



# GMS Flash Alert

## Immigration Edition

2020-252 | May 27, 2020

# United States - June 2020 Visa Bulletin Released; USCIS Final Action Announcement

The U.S. Department of State released the June 2020 Visa Bulletin earlier this month,<sup>1</sup> and on May 21, 2020, U.S. Citizenship and Immigration Services (USCIS) announced that it will honor "Final Action" dates when determining eligibility of employment-based applicants to adjust status next month.<sup>2</sup>

## WHY THIS MATTERS

The priority cut-off dates as indicated in the recent Visa Bulletin along with USCIS' announcement are critical factors in assessing eligibility for beneficiaries of an I-140, *Immigrant Petition for Alien Worker*, to file an I-485, *Application to Register Permanent Residence or Adjust Status*. For the second month in a row, all foreign nationals in the EB-1 preference category will be eligible to file an I-485, except for those chargeable to the People's Republic of China ("China") or India. The EB-1 preference category includes Aliens of Extraordinary Ability, Outstanding Researchers/Outstanding Professors, as well as Managers and Executive Transferees.

Employers who are currently preparing to file an I-140 immigrant petition on behalf of a beneficiary in the EB-1 category may simultaneously file an I-485 application with the I-140 petition. Those EB-1 beneficiaries who already have an approved I-140 will also be eligible to file an I-485 until at least the end of June, 2020. All I-485 applicants should, however, bear in mind that USCIS' current suspension of in-person services may delay I-485 processing.<sup>3</sup>

## Updated Cut-Off Dates

The priority date cut-offs for adjustment of status filing eligibility to take effect starting June 1, 2020, are as follows:

- **EB-1:** Beneficiaries chargeable to any country other than China or India will be eligible to apply to adjust status in the month of June 2020. The priority date cut-offs for EB-1 beneficiaries chargeable to China and India will move forward to August 15, 2017, and June 8, 2016, respectively.

- **EB-2:** All countries except China and India will remain current next month. Priority date cut-offs for persons chargeable to China and India will advance to November 1, 2015, and June 12, 2009, respectively.
- **EB-3** Professional and Skilled Workers: Priority date cut-offs for China and India will advance to June 15, 2016, and April 1, 2009, respectively, while all other countries will advance by just over 10 months to a priority date cut-off of November 8, 2017.
- **EB-3** Other Workers: China's priority date cut-off remains the same as last month, July 15, 2008. Cut-off dates for all other countries will match those for EB-3 Professional and Skilled Workers.
- **EB-5:** China will advance to July 15, 2015, India will move forward to January 1, 2020, and Vietnam will advance to April 22, 2017. The EB-5 category will remain current for beneficiaries chargeable to all countries other than China, India, and Vietnam.

---

## KPMG NOTE

Persons applying for an employment-based adjustment of status from within the U.S. are not affected by President Trump's proclamation "Suspending Entry of Immigrants Who Present Risk to the U.S. Labor Market During the Economic Recovery Following the COVID-19 Outbreak."<sup>4</sup>

KPMG Law LLP will continue to monitor all developments affecting individuals applying for U.S. permanent resident status, as certain additional restrictions may be implemented in the foreseeable future.

---

## FOOTNOTES:

1 U.S. Department of State, [June 2020 Visa Bulletin](#).

2 See the "Adjustment of Status Filing Charts from the Visa Bulletin" page on the [USCIS website](#).

3 See the [USCIS' extended suspension of in-person services](#).

4 See [Presidential Proclamation](#) 10014 (April 22, 2020); for coverage in GMS *Flash Alert*, see [Flash Alert 2020-198](#) (April 27, 2020).

\* \* \* \*

## Contact us

For additional information or assistance, please contact your local GMS or People Services professional\* or one of the following professionals with the KPMG International member firm in Canada:



**Beth Nanton**  
**Partner/U.S. Immigration, Practice Leader**  
Tel. +1 604-691-3316  
[bnanton@kpmg.ca](mailto:bnanton@kpmg.ca)

**Aurélie Espana**  
**Manager, U.S. Immigration**  
Tel. +1 514-840-8610  
[aurelieespana@kpmg.ca](mailto:aurelieespana@kpmg.ca)

\* Please note that KPMG LLP (U.S.) does not provide any immigration services or legal services. However, KPMG Law LLP in Canada can assist clients with U.S. immigration matters.

**The information contained in this newsletter was submitted by the KPMG International member firm in Canada.**

© 2020 KPMG Law LLP, a tax and immigration law firm affiliated with KPMG LLP, each of which is a Canadian limited liability partnership. KPMG LLP is a Canadian limited liability partnership and a member firm of the KPMG network of independent member firms affiliated with KPMG International Cooperative ("KPMG International"), a Swiss entity. All rights reserved.

[www.kpmg.com](http://www.kpmg.com)

[kpmg.com/socialmedia](http://kpmg.com/socialmedia)



© 2020 KPMG LLP, a Delaware limited liability partnership and the U.S. member firm of the KPMG network of independent member firms affiliated with KPMG International Cooperative ("KPMG International"), a Swiss entity. All rights reserved. Printed in the U.S.A. NDPPS 530159

The KPMG name and logo are registered trademarks or trademarks of KPMG International.

The KPMG logo and name are trademarks of KPMG International. KPMG International is a Swiss cooperative that serves as a coordinating entity for a network of independent member firms. KPMG International provides no audit or other client services. Such services are provided solely by member firms in their respective geographic areas. KPMG International and its member firms are legally distinct and separate entities. They are not and nothing contained herein shall be construed to place these entities in the relationship of parents, subsidiaries, agents, partners, or joint venturers. No member firm has any authority (actual, apparent, implied or otherwise) to obligate or bind KPMG International or any member firm in any manner whatsoever. The information contained in herein is of a general nature and is not intended to address the circumstances of any particular individual or entity. Although we endeavor to provide accurate and timely information, there can be no guarantee that such information is accurate as of the date it is received or that it will continue to be accurate in the future. No one should act on such information without appropriate professional advice after a thorough examination of the particular situation.

*Flash Alert* is a GMS publication of KPMG LLP's Washington National Tax practice. To view this publication or recent prior issues online, please click [here](#). To learn more about our GMS practice, please visit us on the Internet: click [here](#) or go to <http://www.kpmg.com>.