

E-Verify Will Likely Be Affected by a Government Shutdown

April 8, 2011

According to the U.S. Chamber of Commerce, the E-Verify Program, which is run by the U.S. Citizenship and Immigration Services, is not expected to be operational if there is a government shutdown. Employers are advised that a shutdown would not relieve them of their responsibilities; however, as stated in the governing Memorandum of Understanding, "If the automated system to be queried is temporarily unavailable, the 3-day time period is extended until it is again operational in order to accommodate the Employer's attempting, in good faith, to make inquiries during the period of unavailability."

Should a shutdown occur, the E-Verify public website and the E-Verify log-in page are expected to contain additional guidance for employers.

Please see our April 6, 2011 Immigration Alert at http://www.morganlewis.com/pubs/ImmAlert_ImmigrationConsequencesOfPotentialGovtShutdown_6apr11.pdf for information regarding additional potential immigration-related consequences of a government shutdown.

We will continue to monitor the situation and will update you with any new information.

For more information, or if you have any questions regarding the issues discussed in this Immigration Alert, please contact any of the following attorneys:

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Now Available: *AILA's Focus on Immigration Practice Under AC21*

Written by Eleanor Pelta and A. James Vázquez-Azpiri, *AILA's Focus on Immigration Practice Under AC21* provides invaluable insight on the effect AC21 has had on the H-1B visa category. For more information, please visit www.ailapubs.org/ac21.html or call 1.800.982.2939 to order a copy.

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