

CLIENT ALERT: The Department of Homeland Security Rescinds No-Match Rule

In the October 7, 2009 Federal Register, the Department of Homeland Security (“DHS”) rescinded its controversial “No-Match” rule that had initially been sought by the Bush administration, but had since been enjoined by courts.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. Details about the “No-Match” letter and the DHS rule were 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*, and the [August 20, 2009 MBJ Client Alert](#) announcing that the DHS intended to rescind the rule.

DHS announced that its “No-Match” rule was being rescinded because the agency will focus its enforcement efforts on increased compliance through improved verification of undocumented workers, including participation in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 “No-Match” letters and the E-Verify program, please 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 October 13, 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.