08-88

The Secretary of State presents her compliments to Their Excellencies and Messieurs and Mesdames the Chiefs of Mission and refers to the services provided to the diplomatic and consular community by the Department's Office of Foreign Missions. The purpose of this note is to restate and clarify the requirements for requesting a "Non-Eligibility Letter" used to obtain a local U.S. state driver's license.

As Missions are aware, Embassy, Mission and International Organization personnel and their dependents who enjoy privileges and immunities are required to obtain all motor vehicle services, including the Department's driver's license, from the Office of Foreign Missions ("OFM"). However, personnel of such organizations who are not entitled to privileges and immunities, and who may otherwise be unable to apply for a local driver's license and other motor vehicle services, may request a "Non-Eligibility Letter" from OFM addressed to the local Motor Vehicle Administration in the location in which the individual resides. The letter informs the local Department of Motor Vehicles ("DMV") that the named individual does not have privileges and immunities and as such is not eligible for a Department

driver's license. The letter requests that the individual therefore be permitted to seek motor vehicle services at the local DMV.

With very limited exception, only those individuals holding a valid category A or G visa who do not enjoy privileges and immunities and who are at least 15 years of age may request a "Non-Eligibility Letter." All requests must be in writing and must be submitted by the individual's organization, not by the individual. The request must include the applicant's full name and date of birth as they appear on the visa as well as the current home address of the applicant in the United States. Copies of the individual's visa and Customs and Border Protection form I-94 are also required. If the applicant already is registered with the Department's Office of Protocol, the individual must provide his/her Personal Identification Number (PID) issued by the Office of Protocol. If the applicant does not yet have a PID, a copy of the Notification of Appointment (NOA) that was filed with the Office of Protocol must be included in order for the request to be processed. Any individual requesting a "Non-Eligibility Letter" who has been terminated by the Office of Protocol must provide a copy of their Department of State-endorsed I-566 as proof that the individual intends to submit to the U.S. Citizenship and Immigration Service an application to change his/her visa status.

Missions are further advised that after notifying the Office of Protocol of the date of termination of their duties, terminating diplomatic and consular personnel who are adjusting their status in the U.S. may request a "Non-Eligibility Letter" from OFM for up to 60 days following the date of termination notified to the Office of Protocol. This time period is derived from the Department of Homeland Security's Immigration and Customs Enforcement policy that allows the principal and qualifying family members a 60-day grace period after termination of diplomatic status to settle their affairs in the United States or to apply for a change of status. Missions should note that while terminating diplomats and consular officers may request a "Non-Eligibility Letter" during this time, after the expiration of the 60-day grace period, he/she is no longer permitted to request a "Non-Eligibility Letter."

These updated regulations are effective immediately. In the metropolitan Washington D.C. area, requests for "Non-Eligibility Letters" may be emailed to ofmdmvdriverservices@state.gov, or hand-carried to the OFM's Customer Service Center at 3507 International Place N.W. Washington D.C., 20008. For other locations in the United States, please reference the enclosed. Processing time for "Non-Eligibility Letters" is approximately 10 business days.

Please direct any questions to the OFM office responsible for your area.

Enclosure:

As stated.

Department of State,

Washington, JUL 15 2008

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