USCIS	U.S. Citizenship and Immigration Services

In addition, this document contains several terms that have specific meaning for the compliance review process and/or business context of the USCIS Verification Division.

Direct Access Users – An individual or company enrolled in E-Verify. The two types of access methods are:

Employer Access-Most E-Verify participants, regardless of their business size or structure, are enrolled under the employer access method. This access method is used by registered users of E-Verify employers and can include their human resources staff to electronically confirm the employment eligibility of its newly hired employees and/or employees assigned to a covered federal contract.

Employer Agent Access- The employer agent access method allows an individual or company to act on behalf of other employers to confirm the employment eligibility of their newly hired employees and/or employees assigned to a covered federal contract. For more information, visit www.dhs.gov/E-Verify.

Web Services Access for Employers or Web Services Access for E-Verify Employer Agents – The web services access method requires a company to develop software that interfaces with E-Verify to perform employment eligibility verifications of newly hired employees and/or employees assigned to a covered federal contract. The software will extract data from its existing system or an electronic Form I-9 and transmit the information to E-Verify. Employers who choose this option receive the web services Interface Control Document. The Interface Control Document contains the information used to develop and test the employer’s software interface. Both employers and E-Verify employer agents are eligible to use this access method.

Employer – A person or other entity that conducts hiring. As used in this document, “employer” means a person or other entity that participates in E-Verify.

Monitoring and Compliance (M&C) – The branch of the USCIS Verification Division that is responsible for the administration of the monitoring and compliance assistance processes for the E-Verify program.

User – E-Verify users can have one of two roles: program administrator or general user. An employer enrolled in E-Verify must have at least one program administrator and can have as many general users as needed. All users are responsible for following all E-Verify program rules and staying informed of changes to E-Verify policies and procedures. All users have the following permissions:

- Create and manage cases
- View reports
- Update own user profile