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## The Green Card is Finally Green Again!

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Jennifer G. Parser  
Elizabeth H. Johnson

After May 11, 2010, employers being shown a strange new green card as part of the I-9 employment eligibility verification process should not assume the worst. The “permanent resident card” has been redesigned to be green in color and include biometrics in the form of a laser-engraved fingerprint, holographic images, and high-resolution microimages of all the U.S. presidents and state flags. There is also an embedded radio frequency identification device allowing Customs and Border Protection to read the card from a distance. A preprinted return address on the back enables return of lost cards to the U.S. Citizenship and Immigration Services (USCIS). Old green cards are acceptable but upon expiration will be renewed in this redesigned format. The USCIS is recommending that holders of green cards without an expiration date renew them to be in conformity with this format or consider becoming naturalized U.S. citizens. Overlaying the old green card in the graphic below\* is a sample of the new green card with salient points highlighted.

In reviewing this type of documentation as part of the I-9 process, an employer is guaranteeing to Immigration and Customs Enforcement, not the legitimacy of the status of the person presenting the document, but rather the facts that (1) its HR manager has reviewed the original document, (2) the document reasonably appears to be genuine, and (3) the document relates to the employee who has presented it for employment eligibility verification purposes.

A reminder: a policy of copying and retaining the copies of documentation offered by an employee when completing the I-9 must be done uniformly for all employees. Also, the I-9s with any copied identity and employment authorization documents must be retained for at least three years from the date of hire or one year after termination of employment, whichever is longer.

The I-9s and any copied documentation (like this new green card) relating to the I-9 completion should be kept separate from all other employee information.

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**WWW.POYNERSPRUILL.COM**

301 Fayetteville St., Suite 1900, Raleigh, NC 27601/P.O. Box 1801, Raleigh, NC 27602-1801 P: 919.783.6400 F: 919.783.1075

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\*Source: American Immigration Lawyers Association

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