

PUBLICATION

Closed for Business: Impacts to U.S. Immigration Processes During the Government Shutdown

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As of 12:01 a.m. ET on October 1, 2025, the U.S. Government has shut down due to Congress' failure to pass a Continuing Resolution to fund the Government until later this year. The government shutdown will likely cause significant delays and issues for employees and employers seeking to apply for immigration benefits, including work visas that require Department of Labor (DOL) certifications and Permanent Labor Certification (PERM) applications.

The U.S. Immigration system utilizes various agencies to process and adjudicate immigration benefits. Below is a summary of how the federal government shutdown will impact each of those agencies and future processing of immigration benefits until the federal government reopens:

- **United States Citizenship and Immigration Services (USCIS):** USCIS will continue to process and adjudicate petitions as normal since the agency is "fee-funded" and does not rely on federal funding for most purposes. Nevertheless, further delays in adjudications could result.
- **Department of Labor (DOL):** The Office of Foreign Labor Certifications within the DOL, which oversees immigration processes, is closed. Therefore, DOL will not accept or process any Labor Condition Applications (LCAs), Prevailing Wage Determinations (PWDs), or PERM applications. In the past, USCIS has created exemptions to the LCA requirement for H-1B petitions. As of now, no exemption has been announced by the federal government.
- **Customs and Border Protection (CBP):** Port-of-entry and pre-clearance facilities are deemed essential and are expected to continue operations as usual.
- **Department of State (DOS):** As of now, fee-funded visa issuance and other Consular-related immigration processes remain operational. However, the DOS has already confirmed that should funds be exhausted, Consular services will likely be impacted. Visa interview scheduling could be impacted.

Please contact a [Baker Donelson immigration attorney](#) with any questions. Our attorneys are prepared to help employers and employees navigate new and pending cases and their impact due to the federal government shutdown.