

1 [Opposing the Department of Homeland Security's proposed rule to enforce immigration law.]

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3 **Resolution opposing the Department of Homeland Security's proposed rule on use of**  
4 **Social Security Administration "no-match" letters to enforce immigration law.**

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6 WHEREAS, The Department of Homeland Security (DHS) has proposed a rule, entitled  
7 "Safe Harbor Procedures for Employers Who Receive a No-Match Letter," that requires  
8 employers to take action upon receiving "no-match" letters, which the Social Security  
9 Administration sends to employers in the event of a discrepancy between an employee's  
10 name and Social Security information; and

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12 WHEREAS, Many discrepancies between Social Security and employer records occur  
13 due to surname changes, marriage or divorce, clerical errors, common surnames, or  
14 differences in date-writing conventions; and

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16 WHEREAS, The new rule would create burdensome, inappropriate, and unclear new  
17 requirements for employers by forcing them to act as agents of the federal government to  
18 enforce immigration law; and

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19 WHEREAS, The new rule could lead to a large number of law-abiding workers losing  
20 their jobs due to employers misunderstanding the rule, or using it as a device to fire,  
21 intimidate, harass, or underpay employees; and

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22 WHEREAS, The City and County of San Francisco values and relies upon the  
23 contributions of immigrant workers to the city's workforce, in both public and private sectors;  
24 and

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1           WHEREAS, Nearly one-third of San Franciscans are immigrants, and immigrant San  
2 Franciscans contribute to several key industries, including hotels and restaurants,  
3 construction and building trades, health care, and janitorial services; and

4           WHEREAS, These industries, the people they serve, and San Francisco's economy  
5 would be jeopardized by the loss of immigrant jobs in the wake of fear and confusion caused  
6 by the new and unclear enforcement of this rule; now, therefore, be it

7           RESOLVED, That the City and County of San Francisco opposes the Department of  
8 Homeland Security's proposed rule on the use of Social Security Administration "no-match"  
9 letters to enforce immigration law, entitled "Safe Harbor Procedures for Employers Who  
10 Receive a No-Match Letter" and urges DHS to withdraw this rule; and, be it

11           FURTHER RESOLVED, That the City and County of San Francisco requests that its  
12 federal representatives advocate against this proposed rule; and, be it

13           FURTHER RESOLVED, That, upon receipt of a "no-match" letter, the City and County  
14 of San Francisco will take no adverse action against any city employee listed on the letter,  
15 including firing, laying off, suspending, retaliating, or discriminating against any such  
16 employee, and that the City and County of San Francisco will not ask any employee to  
17 provide documentation to re-verify immigration status, except as required by law; and, be it

18           FURTHER RESOLVED, That the City and County of San Francisco will continue to  
19 comply with all legal requirements, will provide the employee with a copy of any "no-match"  
20 letter received, will prepare Corrected Wage and Tax Statement forms (W-2c) for any records  
21 we are able to correct and, for any record we are unable to correct, will instruct the employee  
22 to work directly with the Social Security Administration to make any necessary corrections.  
23  
24  
25



# City and County of San Francisco

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

## Tails

## Resolution

**File Number:** 061220

**Date Passed:**

Resolution opposing the Department of Homeland Security's proposed rule on use of Social Security Administration "no-match" letters to enforce immigration law.

September 12, 2006 Board of Supervisors — ADOPTED

Ayes: 10 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, McGoldrick,  
Mirkarimi, Peskin, Sandoval

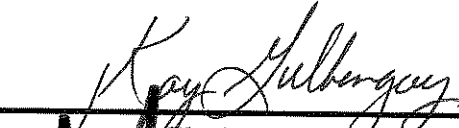
Excused: 1 - Alioto-Pier

File No. 061220

I hereby certify that the foregoing Resolution was ADOPTED on September 12, 2006 by the Board of Supervisors of the City and County of San Francisco.

9/14/2006

Date Approved

  
Gloria L. Young  
Clerk of the Board

  
Mayor Gavin Newsom