

## MEMORANDUM

To: Applicants Seeking to Obtain or Renew Certification per O.C.G.A 12-7-19, for Individuals Involved in Land Disturbing Activities

From: Georgia Soil and Water Conservation Commission

Re: Verification of Lawful Presence within the United States

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As a result of a law change to O.C.G.A. § 50-36-1, the Georgia Soil and Water Conservation Commission (Commission) is required to obtain a signed and sworn affidavit verifying the applicant's lawful presence in the United States accompanied by a copy of at least one "secure and verifiable document." O.C.G.A. § 50-36-1(e).

Attached to this Memorandum there is a Checklist for Verification of Lawful Presence within the United States (Checklist) along with three different affidavits from which the applicant must choose that provide the basis for his or her lawful presence in the United States. The Checklist must be completed by an applicant to identify which of the three types of affidavits and which one of the 16 secure and verifiable documents listed is being submitted to the Commission.

In determining which affidavit is appropriate, an applicant that is a United States citizen should complete the affidavit with that title (first affidavit). An applicant that is a legal permanent resident should complete the affidavit with that title (second affidavit). An applicant that is a qualified alien or nonimmigrant under Title 8 U.S.C. with an alien number issued by the Department of Homeland Security or other federal immigration agency should complete the affidavit with that title (third affidavit).

A legible photocopy of at least one secure and verifiable document must accompany the affidavit that is being submitted by an applicant. A "secure and verifiable document" is defined in O.C.G.A. § 50-36-2 as "a document issued by a state and federal jurisdiction or recognized by the United States government and that is verifiable by federal or state law enforcement, intelligence, or homeland security agencies. A secure and verifiable document shall not mean a Matricula Consular de Alta Seguridad, matricula consular card, consular matriculation card, consular identification card, or similar identification card issued by a foreign government regardless of the holder's immigration status. Only those documents approved and posted by the Attorney General pursuant to subsection (f) of this Code section shall be considered secure and verifiable."

Depending on which affidavit an applicant is submitting, there is included on the Checklist at least one type of secure and verifiable document that has been determined by the Georgia Attorney General's Office as being acceptable to support an affidavit. Once the appropriate affidavit is selected by an applicant and a photocopy of his or her secure and verifiable document has been made, he or she must complete the affidavit and sign it in the presence of a notary public.

**Prior to attending a certification or re-certification course, each applicant is encouraged to mail to the Commission the following three documents: 1) a Checklist completed in its entirety by the applicant, 2) the appropriate original signed and notarized affidavit attesting to the basis for his or her lawful presence in the United States, and 3) a legible photocopy of the applicant's secure and verifiable document in support of the affidavit being submitted.**

Please make sure that the applicant's name, ten digit Personal ID number, certification number (if applicable) and a current email address are included on each of the three documents being submitted, including the copy of the secure and verifiable document. An applicant's Personal ID number is the applicant's date of birth (mm/dd/yy) and the last four digits of their Social Security number. For example an applicant's date of birth is September 10, 1963 and the last four digits of their Social Security number are 1234, their Personal ID number

would be 0910631234. The Personal ID number is the identifying number the Commission uses to track an individual's certification.

These three documents should be sent to the:

The Georgia Soil and Water Conservation Commission  
PO Box 1665  
Athens, GA 30603

Applicants will be notified only by email that their citizenship has been verified. Verification of citizenship can take up to 5 business days.

An applicant has the option of completing the documentation at the certification or re-certification course, the Commission's Approved Trainers will be able to notarize the documentation. Please note that applicants, who take a course prior to obtaining citizenship verification from the Commission, must sign a waiver that states he/she understand that course refunds or certification/re-certification will not be issued if citizenship cannot be verified.

- Individuals who elect to take an online re-certification course must complete and submit documentation to the Commission via mail.

For your records, it is recommended that each applicant keep a photocopy of all of the documents that he or she submits to the Commission to verify his or her lawful presence in the United States in case any issue arises as to whether the applicant has submitted a complete and correct copy of what must be provided

Failure to provide the documentation called for by this Memorandum will prevent an Applicant from having his or her certification or re-certification issued and may result in his or her certification being revoked. If you have any questions regarding this Memorandum, please e-mail the Education and Certification Program at [certification@gaswcc.org](mailto:certification@gaswcc.org)

GEORGIA SOIL AND WATER CONSERVATION COMMISSION  
CHECKLIST FOR VERIFICATION OF LAWFUL PRESENCE WITHIN THE UNITED STATES

THIS FORM MUST BE SUBMITTED TO THE COMMISSION WITH YOUR COMPLETE NOTARIZED AFFIDAVIT AND A  
LEGIBLE COPY OF YOUR SECURE AND VERIFIABLE DOCUMENT

NAME \_\_\_\_\_ (please print clearly)

\_\_\_\_\_  
Personal ID Number                      Certification Number (if applicable)      Current Email Address (for notification purposes)  
DOB(mmddy) and Last 4 digits of SS#

- 1) Affidavit that I am providing (please check the appropriate one):
- United States Citizen Affidavit;
  - Legal Permanent Resident Affidavit; or
  - Qualified Alien or Nonimmigrant under the Federal Immigration and Nationality Act, Title 8 with an Alien Number Issued by the Department of Homeland Security or Other Federal Immigration Agency Affidavit
- 2) A legible copy of at least one form of Secure and Verifiable Documentation authorized by the Georgia Attorney General's Office that I am providing to support my Affidavit (please check the form(s) of documentation):
- United States passport or passport card
  - United States military identification card
  - Driver's license issued by one of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Marianas Islands, the United States Virgin Islands, American Samoa, or the Swain Islands, provided that it contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable the identification of the bearer.
  - Identification card issued by one of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Marianas Islands, the United States Virgin Islands, American Samoa, or the Swain Islands, provided that it contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable the identification of the bearer.
  - Tribal identification card of a federally recognized Native American tribe, provided that contains a photograph of the bearer or lists sufficient identifying information regarding the bearer, such as name, date of birth, gender, height, eye color, and address to enable the identification of the bearer.
  - United States Permanent Resident Card or Alien Registration Receipt Card
  - Employment Authorization Document that contains a photograph of the bearer
  - Passport issued by a foreign government
  - Merchant Mariner Document or Merchant Mariner Credential issued by the United States Coast Guard
  - Free and Secure Trade (FAST) card
  - NEXUS card
  - Secure Electronic Network for Travelers Rapid Inspection (SENTRI) card
  - Driver's license issued by a Canadian government authority
  - Certificate of Citizenship issued by the United States Department of Citizenship and Immigration Services (USCIS) (Form N-560 or Form N-561)
  - Certificate of Naturalization issued by the United States Department of Citizenship and Immigration Services (USCIS) (Form N-550 or Form N-570)
  - Other document or form of identification for proof or documentation of identity that the Georgia Soil and Water Conservation Commission must accept pursuant to federal law deemed to be a secure and verifiable document solely for the issuance/renewal or administration of a Georgia mortgage license

I am providing the Georgia Soil and Water Conservation Commission with this Checklist, the applicable affidavit and a photocopy of an authorized secure and verifiable document as a required part of the certification or re-certification for individuals involved in land disturbing activities. I understand and agree that knowingly and willfully making a false, fictitious, or fraudulent submission of this documentation to the Commission may serve as grounds for my certification or re-certification be revoked and may subject me to criminal penalties.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Personal ID Number  
DOB(mmddy) and Last 4 digits of SS#

\_\_\_\_\_  
Certification Number (if applicable)

**United States Citizen Affidavit Under  
O.C.G.A. § 50-36-1(e)(2)(A)**

By executing this affidavit, the undersigned applicant verifies the applicant's lawful presence in the United States as the undersigned applicant is a United States citizen 18 years of age or older. Furthermore, the undersigned applicant hereby verifies that applicant has provided at least one secure and verifiable document, as defined by O.C.G.A. 50-36-2, with this affidavit.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on \_\_\_\_\_, 20\_\_\_\_, in \_\_\_\_\_,  
(month) (day) (year) (city) (state)

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Printed Name of Applicant

Subscribed and sworn before me on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

My commission expires:  
\_\_\_\_\_

\_\_\_\_\_  
Personal ID Number  
DOB(mmddy) and Last 4 digits of SS#

\_\_\_\_\_  
Certification Number (if applicable)

**Legal Permanent Resident  
Affidavit Under O.C.G.A. § 50-36-1(e)(2)(A)**

By executing this affidavit, the undersigned applicant verifies the applicant's lawful presence in the United States as the undersigned applicant is a legal permanent resident 18 years of age or older. Furthermore, the undersigned applicant hereby verifies that applicant has provided at least one secure and verifiable document, as defined by O.C.G.A. 50-36-2, with this affidavit.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on \_\_\_\_\_, 20\_\_\_\_, in \_\_\_\_\_.  
(month) (day) (year) (city) (state)

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Printed Name of Applicant

Subscribed and sworn before me on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
NOTARY PUBLIC

My commission expires:  
  
\_\_\_\_\_

\_\_\_\_\_  
Personal ID Number  
DOB (mmddy) and Last 4 digits of SS#

\_\_\_\_\_  
Certification Number (if applicable)

**Qualified Alien or Nonimmigrant under the Federal Immigration and Nationality Act,  
Title 8 with an Alien Number Issued by the Department of Homeland Security  
Or Other Federal Immigration Agency  
Affidavit Under O.C.G.A. § 50-36-1(e)(2)(B)**

By executing this affidavit, the undersigned applicant verifies the applicant's lawful presence in the United States as the undersigned applicant is a qualified alien or nonimmigrant under the federal Immigration and Nationality Act, Title 8 U.S.C. with an alien number issued by the Department of Homeland Security or other federal immigration agency. The undersigned applicant hereby verifies that the applicant is 18 years of age or older, lawfully present in the United States and verifies that applicant has provided at least one secure and verifiable document, as defined by O.C.G.A. 50-36-2, with this affidavit.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on \_\_\_\_\_, 20\_\_\_\_, in \_\_\_\_\_.  
(month) (day) (year) (city) (state)

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Printed Name of Applicant

\_\_\_\_\_  
Applicant's alien number issued by  
The Department of Homeland  
Security or other federal  
immigration agency

Subscribed and sworn before me on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
NOTARY PUBLIC  
My commission expires:

\_\_\_\_\_