

The Current Running Status of Several Federal Departments during U.S. Government Shutdown

美国政府停摆期间部分联邦机构当前运作情况指引

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by Ray Liu

The repercussions of U.S. government shutdown are widening since the impasse over President Donald Trump's request for \$5 billion regarding the construction of a wall along the U.S.-Mexico border has not been abated. As of now, appropriations have lapsed for about a fourth of federal government agencies and functions. Some agencies are closed, but others have reserve funds and will keep doors open a few more days. Some agencies will maintain essential services. The President can declare any agency or function to be essential and restore its operation. Announcements can be made at any time.

因特朗普总统要求用五十亿美金在美墨边境建墙的僵局尚未平息，美国政府此次停摆的不利影响还在持续扩大。截至目前，大约四分之一的联邦政府机构和职能部门拨款已告罄。部分机构已关门，而尚有储备金的其他部门将会继续运作数日。部分机构将维持基本服务。总统有权宣布任何机构或职能部门的服务为“基本服务”，并恢复其运作。公告可随时发布。

The following nine federal departments are without appropriations: Agriculture, Commerce, Homeland Security, Housing and Urban Development, Interior, Justice, State, Transportation, and Treasury. All have adopted a “Lapsed Appropriations Contingency Plan” that should be available on the agency's website as long as it operates. The table below briefly summarized the current running statuses of several agencies:

以下九个美国联邦政府部门拨款已经告罄：农业部、商务部、国土安全部、住房和城市发展部、内政部、司法部、国务院、运输部和财政部。所有部门均已启动“拨款告罄应急计划”。在机构网站仍保持正常运作的情况下，这些计划可在各机构的网站上进行查阅。下表简要总结了部分机构目前的运作状况：

Courts	Federal courts are running on reserves. January 11, 2019 could be the last day of fully-functioning courts.
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法院	联邦法院正在靠储备金运作。2019 年 1 月 11 日可能将是联邦法院全面运作的最后一天。
Department of Agriculture 农业部	Most employees are furloughed. Some operations continue, but will be increasingly curtailed as shutdown continues. 大多数雇员处于休假状态。部分职能仍在运作中，但随着停摆状态持续，越来越多的职能将会被削减。
Department of Commerce 商务部	Most offices are closed and research activities suspended. 大多数办公室已关门，研究活动暂停。
Department of Homeland Security 国土安全部	Many offices are shut down and employees are furloughed. Some essential services continue. The department has non-appropriated funds to operate immigration courts, but they could be shut down at any time. This will cause major delays, maybe extending years, to some immigration cases. E-Verify is unavailable. 许多办公室已关门，工作人员处于休假状态。该部门仍将提供一些基本服务。该部门尚有非调拨资金来运作移民法庭，但随时存在停摆可能。这将会导致重大延误，对某些移民案件而言，可能会延后数年之久。电子验证已不可用。
Department of Housing and Urban Development 住房和城市发展部	Closed. The website is available but not updated. 已关门。网站仍可用，但未更新。
Department of Interior 内政部	Shut down. National Parks are mostly closed and staff furloughed. 已关门。大多数国家公园已关门，工作人

	员休假中。
Department of Justice 司法部	Most work on civil cases appears to be suspended, while work on criminal cases continues. 民事案件的大部分工作似已暂停，刑事案件工作仍在进行中。
State Department 国务院	Mostly shut down. Some offices are operating on reserve funds. Passport and visa functions still operate, but not if they are housed in a facility that is closed because of the shutdown. 大多数办公室已关门。部分办公室靠储备金运作。护照和签证业务仍在运作，但如提供该等业务所在的设施因停摆而关门，则无法在该设施内获得相关服务。
Department of Treasury 财政部	Most bureaus and offices are closed or their work is severely curtailed. Some information websites will continue to operate normally, others will not be updated. The Internal Revenue Service is mostly shut down. Ruling requests, tax proceedings, information services probably are halted. 大多数财政局和办公室已关门，或工作严重缩减。部分信息网站将继续正常运行，其他网站则不会更新。国税局大多数已关门。裁断申请、税务程序和信息服务工作可能暂停。
Environmental Protection Agency 环境保护局	Mostly shut down. Inspections are curtailed, administrative actions suspended, responses to questions probably not available. 大多数均关门。检查削减，管理行动暂停，可能不提供答疑。
Federal Communications Commission	Shut down. Limited review of filings.

联邦通信委员会	Most filings will be considered and accepted the day after the shutdown ends. Website is operating, but will not be updated. 已关门。对申报进行有限审核。大部分申报将在停摆结束后被考虑和接受。网站仍可用，但未更新。
National Transportation Safety Board 国家安全运输委员会	Operations curtailed, website is not updated. 运作削减，网站未更新。
Securities and Exchange Commission 证券交易委员会	Emergency actions only. Very limited staff available. Electronic filings will continue to be accepted via EDGAR, IARD, CRD, and EDFS system. However, the review and processing of filings and nearly all other SEC operations have been curtailed, including processing and reviewing registration statements and other filings, issuance of no-action letters, processing of requests for exemptive relief, applications for registration of investment advisers, litigation, investigations, compliance reviews, and other enforcement functions. The timing of necessary appropriations continue to be uncertain, issuers and practitioners should consider the curtailment of SEC operations and make contingency plans to address the issues arising therefrom. For more information regarding the curtailment of SEC operations and its implications please refer to <u><i>Government Shutdown Limits SEC Operations and Affects U.S. Public Companies and Stock Markets</i></u> published on January 4, 2019. 仅处理紧急问题。只有非常少量工作人员在岗。通过 EDGAR、IARD、CRD 及 EDFS 系统提交的申报仍将被接受。但是，对申报的审核和处理以及几乎所有其他证券交易委员会的运作将受限，包括对上市登记表及其他申报文件的审核和处

	理、关于不采取行动信函的出具、关于豁免请求的处理、投资顾问登记申请、诉讼、调查、合规审查及其他执法职能。获得必要拨款的时间仍不明确，因此发行人及从业人员应当充分考虑证券交易委员会运作受限这一情况并制定相应应急计划以妥善处理因此产生的相关问题。欲了解证券交易委员会运作受限及相关影响的更多信息，请参阅本所律师于 2019 年 1 月 4 日发布的《政府停摆限制 SEC 运作并影响在美上市公司和证券市场》一文。
Smithsonian Museums 史密森尼博物馆	Closed. 已关门。

Please be very careful when using agency websites. Most government websites are still online at the time of this article, but many will not be updated until appropriations are restored.

使用联邦政府机构网站时请多加注意。本文撰写时，大多数联邦政府网站仍为在线状态，但多数网站在拨款到位之前不会更新。