

Oklahoma Department of Labor



Lloyd L. Fields
COMMISSIONER

NOTICE

NEW PROCEDURES FOR LICENSE APPLICATIONS

Effective November 1, 2007

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

- A. In order to obtain a license, the requested documentation, including a signed Affidavit of 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.
- B. 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 OKLAHOMA RESIDENTS:

- a. a valid, unexpired **Oklahoma Driver's License**; OR **Photo-Identification Card** from the Oklahoma Department of Public Safety; AND
- b. **Social Security Card.**

ALL NON-RESIDENTS OF OKLAHOMA: (Residents of another U.S. state):

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

AFFIDAVIT OF or REGARDING CITIZENSHIP: (All applicants must sign)

- a. If you are a U.S. Citizen, please provide the above requested documentation.
 - b. If you are not a U.S. Citizen, but are a qualified alien under the federal Immigration and Nationality Act and are lawfully present in the U.S. to work, please provide one of the following documents listed in Section D.
- C. 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.

D. 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.

E. Complying with the above requirements does not guarantee issuance of a license. Applicants must still satisfy all other required qualifications of the respective licenses for which they are applying.

F. RENEWALS:

Effective November 1, 2007, all applicants will be required to present, in person, documentation listed in Sections B and D to establish eligibility. Once eligibility has been established, all renewal licenses can be approved each year, excluding the fifth year and every fifth year thereafter, by mailing an application, fee, and photocopy of the requested documentation listed in Sections B and D to the Oklahoma Department of Labor. If an applicant produces different documents for renewal than were produced to establish eligibility, the applicant must sign a new Affidavit of Citizenship or Affidavit Regarding Citizenship before a renewal license can be approved.

OPTIONAL:

ODOL approved industry training facilities will also be participating in the new licensing procedures. Training facilities will be available to their respective industry licensing holders in Oklahoma City and Tulsa. Applicants will still be required to be present in person at the training facility. Applicants will be photographed and asked to submit documentation listed in Sections B and D. The training facility will then certify the information and submit via email to ODOL. Applicants will still be responsible for submitting an application, affidavit of citizenship, along with required licensing fees to ODOL. Applications will then be reviewed by ODOL and mailed to approved license holders. For a list of approved training facilities, please contact ODOL at 405-528-1500 ext. 242 or 239.

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LICENSE APPLICATION

PLEASE CHECK ALL BOXES THAT APPLY:

Are you an **Oklahoma Resident**? YES _____ NO _____

If yes, please provide the following two (2) forms of identification:

- A valid, unexpired **Oklahoma Driver's License**; OR **Photo-Identification Card** from the Oklahoma Department of Public Safety; **AND**
- Social Security Card**;

If no, and you are **not** a **Resident of Oklahoma**, but a resident of another U.S. state, 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**
- Birth Certificate**; OR
Social Security Card; 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. *

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| Status: _____ Number: _____ |
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 License Applicant

* 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 _____, 200__.

 Notary Public

My Commission expires: _____