Guide to Common Work Authorization Documents for New Americans

Prepared by the Division of Workforce Development and Adult Learning













Maryland
DEPARTMENT OF LABOR

INTRODUCTION

The *Guide to Common Work Authorization Documents for New Americans* was created as a reference for Maryland workforce development staff to use when verifying work authorization. The resource depicts examples of documents that are commonly issued to immigrants and those newly arrived to the United States.

The scope of this resource is to familiarize service providers with documents that are unique to the immigrant community. As a result, the *Guide* is not an exhaustive list of all items eligible to demonstrate identity and work authorization.

The featured documents demonstrate eligibility to lawfully work within the United States and align with Labor's Division of Workforce Development and Adult Learning's *Workforce Innovation and Opportunity Act (WIOA) Title I Program Eligibility* policy. That policy is available at the site below for reference:
https://labor.maryland.gov/employment/mpi/mpi13-21.pdf

Questions about the content of this resource or about work authorization should be directed to:

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GLOSSARY OF TERMS[1]

Asylee: A foreign national who is found to be unable or unwilling to return to his or her country of nationality, or to seek the protection of that country because of persecution or a well-founded fear of persecution. Persecution or the fear thereof must be based on religion, nationality, membership in a particular social group, or political opinion. (These are the same categories of persecution used for refugees, but the difference between the two statuses is largely procedural. An asylee will apply for protection once they are present in a new country).

Department of Homeland Security or "DHS": Federal agency responsible for securing the nation; Offices housed within this agency include, but are not limited to: U.S. Customs and Border Protection, U.S. Citizenship and immigration Services, and U.S. Immigration and Customs Enforcement.

"Green Card": Officially known as the Permanent Resident Card or Form I-551. The card is issued by USCIS to foreign nationals as evidence of their lawful permanent residence in the U.S. It is referred to as a "Green Card" because of its historically green-colored background.

Employment Authorization Document or "EAD": Also known as Form I-766, the EAD is a card issued by USCIS to foreign nationals who are authorized to work in the U.S. The card contains a photograph of the individual and sometimes a fingerprint.

Permanent Resident: Any person not a citizen of the U.S. who is living in the U.S. under legally recognized and lawfully recorded permanent residence as an immigrant. This can also be known as "permanent resident alien," "resident alien permit holder," and "Green Card holder."

Refugee: A person outside their country of nationality who is unable or unwilling to return to that country because of persecution or a well-founded fear of persecution based on the person's race, religion, nationality, membership in a particular social group, or political opinion.

Temporary Protected Status or "TPS": The Secretary of the Department of Homeland Security may designate a foreign country for TPS due to conditions that temporarily prevent the country's nationals from returning safely, such as armed conflict or natural disasters. "TPS" provides lawful status to foreign nationals to live and work in the U.S.

United States Citizenship and Immigration Services or "USCIS": United States Citizenship and Immigration Services is the federal office within the Department of Homeland Security that oversees lawful immigration to the United States.

U.S. Citizen: There are several ways for individuals to acquire U.S. Citizenship, including but not limited to:

- "Citizen at Birth" – Individuals born within the U.S.
- "Derived or Acquired" Citizen – Individuals that derived citizenship from a U.S. citizen parent
- "Naturalized citizen" – Individuals who have gained U.S. citizenship through application to and approval from USCIS

[1] Some definitions were obtained from the following sources: dhs.gov and USCIS.gov.

WORK AUTHORIZATION DOCUMENTS

This section includes several examples of documents that, per USCIS regulations, prove legal eligibility to work within the United States. When verifying work authorization, you must allow the individual to choose which document(s) they will present from the lists of acceptable documents in the Title I Program Eligibility policy mentioned on page 1.

United States Passport and Passport Card





Sources: USCIS and U.S. Department of State
These are pictures of a U.S. Passport and a U.S. Passport Card. Only U.S. citizens can acquire these documents, thus, an unexpired copy is sufficient proof that an individual is authorized to work in the U.S.

Permanent Resident Card ("Green Card" or USCIS Form I-551)

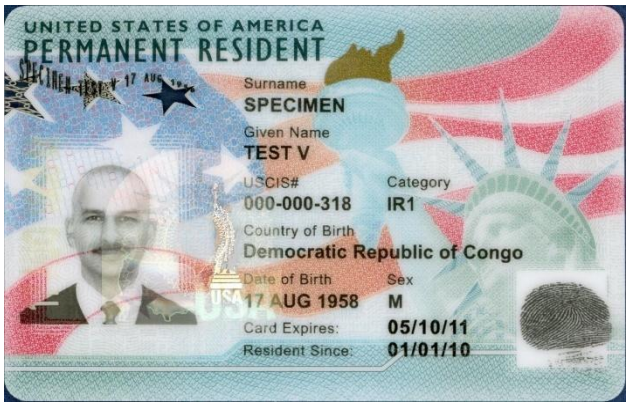




Source: USCIS
This is a picture of the current "Green Card," which USCIS began issuing in 2023.

Important Note: "Green Card" holders are permitted to work because of their immigration status as legal permanent residents. Work authorization status remains intact if the "Green Card" is expired. However, "Green Card" holders are required to have or apply for an updated "Green Card" per USCIS regulations. *(See notes on page 13).*

(Previous Version of Permanent Resident Card)





Important Note: To reduce the risk of fraud and counterfeiting, USCIS redesigns the "Green Card" every three to five years. Introduction of new card designs does not mean that cards with previous designs are invalid. Both current and previous cards remain valid until the expiration date shown on the card (unless otherwise noted such as through an automatic extension of the validity period of the "Green Card" as indicated on a Form I-797, Notice of Action, or in a Federal Register notice).

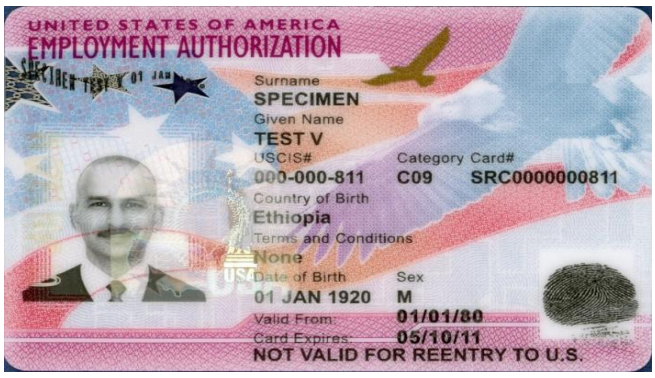
Source: USCIS

Employment Authorization Document ("EAD" or USCIS Form I-766)



Important Note: EADs issued to refugees do not expire despite an expiration date listed. Refugees and asylees are authorized to work because of their immigration status. Many refugees and asylees may choose to present an unexpired EAD card, however, neither refugees nor asylees are required to present an EAD to demonstrate work authorization if they can prove eligibility with other documents.

Source: USICS
This is a picture of the current Employment Authorization Document card, which USCIS began issuing in 2023. Some EADs issued after that date may still display the previous design format because USCIS uses existing card stock until supplies are depleted.





Source: USICS
This is a former version of the EAD. Introduction of new EAD designs does not mean that previous designs are invalid. Both current and previous cards remain valid until the expiration date shown on the card (unless otherwise noted such as through an automatic extension of the validity period of the EAD indicated on a Form I-797, Notice of Action, or in a Federal Register notice).

Social Security Card (SSN) with Restrictions



Important Note: Services cannot be denied to anyone for refusing to furnish a Social Security number when their status can be documented via other means.

Source: Social Security Administration

This is a picture of a Social Security (SSN) card that has restrictions. This card is issued to individuals who were lawfully admitted to the United States on a temporary basis. Only an unrestricted SSN card, shown below, is acceptable to demonstrate work authorization.



Certificate of Naturalization



Source: USCIS

This is a picture of the Certificate of Naturalization. The certificate is given to naturalized citizens of the U.S. (individuals who were not born citizens of the U.S. but applied via USCIS and were approved for citizenship). The current version of the Certificate of Naturalization, now issued by USCIS, is similar to the previous version issued by the Immigration and Naturalization Service. It contains a gold embossed Great Seal of the U.S. in the top center portion. The watermark design, visible when the document is held up to a strong light, contains the emblem of DHS.

Foreign Passport with USCIS Form I-94

A foreign passport must be accompanied by a Form I-94 of Form I-94A (next page) bearing the same name as the passport and containing an endorsement of the individual's nonimmigrant status and authorization to work for a specific employer based on this status. This document may only be used if the period of endorsement has not yet expired and the proposed employment does not conflict with any restrictions or limitations listed on Form I-94 or I-94A, Arrival-Departure Record. **See "Important Notes" below for how to handle Form I-94s for asylees and refugees.**

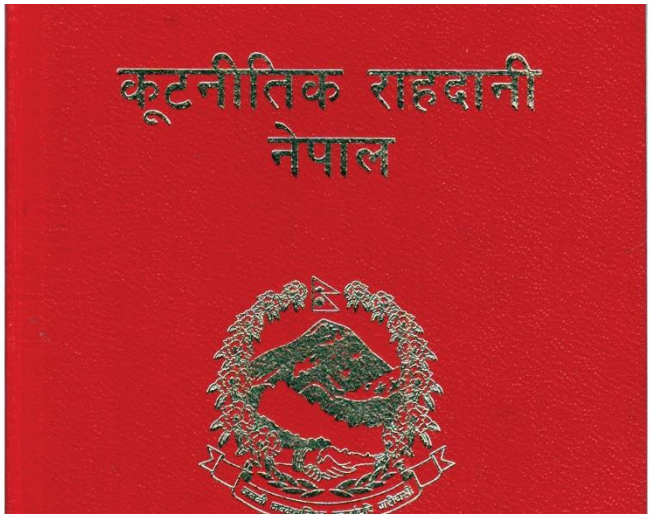


Source: USCIS
This is a picture of a current I-94 (Arrival/Departure Record).

Important Notes:
The new Form I-94 is automated and an individual can print a copy online from the USCIS website. Authorization to work is derived from the "Class of Admissions" category.

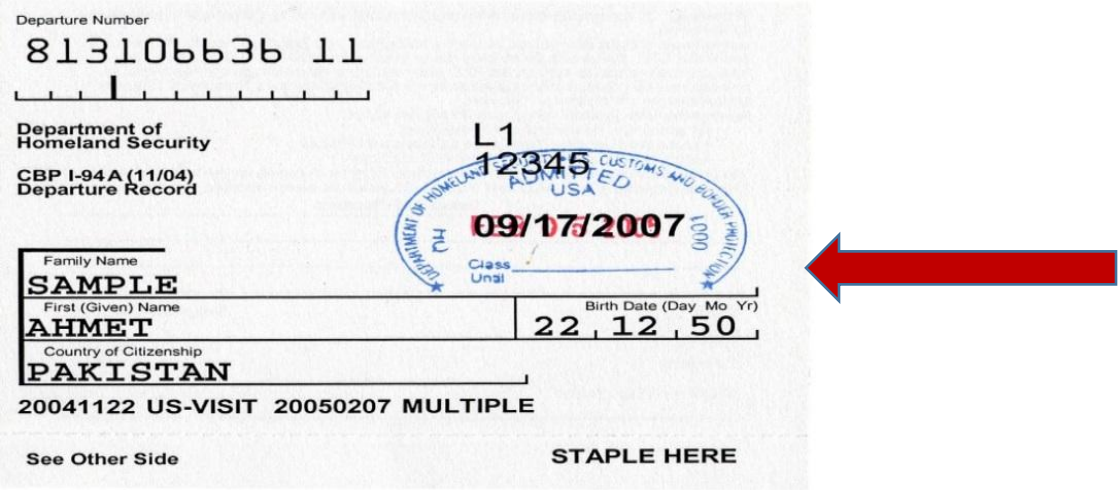
See page 13 for a resource regarding all possible "Class of Admission" codes.

An asylee may have a Form I-94 issued by DHS that grants them work authorization with a stamp or notation indicating their status, such as "asylum granted indefinitely." Asylees are permitted to work 6 months after submitting an asylum claim or immediately after asylum is granted. Many asylees choose to obtain an EAD for convenience of identification purposes, but that is not required.



Source: USCIS
This is a picture of one of many examples of a foreign passport.

Foreign Passport with USCIS Form I-94A, and containing an endorsement to work

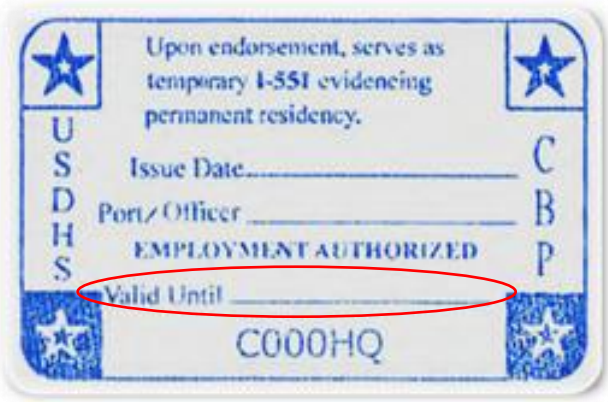


Source: USCIS
This is a picture of a Form I-94A stamped with an endorsement to work.

Foreign passport containing a USCIS Form I-551 stamp or Form I-551 printed notation (Foreign passport “stamped eligible to work”)



Source: USCIS
This is an example of a foreign passport.



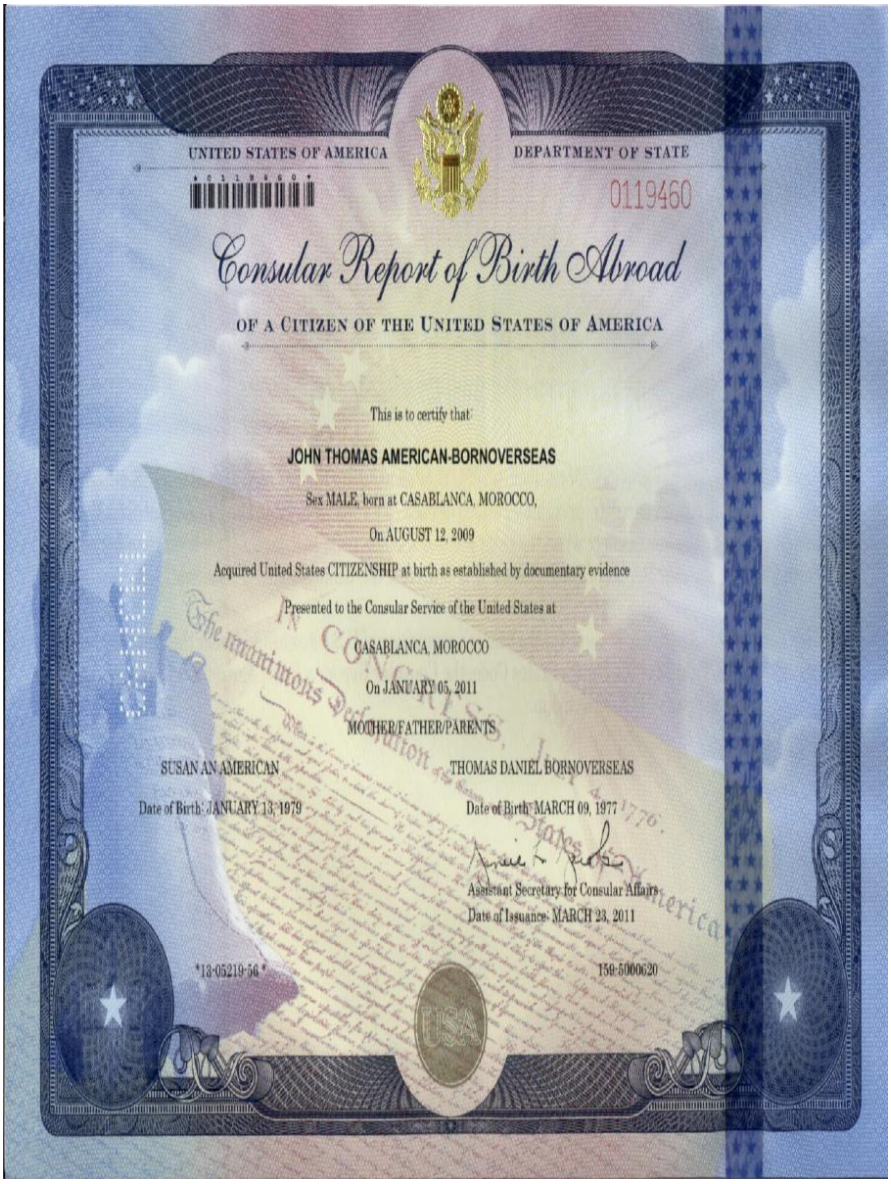
Source: USCIS
This is a picture of a Form I-551 stamp that is located within the foreign passport. A “valid until” date is listed at the bottom.

Instead of the I-551 stamp shown above, a foreign passport may instead have a Form I-551 printed notation Machine-Readable Immigrant Visa (MRIV) inside. This is pictured below and also contains an expiration date.



Source: USCIS
This is a picture of a Form I-551 printed notation on a MRIV.

Consular Report of Birth Abroad


UNITED STATES OF AMERICA

DEPARTMENT OF STATE

0119460

Consular Report of Birth Abroad

OF A CITIZEN OF THE UNITED STATES OF AMERICA

This is to certify that

JOHN THOMAS AMERICAN-BORNOVERSEAS

Sex MALE, born at CASABLANCA, MOROCCO,

On AUGUST 12, 2009

Acquired United States CITIZENSHIP at birth as established by documentary evidence

Presented to the Consular Service of the United States at

CASABLANCA, MOROCCO

On JANUARY 05, 2011

MOTHER/FATHER/PARENTS

SUSAN AN AMERICAN

Date of Birth: JANUARY 13, 1979

THOMAS DANIEL BORNOVERSEAS

Date of Birth: MARCH 09, 1977

Assistant Secretary for Consular Affairs

Date of Issuance: MARCH 23, 2011

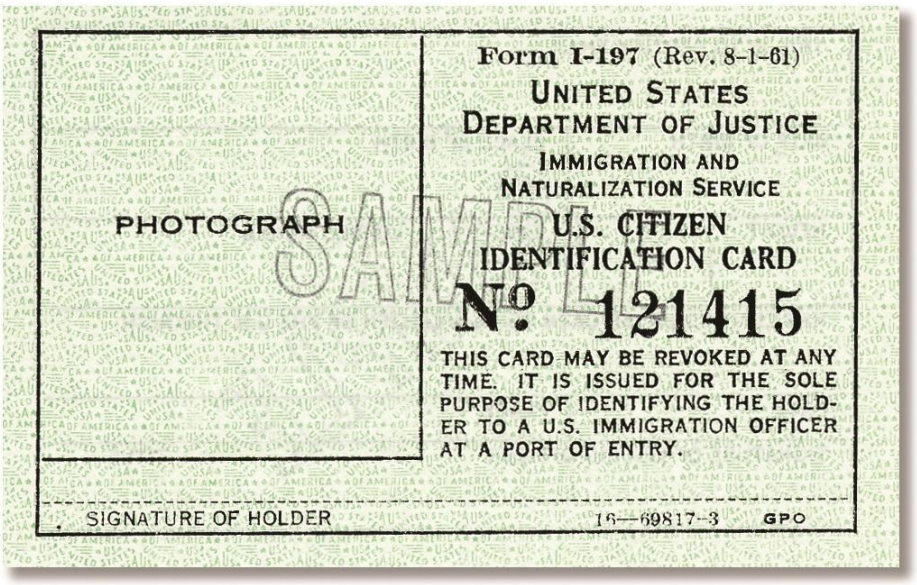
13-05219-56

150-5000620

Source: USCIS

This is a picture of a Consular Report of Birth Abroad. It is issued by the U.S. Department of State in the case of children born abroad to a U.S. citizen parent or parents. These documents may vary in color and paper used. All will include a raised seal of the office that issued the document, and may contain a watermark and raised printing.

U.S. Citizenship Identification Card (I-197)



Source: USCIS
This is a picture of a U.S. Citizenship Identification Card. This is an older document that was issued by the former Immigration and Naturalization Service (INS). Although the new cards are no longer being issued, the document is valid indefinitely and is sufficient to prove work authorization.

ADDITIONAL RESOURCES

- Work authorization and I-9 acceptable documents:
  https://www.uscis.gov/i-9-central/form-i-9-acceptable-documents

- Class of Admissions on certain documents:
  https://ohss.dhs.gov/topics/immigration/lawful-permanent-residents/immigrant-classes-admission

- Information about expiration dates for "Green Cards"
  https://www.uscis.gov/i-9-central/form-i-9-resources/handbook-for-employers-m-274/70-evidence-of-employment-authorization-for-certain-categories/71-lawful-permanent-residents-lpr

  USCIS explains that documents that appear to be expired on their face may actually have been extended. Recipients could be waiting for a new document to be issued and are eligible to work in the meantime. "Green Card" holders are still eligible to work in the interim because of their immigration status and a Social Security Card may be requested to verify eligibility.

- Three types of Social Security Cards issued by the Social Security Administration:
  https://www.ssa.gov/ssnumber/cards.htm