

## **Worker Guide Citizen/Alien Status**

This worker guide includes definitions of terms used in citizen/alien policy, and it gives information about the U.S. Citizenship and Immigration Services (USCIS) documents shown on the Noncitizens charts.

☞ SEE WORKER GUIDE #1 ([NC-WG#1](#)) OF THE NONCITIZENS CHAPTER FOR THE NONCITIZEN CHARTS.

### **Definitions**

**Alien**: A person who is not a citizen of the United States.

**Amerasians**: People who were born between 1/1/62 and 1/1/76 in Vietnam, who have an American father and a Vietnamese mother. Amerasians may enter the U.S. either as documented aliens or as citizens. If they apply for benefits within eight months of the date stamped on their entrant papers, they may be eligible for REF.

**Amnesty Alien**: An alien who was here illegally but obtained Temporary Resident legal status after Congress passed a new immigration law entitled “Immigration Reform and Control Act of 1986.” The alien must apply for Temporary Resident status through USCIS.

**Battered and Subjected to Extreme Cruelty**: An individual has been battered or subjected to extreme cruelty if the individual has been subjected to – I. physical acts that resulted in, or threatened to result in, physical injury to the individual; II. Sexual abuse; III. Sexual activity involving a dependent child; IV. Being forced as the caretaker relative of a dependent child to engage in nonconsensual sexual acts or activities; V. threats of, or attempts at, physical or sexual abuse; VI. Mental abuse; or VII. Neglect or deprivation of medical care. Based on federal regulations, if the person has been approved or has an I-360 self-petition pending which sets forth a prima facie case, the person meets qualified alien status.

**Citizen/Alien-Waived Emergent Medical (CAWEM)**: Emergency Medicaid for aliens who have a life-threatening need for medical help. To be eligible for CAWEM, a person must meet all the eligibility requirements of any medical program except for citizen/alien status.

**Deportation Being Withheld (DBW)**: Similar to asylee status, this category is for people whose lives or freedom would be threatened by a return to their home country. This alien status includes eligibility for work authorization.

**Immigration and Nationality Act (INA)**: The basic immigration law.

**Immigration and Naturalization Service (INS)**: See USCIS.

**Immigration Reform and Control Act (IRCA)**: In 1986, Congress passed the Immigration Reform and Control Act. This act allowed aliens who were currently residing in the United States to apply for legalization without the threat of deportation.

**Immigrants**: People who have been admitted to the United States for permanent residence and have the option of becoming naturalized citizens after five years of permanent resident status. This category includes some Amerasians.

**Nonimmigrants**: People who enter the United States on nonimmigrant visas. These people are admitted for specific purposes and limited periods of time. They include tourists, students, visitors, temporary workers, investors, dignitaries, etc.

**Parolees**: People not otherwise admissible who are sometimes granted entry into the U.S. at the discretion of the United States Attorney General.

**Persons Residing Under Color of Law (PRUCOL)**: People who are known to the USCIS and who the USCIS has no intention of deporting.

**Refugees/Asylees**: People admitted because of a well-founded fear of persecution in their homeland due to race, religion or political opinion, as determined by USCIS.

**1/1/82 Residents**: Aliens who are being considered for amnesty under IRCA. These are aliens who were not previously lawfully admitted for residency but have proven to the USCIS that they have resided continuously in the United States since 1/1/82.

**Special or Seasonal Agricultural Workers (SAWs)**: Aliens who are being considered for amnesty under IRCA. These aliens have proven to the USCIS that they have performed seasonal agricultural services in the United States for the specific period of time established by the USCIS.

**Undocumented Alien**: A person who has overstayed a nonimmigrant visa or who has entered the United States without inspection or valid immigration documents.

**United States Citizenship and Immigration Services (USCIS)**: An agency within the United States Department of Homeland Security that is responsible for enforcing the immigration laws that set the conditions of admission and the duration of the stay for all aliens. The USCIS issues the appropriate documentation to those who enter the country legally.

## Citizenship

(A) United States citizens are:

- A person born in the U.S;
- A naturalized citizen;

- A person born outside of the U.S. but whose parents ([GP-A.60](#)) (both mother and father) are U.S. citizens;
  - A person born outside of the U.S. who is over 18 years of age but who has at least one parent who is a U.S. citizen. The person must either have a certificate of U.S. citizenship or meet one of the following criteria:
    - Born on or after 12/24/52 and prior to 11/14/86, and their citizen parent was physically present in the U.S. or its outlying possessions for 10 years or more, at least five of which were after age 14;
    - Born on or after 11/14/86, and their citizen parent was physically present in the U.S. or its outlying possessions five years or more, at least two of which were after age 14.
  - A child born outside of the U.S. who is under 18 years of age and has at least one parent who is a U.S. citizen. The child is residing in the U.S. in the legal and physical custody of the citizen parent after having been lawfully admitted into the U.S. as an immigrant for lawful permanent residence;
  - A child lawfully adopted by U.S. citizens;
  - A citizen of Puerto Rico, Guam, the Virgin Islands, the Northern Mariana Islands (Saipan, Tinian, Rota and Pagan), American Samoa and the Swains Islands.
- (B) Long-time residence in the U.S. or marriage to a U.S. citizen do not by themselves confer citizenship on an alien.
- (C) Verification of U.S. citizenship status can be provided by:
- (1) Birth certificate.
  - (2) Naturalization papers.
  - (3) U.S. passport.
  - (4) Certificate of citizenship.

### Certificate of Naturalization

Although there have been many different revisions of the CERTIFICATE OF NATURALIZATION, there are two common versions. The present version has a green color background design and contains a gold embossed Great Seal of the United States in the top center portion. Earlier versions were gray or beige and did not contain the embossed seal. Regardless, all certificates of naturalization are printed on watermarked paper. The watermark design of the Department of Justice seal and the letters "USA" becomes visible when the document is held up to a strong light.



(Watermark)



### **Permanently Residing Under Color of Law (PRUCOL)**

- (A) Persons permanently residing under color of law are those who USCIS is aware of and has no intention of deporting. Persons residing under color of law do not meet alien status for any self-sufficiency program.
- (B) Citizens of the Federated States of Micronesia (Kosrae, Truk, Yap, Ponape), Republic of Palau and the Marshall Islands (Republic of Bikini, Eniwetok and Kwajalein) are considered PRUCOL due to a Compact of Free Association. They are not required to have a visa/passport to travel between their country and the United States, but they **may** have an I-94 coded “CFA/FSM” or “CFA/MIS.”
- (C) Aliens paroled into the United States under the Persian Gulf Evacuation Program.
- (D) Aliens who are applying for admission to the United States **may** be considered PRUCOL while their application is being processed.
- (E) Documentation of PRUCOL includes:
  - (1) I-94 card coded “CFA/FSM” or “CFA/MIS.”
  - (2) Birth certificate.
  - (3) Passport.
  - (4) Visa.
  - (5) Correspondence from USCIS .
  - (6) I-94 or passport with designation of “Humanitarian,” “Persian Gulf Evacuee” or “Hostage.”
  - (7) I-94 or other official USCIS documentation showing that the alien:
    - (a) Has been granted indefinite voluntary departure status; **or**
    - (b) Has been granted an indefinite stay of deportation; **or**
    - (c) Is not under direct order or deportation; **or**
    - (d) Is awaiting a permanent residence visa.

# INS FORM I-94

## “Arrival-Departure Record”

When an alien has been granted admission into the U.S. by an Immigration inspector at an authorized Port of Entry, he/she will be issued an I-94, ARRIVAL/DEPARTURE RECORD, which is stapled to a page in the passport. This document will explain how long the bearer may remain and the terms of admission.

Departure Number  
**742831632 01**

U.S. IMMIGRATION  
250 WAS 177

Immigration and  
Naturalization Service  
I-94  
Departure Record

**SEP 13 1991**

ADMITTED B-2  
UNTIL MARCH 12, 1992 CLASS

14 Family Name  
DOE

15 First (Given) Name  
JOHN

16 Birth Date (Day, Mo, Yr)  
01, 01, 91

17 Country of Citizenship  
ENGLAND

See Other Side STAPLE HERE

**Warning** - A nonimmigrant who accepts unauthorized employment is subject to deportation.  
**Important** - Retain this permit in your possession; you must surrender it when you leave the U.S. Failure to do so may delay your entry into the U.S. in the future.  
You are authorized to stay in the U.S. only until the date written on this form. To remain past this date, without permission from immigration authorities, is a violation of the law.

**Surrender this permit when you leave the U.S.:**

- By sea or air, to the transportation line;
- Across the Canadian border, to a Canadian Official;
- Across the Mexican border, to a U.S. Official.

Students planning to reenter the U.S. within 30 days to return to the same school, see "Arrival-Departure" on page 2 of Form I-20 prior to surrendering this permit.

**Record of Changes**

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Port: Departure Record

Date:

Carrier:

Flight #/Ship Name:

For sale by the Superintendent of Documents, U.S. Government Printing Office  
Washington, D.C. 20402

## I-94

- There are several versions of the I-94 card, and the type of card the alien has will depend on where it was issued (e.g., immigration office, Port of Entry, Processing Center);
- The I-94 card shows the immigration law under which the alien entered the U.S. This will be indicated in the endorsement area;
- The following are some examples of section numbers of the immigration laws that appear on the I-94. Use the appropriate policy and/or the chart on Citizenship/Alien Documents for specific section numbers for each program:

Section 207	Section 207(c)
Section 203(a)(7)	Section 249
Section 212(d)(5)	Section 208
Section 101(a)(15)	Section 243
Section 101(a)(20)	Section 243(h)

- The card may also show a duration-of-stay date and authorization. This information will also be indicated in the card's endorsement area.

(1) Immigrants

Immigrants applying for benefits must obtain the I-94 card from USCIS. The card will be printed or stamped with the message:

Processed for I-551 Card  
Temporary evidence of lawful admission for permanent residence

Valid until (date)  
Employment Authorized

(2) Refugees/asylees

For refugees/asylees, wording similar to the following will be printed or stamped on the I-94:

Refugee pursuant to  
Section (number)  
Employment Authorized

A duration date is never entered because refugees and asylees generally stay in the U.S. indefinitely.

(3) Parolees

For parolees or certain conditional entrants, wording similar to the following will be printed or stamped on the I-94:

Paroled pursuant to  
Section (number) of the I & N Act  
to (a date or the word “indefinitely”)  
Employment Authorized

(4) Nonimmigrants

Nonimmigrants are ineligible for cash benefits and FS. For nonimmigrants (tourists, students, dignitaries, etc.) wording similar to the following will be stamped on the I-94:

U.S. Immigration  
250  
(date)

Admitted (alphabet letter A-L and a one-digit number: for example,  
“B-1”)

Until (date)

Employment for nonimmigrants is generally not authorized. If authorized, it will be included on the card in the stamped information, except for those cards coded with the letter “K.” For those with the “K,” employment is always automatically authorized.

(5) Amerasians

For Amerasians, wording similar to the following will be printed or stamped on the I-94:

Processed for I-551  
Temporary evidence of lawful admission for permanent residence

Valid until (date)  
Employment Authorized

The back of the I-94 arrival card will be stamped with an admissions stamp and coded either AM1, AM2 or AM3. These codes identify the alien as an Amerasian and mean the alien has refugee status. Eligibility is generally through the Refugee Program.

(6) Cuban/Haitian Entrants

Consider the alien status requirement to be met for those Cuban/Haitian entrants who:

- (a) Entered the U.S. between April 20 and June 19, 1980; and
- (b) Have an I-94 or I-94S card stamped:

“Cuban/Haitian Entrants (status pending). Reviewable January 15, 1981.”

The I-94S is a pink and white laminated card containing both a photo and fingerprint. The card has been or is being reissued to all Cuban/Haitian entrants who possess I-94 cards.

(7) I-94 marked “S-9”

An I-94 marked “S-9” is issued to the alien when the application process is started outside of the United States for adjustment of status under the Special Agricultural Workers (SAWs) section of IRCA. The I-94 gives work authorization and is valid for 90 days. By that time, the alien should have filed a complete I-700 (SAW) application at an immigration office. The expiration date is noted on the face of the document. The effective date on this document is not the date temporary residence is effective. Temporary residence is effective when the individual files their application at an immigration office.

(8) I-94 marked “CFA/MIS”

An I-94 marked “CFA/MIS” is issued to citizens of the Marshall Islands. Holders of this card are considered persons residing under color of law (PRUCOL).

(9) I-94 marked “CFA/FSM”

An I-94 marked “CFA/FSM” is issued to citizens of the Federated States of Micronesia. Holders of this card are considered persons residing under color of law (PRUCOL).

(10) North American Indians

For North American Indians, wording similar to the following will be printed or stamped on the I-94:

Processed for I-551  
Temporary evidence of lawful admission for permanent residence.  
Valid until (date)  
Employment Authorized  
Port of Entry  
(Date) of entry  
Classification (code)

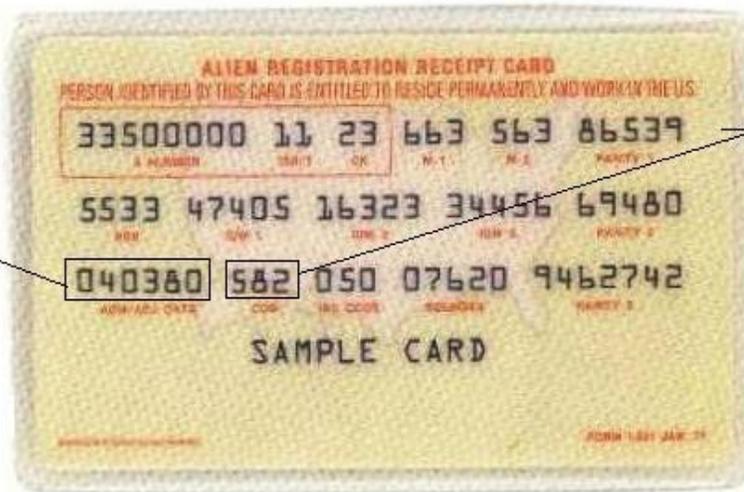




The RESIDENT ALIEN CARD, Form I-551, was introduced in January 1977 and phased in over a period of time. In addition to the photograph, the I-551 will contain the bearer's signature and fingerprint.



STATUS CODE



COUNTRY OF BIRTH

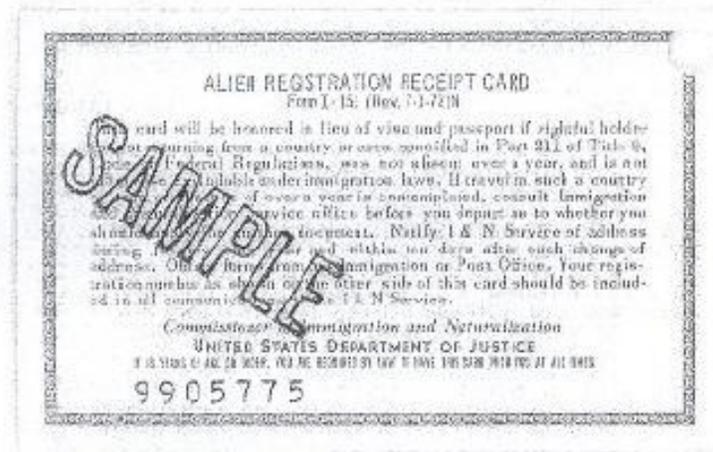
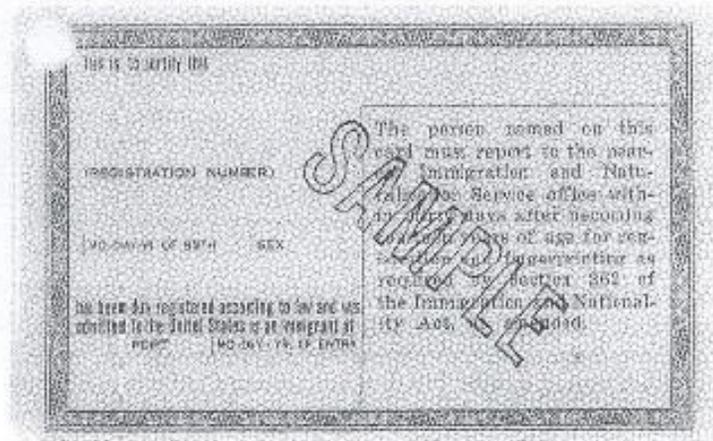
ENTRY DATE

Form I-551

### Alien Registration Receipt Cards

USCIS Forms I-151 and I-551, are issued to aliens who have been granted permanent resident status in the United States. They retain this status while in this country. The bearer is required to have this card in his/her possession at all times.

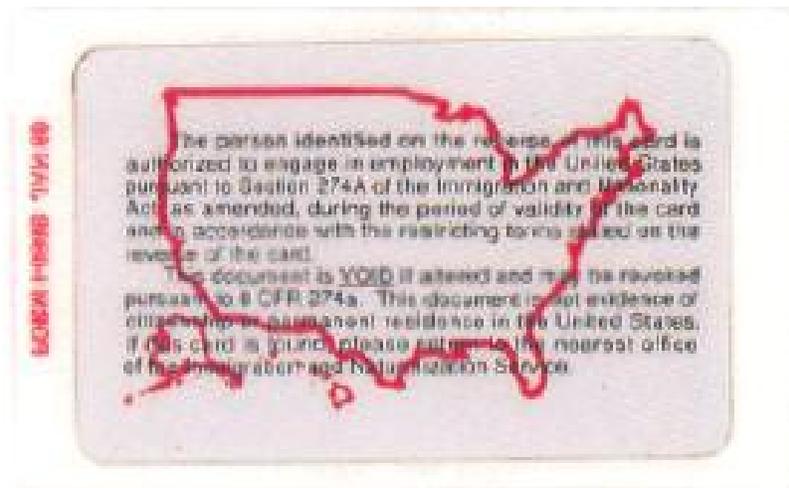
The first ALIEN REGISTRATION RECEIPT CARD, Form I-151, was introduced in 1946. Through 18 years of various revisions, it remained primarily green in color causing it to become known as a “green card”. This term is still commonly used today although the cards have not been “green” since 1964. These cards contained no expiration date and were only required to be renewed if the recipient was under the age of 14 at the time of issuance, or if the card was lost or stolen.



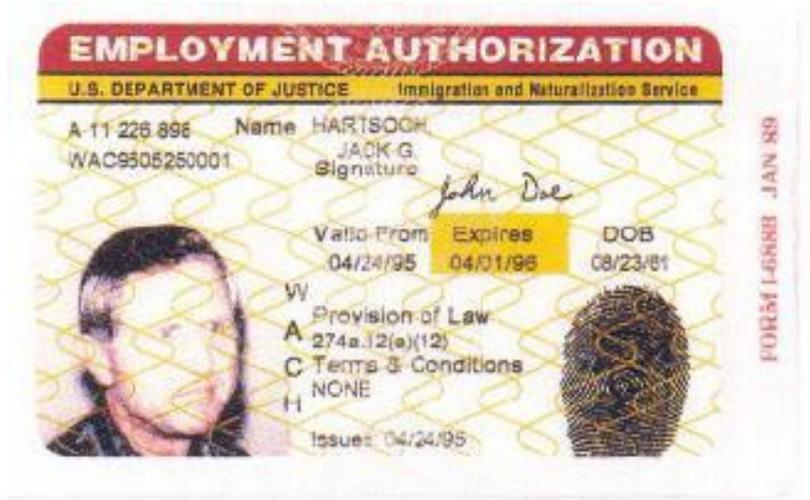
**Note:** As of March 20, 1996, the above form I-151 is no longer acceptable as evidence of permanent residence.

### Employment Authorization Document

This EMPLOYMENT AUTHORIZATION DOCUMENT, Form I-688B, is issued to aliens who are not permanent residents but have been granted permission to be employed in the U.S. for a specific period of time. The card originally was produced with a Polaroid process similar to the I-688 and I-688A, but has the added feature of interlocking gold lines across the front.

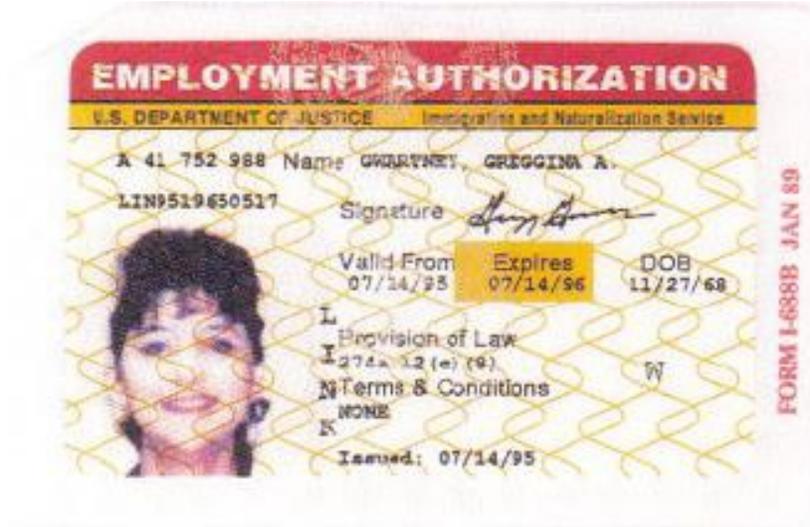


In May 1995, some INS (currently USCIS) offices began issuing a modified I-688B. The most significant change was to the card stock which was changed from the Polaroid process to a synthetic material called Teslin on which the biometric and biographic data of the bearer are printed. Note that on this version, the name is printed on two lines.



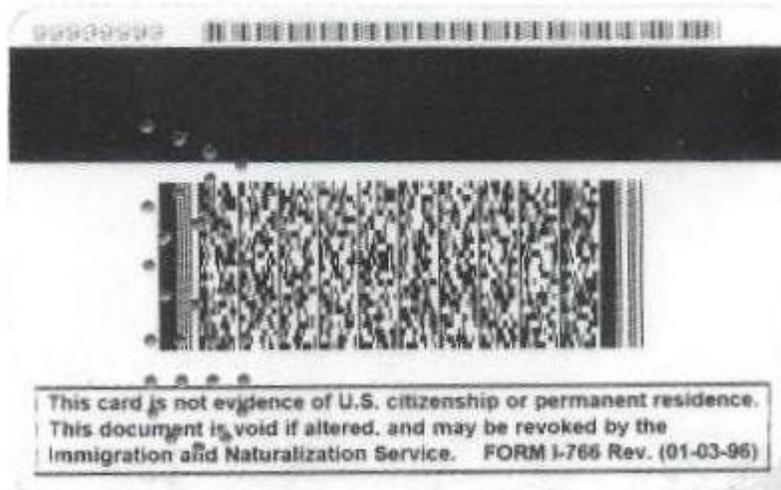
Form I-688B (May 1995)

In August 1995 changes were made to the software which prints the I-688Bs and the name reverted to the one line format similar to the original card.



Form I-688B (August 1995)

In January 1997, INS (currently USCIS) began issuing a new EMPLOYMENT AUTHORIZATION DOCUMENT, Form I-766. The new card is a credit card type of document. The front of the card contains a photo, fingerprint and signature of the rightful holder. The reverse contains a standard bar code, magnetic strip and a two-dimensional bar code which will contain unique card, biographic and biometric data.



Form I-766 (January 1997)

**Documentation required when a person meets qualified alien status as a person who has been *Battered or Subjected to Extreme Cruelty*.**

Documentation of a prima facie status or approved petition includes an I-707, *Notice of Action* that specifically states that the noncitizen is a: I-360 Self-petitioning spouse/child of USC (U.S. Citizen) or LPR (Legal Permanent Resident). The original notice of action will show an "Establishment of Prima Facie Case." The status is valid for a period of 180 days from the date of the notice. An expiration date is given on the bottom of the notice. An I-797 may also indicate an "Extension of Prima Facie Case" with a new expiration date. An I-797, like the [DHS 456](#), is a decision notice. It can be used for other information that is provided to immigrants by immigration services. Only the I-797 with the specific information about the prima facie case or an approved I-et0 petition would be considered documentation.

18/08/2008 14:47 5839422862 PAGE 02  
 Department of Homeland Security  
 U.S. Citizenship and Immigration Services **I-797, Notice of Action**

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**THE UNITED STATES OF AMERICA**

Receipt Number		Case Type
Receipt Date		Petition for Amerasian, Widow (er) or Special Immigrant (Form I-360)
August 27, 2008	Priority Date	Petitioner
Notice Date	Page	A-File Number
September 4, 2008	1	

CATHOLIC CHARITIES IMMIGRATION SERVICES  
 901 SE OAK SUITE 105  
 PORTLAND OR 97214

Section: Self-Petitioning Spouse of U.S.C. or L.P.R.  
**ESTABLISHMENT OF PRIMA FACIE CASE**  
 DUPLICATE

The above petition has been reviewed and found to establish a prima facie case for classification under the self-petitioning provisions of the Violence Against Women Act.

THIS NOTICE MAY BE USED TO ASSIST YOU IN RECEIVING PUBLIC BENEFITS.

THIS PRIMA FACIE DETERMINATION IS VALID FOR A PERIOD OF 180 DAYS FROM THE NOTICE DATE SHOWN ABOVE, AND EXPIRES ON THE DATE INDICATED AT THE BOTTOM OF THE PAGE.

We will send you a written notice as soon as we make a decision on this case. It is not expected that a final decision will be made in this case before the end of 180 days. If this period is coming to a close and you need an extension of this prima facie determination in order to continue receiving public benefits, please submit a written request for extension at least 15 days prior to expiration.

A COPY OF THIS NOTICE MUST ACCOMPANY ANY REQUEST FOR AN EXTENSION OF THIS DETERMINATION.

PLEASE NOTE: ESTABLISHING A PRIMA FACIE CASE FOR CLASSIFICATION UNDER THE SELF-PETITIONING PROVISIONS OF THE VIOLENCE AGAINST WOMEN ACT DOES NOT NECESSARILY MEAN THAT YOUR PETITION WILL BE APPROVED.

\*\*\*\*\*  
 EXPIRATION DATE: April 18, 2009.  
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You will be notified separately about any other applications or petitions you filed. Save this notice. Please enclose a copy of it if you write to us about this case, or if you file another application based on this decision. Our address is:

UNITED STATES CITIZENSHIP AND IMMIGRATION SERVICES  
 VERMONT SERVICE CENTER  
 75 LOWER WELDEN STREET  
 ST. ALBANS, VT 05479

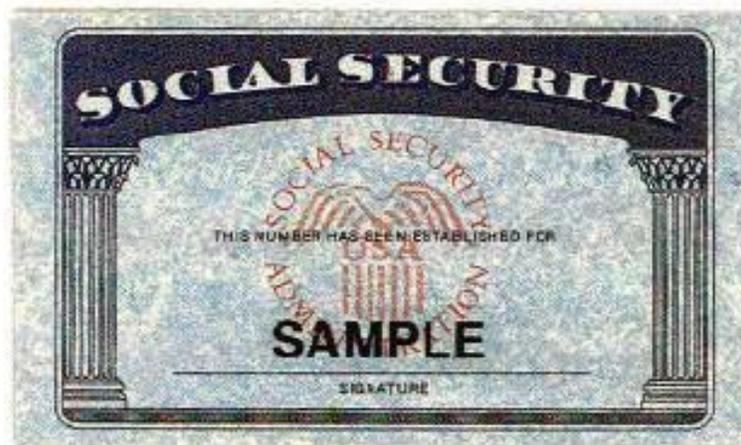
S

## Social Security Cards

Although SOCIAL SECURITY CARDS are not immigration documents, they are mentioned here because they are often used as identification and to establish employment authorization.

Social Security cards have been issued since 1936 and have been revised more than 20 times. Originally, the seal on the social security card read Department of Health, Education and Welfare. In May 1980, it was changed to the Department of Health and Human Services. In April 1995, it was changed again to read Social Security Administration. Some counterfeiters have failed to notice these changes.

In October 1983, security features were added to the card. All social security cards issued since October 1983 have been printed with raised (intaglio) printing and the signature line consists of microline printing of the words “SOCIAL SECURITY ADMINISTRATION” in a repeating pattern.



This card is the official verification of your Social Security number. Please sign it right away. Keep it in a safe place.

Improper use of this card or number by anyone is punishable by fine, imprisonment or both.

This card belongs to the Social Security Administration and you must return it if we ask for it.

If you find a card that isn't yours, please return it to:  
Social Security Administration  
P.O. Box 17067, Baltimore, MD 21235

For any other Social Security business/information, contact your local Social Security office. If you write to the above address for any business other than returning a found card, it will take longer for us to answer your letter.

Social Security Administration  
Form SSA-3400 (4-95)

**SAMPLE**  
D05000001

The first three digits of the social security number indicate the state in which the card was issued:

<u>Number</u>	<u>Issuing State</u>	<u>Number</u>	<u>Issuing State</u>
001-003	New Hampshire	516-517	Montana
004-007	Maine	518-519	Idaho
008-009	Vermont	520	Wyoming
010-034	Massachusetts	521-524	Colorado
035-039	Rhode Island	525	New Mexico
040-049	Connecticut	526-527	Arizona
050-134	New York	528-529	Utah
135-158	New Jersey	530	Nevada
159-211	Pennsylvania	531-539	Washington
212-220	Maryland	540-544	Oregon
221-222	Delaware	545-573	California
223-231	Virginia	574	Alaska
232	North Carolina	575-576	Hawaii
233-236	West Virginia	577-579	Dist. Columbia
237-246	North Carolina	580-584	Puerto Rico/VI
247-251	South Carolina	585	New Mexico
252-260	Georgia	586	Am. Samoa/Guam
261-267	Florida	587-588	Mississippi
268-302	Ohio	589-595	Florida
303-317	Indiana	596-599	Puerto Rico
318-361	Illinois	600-601	Arizona
362-386	Michigan	602-626	California
387-399	Wisconsin	627-645	Texas
400-407	Kentucky	646-647	Utah
408-415	Tennessee	648-649	New Mexico
416-424	Alabama	650-653	Colorado
425-428	Mississippi	654-658	South Carolina
429-432	Arkansas	659-665	Louisiana
433-439	Louisiana	667-675	Georgia
440-448	Oklahoma	676-679	Arkansas
449-467	Texas	680	Nevada
468-477	Minnesota	681-690	North Carolina
478-485	Iowa	691-699	Virginia
486-500	Missouri	750-751	Hawaii
501-502	North Dakota	752-755	Mississippi
503-504	South Dakota	756-763	Tennessee
505-508	Nebraska	764-765	Arizona
509-515	Kansas	766-772	Florida