



# GMS Flash Alert

## Immigration Edition

2023-242 | December 14, 2023



# United States - January 2024 Visa Bulletin

The January 2024 *Visa Bulletin* released by the U.S. Department of State shows some forward movement, most notably in the employment category EB-1 for Indian and Chinese nationals, and in EB-3 for Chinese nationals.<sup>1</sup> U.S. Citizenship and Immigration Services (USCIS) confirms that it will follow the Dates of Filing chart in January.<sup>2</sup>

## WHY THIS MATTERS

Each month, the U.S. Department of State (DOS) releases a *Visa Bulletin* indicating the availability of statutorily limited visas for prospective immigrants. Congress limits the number of immigrant visas (“green cards”) which may be issued each year. As the demand is greater than the supply for these visas, a preference system was introduced. Each month the DOS publishes the cut-off dates for each preference category.

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

### Cut-Off Dates for Dates of Filing Chart for January 2024

EB-1: All countries of chargeability except the People’s Republic of China (“China”) and India will remain current. The cut-off date for China moves forward to January 1, 2023, and for India it progresses to January 1, 2021.

EB-2: The cut-off date for all countries except China and India move forward to February 15, 2023. The cut-off for China will progress to June 1, 2020, and the cut-off for India remains May 15, 2012.

EB-3 Professional and Skilled Workers: The cut-off dates for all countries of chargeability except China, India, and the Philippines remains February 1, 2023. China’s cut-off date will advance to July 1, 2021, and India’s cut-off date will remain August 1, 2012, and the cut-off date for the Philippines will remain January 1, 2023.

© 2023 KPMG LLP, an Ontario limited liability partnership and a member firm of the KPMG global organization of independent member firms affiliated with KPMG International Limited, a private English company limited by guarantee. All rights reserved. Printed in the U.S.A. NDPPS 530159

EB-3 Other Workers: All countries of chargeability except China, India, and the Philippines will have a cut-off date of December 15, 2020. China's cut-off date will remain June 1, 2017, along with India's cut-off date which remains at August 1, 2012. The cut-off date for the Philippines will also stay at May 15, 2020, same as the previous month.

EB-4: The cut-off for all countries will progress to September 1, 2019.

Certain Religious workers: The cut-off date for all countries advances to September 1, 2019.

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 January 1, 2017, and the cut-off date for India also remains at April 1, 2022.

### **Cut-Off Dates for Dates of Final Action Chart for January 2024<sup>3</sup>**

EB-1: All countries of chargeability except China and India are now current. The cut-off date for China moves forward to July 1, 2022, and for India it progresses to September 1, 2020.

EB-2: The cut-off date for all countries except China and India moves forward to November 1, 2022. The cut-off for China will progress to January 1, 2020, and the cut-off for India will move forward to March 1, 2012.

EB-3 Professional and Skilled Workers: The cut-off dates for all countries of chargeability except China and India move forward to August 1, 2022. China's cut-off date will advance to September 1, 2020, and India's cut-off date will progress to June 1, 2012.

EB-3 Other Workers: All countries of chargeability except China, India, and the Philippines will have a cut-off date of September 1, 2020. China's cut-off date will progress to January 1, 2017, and India's cut-off date will move forward to June 1, 2012. Whereas the cut-off date for the Philippines will remain at May 1, 2020.

EB-4: The cut-off for all countries will progress to May 15, 2019.

Certain Religious workers: The cut-off for all countries will progress to May 15, 2019.

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 will progress to December 8, 2015, and the cut-off date for India moves forward to December 1, 2020.

### **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 U.S. Department of State [website](#).

\* \* \* \*

## 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:



**Kirsten Kelly**  
**Partner, U.S. Immigration**  
KPMG Law LLP – Tax + Immigration, Canada  
Tel. +1 416-777-3688  
[kirstenkelly@kpmg.ca](mailto:kirstenkelly@kpmg.ca)



**Jashan Girm**  
**Associate Attorney, U.S. Immigration**  
KPMG Law LLP – Tax + Immigration, Canada  
Tel. +1 416-468-7557  
[jqirm@kpmg.ca](mailto:jqirm@kpmg.ca)

*\* Please note the KPMG International member firm in the United States does not provide immigration or labor law 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.**

© 2023 KPMG LLP, an Ontario limited liability partnership and a member firm of the KPMG global organization of independent member firms affiliated with KPMG International Limited, a private English company limited by guarantee. All rights reserved.

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

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



© 2023 KPMG LLP, a Delaware limited liability partnership and a member firm of the KPMG global organization of independent member firms affiliated with KPMG International Limited, a private English company limited by guarantee. All rights reserved.

The KPMG name and logo are registered trademarks or trademarks of KPMG International. The KPMG name and logo are trademarks used under license by the independent member firms of the KPMG global organization.

KPMG LLP is the U.S. firm of the KPMG global organization of independent professional services firms providing Audit, Tax and Advisory services. The KPMG global organization operates in 147 countries and territories and has more than 219,000 people working in member firms around the world.

Each KPMG firm is a legally distinct and separate entity and describes itself as such. KPMG International Limited is a private English company limited by guarantee. KPMG International Limited and its related entities do not provide services to clients.

GMS Flash Alert is a publication of the KPMG LLP Washington National Tax practice.