



CITIZENSHIP DOCUMENTATION

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Much has already been said in previous articles about the “75/25 rule” or more specifically 46 U.S.C. 8103 regarding citizenship requirements for personnel on documented vessels and certain types of fishing vessels. This article adds information concerning evidence of citizenship status to the discussion.

A state driver’s license and/or social security card are often acceptable forms of identification for establishing identity and employment eligibility, but are generally not accepted as good indicators of citizenship status. These forms of identification provide little assistance in determining whether an unlicensed seaman is either a citizen of the of the United States, an alien lawfully admitted to the United States for permanent residence, or an alien allowed to be employed in the United States.

There are several different documents that are commonly relied on as indicators of a valid claim of U.S. citizenship. These documents include but are not limited to a certificate of U. S. birth, citizenship certificate, certificate of naturalization as a U.S. citizen, passport, voter registration card, or licenses and permits issued by governmental agencies *only* to U.S. citizens.

The document typically relied upon to indicate that one is lawfully admitted to the United States for permanent residence is a United States Permanent Resident Card, Form I-551, informally known as a “green card.”

For non-immigrants, the Arrival-Departure Record, Form I-94, is evidence of lawful admission to the United States in a specific immigration class or status. Except for those non-immigrants granted admission to work in the United States, (class H), non-

immigrants may not accept employment in the United States. Class H will be denoted on the I-94 for individuals that may accept employment in the United States.

Coast Guard boarding teams will often seek to determine whether unlicensed seamen on a vessel are citizens of the United States or, alternatively, lawfully admitted to the United States. Mariners and unlicensed seamen could assist Coast Guard boarding teams in making fair determinations of citizenship status by ensuring the appropriate documentation is made available.

When possible, copies of, or information from, citizenship status documentation should be included in any civil penalty case file forwarded to the Coast Guard Hearing Office.