

PROOF OF LAWFUL IMMIGRATION STATUS: WHAT TO CARRY

By law, all non-citizens age 18 and older are required to carry proof of their immigration status at all times. Below is a list of documents that may be used to show your current status. For most temporary residents, this means a valid passport with the most recent Form I-94. In some situations, such as when an extension or change of status is pending, you may also need to carry an approval notice or receipt notice that explains why you are lawfully present. It is strongly recommended that you carry original immigration documents whenever possible. In addition, you should keep a clear color copy with you and store an extra color copy in a safe, secure location. You do not need to carry every document listed below. Carry only the documents that apply to your current status. If you are unsure which documents apply to your situation, consult an immigration attorney.

TEMPORARY RESIDENTS – PRIMARY NONIMMIGRANTS

(e.g., H-1B, L-1, TN, J-1, F-1, B-1/B-2, E-1/E-2, O-1, P-1)

- Foreign passport
- Most recent I-94 card attached to passport
- I-797 approval notice of I-129 petition, if applicable
- I-797 receipt notice of filing of I-129 petition to extend/change status (if current I-94 has expired and a petition has been timely filed), with employment confirmation letter from employer, if applicable*
- Form I-20 (for international students)
- Form DS-2019 (for international exchange visitors in J-1 status)
- I-797 receipt notice of filing adjustment of status (I-485) application

*it is recommended that the employer letter include language that the employee is lawfully present pursuant to either 8 CFR 274a.12(b)(20) (“the 240-day rule”) or 8 CFR 214.2(h)(2)(i)(C) (“the H-1B portability rule”)

TEMPORARY RESIDENTS – DERIVATIVE NONIMMIGRANTS

(e.g., H-4, L-2, TD, J-2, F-2, E-3, O-3, P-4)

- Foreign passport
- Most recent I-94 card attached to passport
- I-797 approval notice of I-539 application, if applicable
- I-797 receipt notice of filing of I-539 application to change or extend status (if current I-94 has expired and an application has been timely filed)
- Form I-20 (for F-2 spouses and children)
- Form DS-2019 (for J-2 spouses and children)
- I-797 receipt notice of filing adjustment of status (I-485) application

PERMANENT RESIDENTS

- Permanent resident card
- Foreign passport with I-551 stamp (temporary evidence of lawful permanent residence)

U.S. CITIZENS (RECOMMENDED, BUT NOT REQUIRED)

- U.S. Passport
- Copy of naturalization certificate, if applicable