

MINUTES OF THE SENATE COMMERCE COMMITTEE

The meeting was called to order by Chairperson Karin Brownlee at 8:30 A.M. on January 17, 2007 in Room 123-S of the Capitol.

All members were present except:
David Wysong- unexcused

Committee staff present:
Amy Deckard, Kansas Legislative Research Department
Kathie Sparks, Kansas Legislative Research Department
Norm Furse, Revisor of Statutes
Jackie Lunn, Committee Assistant

Conferees appearing before the committee:
Rae Ann Davis, Kansas Department of Commerce

Others attending:
See attached list.

Chairperson Brownlee introduced Rae Ann Davis from the Kansas Department of Commerce to give a response to the Post Audit Report on Workforce Development. Ms. Davis presented written testimony from Secretary Fricke, Department of Commerce that was given before the Joint Committee on Economic Development dated October 12, 2006. (Attachment 1) Ms. Davis stated she would like to update the Committee on Local Area III and V and stated Local Area III has obtained another administrative entity and that Local Area V was looking for another administrative entity also.

Senator Jordan asked Ms. Davis to give an update on the Governor's proposal regarding workforce development. Ms. Davis stated the Governors On-Track Proposal identifies the following sectors for priority:

- Aviation
- Advanced Manufacturing
- Communication
- Health Care
- Energy
- Biosciences with emphasis on animal health
- Military
- Teachers specifically math, science and special education teachers

Ms. Davis stated On -Track is a program that will focus on:

- Recruiting workers from other states and training workers already in the state by partnering with Kansas employers.
- The program promotes employer based child care.
- They will also focus on increasing the skill level of the Kansas workforce by offering training programs which will also promote good work ethic.

Questions and answers followed. Senator Jordan requested that Ms. Davis get copies to the Committee of the information she was referring to and she stated she would.

Senator Brownlee introduced Kathie Sparks, Legislative Research, to review the federal Real ID Act of 2005 and the federal Basic Pilot Program. (Attachment 2) Ms. Sparks stated the state has almost no responsibility when it comes to employment of illegal immigrants. Currently, under Kansas statutes, there are no requirements for employment eligibility verification. The responsibility for verification is under the federal Immigration Reform and Control Act of 1986. The federal act requires employers to have in their job records and a completed I-9 , for each employee, including U.S. citizens, hired after November 6, 1986. Ms. Sparks reviewed her report on immigration issues.

Questions and answers followed. Upon the conclusion, the meeting was adjourned, with the next meeting

CONTINUATION SHEET

MINUTES OF THE Senate Commerce Committee at 8:30 A.M. on January 17, 2007 in Room 123-S of the Capitol.

scheduled for tomorrow, January 18th at 8:30 a.m. in room 123S.

Testimony on the Workforce Development Audit Report
Joint Committee on Economic Development
October 12, 2006
Presentation by Howard Fricke, Secretary of Commerce

Good morning and thank you for the opportunity to discuss the audit report on workforce development and the Workforce Investment Act (WIA) in Kansas. It is our goal at the Department of Commerce to experience continuous improvement in the State's workforce development system, and an audit of this nature can be a helpful tool to identify areas that need further attention.

I believe it is important for all of us to understand the State's role in implementing the Workforce Investment Act (WIA). The legislation, which was enacted in August, currently provides \$25 million to provide WIA services. The federal government sets the rules and guidelines for these services, which are carried out at the local level through Local Workforce Investment Boards (LWIBs). The State's role is to provide influence, as well as guidance and support, to assist the LWIBs in strengthening their compliance with the federal government. The bottom line is that this is a federal program administered at the local level.

The audit report goes into great detail cataloging problems that Commerce's internal oversight system previously identified, and in many cases these have already been corrected. I will be the first to tell you that Kansas' workforce development programs were suffering when Governor Sebelius took office. Commerce leadership has spent the past two years systematically addressing these problems – and those efforts are laid out in the report.

We are still working hard to make improvements, such as implementing a culture change within our staff, and ensuring our programs meet the needs of Kansas employers as a better way to provide job services to individuals. Fundamental changes such as these do not happen overnight. They are complicated and take time. We certainly have not avoided every pitfall as we have undertaken these efforts, but we have course-corrected as needed. I am confident that we are on the right track and that the daily efforts of Commerce staff to make system improvements are paying off.

For example, we recently provided technical advice and funding to local officials and educators in western Kansas to meet the job-training needs of the oil and gas industry. The recent upturn in that industry has resulted in a great need for an expanded qualified workforce, and we responded to provide training. In addition, we recently provided support to local officials in the Fort Riley area. A special WIA initiative will focus on serving the employment needs of military spouses. The return of the Big Red One to Fort Riley is resulting in unprecedented growth in that area. Commerce is working with local officials to ensure that employment and training needs of trailing spouses are met.

Commerce has responded to the conclusions and recommendations of the audit in great detail. You received a copy of that response last week, so I will not address each item in

my testimony today. However, I would like to provide clarification on the conclusion that comprehensive One-Stop centers do not exist in Local Areas 1, 3, and 5 because all mandated partners were not physically present in each center. We have been assured by the federal government that partners are not required to be physically located in the One-Stop as long as their services are available on an as-needed basis through part-time staff, electronic links, or cross-training of One-Stop staff. Kansas' one-stops are in compliance with the Workforce Investment Act. After the conclusion of the audit process we received a chart outlining how the auditors had come to their conclusion. After lengthy discussions with the LPA auditors and with federal officials from the U.S. Department of Labor, our partners in continuous improvement, we still stand behind our original response to the audit report. The center designated as a one-stop by each local board has established memoranda of understanding with mandated partners that define how services will be acquired for customers with those special needs. While it may be preferable for a partner such as vocational rehabilitation to be co-located in the one-stop, limited state and federal program dollars make it not feasible in every instance, particularly in more rural areas. That being said, Commerce and our local partners are on a path on continuous improvement. I expect the state's local boards will be working to make services as convenient and accessible as possible for Kansans.

I would also like to address the finding that Kansas' system lacks coordination. The auditors themselves were able to find no state to hold out as an example of a well-coordinated system. Certainly the recommendations made to address this finding would create insignificant or trivial changes. As I have mentioned, Kansas' workforce development system partners are on a path of continuous improvement. For example, Commerce and the Department of Corrections are in the process of drafting a memorandum of understanding to coordinate service provision to the offender population. Corrections staff are collocated at the Hutchinson Workforce Center and an electronic connection to the one-stop is available at the Hutchinson Correctional Facility for assistance as offenders reenter Kansas communities. Additionally, the Department of Social and Rehabilitation Services is represented on the state workforce investment board (the Workforce Network of Kansas) and each local board. We will continue to work with SRS Vocational Rehabilitation Services to improve coordination with one-stops, particularly in Kansas City.

Commerce has gone beyond coordination with the Board of Regents; we are integrated. Dr. Blake Flanders serves as the Board's Director of Career and Technical Education and Commerce's Director of Workforce Training and Education Services. This level of coordination has allowed us to partner with Community Colleges and Technical Schools to deliver training to Kansas businesses that is necessary for job creation and economic growth. Through the Workforce Solutions Fund created as a part of the 2004 Kansas Economic Growth Act, Commerce has invested in the State's training capacity to ensure we can meet the needs of the bioscience industry, provide trained forklift operators to employers in the Manhattan/Junction City area, and build a state of the art aviation training center to provide the skilled employees needed to maintain the industry in the Wichita area. Dr. Flanders will also provide information to you later this morning on the

benefits the State is seeing from the collaboration between Commerce and the Board of Regents.

We appreciate the work of the auditors. While many of their recommendations were underway prior to the written report, we will continue to bolster the efforts of the Workforce Network of Kansas and improve system coordination to truly experience a workforce development system in Kansas of which we can all be proud.

Again, thank you for the opportunity to appear before you today. I stand for questions.

KANSAS LEGISLATIVE RESEARCH DEPARTMENT

545N-Statehouse, 300 SW 10th Ave.
Topeka, Kansas 66612-1504
(785) 296-3181 ♦ FAX (785) 296-3824

kslegres@klrd.state.ks.us

<http://www.kslegislature.org/klrd>

January 17, 2007

To: Senate Committee on Commerce
From: Kathie Sparks, Principal Analyst
Re: Immigration

The following memorandum will exam the state's responsibility for employment and illegal immigration; current security measures and documentation required to receive a Kansas driver's license or a birth certificate, the federal Real ID Act of 2005; and the federal Basic Pilot Program.

State Responsibility for Employment and Illegal Immigration

The state has almost no responsibility when it comes to employment of illegal immigrants. Currently, under Kansas statutes, there are no requirements for employment eligibility verification. The responsibility for verification is under the federal Immigration Reform and Control Act of 1986. The federal Act requires each employer to have in his or her records a completed Form I-9, Employment Eligibility Verification, for each and every employee, including U.S. citizens hired after November 6, 1986. A Form I-9 is attached. A form is also to be completed for:

- Providing for domestic services in a private household that are sporadic, irregular, or intermittent;
- Providing services for the employer as an independent contractor, *i.e.*, carry on independent business, contract to do a piece of work according to their own means and methods and are subject to control only as to results and for whom the employer does not set work hours or provide necessary tools to do the job, or for whom the employer does not have authority to hire and fire; and
- Providing services for the employer, under a contract, subcontract, or exchange entered into after November 6, 1986. (In such cases, the contractor is the employer for I-9 purposes; for example, a temporary employment agency.)

Unlike tax forms, I-9 forms are **not** filed with the U.S. government. The requirement is for employers to maintain I-9 records in their own files for three years after the date of hire or one year after the date the employee's employment is terminated, whichever is later. Form I-9 records may be stored at the worksite to which they relate or at a company headquarters (or other) location, but the storage choice must make it possible for the documents to be transmitted to the worksite within three days of an official request for production of the documents for inspection.

The Form I-9 is published in English only. A new employee must complete the form no later than close of business on his or her first day of work. The employee's signature holds him or her responsible for the accuracy of the information provided. The employer is responsible for ensuring that the employee completes the form in full. The employer must review documentation presented by the employee and record document information of the work in the U.S. and that the employee who presents the employment authorization document is the person to whom it was issued. The employer should supply to the employee the official list of acceptable documents (see attachment 1, page 2) for establishing identity and work eligibility.

According to the Immigration and Naturalization Services website, employers are not required to be document experts. In reviewing the genuineness of the documents presented by employees, employers are held to a reasonableness standard. The website does not give a definition of what a "reasonableness standard" is for this purpose. In addition, there are two separate and unrelated photocopy issues in the employment eligibility verification process. The first, is whether an employer may accept photocopies of identity or employment eligibility documents to fulfill I-9 requirements. The answer is that only original documents (not necessarily the first document of its kind ever issued to the employee, but an actual document issued by the issuing authority) are satisfactory, with the single exception of a certified photocopy of a birth certificate. The second, is whether the employer may or must attach photocopies of documentation submitted to satisfy Form I-9 requirements to the employee's Form I-9. The answer is that this is permissible, but not required. Where this practice is undertaken by an employer, it must be consistently applied to every employee, without regard to citizenship or national origin.

On page 2 of the attachment, please note the three columns: documents that establish both identity and employment eligibility; documents that establish identity; and documents that establish employment eligibility and the fact that the only documents that are under state control are birth certificates and drivers' licenses.

Kansas Drivers' Licenses

Current Security Measures. The following information was provided by Carmen Alldritt, Director, Division of Vehicles, Kansas Department of Revenue.

1. The Kansas drivers' licenses have the following security features: a ghost portrait of the applicant appears in the center of the license, printed data overlapping the ghost portrait; fine line printing on the back of the card; a hologram visible with ultraviolet light and a one and two-dimensional bar code on the back of the license.
2. The Legislature in 2004 passed legislation requiring the following security measures:
 - a. Every individual having a Kansas drivers' license must have a "lawful presence" in order to obtain a license and the individual is required to show proof of Kansas residency. The Department verifies the individual social security number at the time of application and has a 97 percent verification rate on the social security numbers. If the verification shows a conflict, such as another individual using that number, the individual making application is referred to the local social security office to resolve the conflict and is not given a drivers' license until the conflict is resolved.

- b. Drivers' licenses and identification cards (IDs) are now issued from a central location and returned to the customers by mail within 10 days.
- c. The Department developed a Fraud Unit that has scrutinized all the drivers' license stations in Kansas. The recent arrests in Kansas City are "an example that if people attempt to defraud the system, they will be caught."
- d. All license examiners have received two days of fraudulent document training to ensure that only individuals qualified to obtain a license/ID will receive them.

Documentation to Receive a Kansas Drivers' License. Acceptable documentation required to receive the license is as follows:

Two of the following documents must be presented. One document must be from list A, and the second document must be from lists A, C, or D. If a valid photo drivers' license issued by another state is used, a second document from list A, B, C, or D is required. Applicants presenting foreign documents must provide proof of lawful presence from list B, and a second document from list C or D. All documents presented must be the original or a certified copy; no photocopies are accepted.

A. Documentation for American Citizens or Persons Born in the United States:

1. Certified birth certificate;
2. Hospital birth certificate;
3. U.S. Passport;
4. U.S. Military ID;
5. DD 214 (discharge papers from the military);
6. Bureau of Indian Affairs Tribal Identification Card;
7. Certified Order of Adoption;
8. Certificate of naturalization with intact photo; or
9. Photo drivers' license issued by a U.S. state.

B. Documentation for Any Other Person:

1. Valid foreign passport with I-94 or valid "Processed for I-551" stamp;
2. I-94 form with refugee status (passport not required);
3. Valid I-551 INS Resident Alien/Permanent resident card, no border crosser cards;
4. Valid I-688 form (photo temporary resident) and I-688A, I-688B, and I-766 forms (photo employment authorization); or
5. Valid U.S. Military ID (dependent).

C. Proof of Name:

1. Certified marriage certificate;
2. Certified divorce decree;
3. Certified court order of name change;

4. Common Law certificate of marriage signed by both parties and notarized;
5. Valid U.S. Military ID;
6. Bureau of Indian Affairs Tribal ID Card;
7. Certified court order of adoption; or
8. Photo drivers' license or ID card issued by a U.S. state.

D. Additional Documentation to apply for a replacement Kansas Drivers' License or ID Card:

1. Valid motor vehicle registration with signature;
2. Valid motor vehicle insurance card or policy;
3. Selective Service Card with signature;
4. Valid life insurance card or policy;
5. Valid health insurance card or policy;
6. Vehicle title;
7. Diploma;
8. Professional license;
9. Kansas welfare card with photo and signature;
10. Foreign drivers' license;
11. Parole documents;
12. Baptismal certificate;
13. Medical records;
14. Kansas voter registration card;
15. Church marriage certificate;
16. Photo drivers' license or ID card issued by a U.S. state;
17. Foreign birth certificate; or
18. May recite recent driving history to satisfaction of examiner.

It appears, however, these lists are not enforceable as they do not appear in statute or rule and regulation.

However, KSA 8-246 provides a different list of replacement drivers' licenses criteria and, in discussion with Department officials, they indicated that the Department may go back to this statute until rules and regulations are adopted. Attachment 2 is a copy of KSA 8-246.

The Real ID Act. The Real ID Act establishes minimum standards for state departments of motor vehicles in order for their documents to be accepted by the federal government for personal identification. The deadline for the states to meet the new standards is May 11, 2008. The Secretary of the Department of Homeland Security may extend the deadline for a state if the state provides adequate justification for noncompliance. It also repeals the drivers' license/ID provisions of the Intelligence Reform and Terrorism Prevention Act of 2004.

The association of motor vehicles known as AAMVA conducted a survey among the states to reach an estimate of the cost associated with implementation of the Real ID Act. The survey was conducted in June of 2006. The report was averaged out to include small, medium, and large states. Kansas issued 771,862 drivers' licenses/ID cards in FY 2006 and is considered a medium-size state.

Estimated implementation costs for Kansas were calculated as follows:

One-time start up costs:	\$ 1,573,325
This includes initial programming, upgrades to capture full drivers' name and hardware for capturing photo first and imaging documents presented to prove identity.	
Ongoing costs:	\$10,860,616
This includes license fees, system fees, passport, and birth verification fees for data sharing between all states. The system to accomplish the sharing has not yet been built.	
System impact:	\$ 1,670,200
Any technology system upgrades necessary to comply with the act, including programming required to provide the interconnectivity between states that will allow the necessary data sharing.	
Business process:	\$10,703,741
This includes employee background checks and Real ID certification. One-third of these dollars will be necessary for ongoing training.	

The Department also estimates that the cost to the customer for the new required drivers' licenses may increase from \$22 to \$60 for a six-year drivers' license. Finally, Congress has yet to determine what rules will govern Real ID and allocated no funding for implementation of the Act.

Birth Certificates Security

The following information was provided by Donna Calabrese, Director and Assistant State Registrar, Kansas Office of Vital Statistics, Kansas Department of Health and Environment.

Birth Certificate Registration

- The majority (99 percent) of Kansas birth certificates are filed electronically with the Office of Vital Statistics (OVS) and the electronic web-based system has multiple security measures in place such as encryption and fire walls.
- The Medical Records of birthing facilities file a monthly report with OVS listing all births registered. This report is compared by OVS staff with the electronic and hard copies submitted.
- State law requires a neonatal metabolic test be performed on every child born in Kansas and the child's information and a blood sample (heel stick) taken at the hospital is sent directly from the hospital to the Kansas Department of Health and Environment (KDHE) lab. A match program is run weekly on the lab database and OVS database checking for a match between each birth certificate and lab report.

Birth Certificate Issuance

- Kansas Law, KSA 65-2422d(c), specifies that vital records are not open for public inspection and that any requestor for a certified copy of a birth certificate must have a direct interest in the record for personal or property rights. Therefore, all customers requesting a certified copy of a birth certificate must be the person named on the record, an immediate family member, or someone who can provide legal evidence the record is necessary for personal or property rights.
- All certified copies of birth certificates are issued from a single database and an internal multi-layer security is in place for employee access to the database and records.
- A government issued photo ID is required for all walk-in and mailed requests. Requests made using phone, fax, or internet (credit card service) must provide a drivers' license copy or other acceptable ID and the address on the credit card must match the mailing address given by the customer.
- The Department of Revenue shares an ID verification program with OVS which is used for the verification of government IDs. All state drivers' licenses, passports, visas, and social security cards are displayed, along with detailed information on security features that should be present.
- A birth/death match program is run daily to match all death certificates with corresponding birth certificates. This prevents the fraudulent use of identities of deceased individuals. This matching also is done when the death occurs in a state other than the state of birth, *i.e.*, born in Kansas, but died in Missouri, by participation in the Vital Statistics Cooperative Program (VSCP). This program involves the sharing of death information with the state of birth.

Birth Certificate Storage

- The hard copies of birth certificates are scanned and within 90 days of being filed with OVS are shipped off site for permanent storage at Underground Vaults and Storage in Hutchinson. Request for records from the storage facility can only be made by authorized OVS staff.
- Security paper used for certified copies and the original records are stored in a specially designed vault (designed when OVS moved to the Curtis Building), requiring key card entrance. The original records are kept in locked files and the security paper is stored in a separate locked area of the vault.

Ms. Calabrese believes that the State of Kansas has already met most of the security mandates specified in the Intelligence Reform and Terrorism Prevention Act of 2004. In addition, the Department believes the proposed regulations from this bill will be released in one to three months.

Federal Basic Pilot Program

The federal Department of Homeland Security (DHS) and the Social Security Administration (SSA) are jointly conducting the Basic Pilot Program. The Program involves verification checks of the SSA and DHS databases, using an automated system to verify the employment authorization of all newly hired employees.

The Program has been in operation since November 1997. Legislation signed by the President on December 3, 2003, extended the Program until November 2008, and the expanded the Program to all 50 states and the District of Columbia.

An employer's participation in the Basic Pilot Program is voluntary, and is free to participating employers, although recent legislation in Colorado requires that all employers who bid on public construction contracts participate in the Program. Users can access the Program from any Internet capable personal computer. Some features of the Internet version include: online-registration, reporting capability for users, and availability of the system 19-hours a day. To participate an employer must register and sign a Memorandum of Understanding that sets forth the responsibilities of each party. Any employers who participates in the Program must agree to a Form I-9 audit by U.S. Immigration and Customs Enforcement.

If you have any questions please do not hesitate to contact me at Kathies@klrd.state.ks.us or (785) 296-4405.

Attachment 1

Employment Eligibility Verification

INSTRUCTIONS

PLEASE READ ALL INSTRUCTIONS CAREFULLY BEFORE COMPLETING THIS FORM.

Anti-Discrimination Notice. It is illegal to discriminate against any individual (other than an alien not authorized to work in the U.S.) in hiring, discharging, or recruiting or referring for a fee because of that individual's national origin or citizenship status. It is illegal to discriminate against work eligible individuals. Employers **CANNOT** specify which document(s) they will accept from an employee. The refusal to hire an individual because of a future expiration date may also constitute illegal discrimination.

Section 1- Employee. All employees, citizens and noncitizens, hired after November 6, 1986, must complete Section 1 of this form at the time of hire, which is the actual beginning of employment. **The employer is responsible for ensuring that Section 1 is timely and properly completed.**

Preparer/Translator Certification. The Preparer/Translator Certification must be completed if Section 1 is prepared by a person other than the employee. A preparer/translator may be used only when the employee is unable to complete Section 1 on his/her own. However, the employee must still sign Section 1 personally.

Section 2 - Employer. For the purpose of completing this form, the term "employer" includes those recruiters and referrers for a fee who are agricultural associations, agricultural employers or farm labor contractors.

Employers must complete Section 2 by examining evidence of identity and employment eligibility within three (3) business days of the date employment begins. If employees are authorized to work, but are unable to present the required document(s) within three business days, they must present a receipt for the application of the document(s) within three business days and the actual document(s) within ninety (90) days. However, if employers hire individuals for a duration of less than three business days, Section 2 must be completed at the time employment begins. **Employers must record: 1) document title; 2) issuing authority; 3) document number, 4) expiration date, if any; and 5) the date employment begins.** Employers must sign and date the certification. Employees must present original documents. Employers may, but are not required to, photocopy the document(s) presented. These photocopies may only be used for the verification process and must be retained with the I-9. **However, employers are still responsible for completing the I-9.**

Section 3 - Updating and Reverification. Employers must complete Section 3 when updating and/or reverifying the I-9. Employers must reverify employment eligibility of their employees on or before the expiration date recorded in Section 1. Employers **CANNOT** specify which document(s) they will accept from an employee.

- If an employee's name has changed at the time this form is being updated/reverified, complete Block A.
- If an employee is rehired within three (3) years of the date this form was originally completed and the employee is still eligible to be employed on the same basis as previously indicated on this form (updating), complete Block B and the signature block.
- If an employee is rehired within three (3) years of the date this form was originally completed and the employee's work authorization has expired or if a current employee's work authorization is about to expire (reverification), complete Block B and:

- examine any document that reflects that the employee is authorized to work in the U.S. (see List A or C),
- record the document title, document number and expiration date (if any) in Block C, and
- complete the signature block.

Photocopying and Retaining Form I-9. A blank I-9 may be reproduced, provided both sides are copied. The Instructions must be available to all employees completing this form. Employers must retain completed I-9s for three (3) years after the date of hire or one (1) year after the date employment ends, whichever is later.

For more detailed information, you may refer to the Department of Homeland Security (DHS) Handbook for Employers, (Form M-274). You may obtain the handbook at your local U.S. Citizenship and Immigration Services (USCIS) office.

Privacy Act Notice. The authority for collecting this information is the Immigration Reform and Control Act of 1986, Pub. L. 99-603 (8 USC 1324a).

This information is for employers to verify the eligibility of individuals for employment to preclude the unlawful hiring, or recruiting or referring for a fee, of aliens who are not authorized to work in the United States.

This information will be used by employers as a record of their basis for determining eligibility of an employee to work in the United States. The form will be kept by the employer and made available for inspection by officials of the U.S. Immigration and Customs Enforcement, Department of Labor and Office of Special Counsel for Immigration Related Unfair Employment Practices.

Submission of the information required in this form is voluntary. However, an individual may not begin employment unless this form is completed, since employers are subject to civil or criminal penalties if they do not comply with the Immigration Reform and Control Act of 1986.

Reporting Burden. We try to create forms and instructions that are accurate, can be easily understood and which impose the least possible burden on you to provide us with information. Often this is difficult because some immigration laws are very complex. Accordingly, the reporting burden for this collection of information is computed as follows: **1) learning about this form, 5 minutes; 2) completing the form, 5 minutes; and 3) assembling and filing (recordkeeping) the form, 5 minutes, for an average of 15 minutes per response.** If you have comments regarding the accuracy of this burden estimate, or suggestions for making this form simpler, you can write to U.S. Citizenship and Immigration Services, Regulatory Management Division, 111 Massachusetts Avenue, N.W., Washington, DC 20529. OMB No. 1615-0047.

NOTE: This is the 1991 edition of the Form I-9 that has been rebranded with a current printing date to reflect the recent transition from the INS to DHS and its components.

**EMPLOYERS MUST RETAIN COMPLETED FORM I-9
PLEASE DO NOT MAIL COMPLETED FORM I-9 TO ICE OR USCIS**

Employment Eligibility Verification

Please read instructions carefully before completing this form. The instructions must be available during completion of this form. **ANTI-DISCRIMINATION NOTICE:** It is illegal to discriminate against work eligible individuals. Employers **CANNOT** specify which document(s) they will accept from an employee. The refusal to hire an individual because of a future expiration date may also constitute illegal discrimination.

Section 1. Employee Information and Verification. To be completed and signed by employee at the time employment begins.

Print Name: Last	First	Middle Initial	Maiden Name
Address (Street Name and Number)		Apt. #	Date of Birth (month/day/year)
City	State	Zip Code	Social Security #
<p>I am aware that federal law provides for imprisonment and/or fines for false statements or use of false documents in connection with the completion of this form.</p>		<p>I attest, under penalty of perjury, that I am (check one of the following):</p> <input type="checkbox"/> A citizen or national of the United States <input type="checkbox"/> A Lawful Permanent Resident (Alien #) A _____ <input type="checkbox"/> An alien authorized to work until _____ (Alien # or Admission #) _____	
		Date (month/day/year)	
Employee's Signature			Date (month/day/year)

Preparer and/or Translator Certification. (To be completed and signed if Section 1 is prepared by a person other than the employee.) I attest, under penalty of perjury, that I have assisted in the completion of this form and that to the best of my knowledge the information is true and correct.

Preparer's/Translator's Signature	Print Name
Address (Street Name and Number, City, State, Zip Code)	
Date (month/day/year)	

Section 2. Employer Review and Verification. To be completed and signed by employer. Examine one document from List A OR examine one document from List B and one from List C, as listed on the reverse of this form, and record the title, number and expiration date, if any, of the document(s).

List A	OR	List B	AND	List C
Document title: _____		_____		_____
Issuing authority: _____		_____		_____
Document #: _____		_____		_____
Expiration Date (if any): _____		_____		_____
Document #: _____		_____		_____
Expiration Date (if any): _____		_____		_____

CERTIFICATION - I attest, under penalty of perjury, that I have examined the document(s) presented by the above-named employee, that the above-listed document(s) appear to be genuine and to relate to the employee named, that the employee began employment on (month/day/year) _____ and that to the best of my knowledge the employee is eligible to work in the United States. (State employment agencies may omit the date the employee began employment.)

Signature of Employer or Authorized Representative	Print Name	Title
Business or Organization Name	Address (Street Name and Number, City, State, Zip Code)	Date (month/day/year)

Section 3. Updating and Reverification. To be completed and signed by employer.

A. New Name (if applicable)	B. Date of rehire (month/day/year) (if applicable)	
C. If employee's previous grant of work authorization has expired, provide the information below for the document that establishes current employment eligibility.		
Document Title: _____	Document #: _____	Expiration Date (if any): _____

I attest, under penalty of perjury, that to the best of my knowledge, this employee is eligible to work in the United States, and if the employee presented document(s), the document(s) I have examined appear to be genuine and to relate to the individual.

Signature of Employer or Authorized Representative	Date (month/day/year)
--	-----------------------

LISTS OF ACCEPTABLE DOCUMENTS

LIST A	LIST B	LIST C		
Documents that Establish Both Identity and Employment Eligibility	Documents that Establish Identity	Documents that Establish Employment Eligibility		
<p>1. U.S. Passport (unexpired or expired)</p> <p><input checked="" type="checkbox"/> Certificate of U.S. Citizenship (Form N-560 or N-561)</p> <p><input checked="" type="checkbox"/> Certificate of Naturalization (Form N-550 or N-570)</p> <p>4. Unexpired foreign passport, with I-551 stamp or attached Form I-94 indicating unexpired employment authorization</p> <p>5. Permanent Resident Card or Alien Registration Receipt Card with photograph (Form I-151 or I-551)</p> <p>6. Unexpired Temporary Resident Card (Form I-688)</p> <p>7. Unexpired Employment Authorization Card (Form I-688A)</p> <p><input checked="" type="checkbox"/> Unexpired Reentry Permit (Form I-327)</p> <p><input checked="" type="checkbox"/> Unexpired Refugee Travel Document (Form I-571)</p> <p>10. Unexpired Employment Authorization Document issued by DHS that contains a photograph (Form I-688B)</p>	OR	<p>1. Driver's license or ID card issued by a state or outlying possession of the United States provided it contains a photograph or information such as name, date of birth, gender, height, eye color and address</p> <p>2. ID card issued by federal, state or local government agencies or entities, provided it contains a photograph or information such as name, date of birth, gender, height, eye color and address</p> <p>3. School ID card with a photograph</p> <p>4. Voter's registration card</p> <p>5. U.S. Military card or draft record</p> <p>6. Military dependent's ID card</p> <p>7. U.S. Coast Guard Merchant Mariner Card</p> <p>8. Native American tribal document</p> <p>9. Driver's license issued by a Canadian government authority</p> <p style="text-align: center;">For persons under age 18 who are unable to present a document listed above:</p> <p>10. School record or report card</p> <p>11. Clinic, doctor or hospital record</p> <p>12. Day-care or nursery school record</p>	AND	<p>1. U.S. social security card issued by the Social Security Administration (other than a card stating it is not valid for employment)</p> <p>2. Certification of Birth Abroad issued by the Department of State (Form FS-545 or Form DS-1350)</p> <p>3. Original or certified copy of a birth certificate issued by a state, county, municipal authority or outlying possession of the United States bearing an official seal</p> <p>4. Native American tribal document</p> <p>5. U.S. Citizen ID Card (Form I-197)</p> <p>6. ID Card for use of Resident Citizen in the United States (Form I-179)</p> <p>7. Unexpired employment authorization document issued by DHS (other than those listed under List A)</p>

Illustrations of many of these documents appear in Part 8 of the Handbook for Employers (M-274)

Attachment 2

Kansas Legislature

[Home](#) > [Statutes](#) > Statute[Previous](#)[Next](#)**8-246****Chapter 8.--AUTOMOBILES AND OTHER VEHICLES
Article 2.--DRIVERS' LICENSES**

8-246. Replacement drivers' licenses. (a) If a driver's license issued under the provisions of this act is lost or destroyed, or if a new name is acquired, the person to whom such driver's license was issued may obtain a replacement upon:

(1) Furnishing satisfactory proof of the loss, destruction or name change to the division, including an affidavit stating the circumstances of the loss, destruction or name change;

(2) payment of a fee of \$8; and

(3) furnishing proof of the person's identity as provided in subsection (b).

(b) For the purposes of obtaining a replacement driver's license, proof of a person's identity shall include at least two of the following documents, one of the documents shall bear the person's signature and one of the documents shall bear the person's age or one of the documents shall bear the person's signature and age:

(1) Military identification card;

(2) military dependent identification card;

(3) military discharge papers;

(4) military D.D. 214;

(5) an original or certified copy of a state issued birth certificate;

(6) marriage license;

(7) medicare identification card;

(8) certified copy of court order specifying a change of name of the person;

(9) commercially produced school yearbook with photograph of the person, and the book is less than five years old;

(10) a passport issued by any country;

(11) alien registration documents;

(12) expired or current driver's license or identification card issued by the Kansas division of vehicles or an expired or current driver's license or identification card of another state issued by similar authority, and for any document in this item (12) the document must bear a photograph of the person;

(13) student identification card bearing the photograph of the person;

(14) employee identification card bearing the photograph of the person;

(15) a birth certificate issued by any country;

(16) a copy of any federal or state income tax return bearing the signature of the person; or

(17) an identification certificate issued by the department of corrections to an offender under the supervision of the secretary of corrections.

(c) The division may waive the furnishing of one of the documents required by subsection (b) in the case of: (1) A person who is 65 or more years of age; or (2) an inmate

2-11

who has been released on parole, conditional release or expiration of the inmate's maximum sentence. When additional clarification is needed to adequately describe any of the above items, the division shall specify such clarification in making the requirement for such item.

(d) In lieu of providing one of the documents required by subsection (b), a person may recite to the satisfaction of the driver's license examiner the recent motor vehicle operating record of the person.

(e) Any person who loses a driver's license and who, after obtaining a replacement, finds the original license shall immediately surrender the original license to the division.

History: L. 1937, ch. 73, § 13; L. 1949, ch. 104, § 17; L. 1959, ch. 49, § 14; L. 1972, ch. 26, § 1; L. 1975, ch. 36, § 17; L. 1983, ch. 32, § 1; L. 1984, ch. 36, § 1; L. 1988, ch. 46, § 1; L. 1990, ch. 42, § 3; L. 1992, ch. 310, § 2; L. 1994, ch. 24, § 2; L. 1997, ch. 36, § 2; Jan. 1, 1998.

[Home](#) > [Statutes](#) > Statute

[Previous](#)

[Next](#)

8-1324

Chapter 8.--AUTOMOBILES AND OTHER VEHICLES

Article 13.--MISCELLANEOUS PROVISIONS

8-1324. Nondriver's identification card; application for; proof of age, identity and lawful presence; fees. (a) Any resident who does not hold a current valid Kansas driver's license may make application to the division of vehicles and be issued one identification card, certified by the registrant and attested by the division as to true name, correct age, photograph and other identifying data as the division may require.

(b) An applicant who submits documentary evidence under subsection (a), issued by an entity other than a state or the United States shall also submit such proof as the division may require that the applicant is lawfully present in the United States. For the purposes of obtaining any identification card, an applicant shall submit, with the application, proof of age or proof of identity, or both, as the division may require. An applicant shall submit the applicant's social security number, which shall remain confidential and shall not be disclosed, except as provided pursuant to K.S.A. 74-2012, and amendments thereto. If the applicant does not have a social security number, the applicant shall submit a sworn statement, with the application, stating that the applicant does not have a social security number. The division shall assign a distinguishing number to the identification card. If the applicant is applying for an identification card and the applicant otherwise meets the requirements for such card, the applicant shall receive a temporary identification card until the division verifies all facts relative to such applicant's right to receive an identification card, including the age, identity, social security number and residency of the applicant.

(c) The division shall not issue an identification card to any person who is not lawfully present in the United States nor to any person who holds a current valid Kansas driver's license unless such driver's license has been physically surrendered pursuant to the provisions of subsection (e) of K.S.A. 8-1002, and amendments thereto.

(d) The parent or guardian of an applicant under 16 years of age shall sign the application for an identification card submitted by such applicant.

(e) The division shall require payment of a fee of \$14 at the time application for an identification card is made, except that persons who are 65 or more years of age or who are handicapped, as defined in K.S.A. 8-1,124, and amendments thereto, shall be required to pay a fee of only \$10.

(f) For the purposes of K.S.A. 8-1324 through 8-1328, and amendments thereto, a person shall be deemed to be a resident of the state if:

- (1) The person owns, leases or rents a place of domicile in this state;
- (2) the person engages in a trade, business or profession in this state;
- (3) the person is registered to vote in this state;
- (4) the person enrolls the person's child in a school in this state; or
- (5) the person registers the person's motor vehicle in this state.

History: L. 1973, ch. 31, § 1; L. 1983, ch. 39, § 1; L. 1986, ch. 36, § 12; L. 1990, ch. 42, § 4; L. 2000, ch. 179, § 15; L. 2003, ch. 5, § 3; L. 2003, ch. 158, § 2; L. 2004, ch. 155, § 3; July 1.

2-14

1/8/2007 10:41 AM

[Home](#) > [Statutes](#) > Statute

[Previous](#)

[Next](#)

8-240

Chapter 8.--AUTOMOBILES AND OTHER VEHICLES

Article 2.--DRIVERS' LICENSES

8-240. Drivers' licenses and instruction permits; application for; proof of age and identity; proof of lawful presence; examination tests; reexamination; drivers' records; fees; late application penalties. (a) Every application for an instruction permit shall be made upon a form furnished by the division of vehicles and accompanied by a fee of \$2 for class A, B, C or M and \$5 for all commercial classes. Every other application shall be made upon a form furnished by the division and accompanied by an examination fee of \$3, unless a different fee is required by K.S.A. 8-241, and amendments thereto, and by the proper fee for the license for which the application is made. If the applicant is not required to take an examination the examination fee shall not be required. The examination shall consist of three tests, as follows: (1) Vision; (2) written; and (3) driving. If the applicant fails the vision test, the applicant may have correction of vision made and take the vision test again without any additional fee. If an applicant fails the written test, the applicant may take such test again upon the payment of an additional examination fee of \$1.50. If an applicant fails the driving test, the applicant may take such test again upon the payment of an additional examination fee of \$1.50. If an applicant fails to pass all three of the tests within a period of six months from the date of original application and desires to take additional tests, the applicant shall file an application for reexamination upon a form furnished by the division, which shall be accompanied by a reexamination fee of \$3, except that any applicant who fails to pass the written or driving portion of an examination four times within a six-month period, shall be required to wait a period of six months from the date of the last failed examination before additional examinations may be given. Upon the filing of such application and the payment of such reexamination fee, the applicant shall be entitled to reexamination in like manner and subject to the additional fees and time limitation as provided for examination on an original application. If the applicant passes the reexamination, the applicant shall be issued the classified driver's license for which the applicant originally applied, which license shall be issued to expire as if the applicant had passed the original examination.

(b) (1) For the purposes of obtaining any driver's license or instruction permit, an applicant shall submit, with the application, proof of age or proof of identity, or both, as the division may require. An applicant shall submit the applicant's social security number, which shall remain confidential and shall not be disclosed, except as provided pursuant to K.S.A. 74-2012, and amendments thereto. If the applicant does not have a social security number, the applicant shall submit a sworn statement, with the application, stating that the applicant does not have a social security number. The division shall assign a distinguishing number to the license or permit. If the applicant is applying for an instruction permit or driver's license and the applicant otherwise meets the requirements for such license, the applicant shall receive a temporary license or instruction permit until the division verifies all facts

relative to such applicant's right to receive an instruction permit or driver's license, including the age, identity, social security number and residency of the applicant.

(2) An applicant who submits proof of age or of identity issued by an entity other than a state or the United States shall also submit such proof as the division may require that the applicant is lawfully present in the United States.

(3) The division shall not issue any driver's license to any person who is not lawfully present in the United States.

(4) The division shall not issue any driver's license to any person who is not a resident of the state of Kansas, except as provided in K.S.A. 8-2,148, and amendments thereto.

(5) The parent or guardian of an applicant under 16 years of age shall sign the application for any driver's license submitted by such applicant.

(c) Every application shall state the name, date of birth, sex and residence address of the applicant, and briefly describe the applicant, and shall state whether the applicant has been licensed as a driver prior to such application, and, if so, when and by what state or country. Such application shall state whether any such license has ever been suspended or revoked, or whether an application has ever been refused, and, if so, the date of and reason for such suspension, revocation or refusal. In addition, applications for commercial drivers' licenses and instruction permits for commercial licenses must include the following: The applicant's social security number; the person's signature; the person's color photograph; certifications, including those required by 49 C.F.R. 383.71(a), effective January 1, 1991; a consent to release driving record information; and, any other information required by the division.

(d) When an application is received from a person previously licensed in another jurisdiction, the division shall request a copy of the driver's record from the other jurisdiction. When received, the driver's record shall become a part of the driver's record in this state with the same force and effect as though entered on the driver's record in this state in the original instance.

(e) When the division receives a request for a driver's record from another licensing jurisdiction the record shall be forwarded without charge.

(f) A fee shall be charged as follows:

(1) For a class C driver's license issued to a person at least 21 years of age, but less than 65 years of age, \$18;

(2) for a class C driver's license issued to a person less than 21 years of age or 65 years of age or older, or a farm permit, \$12;

(3) for a class M driver's license issued to a person at least 21 years of age, but less than 65 years of age, \$12.50;

(4) for a class M driver's license issued to a person less than 21 years of age or 65 years of age or older, \$9;

(5) for a class A or B driver's license issued to a person who is at least 21 years of age, but less than 65 years of age, \$24;

(6) for a class A or B driver's license issued to a person less than 21 years of age or 65 years of age or older, \$16; or

(7) for any class of commercial driver's license, \$18.

A fee of \$10 shall be charged for each commercial driver's license endorsement, except air brake endorsements which shall have no charge.

If one fails to make an original application or renewal application for a driver's license within the time required by law, or fails to make application within 60 days after becoming a resident of Kansas, a penalty of \$1 shall be added to the fee charged for the driver's license.

(g) Any person who possesses an identification card as provided in K.S.A. 8-1324, and amendments thereto, shall surrender such identification card to the division upon being issued a valid Kansas driver's license or upon reinstatement and return of a valid Kansas driver's license.

History: L. 1937, ch. 73, § 7; L. 1938, ch. 13, § 1; L. 1949, ch. 104, § 11; L. 1955, ch. 51, § 1; L. 1958, ch. 48, § 1 (Budget Session); L. 1959, ch. 49, § 7; L. 1963, ch. 402, § 3; L. 1969, ch. 52, § 1; L. 1973, ch. 30, § 1; L. 1975, ch. 36, § 13; L. 1982, ch. 42, § 1; L. 1986, ch. 38, § 1; L. 1990, ch. 42, § 1; L. 1990, ch. 42, § 2; L. 1990, ch. 43, § 1; L. 1990, ch. 43, § 2; L. 1991, ch. 36, § 9; L. 1993, ch. 154, § 5; L. 1996, ch. 14, § 1; L. 1996, ch. 219, § 1; L. 1997, ch. 36, § 1; L. 2000, ch. 179, § 10; L. 2003, ch. 5, § 1; L. 2003, ch. 158, § 1; L. 2004, ch. 155, § 1; July 1.

Attachment 6



U.S. Immigration and Customs Enforcement

Print

Protecting National Security and Upholding Public Safety

Partners

Best Hiring Practices

- (✓) Use the Basic Pilot Program for all hiring.
- (✓) Establish an internal training program, with annual updates, on how to manage completion of Form I-9 (Employee Eligibility Verification Form) and how to detect fraudulent use of documents in the I-9 process.
- (✓) Permit the I-9 and Basic Pilot Program process to be conducted only by individuals who have received this training—and include a secondary review as part of each employee's verification, to minimize the potential for a single individual to subvert the process.
- (✓) Arrange for semi-annual I-9 audits by an external auditing firm or a trained employee not otherwise involved in the I-9 process.
- (✓) Establish a self-reporting procedure for the reporting to ICE of any violations or discovered deficiencies.
- (✓) Establish a protocol for responding to no-match letters received from the Social Security Administration.
- (✓) Establish a Tip Line for employees to report activity relating to the employment of unauthorized aliens, and a protocol for responding to employee tips.
- (✓) Establish and maintain safeguards against use of the verification process for unlawful discrimination.
- (✓) Establish a protocol for assessing the adherence to the "best practices" guidelines by the company's contractors/subcontractors.

2-18

1/15/2007 6:00 PM



[Civics and Citizenship Study Materials](#)

[Resources for Public Libraries](#)

[Resources for New Immigrants](#)

[Asylum Resources](#)

[Glossary](#)

[Immigration Legal History](#)

Home > Education & Resources > Visa Resources

[Printer Friendly](#)

Immigration Classifications and Visa Categories

Immigration Classifications and Visa Categories

	Nonimmigrant Visas	General Information on Nonimmigrant Benefits
	Nonimmigrant Classifications and Visas	Government Information
	<i>Foreign Government Officials</i>	
A-1	Ambassador, public minister, career, diplomatic or consular officer, and members of immediate family.	INA Section 101(a)(15)(A)(i) 8 CFR 214.2(a)
A-2	Other foreign government official or employee, and members of immediate family.	INA Section 101(a)(15)(A)(ii) 8 CFR 214.2(a)
A-3	Attendant, servant, or personal employee of A-1 and A-2, and members of immediate family.	INA Section 101(a)(15)(A)(iii) 8 CFR 214.2(a)
	<i>Visitors</i>	Business or Pleasure Visitors Tips for U.S. Visas - Business or Pleasure Visitors
B-1	Temporary visitor for business	INA Section 101(a)(15)(B) 8 CFR 214.2(b)
B-2	Temporary visitor for pleasure	INA Section 101(a)(15)(B) 8 CFR 214.2(b)

Related Links:

[Temporary Workers](#)

[Temporary Benefits USCIS: Student Visas](#)

Take Our Survey:

I found this information:

- Useful
- Slightly Useful
- Not Useful
- Don't Know

SUBMIT →

	<i>Visa Waiver Program</i>	Visa Waiver Program (Immigration.gov) Visa Waiver Program (Dept. of State)
	<i>Aliens in Transit</i>	
C-1	Alien in transit directly through U.S.	INA Section 101(a)(15)(C) 8 CFR 214.2(c)
C-1D	Combined transit and crewman visa	INA Section 101(a)(15)(C) & (D) 8 CFR 214.2(c)
C-2	Alien in transit to UN headquarters district under Section 11.(3), (4), or (5) of the Headquarters Agreement	INA Section 101(a)(15)(C) 8 CFR 214.2(c)
C-3	Foreign government official, members of immediate family, attendant, servant, or personal employee, in transit	INA Section 212(d)(8) 8 CFR 214.2(c)
C-4	Transit without Visa, see TWOV	INA Sections 212(d)(3), and 212(d)(5) 8 CFR 212.1(f)
	<i>Crewmen</i>	
D-1	Crewmember departing on same vessel of arrival	INA section 101(a)(15)(D) 8 CFR 214.2(d)
D-2	Crewmember departing by means other than vessel of arrival	INA section 101(a)(15)(D) 8 CFR 214.2(d)
	Treaty Traders and Treaty Investors	Instructions for Form I-129: Petition for a Nonimmigrant Worker
E-1	Treaty Trader, spouse and children	INA Section 101(a)(15)(E)(i) 8 CFR 214.2(e)(1)
E-2	Treaty Investor, spouse and children	INA Section 101(a)(15)(E)(ii) 8 CFR 214.2(e)(2)
	<i>Academic Students</i>	Dept. of State: Implementation of ISEAS Information on Student Visas How Do I Become an Academic

		<p>Student in the United States? Dept. of State: Tips for U.S. Visas: Foreign Students Dept. of State: Information on Student Visas Dept. of State: What Consuls Look For Dept. of State: New Legal Requirements for F-1 Foreign Students in Public Schools How Do I Apply to Qualify My School for Foreign Student Assistance?</p>
F-1	Academic Student	<p>INA Section 8 CFR 101(a)(15)(F)(i) 214.2(f)</p>
F-2	Spouse or child of F-1	<p>INA Section 8 CFR 101(a)(15)(F)(ii) 214.2(f)</p>
	<i>For Foreign Medical Graduates (see individual categories H-1B, J-1, O-1, TN, E-2)</i>	
	<i>Foreign Government Officials to International Organizations</i>	
G-1	Principal resident representative of recognized foreign member government to international organization, and members of immediate family.	<p>INA Section 8 CFR 101(a)(15)(G)(i) 214.2(g)</p>
G-2	Other representative of recognized foreign member government to international organization, and members of immediate family.	<p>INA Section 8 CFR 101(a)(15)(G)(ii) 214.2(e)(1)</p>
G-3	Representative of non-recognized or nonmember government to international organization, and members of immediate family	<p>INA Section 8 CFR 101(a)(15)(G)(iii) 214.2(G)</p>
G-4	International organization officer or employee, and members of immediate family	<p>INA Section 8 CFR 101(a)(15)(G)(iv) 214.2(g)</p>

G-5	Attendant, servant, or personal employee of G-1, G-2, G-3, G-4, or members of immediate family	INA Section 101(a)(15)(G)(v) 8 CFR 214.2(g)
	<i>Temporary Workers</i>	Immigration.gov Information on Temporary Workers Dept. of State: Tips for U.S. Visas: Temporary Workers Instructions for Form I-129: Petition for a Nonimmigrant Worker How Do I Apply for Health Care Worker Certification?
H-1B	Specialty Occupations, DOD workers, fashion models	INA Section 101(a)(15)(H)(i)(b) 8 CFR 214.2(h)(4)
H-1C	Nurses going to work for up to three years in health professional shortage areas	INA Section 101(a)(15)(H)(i)(c) 8 CFR 214.2(h)(3)
H-2A	Temporary Agricultural Worker	INA Section 101(a)(15)(H)(ii)(a) 8 CFR 214.2(h)(5)
H-2B	Temporary worker: skilled and unskilled	INA Section 101(a)(15)(H)(ii)(b) 8 CFR 214.2(h)(6)
H-3	Trainee	INA Section 101(a)(15)(H)(iii) 8 CFR 214.2(h)(7)
H-4	Spouse or child of H-1, H-2, H-3	INA Section 101(a)(15)(H)(iv) 8 CFR 214.2(h)(9)(iv)
	<i>Foreign Media Representatives</i>	Dept. of State: Revalidation of "I" Journalist Visas
I	Visas for foreign media representatives	INA Section 101(a)(15)(I) 8 CFR 214.2(i)
	<i>Exchange Visitors</i>	Dept. of State: Implementation of ISEAS Immigration.gov Information on Exchange Visitors How Do I Get a Waiver of the Foreign Residence Requirement if I am an Exchange Visitor Dept. of State: Tips for U.S. Visas: Exchange Visitors How Do I Apply for Health Care Worker Certification?

J-1	Visas for exchange visitors	INA Section 8 CFR 101(a)(15)(J)(i) 214.2(j)
J-2	Spouse or child of J-1	INA Section 8 CFR 101(a)(15)(J)(ii) 214.2(j)
	<i>Fiance(e) of US Citizen</i>	
K-1	Fiance(e)	How Do I Bring My Fiance(e) to the United States? Dept. of State: Tips for U.S. Visas: Fiance(e)s How Do I Change My Fiance(e)'s Status to Lawful Permanent Resident? INA Section 8 CFR 101(a)(15)(K) 214.2(k)
K-2	Minor child of K-1	INA Section 8 CFR 101(a)(15)(K) 214.2(k)
K-3	Spouse of a U.S. Citizen (LIFE Act)	How Do I Become a K-Nonimmigrant as the Spouse or Child of a U.S. Citizen? Dept. of State: The New K and V INA Section 8 CFR 101(a)(15)(K)(ii) 214.2(k)
K-4	Child of K-3 (LIFE Act)	INA Section 8 CFR 101(a)(15)(K)(iii) 214.2(k)
	<i>Intracompany Transferee</i>	Immigration.gov Information on Temporary Workers Dept. of State: Tips for U.S. Visas: Temporary Workers Instructions for Form I-129: Petition for a Nonimmigrant Worker
L-1A	Executive, managerial	INA Section 8 CFR 101(a)(15)(L) 214.2(l)
L-1B	Specialized knowledge	INA Section 8 CFR 101(a)(15)(L) 214.2(l)
L-2	Spouse or child of L-1	INA Section 8 CFR 101(a)(15)(L) 214.2(l)
	<i>Vocational and Language Students</i>	Immigration.gov Information on Student Visas How Do I Become a Vocational Student in the United States? Dept. of State: Implementation of ISEAS Dept. of State: Tips for U.S. Visas: Foreign Student Visas Dept. of State: Applying for a foreign Student Visa

2-23

		Dept. of State: What Consuls Look For - Student Visas Dept. of State: New Legal Requirements for F-1 Foreign Students in U.S. Public Schools How Do I Apply to Qualify My School for Foreign Student Attendance
M-1	Vocational student or other nonacademic student	INA Section 101(a)(15)(M)(i) 8 CFR 214.2(m)
M-2	Spouse or child of M-1	INA Section 101(a)(15)(M)(ii) 8 CFR 214.2(m)
N-8	Parent of alien classified SK-3 "Special Immigrant"	INA Section 101(a)(15)(N)(i)
N-9	Child of N-8, SK-1, SK-2, or SK-4 "Special Immigrant"	INA Section 101(a)(15)(N)(ii) through (iv)
NAFTA	<i>North American Free Trade Agreement (NAFTA)</i> (see TN, below)	
	<i>North Atlantic Treaty Organization</i>	
NATO-1	Principal Permanent Representative of Member State to NATO and resident members of official staff or immediate family	Not included in the INA Article 12, 5 US Treaties 1094 Article 20, 5 US Treaties 1098 8 CFR 214.2(s)
NATO-2	Other representatives of member State; Dependents of Member of a Force entering in accordance with the provisions of NATO Status-of-Forces agreement;	Article 13, 5 US Treaties 1094 Article 1, 4 US Treaties 1794 Article 3, 4 US 8 CFR 214.2(s)

	Members of such a Force if issued visas	Treaties 1796
NATO-3	Official clerical staff accompanying Representative of Member State to NATO or immediate family	Article 14, 5 US Treaties 1096 8 CFR 214.2(s)
NATO-4	Official of NATO other than those qualified as NATO-1 and immediate family	Article 18, 5 US Treaties 1096 8 CFR 214.2(s)
NATO-5	Expert other than NATO officials qualified under NATO-4, employed on behalf of NATO and immediate family	Article 21, 5 US Treaties 1100 8 CFR 214.2(s)
NATO-6	Member of civilian component who is either accompanying a Force entering in accordance with the provisions of the NATO Status-of-Forces agreement; attached to an Allied headquarters under the protocol on the Status of International Military headquarters set up pursuant to the North Atlantic Treaty; and their dependents	Article 1, 4 US Treaties 1794 Article 3, 5 US Treaties 877 8 CFR 214.2(s)
NATO-7	Servant or personal employee of NATO-1, NATO-2, NATO-3, NATO-4, NATO-5, NATO-6, or immediate family	Articles 12-20, 5 US Treaties 1094 - 1098 8 CFR 214.2(s)
	<i>Workers with Extraordinary Abilities</i>	Immigration.gov Information on Temporary Workers Dept. of State: Tips for U.S. Visas: Temporary Workers Instructions for Form I-129: Petition for a Nonimmigrant Worker How Do I Apply for Health Care Worker Certification?
O-1	Extraordinary ability in Sciences, Arts, Education,	INA Section 101(a)(15)(O)(i) 8 CFR 214.2(o)(1),

2-25

	Business, or Athletics	8 CFR 214.2(o)(2), 8 CFR 214.2(o)(3)
O-2	Alien's (support) accompanying O-1	INA Section 101(a)(15)(O)(ii) 8 CFR 214.2(o)(4)
O-3	Spouse or child of O-1 or O-2	INA Section 101(a)(15)(O)(iii) 8 CFR 214.2(o)(5)
	<i>Athletes and Entertainers</i>	Immigration.gov Information on Temporary Workers Dept. of State: Tips for U.S. Visas: Temporary Workers Instructions for Form I-129: Petition for a Nonimmigrant Worker
P-1	Individual or team athletes	INA Section 101(a)(15)(P)(i) 8 CFR 214.2(p)(4)
P-1	Entertainment groups	INA Section 101(a)(15)(P)(i) 8 CFR 214.2(p)(4)
P-2	Artists and entertainers in reciprocal Exchange programs	INA Section 101(a)(15)(P)(ii) 8 CFR 214.2(p)(5)
P-3	Artists and entertainers in culturally unique programs	INA Section 101(a)(15)(P)(iii) 8 CFR 214.2(p)(6)
P-4	Spouse or child of P-1, 2, or 3	INA Section 101(a)(15)(P)(iv) 8 CFR 214.2(p)(8)(iii)(D)
	<i>International Cultural Exchange Visitors</i>	
Q-1	International cultural exchange visitors	Immigration.gov Information on Exchange Visitors Dept. of State: Tips for U.S. Visas: Exchange Visitors Instructions for Form I-129: Petition for a Nonimmigrant Worker INA Section 101(a)(15)(Q)(i) 8 CFR 214.2(q)
Q-2	Irish Peace Process Cultural and Training Program (Walsh Visas)	Walsh Visa Program INA Section 101(a)(15)(Q)(ii)(I) 8 CFR 214.2(q)(15)
Q-3	Spouse or child of Q-2	INA Section 101(a)(15)(Q)(ii)(II) 8 CFR 214.2(q)(15)

	<i>Religious Workers</i>	Immigration.gov Information on Temporary Workers Dept. of State: Tips for U.S. Visas: Temporary Religious Workers Instructions for Form I-129: Petition for a Nonimmigrant Worker
R-1	Religious workers	INA Section 8 CFR 101(a)(15)(R) 214.2(r)
R-2	Spouse or child of R-1	INA Section 8 CFR 101(a)(15)(R) 214.2(r)
	<i>Witness or Informant</i>	
S-5	Informant of criminal organization information	INA Section 101(a)(15)(S)(i)
S-6	Informant of terrorism information	INA Section 101(a)(15)(S)(ii)
T	<i>Victims of a Severe Form of Trafficking in Persons</i>	Victims of Trafficking and Violence Protection Act of 2000 Fact Sheet on T Application Process Dept. of State: Trafficking in Persons Report Dept. of State: Foreign Affairs Manual, Section 41.84
T-1	Victim of a severe form of trafficking in persons	INA Section 8 CFR 101(a)(15)(T)(i) 214.11
T-2	Spouse of a victim of a severe form of trafficking in persons	INA Section 8 CFR 101(a)(15)(T)(ii) 214.11(o)
T-3	Child of victim of a severe form of trafficking in persons	INA Section 8 CFR 101(a)(15)(T)(ii) 214.11(o)
T-4	Parent of victim of a severe form of trafficking in persons (if T-1 victim is under 21 years of age)	INA Section 8 CFR 101(a)(15)(T)(ii) 214.11(o)
	<i>North American Free Trade Agreement (NAFTA)</i>	Dept. of State: Professionals Under NAFTA Changes to NAFTA and new 2004 Trade Agreements
TN	Trade visas for Canadians and Mexicans	INA Section 8 CFR 214(e)(2) 214.6(d) 8 CFR 214.6 Canadians: Mexicans: 8

		CFR 214.6(e)
TD	Spouse or child accompanying TN-	INA Section 214(e)(2) 8 CFR 214.6(j)
	<i>Transit Without Visa</i>	
TWOV	Passenger	INA Sections 212(d)(3) and 212(d)(5) 8 CFR 212.1(f)
TWOV	Crew	INA Sections 212(d)(3) and 212(d)(5) 8 CFR 212.1(f)
U	<i>Victims of Certain Crimes</i>	
U-1	Victim of Certain Criminal Activity<td>	INA Section 101(a)(15)(U)
U-2	Spouse of U-1	INA Section 101(a)(15)(U)
U-3	Child of U-1	INA Section 101(a)(15)(U)
U-4	Parent of U-1, if U-1 is under 21 years of age	INA Section 101(a)(15)(U)
	<i>Certain Second Preference Beneficiaries</i>	How Do I Become a V-Nonimmigrant as the Spouse or Child of a U.S. Permanent Resident? Dept. of State: The New K and V Visas
V-1	Spouse of an LPR who is the principal beneficiary of a family-based petition (Form I-130) which was filed prior to December 21, 2000, and has been pending for at least three years	INA Section 101(a)(15)(V) 8 CFR 214.15
V-2	Child of an LPR who is the principal beneficiary of a	INA Section 101(a)(15)(V) 8 CFR 214.15

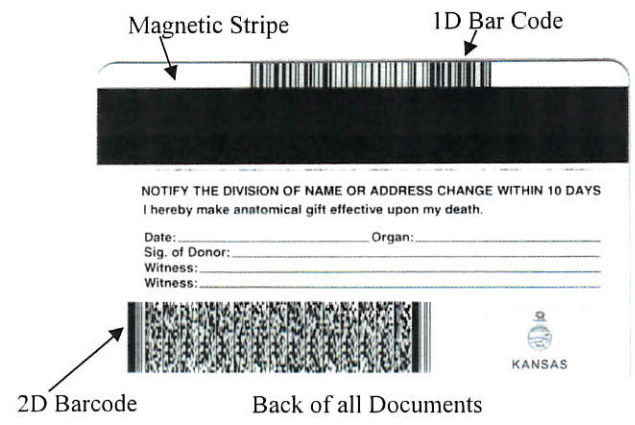
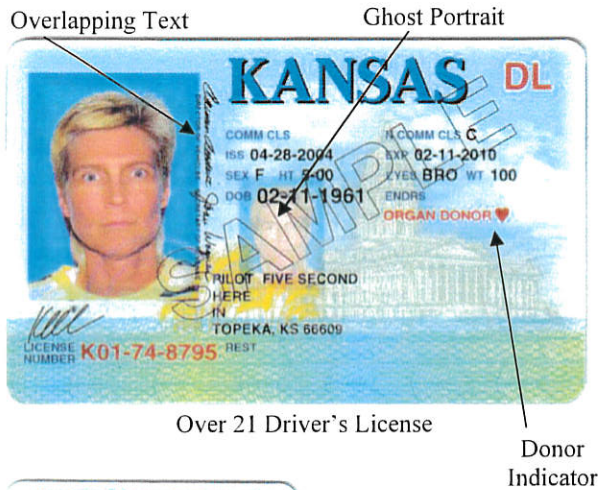
2-28

	family-based visa petition (Form I-130) that was filed prior to December 21, 2000, and has been pending for at least three years.	
V-3	The derivative child of a V-1 or V-2	INA Section 101(a)(15)(V) 8 CFR 214.15
	<i>Humanitarian Parole</i>	Immigration.gov Information on Humanitarian Parole
	<i>Temporary Protected Status (TPS)</i>	Immigration.gov Information on Temporary Protected Status How Do I Apply for Temporary Protected Status?
TPS	Temporary Protected Status	INA Section 244 8 CFR 244

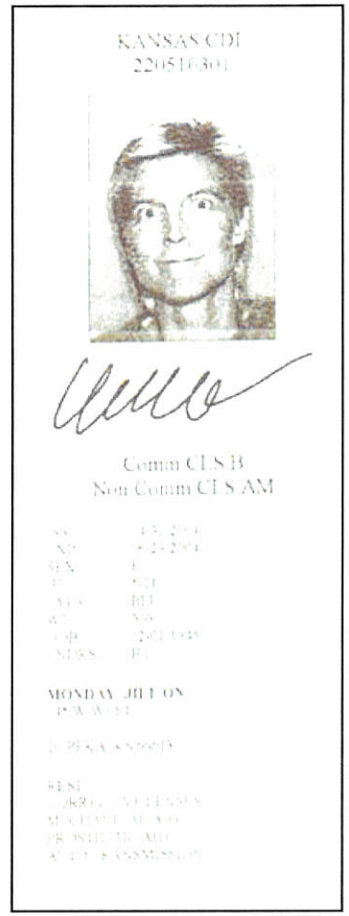
[Home](#) [Contact Us](#) [Privacy Policy](#) [Website Policies](#) [NoFEAR](#) [Freedom Of Information Act](#) [FirstGov](#)

[U.S. Department of Homeland Security](#)

2-29



- Each card is laminated with a tamper resistant coating that increases the card's security and durability. The front laminate shows a pattern of the Kansas State Seal that changes color as the document is tilted for viewing. Printed data overlaps the digital photo and ghost portrait image.
- The 1D and 2D barcodes and Magnetic Stripe on the back of each document contain text data from the front of the card.
- All documents issued to individuals less than 21 years of age will be in the "vertical" format.



2-30