

January 31, 2013

Patrick O'Donnell
Clerk of the Legislature
State Capitol, Room 2018
Lincoln, NE 68509

RE: Public Benefit Annual Report 2012

Dear Mr. O'Donnell:

The Nebraska Department of Labor (NDOL) submits its Public Benefit Annual Report 2012 for the period covering January 1, 2012 – December 31, 2012 regarding implementation and compliance requirements of Neb. Rev. Stat. §§ 4-108 to 4-113.

NDOL Use of Federal Immigration Verification System as a Public Employer

Eight programs administered by NDOL provide public benefits as defined in Neb Rev. Stat § 4-109. Attachment A lists the program and the type of public benefit provided by each program.

All programs have procedures in place to ensure that applicants for public benefits are required to attest to citizenship or provide evidence of legal working status as part of the public benefit application process. NDOL verifies legal working status of non-citizens through Systematic Alien Verification for Entitlement (SAVE) under an expanded agreement with the United States Department of Homeland Security (Homeland Security) according to Neb Rev. Stat. § 4-108.

Public contracts and agreements include language requiring contractors and consultants and their subcontractors to use a federal immigration verification system to determine the work eligibility status of new employees physically performing services within the State of Nebraska. A federal immigration verification system is defined as the electronic verification of the work authorization program authorized by the Illegal Immigration Reform and Immigrant Responsibility Act of 1996, 8 U.S.C. 1324a, known as the E-Verify program, or an equivalent federal program designated by Homeland Security or other federal agency authorized to verify the work eligibility status of a newly-hired employee.

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If the contractor is an individual or sole proprietorship, the following applies:

1. The contractor must complete the United States Citizenship Attestation Form, available on the Department of Administrative Services (DAS) website at <http://das.nebraska.gov/>.
2. If the contractor indicates on such attestation form that he or she is a qualified alien, the Contractor agrees to provide the United States Citizenship and Immigration Services documentation required to verify the contractor's lawful presence in the United States, using the SAVE program.
3. The contractor understands and agrees that lawful presence in the United States is required, and the contractor may be disqualified or the contract terminated if such lawful presence cannot be verified as required by Neb. Rev. Stat § 4-108.

Licensing applications received by NDOL programs during the reporting period were verified through the SAVE verification process. Public employee work eligibility verification is administered by DAS Personnel and Employee Relations.

Sincerely,



Catherine D. Lang
Commissioner of Labor

Attachment

cc: Dave Heineman
Governor
State Capitol Building, NW

ATTACHMENT A

**NDOL Public Benefit Annual Report for 2011
For the Period of January 1, 2012 – December 31, 2012**

Program Providing Public Benefit as Defined in Neb. Rev. Stat. § 4-109	Type of Public Benefit Provided	Number of Applicants for Public Benefit	Applicants Indicating Non-Citizenship	Applicants Denied Public Benefit Due to Non-Citizenship
Contractor Registration Act	Contractor Registration	15,225	240	36
Conveyance Safety Act	Mechanic Licensing Contractor Licensing Elevator Licensing	7	0	0
Farm Labor	License to engage in business as a farm labor contract	38	3	0
Private Employment Agency	License to engage in business as a private employment agency	1	0	0
Unemployment Insurance	Unemployment insurance benefit (direct cash payments)	93,830	3,730	160
Workforce Investment Act	Training and support (direct cash payments and reimbursement of costs associated with training tuition and costs)	Not Currently Available	Not Currently Available	Not Currently Available
State Energy Sector Partnership (SESP) Grant	Training and support (direct cash payments and reimbursement of costs associated with training tuition and costs)	Not Currently Available	Not Currently Available	Not Currently Available
Professional Employer Organizations	Registration/License	53	0	0