

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DHS announced that its "No-Match" rule was being rescinded because the agency will focus its enforcement efforts on increased compliance through improved verification of undocumented workers, including participation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

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