

# UMBC ELECTRONIC CITIZENSHIP STATUS FORM EMPLOYEE INSTRUCTIONS

Since resident and nonresident aliens are taxed differently, it is important for you to determine your status. We determine this information by gathering your visa history information while in the U.S.

You are considered a nonresident alien for any period that you are neither a United States citizen nor a United States resident alien. You are considered a resident alien if you met one of the following two tests for the calendar year:

The first test is the "**green card test.**" If at any time during the calendar year you were a lawful permanent resident of the United States according to the immigration laws, and this status has not been rescinded or administratively or judicially determined to have been abandoned, you are considered to have met the green card test.

The second test is the "**substantial presence test**".

## **Section 1 (Citizen Information/Social Security Information)**

*You must agree to electronic records and signatures*

- Review the following for accuracy
  - Document type (visa status)
- Select the following information
  - Country of Residence (drop down list)
  - Citizen of (drop down list)
- Have you ever applied for a Social Security Number (drop down list)

**\*\*\* *If you are still waiting for your number you must provide a copy of the receipt\*\*\****

## **Section 2 (Current USCIS/Green Card Classification)**

- Select the appropriate Visa classification  
If your visa selection is not listed select "OTHER USCIS CLASSIFICATION"  
and list your status.
- **Permanent Resident (PR):** You must be a lawful U.S. immigrant who has an Alien Registration Card ("Green Card") or an "I-551" stamp in your Passport or a USCIS\* letter stating approval of your application.
  - ***If you are a PR you have completed the form no further action is needed. You will be guided to sign and upload documents.***

## **Section 3 (Visa History)**

- This information should come from your **most current USCIS documents.**

#### **Section 4 (Substantial Presence Test)**

- To meet the substantial presence test, you must have been physically present in the United States on at least **31** days during the current year, and **183** days during the 3 year period that includes the current year and the 2 years immediately before.
- To satisfy the 183 days requirement, count all of the days you were present in the current year, and one-third of the days you were present in the first year before the current year, and one-sixth of the days you were present in the second year before the current year

#### **Exceptions**

**Do not** count days of presence in the U.S. during which:

- you are a commuter from a residence in Canada or Mexico;
- you are in the U.S. less than 24 hours in transit;
- you are unable to leave the U.S. due to a medical condition that developed in the U.S.;
- You are an exempt individual (**see tip sheet**);
- You are a regular member of the crew of a foreign vessel traveling between the U.S. and a foreign country or a possession of the U.S. (unless you are otherwise engaged in conducting a trade or business in the U.S.)

#### **Required Documents**

- Visa History for current year (Renewals **MUST** use the upcoming year)
- Supporting Documents (**see tip sheet**)
- Tax treaty docs must be included in this section (**see tip sheet**)

#### **Employee Certification/Signature**

This section certifies that you have uploaded all the required documents, tax forms will be mailed to the appropriate address, any changes requires a new form, and all information is accurate.