

Government Shutdown



Impact of a Government Shutdown on Immigration-Related Services



Office of International Affairs



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Government Shutdown

What is a government shutdown?

A government shutdown happens when non-essential discretionary federal programs close. The president must do this when Congress fails to appropriate funds. In the normal budget process, Congress appropriates funds by September 30 for the following fiscal year. When that doesn't happen, Congress may enact a continuing funding resolution. If Congress can't agree on a continuing resolution, it forces a shutdown. A shutdown signals a complete breakdown in the budget process.

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Impacts vary depending on the agency

Every department and agency has its own [set of plans and procedures](#). That guidance includes information on how many employees would get furloughed, which employees are essential and would work without pay, how long it would take to wind down operations in the hours before a shutdown, and which activities would come to a halt. Those plans can vary from shutdown to shutdown.

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Government Shutdown's Impact on Immigration

U.S. Citizenship and Immigration Services

Housed within the Department of Homeland Security, USCIS is funded in significant part by filing fees from users, and many of its activities are deemed “exempt” from closure during a shutdown.

- Immigration Filings are fee funded and would continue.
- E-Verify will likely not be available during a shutdown, although I-9 requirements remain in effect.

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U.S. Department of Labor

DOL does not receive fees for the immigration-related functions it performs, and the shutdown will result in a cessation of a large portion of the DOL's operations.

- Processing of permanent labor certification (PERM) would cease.
- Labor condition applications for H-1B and E-3 petitions would be shut down.

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U.S. Department of State

Fee-funded operations would likely not be impacted. Consular availability and processing could be affected depending on the post. If a consulate is impacted, services would likely be limited to diplomatic visas and extreme emergencies.

- Visa operations are fee funded and would continue.
- Passport operations are fee funded and would continue.

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U.S. Customs and Border Protection (CBP)

CBP officers are considered essential personnel who are largely exempt from ceasing operations due to their law enforcement responsibilities.

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U.S. Immigration and Customs Enforcement (ICE)

ICE personnel are largely exempted from ceasing operations due to their law enforcement function.

- Enforcement Activities would continue.
- Student and Exchange Visitor Program (SEVP) would be unaffected as it is fee funded.

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Other Considerations

- *Security and Background Checks*
- *Social Security Numbers*
- *Government Contractors*



Questions? Please contact

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