

OFFICE OF BUSINESS LIAISON

U.S. DEPARTMENT OF HOMELAND SECURITY U.S. CITIZENSHIP AND IMMIGRATION SERVICES

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The following is not intended to be legal advice pertaining to your situation and should not be construed as such. The information provided is intended merely as a general overview with regard to the subject matter covered.

New Temporary Evidence of I-551, Permanent Residence Status

Purpose

The purpose of this bulletin is to provide guidance to employers regarding the acceptability of the new Machine Readable Immigrant Visa (MRIV) with temporary I-551 language for the Form I-9, Employment Eligibility Verification. An unexpired foreign passport with an MRIV containing temporary I-551 language that has been endorsed with an admission stamp by the U.S. Department of Homeland Security (DHS) is a List A #4, temporary I-551 valid until one year from the date of the endorsement.

Discussion

An unexpired foreign passport containing a temporary I-551 stamp is an acceptable List A #4 document for Form I-9. Page 23 in the current version of the Handbook for Employers, M-274 (Rev. 11-21-91), contains a sample of this stamp, which reads: "PROCESSED FOR I-551. TEMPORARY EVIDENCE OF LAWFUL ADMISSION FOR PERMANENT RESIDENCE. VALID UNTIL _____. EMPLOYMENT AUTHORIZED." Beginning June 28, 2004, employers may be presented with MRIVs endorsed in the manner noted below. In addition to serving as an immigrant visa, this type of endorsed MRIV is equivalent to the temporary I-551 stamp, which denotes temporary evidence of permanent resident status, as described in the Handbook for Employers.

All MRIVs issued by U.S. Embassies and U.S. Consulates on or after June 28, 2004 include the following statement, "UPON ENDORSEMENT SERVES AS TEMPORARY I-551 EVIDENCING PERMANENT RESIDENCE FOR 1 YEAR" immediately below the bearer's photograph. As with all U.S. visas, each MRIV will be examined by a DHS officer at the bearer's Port of Entry (POE). After determining that a bearer of such MRIV should be admitted to the U.S. as a Lawful Permanent Resident, the DHS officer places an admission stamp on the upper portion of the MRIV, with part of the stamp overlapping the adjoining page (just above the bearer's photograph). When this occurs, the bearer is admitted to the United States as a lawful permanent resident and the MRIV qualifies as a Form I-9 List A #4 document that is valid until one year from the date of DHS endorsement.

In summary, the following qualify as List A #4 documents that constitute temporary evidence of permanent residence status and employment authorization:

- An unexpired foreign passport containing an unexpired temporary I-551 stamp.
- An unexpired foreign passport with MRIV and unexpired temporary I-551 stamp.
- An unexpired foreign passport with the new MRIV containing temporary I-551 language and endorsed with an unexpired DHS admission stamp.

As with the traditional temporary I-551 stamp contained in an unexpired foreign passport, employers must reverify the work authorization of employees who present properly endorsed MRIVs no later than the expiration date of the temporary I-551. In the case of the new MRIVs, the expiration date is one year from the date of the DHS endorsement.