**RetentionPolicy:**

**Effective Date:** 07/14/2022

<table>
<thead>
<tr>
<th>Identification</th>
<th>EM-22039 SEN</th>
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<tbody>
<tr>
<td>Intended Audience</td>
<td>All RCs/ARCs/ADs/FOs/TSCs</td>
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<tr>
<td>Originating Office</td>
<td>DCO OPSOS</td>
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<tr>
<td>Title</td>
<td>Resumption of the E-Verify SSA Tentative Nonconfirmation (TNC) Workload</td>
</tr>
<tr>
<td>Type</td>
<td>EM - Emergency Messages</td>
</tr>
<tr>
<td>Program</td>
<td>Records Maintenance (Earnings &amp; Enumeration)</td>
</tr>
<tr>
<td>Link To Reference</td>
<td>See References at the end of this EM.</td>
</tr>
</tbody>
</table>

**Retention Date:** 01/14/2023

**A. Purpose**

This Emergency Message (EM) provides information regarding the resumption of the E-Verify Social Security Administration (SSA) Tentative Nonconfirmation (TNC) workload and instructions on the new phone service delivery option for certain cases.

**B. Background**

In March 2020, due to the COVID-19 pandemic and limited in-person services, the Department of Homeland Security (DHS) extended the timeframe for an employee to take action to resolve E-Verify SSA TNCs. DHS also reminded employers not to take adverse action against employees while their E-Verify SSA TNC alert is pending. E-Verify SSA TNCs were held to prevent an employee from receiving a Final Nonconfirmation that could result in termination of employment.

**C. Overview of E-Verify and SSA TNC**

E-Verify, formerly known as the Basic Pilot/Employment Eligibility Verification, is an internet-based system operated by DHS, U.S. Citizenship and Immigration Services (USCIS), in partnership with SSA. E-Verify allows enrolled employers to confirm the eligibility of their employees to work in the United States.

SSA supports E-Verify by matching data submitted through E-Verify to SSA’s NUMIDENT. Specifically, employers submit information to E-Verify from the Form I-9 (DHS’ Employment Eligibility Verification Form). Then, USCIS sends the data to SSA to confirm that the submitted SSN, name, and date of birth match SSA records. SSA also provides an indication of United States citizenship to USCIS, if available. (United States citizens are inherently work authorized). If the data submitted by the employer does not match the NUMIDENT, SSA sends a message to the employer indicating that there is a discrepancy with SSA’s records. This discrepancy is called an E-Verify SSA TNC. Federal Regulations require a newly hired employee who has received an E-Verify SSA TNC to contact a Field Office (FO) or Social Security Card Center (SSCC) to resolve the TNC within **8 federal government workdays** or risk termination of employment.
D. Resumption of the E-Verify SSA TNC Workload

Effective **July 15, 2022**, SSA will resume processing E-Verify SSA TNC alerts. For alerts generated on or after July 15, 2022, employees will have **8 federal government workdays** to take action to resolve the alert.

For E-Verify SSA TNC alerts referred between March 2, 2020 – July 14, 2022, DHS has notified employers of preferred dates for employees to contact SSA and resolve the alert. These employees will have until **Friday, September 29, 2023**, to take action to resolve the generated alert.

**IMPORTANT:** Technicians must process E-Verify cases when contacted by the employee regardless of the employee’s preferred contact date.

E. E-Verify Workload Processing

Employees receiving an E-Verify SSA TNC must contact SSA to review and resolve any discrepancy with their NUMIDENT record (e.g., name, date of birth, citizenship, etc.). The FO/SSCC determines whether a NUMIDENT update is appropriate based on the evidence submitted by the employee utilizing established enumeration policies and procedures for evidence and SSN application processing (**RM 10212.000**).

**NOTE:** With resumption of the E-Verify workload, we are introducing a new phone service delivery option. This new service delivery option allows technicians to process cases via telephone when a NUMIDENT update is **not** required. Only FO/SSCC technicians can clear certain E-Verify SSA TNC alerts via the phone.

Employees may contact SSA’s toll-free 800 number or local FO/SSCC to inquire about an E-Verify SSA TNC notice. It is important that technicians thoroughly pre-screen callers to verify the need for an in-person visit. When contacted by an employee, technicians will follow the instructions below.

I. National 800 Network Number (N8NN) Instructions:

If the employee calls the N8NN to inquire about resolving an E-Verify SSA TNC notice, agents should follow existing procedures outlined in **TC 31003.040**.

**NOTE:** Employees can call their local FO/SSCC to determine if an in-person interview is required. There is a new phone service delivery option available and not all E-Verify SSA TNC alerts require an in-person interview. Only FO/SSCC technicians can clear certain E-Verify SSA TNC alerts via the phone.

II. FO/SSCC Instructions:

If an employee calls the FO/SSCC, the technician should identify the employee utilizing established procedures.

a. **By Phone – New Service Delivery Option**

   - Access EV-STAR via the “SAVE/EV-Star General User” link on SSA’s I-Main Menu (See **RM 10245.100**, **RM 10245.120B**, and **RM 10245.120C** for instructions). EV-
STAR displays a screen that allows the technician to search for the employee’s case information using the SSN, Verification Information System (VIS) Case Number, or Name input by the employer. Review the case in EV-STAR and compare the data submitted by the employer to the existing NUMIDENT record to locate any discrepancy.

- **NUMIDENT record is correct** (e.g., employer made a typographical error, employee incorrectly completed the Form I-9):
  - Explain to the employee that the information they provided matches the information on the NUMIDENT.
  - Advise the employee to notify the employer to correct the discrepant information.
  - In EV-STAR, select “Continue to SSA Disposition” and select the disposal coding, “Employer review recommended, NUMIDENT record NOT updated. SSA action complete.”

- **NUMIDENT record is not correct; update needed**:
  - Advise the employee that an in-person interview is required. Clarify what documents (must be original or certified copies) will be needed at the in-person interview.
  - Reassure the employee that the FO/SSCC will be able to address the TNC alert at the in-person interview.
  - In EV-STAR, select “Continue to SSA Disposition” and then select “Document(s) requested from the Employee. Case in pending status.” Then on the “Disposition Selection Confirmation” screen select the Submit button.

**IMPORTANT**: Only cases that do **not** require a NUMIDENT update can be cleared via telephone. The employee does not need to visit the FO/SSCC for an in-person interview for cases cleared by telephone.
• This will bring up the “Request Documentation” screen.
• Select one or more Proof checkboxes that identify the type of documentation the employee must provide and enter remarks as appropriate.
• Then, select the default 15 days as the due date, or if applicable, over-key the 15 to allow up to 30 federal workdays for the employee to submit documentation.
• Inform the employee of the updated due date and reiterate that the in-person interview must be completed on or before this date.

b. In-office Interview
• Verify the employee’s identity using established procedures.
• Ensure that employees visiting the FO/SSCC because of an E-Verify SSA TNC notice are provided service the same day of their visit or are offered a future day priority referral. It is imperative that employees with an E-Verify SSA TNC notice receive service the same day or be offered a future day priority referral due to the time sensitive nature of the workload (8 federal government working days).
• If an employee elects to receive a future day priority referral (scheduled no later than 5 days after the visit), complete the following inputs:
  • In EV-STAR, select “Continue to SSA Disposition” and then select “Document(s) requested from the Employee. Case in pending status.” Then on the “Disposition Selection Confirmation” screen select the
Submit button.
- This will bring up the “Request Documentation” screen.
  - Select one or more Proof checkboxes that identify the type of documentation the employee must provide and enter remarks as appropriate.
  - Then, select the default 15 days as the due date, or if applicable, over-key the 15 to allow up to 30 federal workdays for the employee to submit documentation.
  - Inform the employee of the updated due date and reiterate that the in-person interview must be completed on or before this date.

- Review the employee’s E-Verify SSA Referral Notice provided by the employer, if available.
- Access EV-STAR via the “SAVE/EV-Star General User” link on SSA’s I-Main Menu (See RM 10245.100, RM 10245.120B, and RM 10245.120C for instructions). EV-STAR displays a screen that allows the user to search for the employee’s case information using the SSN, VIS Case Number or Name input by the employer.
  - Verify a NUMIDENT update is needed and complete the SSNAP application.
    **NOTE:** You must provide the applicant a copy of the Privacy Act statement from the SS-5 Form and read the attestation statement located in SSNAP.
  - Document SSNAP as follows:
    - On the “Application Information” Page, select:
      - “In-Person” for the question “What type of Interview is this?”, and
      - “In-Person” for the question “How are the proofs presented?”

- Obtain, review, and verify the evidence required to process the TNC action.
Return the document(s) to the employee following policy in GN 00301.275 and end the interview.

**IMPORTANT:** Take immediate action to process any necessary NUMIDENT changes, complete the EV-STAR input, and when appropriate, complete an application for an original or replacement SSN card. **Failure to complete all actions timely and correctly could result in a work-authorized employee losing their employment.**

Direct all program-related and technical questions to your Regional Office (RO) support staff using vHelp. RO support staff may refer questions, concerns, or problems to their Central Office contacts.

**References:**
- **GN 00301.275** - Retention or Return of Documents
- **RM 10212.000** - Legal Names and Changes to the Numident
- **RM 10245.015** - Overview of the E-Verify Process
- **RM 10245.035** - SSA Tentative Nonconfirmation (TNC) Message: “SSN Does Not Match”
- **RM 10245.070** - E-Verify Notices and Employee Email Notifications
- **RM 10245.100** - Overview of the Employment Verification (E-Verify) SSA Tentative Nonconfirmation (TNC) Automated Response (EV-STAR) System
- **RM 10245.120** - Introduction to the EV-STAR Computer Pages
- **RM 10245.260** - Identifying E-Verify Visitors and Accessing the Employment Verification SSA Tentative Nonconfirmation Automated Response System (EV-STAR)
- **RM 10245.270** – E-Verify Fraud Alert
- **TC 31003.040** - Employment Eligibility Verification Program (E-Verify)

**Link to this document:**
- (b) (7)(E)