

## **American Subcontractors Association, Inc., News Release**

### **FOR IMMEDIATE RELEASE**

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### **Construction Subcontractors Applaud Secretary Napolitano for Withdrawal of Troubled No-Match Rule**

ALEXANDRIA, Va. — The American Subcontractors Association Inc. applauded U.S. Department of Homeland Security Secretary Janet Napolitano for announcing on July 8, 2009, that the Obama administration plans to rescind the “no-match” rule.

“In light of the no-match rule’s troubled history of court challenges, unanswered questions, and re-writes, the decision to rescind the no-match rule is correct,” said 2009-10 ASA President Darlene East, president of Holes Incorporated in Houston, Texas. “Ultimately, the no-match rule would have shifted a large portion of the responsibility for making sure individuals are legal to work in the United States from the government to private employers and employees. Hopefully, Congress and the Obama administration will see the withdrawal of the no-match rule as an opportunity to re-focus on comprehensive reform of our national immigration policy.”

Previously, DHS had denied that the no-match rule represented a shift in policy, but ASA pointed out that the rule would have replaced the current system of verifying documents and completing I-9 forms with a series of steps involving new communications and requirements for employers and employees, including:

- Employers checking for clerical errors after receiving a no-match notice, and confirming any clerical corrections with the Social Security Administration or DHS within 30 calendar days.
- Employers sending employees who were the subject of a no-match letter to the local SSA office and then following up with DHS or SSA to ensure a match if the problem was not caused by a clerical error. Employers would have to maintain records of such verifications.
- Employees completing a new I-9 with a new SSN and a photo ID within 93 calendar days if a “no-match” was not resolved. Employers would have to terminate employees if this step did not resolve the no-match.

ASA objected to the no-match rule's new paperwork burdens and the costs of compliance in [comments](#) filed on April 25, 2008.

Founded in 1966, ASA amplifies the voice of, and leads, trade contractors to improve the business environment for the construction industry and to serve as a steward for the community. ASA's vision is to be the united voice dedicated to improving the business environment in the construction industry. The ideals and beliefs of ASA are ethical and equitable business practices, quality construction, a safe and healthy work environment, and integrity and membership diversity.

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