

PUBLICATION

How a Government Shutdown Will Affect Immigration

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Possibilities are brewing for a partial U.S. Government shutdown starting December 22 over the issue of funding "The Wall" after a very public contentious White House meeting on December 11. What is the potential immigration effect?

- **Labor Department (PERMs, LCA for H-1B, H-2B, etc.).** The Department is already funded for this fiscal year (uniquely). No effect.
- **USCIS (most immigration benefit requests).** This is a fee funded agency. Very little effect.
- **State Department.** Consular visa functions are fee funded, so there should be little effect. A protracted shutdown could undercut supporting consular facilities and services and could slow or interrupt visa interviews and issuance and interrupt people's return to USA, so beware.
- **DOJ (immigration courts).** Could shut down.
- **Ports of entry.** Should continue unaffected.
- **ICE (enforcement).** Critical functions continue, but generally reduced.
- **Programs expiring:** E-Verify, EB-5 regional center filings, non-minister religious worker permanent category, J-1 physician waivers. Affected on a delay.

With hope, a shutdown will be averted or will not last long. Return from international travel needing a new visa is the biggest risk, especially if a shutdown drags on.