

MASSACHUSETTS WORKFORCE DEVELOPMENT SYSTEM

Mass Workforce Issuance

100 DCS 05.102

☐ Policy ☒ Information

To: Chief Elected Officials
Workforce Board Chairs
Workforce Board Directors
Title I Administrators
Career Center Directors
Title I Fiscal Officers
DCS Operations Managers

cc: WIOA State Partners

From: Alice Sweeney, Director
Department of Career Services

Date: July 30, 2015

Subject: **Photocopying of the Certificate of Naturalization**

Purpose: To notify Local Workforce Development Boards, One-Stop Career Center Operators and other local workforce partners that the Department of Labor (DOL) has clarified that the U.S. Citizenship and Immigration Services **explicitly allows for lawful copies of the Certification of Naturalization for employment-related issues.**

Background: Workforce Innovation and Opportunity Act (WIOA) Section 188(a)(5) identifies those individuals to whom funds under WIOA may be available:

Participation in programs and activities or receiving funds under this title shall be available to citizens and nationals of the United States, lawfully admitted permanent resident aliens, refugees, asylees, and parolees, and immigrants authorized by the Attorney General to work in the United States.

WIOA Section 188(a)(5) establishes both a non-discrimination provision and a restriction on the allowability of funds. The non-discrimination protection is for the non-citizen, “lawfully admitted permanent resident aliens,” referenced in the

citation. This ensures states and local areas do not restrict services under WIOA only to United States citizens.

In order to be compliant with WIOA Section 188(a)(5), the state must ensure that copies of appropriate documents are retained for review by oversight agencies to ensure participant eligibility. This applies to documentation previously considered to be unlawful to copy such as the Certificate of Naturalization.

Photocopying of Certificate of Naturalization documents for eligibility purposes is allowed.

The U.S. Citizenship and Immigration Services website states: “The Certificate of Naturalization or Citizenship contains a warning indicating it cannot be copied. However, for the purposes of obtaining an immigration benefit, it is acceptable to make a copy of a Certificate of Naturalization or Citizenship.”

The Newcitizens.us website explains: “Unlawful copying of a Certificate of Naturalization includes such things as copying for the purposes of falsifying or altering the photograph, falsifying information on the certificate, copying so others may use the certificate, and copying for the purposes of counterfeiting or other criminal activity.” (www.newcitizen.us/after.html)

Action

Required: Please ensure all staff and partners working with participant eligibility are aware of this information.

Effective: Immediately

Inquiries: Please contact Diane Hurley Dhurley@detma.org with any questions related to this issuance.