

Oklahoma Department of Labor



Mark Costello
COMMISSIONER

NOTICE

NEW PROCEDURES FOR LICENSE APPLICATIONS

Effective November 1, 2007 (revised February 1, 2012)

In order to comply with recent immigration legislation (HB 1804), the Oklahoma Department of Labor has established the following new procedures for license applicants.

In order to obtain a license, the requested documentation, including a signed Affidavit of Citizenship or Affidavit Regarding Citizenship is required. In the absence of the required documentation, citizenship and immigration status cannot be determined and applicants may not be eligible for the license for which they are applying. Complying with these requirements does not guarantee issuance of a license. Applicants must still satisfy all other required qualifications of the licenses for which they are applying.

Presentation of the following documents, in person, will be required to assist in establishing eligibility for a particular license and lawful presence to work in the United States:

ALL APPLICANTS FOR A LICENSE MUST PRODUCE THE FOLLOWING:

- A. Two forms of identification:
1. A valid, unexpired **Driver's License OR Photo-Identification Card** from your state of residency; **AND**
 2. One of the following:
 - a. **Social Security Card**; OR
 - b. **Birth Certificate**; OR
 - c. a valid, unexpired **Passport**; OR
 - d. a **W-2** form from current employer.
- B. All applicants must sign either an Affidavit of Citizenship (U.S. Citizens) or an Affidavit Regarding Citizenship (qualified aliens lawfully present in the U.S.).

QUALIFIED ALIENS MUST PRODUCE THE FOLLOWING DOCUMENTATION IN ADDITION TO THE ABOVE REQUIREMENTS:

The Oklahoma Department of Labor participates in the Systematic Alien Verification for Entitlements (SAVE) Program, which is an intergovernmental information-sharing initiative designed to aid in determining a non-citizen applicant's immigration status (lawful presence), and thereby ensuring only eligible non-citizens receive government benefits, such as licenses. The Oklahoma Department of Labor shall only issue licenses to Qualified Aliens (non-U.S. citizens) who present, in person, valid documentary evidence of one (1) of the following:

- Unexpired foreign passport, with I-551 stamp, or attached Form I-94 indicating unexpired employment authorization;
- Permanent Resident Card or Alien Registration Receipt Card with photograph (Form I-151, or I-551);
- Unexpired Temporary Resident Card (Form I-688);
- Unexpired Employment Authorization Card (Form I-688A);
- Unexpired Reentry Permit (Form I-327);
- Unexpired Refugee Travel Document (Form I-571);
- Unexpired Employment Authorization Document issued by DHS containing a photograph (Form I-688B);
- Valid, unexpired immigrant or non-immigrant visa status for admission into the United States;
- Pending or approved application for asylum in the United States;
- Pending or approved application for temporary protected status in the United States;
- Approved deferred action status (Aliens whose deportation is being withheld under (1) §243(h) of the INA as in effect prior to April 1, 1997 or (2) §241(b)(3) of the INA);
- Pending application for adjustment of status to legal permanent resident or conditional resident status (Aliens granted conditional entry under §2039a(7) of the INA before April 1, 1980). (Upon approval, the applicant may be issued a temporary license for the period of time of the authorized stay in the U.S., or if there is no definite end to the period of authorized stay, then for a period of one (1) year);
- Cuban and Haitian Entrants, as defined in §501(e) of the Refugee Education Assistance Act of 1980;
- Aliens granted parole for at least one year under §212(d)(5) of the INA;
- Battered aliens, who meet the conditions set forth in §431(c) of PRWORA, as added by §501 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, P.L. 104-208 (IIRIRA), and amended by §5571 of the Balanced Budget Act of 1997, P.L. 105-33 (BBA), and §1508 of the Violence against Women Act of 2000, P.L. 106-386. Section 431(c) of PRWORA, as amended, is codified at 8 U.S.C. 1641(c);
- Victims of a severe form of trafficking, in accordance with §107(b)(1) of the Trafficking Victims Protection Act of 2000, P.L. 106-386.

RENEWALS:

All applicants will be required to present, in person, documentation listed above to establish eligibility for a new license. However, most renewal applications may be submitted by mail as follows:

U.S. Citizens: Once eligibility has been established, all renewal licenses can be approved each year, excluding the tenth year and every tenth year thereafter, by mailing an application, fee, and photocopy of the requested documentation listed above to the Oklahoma Department of Labor.

Qualified Aliens: State law requires the Oklahoma Department of Labor to verify immigration status (lawful presence) of all non-U.S. citizens upon license renewal. As long as the qualified alien presents the same unexpired immigration document that was presented previously, the renewal license may be approved by mailing an application, fee, and photocopy of the requested documentation listed above to the Oklahoma Department of Labor. Renewal applicants with new immigration documents are required to present, in person, documentation listed above to establish eligibility for renewal. Renewal applications for the tenth year and every tenth year thereafter must also be presented in person.

APPROVED LOCATIONS:

Applications may be processed at the ODOL offices in Oklahoma City or Tulsa. For other approved facilities, contact ODOL at 405-521-6100.

Oklahoma Department of Labor



Mark Costello
COMMISSIONER

ELIGIBILITY APPLICATION

PLEASE CHECK ALL BOXES THAT APPLY:

Please provide the following two (2) forms of identification:

- A valid, unexpired **Driver's License** OR **Photo-Identification Card** from your state of residency; **AND**
- Social Security Card**; OR
Birth Certificate; OR
Valid, unexpired **Passport**; OR
W-2 form from current employer

Are you a **citizen of the United States of America**? YES _____ NO _____

If yes, please provide the following document:

- Affidavit of Citizenship** (See attached Affidavit on page 2)

Are you a **qualified alien lawfully present in the United States**? YES _____ NO _____

If yes, please provide the following documents:

- Affidavit Regarding Citizenship** (see attached Affidavit on page 3)
- ALL Qualified Aliens** (non-U.S. Citizens) **must present** in person documentation to verify lawful presence. (See attached Affidavit on page 3)

ALL Qualified Aliens (non-U.S. Citizens)
must present in person one (1) of the following documents to verify lawful presence:
PLEASE CHECK BOX THAT APPLIES

- Unexpired foreign passport, with I-551 stamp, or attached Form I-94 indicating unexpired employment authorization;
- Permanent Resident Card or Alien Registration Receipt Card with photograph (Form I-151, or I-551);
- Unexpired Temporary Resident Card (Form I-688);
- Unexpired Employment Authorization Card (Form I-688A);
- Unexpired Reentry Permit (Form I-327);
- Unexpired Refugee Travel Document (Form I-571);
- Unexpired Employment Authorization Document issued by DHS containing a photograph (Form I-688B);
- Valid unexpired immigrant or non-immigrant visa status for admission into the United States;
- Pending or approved application for asylum in the United States;
- Pending or approved application for temporary protected status in the United States;
- Approved deferred action status (Aliens whose deportation is being withheld under (1) §243(h) of the INA as in effect prior to April 1, 1997 or (2) §241(b)(3) of the INA);
- Pending application for adjustment of status to legal permanent resident or conditional resident status. (Aliens granted conditional entry under §2039a(7) of the INA before April 1, 1980). (Upon approval, the applicant may be issued a temporary license for the period of time of the authorized stay in the U.S., or if there is no definite end to the period of authorized stay, then for a period of one (1) year);
- Cuban and Haitian Entrants, as defined in §501(e) of the Refugee Education Assistance Act of 1980; Aliens granted parole for at least one year under §212(d)(5) of the INA;
- Battered aliens, who meet the conditions set forth in §431(c) of PRWORA, as added by §501 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, P.L. 104-208 (IIRIRA), and amended by §5571 of the Balanced Budget Act of 1997, P.L. 105-33 (BBA), and §1508 of the Violence against Women Act of 2000, P.L. 106-386. Section 431(c) of PRWORA, as amended, is codified at 8 U.S.C. 1641(c);
- Victims of a severe form of trafficking, in accordance with §107(b)(1) of the Trafficking Victims Protection Act of 2000, P.L. 106-386.

AFFIDAVIT REGARDING CITIZENSHIP

I, _____, swear under a penalty of perjury, that I am a qualified alien lawfully present in the United States.

I authorize the United States Department of Homeland Security to release my citizenship and immigration status to the Oklahoma Department of Labor in order to be eligible to receive the benefit/license for which I am applying. *

 Applicant's Signature

Immigration Status: _____ Number: _____

* Any person who knowingly and willfully makes a false, fictitious, or fraudulent statement of representation in this affidavit shall be subject to criminal penalties applicable in the State of Oklahoma for fraudulently obtaining a public assistance program benefit (a license). If the affidavit constitutes a false claim of U.S. citizenship under 18 U.S.C. Section 911, a complaint shall be filed by the Oklahoma Department of Labor with the United States Attorney General for the applicable district based upon the venue in which the affidavit was executed.

ACKNOWLEDGMENT

State of Oklahoma)
) ss:
 County of _____)

Subscribed and sworn to before me this _____ day of _____, 20__.

 Notary Public

My Commission expires: _____