

# GMS Flash Alert



## Immigration Edition

2020-368 | August 25, 2020

# United States - State Department Releases September 2020 Visa Bulletin

The U.S. Department of State (DOS) recently published the September 2020 Visa Bulletin with the latest cut-off dates for employment-based and family-sponsored preference categories.<sup>1</sup>

Next month, United States Citizenship and Immigration Services (USCIS) will accept Forms I-485, *Applications to Register Permanent Residence or Adjust Status*, for employment-based applicants and persons sponsored in the F2A family-sponsored preference category according to the Visa Bulletin's "Final Action Dates" chart.<sup>2</sup> USCIS will accept Forms I-485 for applicants in all other family-sponsored preference categories using the Visa Bulletin's "Dates for Filing" chart.

## WHY THIS MATTERS

Each month, the DOS releases a Visa Bulletin indicating the availability of statutorily limited visas for prospective immigrants.<sup>3</sup> The cut-off dates reflected in the Visa Bulletin, coupled with USCIS' confirmation of which chart will apply, dictate eligibility to file a Form I-485, *Application to Register Permanent Residence or Adjust Status*, in a given month. In addition, the Final Action Dates chart in the applicable Visa Bulletin determines whether pending Forms I-485 may be approved.

## Employment-Based Preference Categories

The cut-off dates under the Final Action Dates chart for employment-based immigrant visas will be as follows:

- EB-1: All countries of chargeability except India and the People's Republic of China ("China") will remain current. India and China will advance by three weeks to March 1, 2018.
- EB-2: All countries of chargeability except India and China will remain current. China's cut-off date will remain at January 15, 2016. India's cut-off date will remain at July 8, 2009.

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- EB-3: There will be no changes from the August Visa Bulletin. All countries of chargeability except China and India will remain at April 1, 2019. China will remain at February 15, 2017, and India will remain at October 1, 2009.
- EB-4: All countries of chargeability, including China, India, the Philippines, and Vietnam, will remain current in September. El Salvador, Guatemala and Honduras will remain unchanged at April 1, 2017. Mexico will remain at June 15, 2018.
- EB-5: All countries of chargeability, except China and Vietnam, will remain current. China will advance by one week to August 15, 2015, while Vietnam will advance by nine days to August 1, 2017.

## Family-Sponsored Preference Categories

In September 2020, the cut-off dates for the filing of family-sponsored adjustment of status applications under the Dates for Filing chart will be as follows:

- F1: All countries except Mexico and the Philippines will advance by one month and two weeks to July 22, 2015. Mexico will advance by three weeks to February 22, 2000, and the Philippines will advance by four months to October 8, 2012.
- F2A: All countries of chargeability will remain current under the Final Action Date chart.
- F2B: All countries except Mexico and the Philippines will advance by one month and two weeks to May 1, 2016. Mexico will advance by three weeks to December 1, 1999, and the Philippines will advance by four months to April 1, 2012.
- F3: All countries except Mexico and the Philippines will advance by three weeks to June 1, 2009. Mexico will advance by two weeks to August 15, 2000, and the Philippines will advance by four months to December 22, 2002.
- F4: All countries except India, Mexico and the Philippines will advance by two weeks to September 15, 2007. India will advance by two weeks to November 22, 2005; Mexico will advance by three weeks to April 22, 1999; and the Philippines will advance by just under four months to September 1, 2002.

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### KPMG NOTE

KPMG Law LLP in Canada monitors Visa Bulletins closely. 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 U.S. Department of State [website](#).

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

3 For our prior coverage of the July 2020 Bulletin, see GMS [Flash Alert 2020-290](#), June 22, 2020.

## Contact us

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