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USCIS Publishes Guidance on E-Verify Tentative Nonconfirmations

Legal Update

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This article was prepared with the assistance of ABIL, the Alliance of Business Immigration Lawyers, of which Loan Huynh, Fredrikson Immigration Department Chair, is a member.

U.S. Citizenship and Immigration Services (USCIS) recently published a question and answer on photo mismatches of Department of Homeland Security (DHS) Tentative Nonconfirmations (TNCs).

USCIS said that the photo E-Verify transmitted should be identical to the photo that appears on an employee's DHS or Department of State-issued document. If the employer determines that the photos do not match, it results in a photo mismatch TNC. If the employee chooses to take action on this TNC, the employer must follow the instructions in the Further Action Notice to scan and upload an image of the employee's document into E-Verify, USCIS said.

Details:

- USCIS FAQs (scroll down to "What is a photo mismatch DHS tentative nonconfirmation (TNC)?," <https://www.e-verify.gov/common-e-verify-questions>)