



# GMS Flash Alert

## Immigration Edition

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# United States - USCIS Averts Planned Furloughs Scheduled for August 30

The U.S. Citizenship and Immigration Services (USCIS) announced on August 25, 2020, that it will avert a planned furlough of approximately 70 percent of its workforce, scheduled for August 30.<sup>1</sup> According to the USCIS, unprecedented spending cuts and a steady increase in revenues from new immigration filings have provided the agency sufficient funding to maintain operations through fiscal year 2020, which ends on September 30. However, future furloughs cannot be ruled out after this fiscal year, and longer processing times may occur as a result of the internal cost-savings measures taken to avert the furloughs.

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## WHY THIS MATTERS

The planned furloughs were anticipated to have widespread impacts on employers and foreign national employees who require timely adjudication on applications for immigration benefits to maintain their work authorization in the United States. While the cancellation of the furloughs is helpful for these employers and employees, they should still anticipate delays in USCIS operations and processing times in the coming months.

The USCIS has stated that the spending cuts undertaken to avert the planned furloughs will have effects on the agency's operations, including longer case processing times, longer wait times for case inquiries with the USCIS Contact Center, and longer adjudication timelines for adjustment of status and naturalization applications. Considering these anticipated delays and potential future furloughs, employers and foreign national employees are advised to plan accordingly, and submit their petitions, applications, and responses to USCIS requests as soon as possible.

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## Background

The USCIS first announced plans to furlough over 13,000 employees, constituting approximately 70 percent of its workforce in a June 25, 2020 statement by USCIS Deputy Director for Policy on the agency's fiscal outlook.<sup>2</sup>

The USCIS originally planned to furlough the employees on August 3 unless it received additional funding to close the agency's budgetary shortfall. Specifically, the agency sought a \$1.2 billion loan from Congress to make up for loss of its

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fee-based revenues in the last several years, which has been further exacerbated by the COVID-19 pandemic. The USCIS agreed to postpone its scheduled furloughs through to the end of August 2020, after new budgetary projections showed a surplus for the fiscal year.<sup>3</sup>

## Current Plan

On August 25, 2020, the USCIS announced that it will avert the planned furlough scheduled to begin on August 30. The agency claims that it is able to avert the planned furloughs as a result of unprecedented spending cuts and a steady increase in revenues from new immigration filings. However, the USCIS states that the internal cost-savings measures undertaken to avert the planned furloughs will have effects on the agency's operations, including longer case processing times, longer wait times for case inquiries with the USCIS Contact Center, and longer adjudication timelines for adjustment of status and naturalization applications.

The USCIS has also confirmed that it has sufficient funds to maintain operations through fiscal year 2020, which ends on September 30, but that the agency continues to require fiscal intervention by Congress to sustain operations through fiscal year 2021. The U.S. House of Representative recently passed an emergency stop-gap bill aimed at helping increase the USCIS's revenues by expanding the premium processing program, as well as increasing premium processing government filing fees and allowing the agency to use premium processing funds for normal agency operations.<sup>4</sup> The measure will next go to the Senate, where sessions will resume in September.

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## KPMG NOTE

KPMG LLP Law in Canada is closely monitoring the USCIS budgetary situation, as well as any congressional actions in this regard. We will endeavor to keep readers of *GMS Flash Alert* posted on any important developments as and when they occur.

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## FOOTNOTES:

- 1 To read the U.S. Citizenship and Immigration Service (USCIS)'s August 25, 2020 announcement, [click here](#).
- 2 For the USCIS Deputy Director for Policy's June 25, 2020 statement on the agency's fiscal outlook, [click here](#).
- 3 To read the Senate Appropriations Committee Vice Chairman's July 24, 2020 announcement on the postponed USCIS furloughs, [click here](#).
- 4 To review the emergency stop-gap bill passed by the U.S. House of Representative on August 22, 2020, [click here](#).

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## Contact us

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