

GMS Flash Alert

Immigration Edition

2023-109 | May 25, 2023



United States - June 2023 Visa Bulletin

The U.S. Department of State (DOS) has released the June 2023 *Visa Bulletin*.¹ U.S. Citizenship and Immigration Services (USCIS) has also confirmed that in June 2023, it will accept employment-based Forms I-485, *Applications to Register Permanent Residence or Adjust Status*, under the Final Action Dates chart of the *Visa Bulletin*.²

WHY THIS MATTERS

Each month, the U.S. Department of State releases a *Visa Bulletin* indicating the availability of statutorily limited visas for prospective immigrants.³ 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 in each month. In addition, the Final Action Dates chart in the applicable *Visa Bulletin* determines whether a pending Form I-485 or immigrant visa application may be approved.

Employment-Based Preference Category Cut-Off Dates

The Final Action Dates for next month are as follows:

EB-1: All countries of chargeability except the People's Republic of China ("China") and India will remain current. The cut-off date for both China and India remains at February 1, 2022

EB-2: The cut-off date for all countries except China and India remains February 15, 2022. The cut-off date for China will remain at June 8, 2019 and the cut-off for India remains at January 1, 2011.

EB-3 Professional and Skilled Workers: The cut-off date for all countries of chargeability except China and India remain at June 1, 2022. China's cut-off date will remain at April 1, 2019, and India's cut-off date will remain at June 15, 2012.

EB-3 Other Workers: All countries of chargeability except China and India will have a cut-off date of January 1, 2020. China's cut-off date will progress to September 1, 2015, and India's cut-off date will remain at June 15, 2012.

EB-4: The cut-off date for all countries will remain at September 1, 2018.

Certain Religious workers: The cut-off date for all countries will remain at September 1, 2018.

EB-5: Final Action Dates are current for all countries, except for the C5, T5, I5 and R5 programs for China and India. The cut-off date for China remains at September 8, 2015 whereas the cut-off date for India retrogresses to April 1, 2017.

USCIS has announced that in June 2023, it will allow applicants to submit I-485 applications based on the Final Action Dates Chart.

The cut-off dates for the employment-based Final Action Dates chart of the June 2023 Visa Bulletin are the following⁴:

EB-1: All countries of chargeability except China and India will remain current. The cut-off date for both China and India remains at February 1, 2022.

EB-2: The cut-off date for all countries except China and India remains February 15, 2022. The cut-off date for China will remain at June 8, 2019, and the cut-off for India remains at January 1, 2011.

EB-3 Professional and Skilled Workers: The cut-off date for all countries of chargeability except China and India remain at June 1, 2022. China's cut-off date will remain at April 1, 2019, and India's cut-off date will remain at June 15, 2012.

EB-3 Other Workers: All countries of chargeability except China and India will have a cut-off date of January 1, 2020. China's cut-off date will progress to September 1, 2015, and India's cut-off date will remain at June 15, 2012.

EB-4: The cut-off date for all countries will remain at September 1, 2018.

Certain Religious workers: The cut-off date for all countries will remain at September 1, 2018.

EB-5: Final Action Dates are current for all countries, except for the C5, T5, I5 and R5 programs for China and India. The cut-off date for China remains at September 8, 2015, whereas the cut-off date for India retrogresses to April 1, 2017.

The Department State has also provided the following guidance regarding visa availability for various employment-based categories⁵:

EB-3: India: High demand in the EB-3 category for India will likely lead to retrogression of the EB-3 final action date for India as early as next month. This will be necessary in order to hold visa number use within the maximum allowed under the FY-2023 annual limit.

EB-5: India: Number use for both family and employment preference categories has been high; thus subject to prorating under INA 202(e), it has been determined that India is approaching its prorated limit for EB-5 numbers. As a result, applicants from India under this category are subject to a final action date of April 1, 2017.

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 March 2023 *Visa Bulletin*, read [GMS Flash Alert 2023-41](#), February 22, 2023.
- 4 U.S. Department of State [website](#).
- 5 Id.

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Contact us

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