

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In the October 7, 2009 Federal Register, the Department of Homeland Security (“DHS”) rescinded its controversial “No-Match” rule that had initially been sought by the Bush administration, but had since been enjoined by courts.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 MJB 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DHS announced that its “No-Match” rule was being rescinded because the agency will focus its enforcement efforts on increased compliance through improved verification of undocumented workers, including participation in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 MJB 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.

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