

Attached are statistics related to E-Verify data results for beneficiaries granted Temporary Protected Status (TPS) as requested by the House Committee on the Judiciary, Subcommittee on Immigration and Citizenship. As a note to accompany this report, USCIS offers the following explanation for the spring 2018 increase in reported Tentative Nonconfirmations (TNCs):

1. In April 2018, E-Verify enhanced its initial verification system logic to check the Social Security Administration (SSA) and Department of Homeland Security (DHS) information in parallel. Prior to April 2018, if a Social Security Administration TNC was received and not resolved, which resulted in a Social Security Administration Final Nonconfirmation (FNC), it was never passed to DHS for verification. As a result, before April 2018, DHS was not able to identify which Social Security Administration FNC cases belonged to specific noncitizen codes of admission (COA) or provisions of law (POL). This April 2018 enhancement resulted in an overall increase in reported DHS TNCs since E-Verify no longer was dependent upon the Social Security Administration resolving their TNC first, and the new process provided better data on these cases by identifying the COA/POL for all noncitizens.
2. E-Verify system logic also applies automatic extensions to certain TPS-based Employment Authorization Documents (EADs) under AC-21 and the six TPS country designations affected by recent court injunctions. However, while these enhancements were being implemented, some E-Verify cases created using these EADs required additional verification.

**Data Call Results:**

Question: For [calendar years] 2016 through 2020 YTD, broken down by month, could you provide the following data for TPS holders only:

Monthly: See attached spreadsheet.

Summary: See below.

1. Total number of E-Verify queries for employment verification that returned a COA relating to TPS.	191,990
2. Total number of Tentative Nonconfirmations (TNCs) found in response to E-Verify queries. This includes TNCs found by SSA and DHS. Note that some DHS mismatches can be resolved by DHS within 24 hours without any burden to the employee and before a DHS TNC is issued.	11,610
3. Total number of TNCs or initial system mismatches that were later confirmed as work authorized. (Initial system mismatches are usually resolved by DHS without any action required by the employee.)	1,980
4. Total number of TNCs that resulted in Final Nonconfirmations that were uncontested (This number pertains to aliens who received a TNC (DHS or SSA) and chose not to contest for whatever reason.)	16
5. Total number of TNCs that resulted in a Final Nonconfirmations after the employee contested the work authorization finding. (This number pertains to individuals who received a	1,442

TNC (SSA or DHS) and unsuccessfully contested their TNC, resulting in an FNC.)	
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**Follow-up question from House Judiciary subcommittee counsel:**

Were the remaining 8172 (out of 11,610 initial TNCs) that aren't accounted for below resolved by DHS within 24 hours without any burden to the employee and before a DHS TNC was issued?

**USCIS Response:**

DHS resolves many initial mismatches without the employee having to take any action and those cases would not result in a tentative nonconfirmation (TNC). However, TNC's were issued in these 8,172 cases because they all require the employee to contest and take action, or the employer to report whether an employee has contested, in order to resolve them. DHS has recently resolved over 300 of the 8,172 TNCs. The remaining 7,845 TNCs require further action by either the employee or the employer to contest the finding and prompt the Social Security Administration (SSA) or DHS to attempt resolution. Employees who choose not to contest a TNC do not always inform their employers. In addition, sometimes employers fail to close the cases of employees who do not contest a TNC. E-Verify does not know why employers do not follow through with all of the required steps unless or until cases are closed, but the program offers consistent outreach and training to its user community to correct this practice. Employers should close every E-Verify case they create and provide a case closure statement in E-Verify indicating information such as the reason a case was closed and whether the employee continues to work for the employer or was terminated. For some cases that are never closed, the employer may have created a new E-Verify case for the same employee.

To further clarify an earlier point, the 11,610 TNCs for Temporary Protected Status holders includes DHS TNCs, SSA TNCs, or a dual TNC where the employee received both an SSA and DHS TNC. The following is a breakdown of case types and actions:

- 1,987 employees successfully resolved their TNCs and received an employment authorized result.
- In 1,778 cases, the employer indicated that the employee would contest the TNC. In the vast majority of these cases, employees did not contact DHS or SSA to resolve their TNC. These cases resulted in final nonconfirmation (FNCs).
- 6,715 cases received a TNC from DHS or SSA and have not been contested. It's possible that the employee elected not to contest but didn't inform the employer, or the employee notified the employer he or she would not contest but the employer failed to close the case properly or has not closed the case.
- In 1,130 cases, the employee chose not to contest the TNC. Cases where the employer indicated that the employee will not contest the TNC are not referred to DHS or SSA. The employer closed these cases in E-Verify as "No Action-Final Non-Confirmation," which means the employee was not found to be work authorized.



**U.S. Citizenship  
and Immigration  
Services**

E-Verify Data on Temporary Protected Status (TPS) Beneficiaries as Requested by Staff of the House  
Committee on the Judiciary, Subcommittee on Immigration and Citizenship

Year	Month	Total number of E-Verify queries for employment verification	Total number of Tentative Nonconfirmations (TNCs) or system mismatches found in response to E-Verify queries.	Total number of TNCs or initial system mismatches that were later confirmed as work authorized	Total number of TNCs that resulted in a Final Nonconfirmation that were uncontested	Total number of TNCs that resulted in a Final Nonconfirmation after the employee contested the work authorization.	Notes
2016	January	3,370	52	8	0	10	
2016	February	3,451	64	13	0	12	
2016	March	3,837	83	16	0	18	
2016	April	3,495	49	12	0	11	
2016	May	3,464	45	6	0	12	
2016	June	3,705	47	5	0	16	
2016	July	3,020	47	2	1	8	
2016	August	3,559	55	8	0	9	
2016	September	2,417	81	12	0	11	
2016	October	1,971	43	5	0	10	
2016	November	1,835	91	9	0	17	
2016	December	2,250	54	16	0	10	
2017	January	3,246	56	5	0	17	
2017	February	3,119	41	8	0	5	
2017	March	3,716	44	6	0	13	
2017	April	3,192	56	8	0	7	
2017	May	3,277	38	8	0	8	
2017	June	3,294	57	9	0	9	
2017	July	3,024	69	7	0	15	
2017	August	3,429	84	10	0	21	
2017	September	2,974	78	13	0	11	
2017	October	3,165	65	9	0	11	
2017	November	2,676	59	6	0	11	
2017	December	2,029	55	6	0	11	
2018	January	2,543	73	15	0	11	
2018	February	2,480	65	7	0	8	
2018	March	2,291	154	28	1	20	
2018	April	2,977	703	210	1	119	

Year	Month	Total number of E-Verify queries for employment verification	Total number of Tentative Nonconfirmations (TNCs) or system mismatches found in response to E-Verify queries.	Total number of TNCs or initial system mismatches that were later confirmed as work authorized	Total number of TNCs that resulted in a Final Nonconfirmation that were uncontested	Total number of TNCs that resulted in a Final Nonconfirmation after the employee contested the work authorization.	Notes
2018	May	4,548	885	210	2	150	E-Verify enhanced its initial verification system logic to check SSA and DHS information in parallel. If an SSA TNC was received and not resolved, resulting in an SSA FNC, it was never passed to DHS for verification. As a result, DHS was not able to identify which SSA FNC cases belonged to specific non-citizen codes of admission (COA) or provisions of law (POL) like the TPS codes A12 and C19. This enhancement resulted in an overall increase in DHS TNCs since E-Verify no longer was dependent upon SSA resolving their TNC first. Furthermore, the new process ensured that we'd have better data on these cases since we can now identify what the COA or POL is for each alien.
2018	June	3,784	401	80	1	49	
2018	July	4,298	543	86	1	76	
2018	August	5,048	557	67	0	67	
2018	September	5,418	464	80	1	55	
2018	October	7,202	502	61	0	60	
2018	November	5,978	348	33	1	40	
2018	December	3,595	253	23	1	36	
2019	January	3,463	149	24	0	11	
2019	February	7,010	403	58	1	46	
2019	March	5,784	387	45	0	46	
2019	April	5,891	314	42	0	36	
2019	May	6,032	389	56	0	38	
2019	June	5,513	311	41	0	34	
2019	July	5,923	415	73	2	32	
2019	August	6,270	484	104	0	49	
2019	September	5,716	711	146	1	66	
2019	October	5,768	750	136	2	59	
2019	November	4,671	443	99	0	43	
2019	December	3,833	285	32	0	8	E-Verify enhanced its initial verification system logic to automate resolution of more TPS cases at the initial step, thus reducing the need to perform additional verification for cases involving TPS beneficiaries.
2020	January thru 1/21	2,439	208	17	0	0	
<b>Total</b>		<b>191,990</b>	<b>11,610</b>	<b>1,980</b>	<b>16</b>	<b>1,442</b>	