CLIENT ALERT: The Department of Homeland Security Proposes to Rescind Controversial No-Match Rule

In the August 19, 2009 Federal Register, the Department of Homeland Security ("DHS") proposed a rule to rescind the "No-Match" rule that had initially been sought by the Bush administration, but had since been enjoined by courts. This rule established a safe harbor procedure for employers to follow whenever they received a No-Match letter from the Social Security Administration or DHS. Detail about the "No-Match" letter and the DHS rule was set forth in MBJ's July 11, 2006 Client Alert entitled, *The Department of Homeland Security Proposes Regulations for Employers on Responding to "No Match" Letters*.

DHS announced that its "No-Match" rule was being rescinded because the agency will focus its enforcement efforts on increased compliance through improved verification of undocumented workers, including participation in the E-Verify program and other programs.

For more information on the "No-Match" letters and E-Verify program, please see MBJ's Client Alerts or contact your MBJ attorney.

Jeffrey S. Siegel, Esq. is an attorney with Morgan, Brown & Joy, LLP. Jeff may be reached at (617) 523-6666 or at jsiegel@morganbrown.com. Morgan, Brown & Joy, LLP focuses exclusively on representing employers in employment and labor matters.

This alert was published on August 20, 2009.

This publication, which may be considered advertising under the ethical rules of certain jurisdictions, should not be construed as legal advice or a legal opinion on any specific facts or circumstances by Morgan, Brown & Joy, LLP and its attorneys. This newsletter is intended for general information purposes only and you should consult an attorney concerning any specific legal questions you may have.Customize the Author Byline?
byline-default

© 2026 Morgan, Brown & Joy, LLP