



**POTENTIAL U.S. GOVERNMENT SHUTDOWN
AND ITS IMPACT ON IMMIGRATION SERVICES**

Without Congressional agreement to avoid a lapse in appropriations by midnight tonight, September 30, 2013, certain federal departments and agencies will suspend operations for all but "essential" government functions.

Government departments and agencies have begun to identify exactly what the shutdown means for their operations and the services they provide. For the U.S. Department of State, which is responsible for interviewing visa applicants and issuing U.S. visitor and work visas at U.S. Embassies and Consulates worldwide, the shutdown will seriously impact resources devoted to the visa application process, as consulates abroad are likely to only process emergency visa applications. With a reduction in resources devoted to visa services, applicants may expect longer wait times for visa appointments, longer wait times for biometrics appointments when they are required, and longer time frames for visa issuance following a visa appointment. Travelers should plan ahead to minimize the impact of visa service delays on their travel schedule.

In the event of a government shutdown the Department of Labor (DOL) has confirmed that it would cease processing all applications and will not accept or process any applications or related materials, including Labor Condition Applications, Applications for Prevailing Wage Determination, Applications for Temporary Employment Certification, or Applications for Permanent Employment Certification. The DOL's Office of Foreign Labor Certification web site, including the iCERT Visa Portal System, will not process any requests or allow users to access their online accounts. This means that should the shutdowns go into effect, the processing of required components to the H-1B, H-2A/B, E-3 nonimmigrant petitions and all components of the PERM labor certification processes will stop.

Because U.S. Citizenship & Immigration Services (CIS) adjudications are a fee-based service, the cost of CIS adjudication services should be covered by user filing fees rather than budgetary allocations. However, given the broad scope of the sequestration, it is likely that reduced resources could impact other departments and agencies involved in immigration-related operations and services. Notably, arrivals at U.S. airports could be delayed through the Customs & Border Protection (CBP) inspection process, so travelers are encouraged to plan ahead for delays navigating the arrival process. Border post arrivals could experience longer lines as well. Additionally, interior enforcement measures by U.S. Immigration & Customs Enforcement (ICE) may be impacted, and more detainees may be released to save the cost of their detention.

While the full scope of the potential shutdown impact is yet unknown, FosterQuan will continue to monitor developments impacting on immigration services and will make future updates available via our [firm's website](#) and future Immigration Updates[®].