

## **SAVE Affidavit and E-Verify Frequently Asked Questions**

**Why do we have to participate in SAVE? Where can I find the law?** The Georgia General Assembly passed legislation in 2007 that makes compliance with SAVE a requirement. The law is codified in O.C.G.A. § 50-36-1 and requires, among other things, that state agencies and departments and every political subdivision of the state, including cities, verify the lawful presence in the United States of any applicant for a public benefit and verify that the applicant is legally entitled to receive the benefit for which they applied.

**Who should sign the SAVE Affidavit?** The applicant that signed the application for the public benefit must be the individual signing the SAVE Affidavit. Applicants should be authorized to sign on behalf of the company.

**Do applicants need to sign the SAVE Affidavit every time a benefit is requested or renewed?** Yes. A new Affidavit must be signed every time that a public benefit is requested or renewed. It is possible that a person's legal status may have changed since the last application for a benefit. SAVE Affidavits are required for all contracts, purchase orders, licenses, etc.

**Can I email or fax a copy of the SAVE Affidavit?** Yes. The SAVE Affidavit and photo ID copy can be mailed, emailed, or faxed. It must be completed in its entirety.

**What if the applicant who has applied for a public benefit refuses to sign the SAVE Affidavit?** If the applicant refuses to sign the SAVE Affidavit the city will not provide the public benefit. The city has signed a contract with the Department of Homeland Security that requires the city to verify eligibility prior to granting a public benefit. This includes business and alcohol licenses.

**If the applicant is not a United States citizen, what documentation must they provide so the city can run the applicant through the SAVE system?** The applicant must provide one or more 'secure and verifiable documents' to the city. These documents include an Arrival/Departure Record (Form I-94), Permanent Resident Card (Form I-551), Employment Authorization Document (Form I-766) or Foreign Passport and Visa.

**What forms of identification are considered "Secure and Verifiable Documents"?** United States Passport; United States Uniformed Services Privilege and Identification Card (Military ID's); valid state Driver's Licenses and Identification Cards; Tribal Identification Card, United States Permanent Resident Card or Alien Registration Receipt; Employment Authorization Document (EAD); valid Passport of a Foreign Government, Merchant Mariner Document or Credential issued by the United States Coast Guard (Z-Card); Free and Secure Trade (FAST) Card; NEXUS Card; Secure Electronic Network for Travelers Rapid Inspection (SENTRI) Card; Canadian Driver's License; a Certificate of Citizenship issued by the United States Department of Citizenship and Immigration Services (USCIS); a Certificate of Naturalization issued by the United States Department of Citizenship and Immigration Services (USCIS).

**What forms of identification are not considered "Secure and Verifiable Documents"?** The following forms of ID are not considered 'secure and verifiable documents': Matricula Consular de Alta Seguridad; Matricula Consular Card; Consular Matriculation Card; Consular Identification Card.

**Where can I find the O.C.G.A. § 50-36-1 law online?** Please visit this website <http://www.lexisnexis.com/hottopics/gacode/Default.asp> for detailed information regarding O.C.G.A. § 50-36-1.

**What is E-Verify?** Georgia law requires that cities employ only individuals who may legally work in the United States – either U.S. citizens, or foreign citizens who have the necessary authorization. All cities which have more than one employee must register with E-Verify, and all employees and all contractors must be verified through the system.

**Who should sign the E-Verify Affidavit?** The applicant that signed the application for the public benefit must be the individual signing the E-Verify Affidavit. Applicants should be authorized to sign on behalf of the company.

**Do applicants need to sign the E-Verify Affidavit every time a benefit is requested or renewed?** A company/organization must submit an E-Verify Affidavit annually to the City of Brookhaven.

**Can I email or fax a copy of the E-Verify Affidavit?** Yes. The E-Verify Affidavit can be mailed, emailed or faxed. It must be completed in its entirety.

**What if the applicant who has applied for a public benefit refuses to sign the E-Verify Affidavit?** If the applicant refuses to sign the E-Verify Affidavit the city will not provide the public benefit. The city is required to submit an annual compliance report to the Department of Audits and Accounts for all contracts entered into for the 'physical performance of services'. As of January 1, 2012 the same provisions will apply to the issuance of occupational tax certificates and other licenses/permits.