

1 [Resolution opposing the Social Security Administration's "No-Match" Letters]

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3 **Resolution opposing the Social Security Administration's "No Match" letters which**
4 **compel employers to take corrective action against workers whose names do not**
5 **match their proffered Social Security numbers.**

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7 WHEREAS, the Social Security Administration has proposed issuing "No-Match"
8 letters to employers throughout the country following a newly promulgated rule by the
9 Department of Homeland Security; and,

10 WHEREAS, the issuance of these letters would compel employers to take corrective
11 action including firing any worker whose name does not match his or her proffered Social
12 Security number; and,

13 WHEREAS, the Social Security Administration's records are replete with errors,
14 inaccuracies, and flawed; and,

15 WHEREAS, there are approximately eight million workers who could be irreparably
16 harmed by the dissemination of the No-Match letters; and,

17 WHEREAS, the President of the AFL-CIO, John Sweeney, has indicated that more
18 than 70% of the No-Match discrepancies refer to U.S. citizens; and,

19 WHEREAS, current federal regulations state that an employer's receipt of a No-Match
20 letter does not create constructive knowledge of an employee's unauthorized work status;
21 and,

22 WHEREAS, the implementation of the No-Match letters program would have a serious
23 chilling effect on union or other concerted worker activity; and,

24 WHEREAS, No-Match letters are already used illegally by employers to intimidate
25 immigrant workers; and,

1 WHEREAS, the Department of Homeland Security's proposed new rule is being used
2 as a measure to increase enforcement measures against the highly vulnerable immigrant
3 worker community; and,

4 WHEREAS, the Social Security Administration's database is not intended to be used
5 as a tool for immigration enforcement; and,

6 WHEREAS, Congressional failure to act to protect the workplace, civil, and human
7 rights of immigrants through immigration reform legislation has left an opening for
8 overreaching and abuse of authority by the Department of Homeland Security and other
9 federal agencies; and,

10 WHEREAS, millions of workers regardless of their immigration status would endure
11 serious hardships if they lost their jobs; and,

12 WHEREAS, the stability of San Francisco immigrant families would be severely
13 disrupted by lost jobs and increased discrimination by employers against those who are
14 foreign-born as a result of implementation of the new Department of Homeland Security rule;
15 and,

16 WHEREAS, the City and County of San Francisco would incur tremendous economic
17 harm due to the unemployment of San Francisco workers as well as experience a sharp
18 increase in residents' use of public benefits, services, and resources to compensate for their
19 losses; and,

20 WHEREAS, on October 10, 2007, the Northern District Court of California issued a
21 preliminary injunction barring the Social Security Administration and Department of Homeland
22 Security from sending out 140,000 No-Match letters; and,

23 WHEREAS, the San Francisco Immigrant Rights Commission approved resolution
24 number NM001-2007 at their meeting on 16 October 2007; now, therefore, be it
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1 RESOLVED, that the Board of Supervisors urges the San Francisco Congressional
2 delegation, including Speaker of the House Representative Nancy Pelosi, to oppose the new
3 Department of Homeland Security rule; and be it

4 FURTHER RESOLVED, that the Board of Supervisors urges the undertaking of a
5 study by the Office of the Controller examining the effect of the Department of Homeland
6 Security rule on workers in the City and County of San Francisco including the negative fiscal
7 impact upon the local economy; and be it

8 FURTHER RESOLVED, that the Board of Supervisors urges the City Attorney to file an
9 amicus brief in the federal case pending in the Northern District of California in support of the
10 plaintiffs, and be it

11 FURTHER RESOLVED, that the Board of Supervisors will send a separate formal
12 letter signed by all commissioners to Speaker Pelosi, the Secretary of Homeland Security
13 Michael Chertoff, and the Commissioner of the Social Security Administration Michael Astrue
14 with a copy of this resolution as an attachment.

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