

EMPLOYMENT DEVELOPMENT DEPARTMENT

Amendment of Title 22, California Code of Regulations Section 2051-3

VERIFICATION CRITERIA

Text of Proposed Amendments

NOTE: Language to be repealed is shown in ~~strikeout~~ format; language to be added is shown in underline format.

AMEND SECTION 2051-3 TO READ:

§ 2051-3. Verification Criteria.

(a) An applicant shall be eligible to receive employment services if he/she has established his/her identity and legal status or authorization to work by providing one or more of the authentic documents as set forth ~~below:~~ under the employment verification provisions of the Immigration and Nationality Act Section 274A (8 U.S.C. § 1324a) and, Title 8 Code of Federal Regulations part 274a.2.

~~(1) A certified copy of a United States birth certificate issued in or by a city, county, or state vital statistics department.~~

~~(2) A U.S. Certificate of Birth Abroad (U.S. State Department Forms FS-545, DS-1350) or a report of Birth Abroad of U.S. Citizen (U.S. State Department Form FS-240).~~

~~(3) A Proof of Indian Blood Degree issued by the federal government.~~

~~(4) A certified birth certificate or passport issued from:~~

~~(A) Puerto Rico, on or after January 13, 1941.~~

~~(B) Guam, on or after April 10, 1899.~~

~~(C) U.S. Virgin Islands, on or after January 17, 1917.~~

~~(D) Northern Mariana Islands, after November 4, 1986.~~

~~(E) American Samoa.~~

~~(F) Swain's Island.~~

~~(G) District of Columbia.~~

~~(H) Federated States of Micronesia.~~

~~(I) Republic of Marshall Islands.~~

~~(5) A U.S. passport (expired or unexpired).~~

~~(6) One of the following unexpired U.S. Military Identification Cards or documents:~~

~~(A) DD-2 for active duty, reserve or retired Air Force, Army, Marine Corps, or Navy.~~

~~(B) DD-1173 for dependents of active duty or retired military personnel, Air Force, Army, Marine Corps, or Navy.~~

~~(C) AF-447, A-447, MC-447, N-447 for dependents of reserve duty military personnel, Air Force, Army, Marine Corps, or Navy.~~

- ~~(D) DD-1934 for medical/religious personnel.~~
- ~~(E) DD-214, Report of Separation for Air Force, Army, Marine Corps, or Navy personnel.~~
- ~~(7) Northern Mariana Card (INS Form I-551).~~
- ~~(8) American Indian Card (INS Form I-551).~~
- ~~(9) U.S. Citizen Identification Card (INS Forms I-179, I-197).~~
- ~~(10) Resident Alien Card (INS Form I-551, AR-3, AR-3A, AR-103).~~
- ~~(11) Temporary Resident Identification Card (INS Form I-688).~~
- ~~(12) Alien Registration Receipt Card or "Resident Alien Card" (INS Form I-151 valid until declared invalid by INS).~~
- ~~(13) Canadian passport (expired or unexpired).~~
- ~~(14) A certified copy of a Canadian birth certificate.~~
- ~~(15) Non-Resident Alien Canadian Border Crossing Card (INS Forms I-185, I-586).~~
- ~~(16) Mexican Border Crossing Card (INS Form I-186 with a valid INS Form I-94 or INS Form I-586 with a valid INS Form I-94).~~
- ~~(17) U.S. Border Crossing Identification Card and Visa (known as the "Mica") with a valid INS Form I-94.~~
- ~~(18) A foreign passport stamped "Processed for I-551."~~
- ~~(19) Record of Arrival and Departure (INS Form I-94) stamped Temporary Proof of Lawful Permanent Resident.~~
- ~~(20) Record of Arrival and Departure (INS Form I-94 or I-94W) with a valid foreign passport.~~
- ~~(21) Certificate of Identity issued to Hong Kong residents with a valid INS Form I-94.~~
- ~~(22) A certified order or judgment from a court of competent jurisdiction stating the applicant's true full name, date of birth, and that the applicant was born in the U.S. or U.S. Territories or that the applicant's presence in this country is authorized by Federal law.~~
- ~~(23) Certification provided by the California Youth Authority (CYA) which verifies the legal presence of the applicant.~~
- ~~(24) Certification provided by the California Department of Corrections (CDC) which verifies the legal presence of the applicant.~~
- ~~(25) Unexpired Employment Authorization Card (INS Form I-688A, I-688B, I-766).~~
- ~~(26) Record of Arrival and Departure stamped "Refugee, Asylee, Parolee or Parole" (INS Form I-94) coded: Section 207 (Refugee), 208 (Asylum), 209 (Refugees), 212d(5) (Parolee), HP (Humanitarian Parolee) or PIP (Public Interest Parolee).~~
- ~~(27) Immigration Judge's Order Granting Asylum.~~
- ~~(28) Notice of Action (INS Form I-797 Approved Petition).~~
- ~~(29) A social security card and a state-issued driver's license or state-issued identification card containing a photograph.~~
- ~~(30) Record of Arrival and Departure (INS Form I-94) marked with an I-551 stamp and affixed with the bearer's photograph until the expiration date. When there is no expiration date, the receipt in lieu of original documents is acceptable for one year from the date of issue of the I-94 and within this period the non-citizen must present the actual Form I-551 Permanent Resident Card or "green card."~~
- ~~(31) Record of Arrival and Departure (INS Form I-94) marked with a refugee stamp may be accepted as a receipt in lieu of original documents for 90 days, within which time~~

the non-citizen must present an unrestricted Social Security Card or an Employment Authorization Document (INS Form I-688B or I-766).

NOTE: Authority cited: Sections 305 and 306, Unemployment Insurance Code.
Reference: Sections 9601.5 and 9601.7, Unemployment Insurance Code.
