

Immigration Reporting - 2015

Reporting Period: December 1, 2014 – November 30, 2015

Deadline for Submission: December 31, 2015

Place Report Must Be Filed: Department of Audits and Accounts (<https://www.audits.ga.gov/auth>)

Four Part Report:

- (1) Confirm City E-Verify Number and Authorization Date
- (2) E-Verify Contractor Report – Title 13
- (3) E-Verify Business/Alcohol License Report – Title 36
- (4) SAVE Public Benefits Report – Title 50

DOAA Report Technical/Non-legal Questions (for City Staff): IMMHelp@audits.ga.gov

Websites: <http://www.audits.ga.gov/NALGAD/IllegalImmigrationReformandEnforcementAct.html>

And <http://law.ga.gov/immigration-reports>

Legal Questions: Should be directed to the City Attorney.

Reports must be submitted through the online system. DOAA will not accept emailed, faxed, or snail-mailed information. If a city decides to upload a file to the system instead of manual input (uploading is recommended for larger inputs), the file must be in a *.txt or a *.csv file format (no commas!). All four parts of the report must be done in order for the report to be completed and finalized.

Part (1): Confirm City E-Verify Number and Authorization Date – O.C.G.A. §13-10-91(a)

- Every city must register and use E-Verify for new hires. This can be done at www.uscis.gov/e-verify.
- **Required part of report:**
 - **City's Federal Work Authorization (E-Verify) Number and Date of Authorization**
- The E-Verify number will be between 4 and 6 numerical digits is on the MOU the city has with USCIS.
- E-Verify Customer Support can be found at 888-464-4218.

Part (2): E-Verify Contractor Report – Title 13 – O.C.G.A. §§ 13-10-90 and 13-10-91

- Every city must have collected a contractor affidavit for any contract between the city and a contractor performing the “physical performance of services.” This term effectively means any contract of \$2500 or greater involving labor or services with anyone that is not performing the contract as an individual. If the contract is with an individual the person should consult with their city attorney as to whether the contracted party is fully exempt from providing any information, or merely exempt from signing up for E-Verify and only responsible for showing their identification upon signing the contract.
- This affidavit is NOT for contracts involving the purchase of goods. Contracts for the purchase of goods are exempt from this requirement.
- If a vendor is hired for multiple contracts an affidavit must be obtained for each contract which falls into the \$2500 requirement for labor or services.
- A purchase order is a contract and all affidavits should be obtained before a bid or before signing the contract when no bid is involved.
- **Required parts of the report:**
 - **Legal name and address of every contractor that has entered into a contract during the period**
 - **E-Verify number of said contractor**
 - **Identification of contractors which are exempt from the E-Verify requirement**
 - **Date of the contract between the city and the contractor**
- **Requested parts of the report:**
 - **Contract (K) number**
 - **Contract (K) amount**

*****The top row of information (highlighted subjects) should NOT appear in the report, it is merely in the example below as an example of what order the information needs to be in.**

Business Name	Address	City	State	Zip	E-Verify#	Exempt	Date of K	K #	K Amount
ABC Packaging Inc.	1 Easy St	Dothan	AL	12345		Y	5/4/2014	54	2500.00
Happy Butcher	4 Gov Way	Perry	GA	34444	4523	N	12/16/2013	52	3495.98
No Commas	P.O. Box 5	Nome	AK	98765	865356	N	11/30/2014	53	34124.11

Part (3): E-Verify Business/Alcohol License Report – Title 36 – O.C.G.A. § 36-60-6

- Before a city can issue a business license, occupational tax certificate, alcohol license, or other document required to operate a business, the employer must provide an affidavit attesting that they are authorized to use and do use the E-Verify program or that they are exempt from such requirement.
- All businesses with more than 10 employees are required to be signed up for E-Verify and provide an E-Verify number on the affidavit.
- Every business applying for an occupational tax certificate/business license/alcohol license etc. must fill out an affidavit.
- The city is allowed to rely upon a previous year’s affidavit IF the business provided an E-Verify number on their affidavit in a previous year AND the city has verified that the E-Verify number did not change.
- The number of employees is determined by the number of employees the employer had on January 1st of the year in which the affidavit is submitted.
- An employee is effectively the city withholds payroll taxes for, issues a W-2, and works 35 hours or more per week.
- The number of employees is counted as the number of employees on payroll at all locations owned and operated, not just the location for which the license is being sought.
- **Required parts of the report:**
 - Name of person issued the license
 - Name of the business issued the license
 - Employer’s E-Verify number
 - Identification of employers who were exempt from the E-Verify requirement
- **Requested parts of the report:**
 - The license or certificate number, if available

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License Number	Name or Person	Name of Business	E-Verify Number	Exempt
	Donald Rey	Piddle Inc	12345	N
45	Matt Tuttle	Golf Cart Emporium	3456	N
58	Alice Wonder	Rabbit Hole LLC		Y

Part (4): SAVE Public Benefits Report – Title 50 – O.C.G.A. § 50-36-1 et seq.

- Cities are required to register and use the SAVE (Systematic Alien for Verification of Entitlements) Program (<http://www.uscis.gov/save>), annually renew such registration, collect SAVE affidavits from applicants for public benefits, and obtain Secure and Verifiable Documents from applicants (this list can be found on the Georgia Attorney General website under “Key Issues”)
- Information for this part of the report can be found on the Memorandum of Agreement the city entered into with USCIS when registering with the SAVE program.
- An applicant is any person 18 years or older “who has made application for access to public benefits on behalf of an individual, business, corporation, partnership or other *private entity*.”
- The list of public benefits can be found in statute and on the Georgia Attorney General website, but for most cities, the public benefit they almost all provide is an occupational tax certificate/business license.
- Persons filling out the affidavit will either state that they are (1) United States citizens, (2) Legal, permanent residents of the United States, or (3) Qualified Aliens or Non-immigrants. If the person selects either of the latter two they must be run through the SAVE program. The state law, however, allows cities to rely upon the affidavit until such person is run through the program, meaning the city can issue the license once they get the affidavit.
- **Required parts of the report:**
 - Check the public benefits provided by the city
 - Respond Yes or No as to whether the city has received SAVE authorization for each benefit the city claims it provides