



# GMS Flash Alert

## Immigration

2024-063 | March 19, 2024

## United States – April 2024 Visa Bulletin

The April 2024 *Visa Bulletin* released by the U.S. Department of State reflects minimal movement from the March 2024 *Visa Bulletin*.<sup>1</sup> United States Citizenship and Immigration Services (“USCIS”) will continue to accept Forms I-485, *Applications to Register Permanent Residence or Adjust Status*, utilizing the Final Action Dates chart.<sup>2</sup>

The State Department also made the following statement regarding employment-based categories in the April 2024 *Visa Bulletin*: “Very little to no forward movement is expected in the coming months since the final action dates for many categories advanced in April 2024.”<sup>3</sup> The State Department also cautioned that readers “should never assume that recent trends in final action date movements are guaranteed for the future, or that retrogressions will not be required at some point to maintain number use within the applicable annual limits.”<sup>4</sup>

### WHY THIS MATTERS

Congress limits the number of immigrant visas (“green cards”) which may be issued each year. A per-country limit of 7 percent of the annual quota of available employment-based immigrant visas applies. Each month, the U.S. Department of State (DOS) releases a *Visa Bulletin* indicating the availability of statutorily-limited visas for prospective immigrants.

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.

The statements of the State Department in the April 2024 *Visa Bulletin* indicate that there will be no forward movement in cut-off dates for employment-based immigrant visa categories between May 1, 2024 and September 30, 2024, and retrogression may be possible. As a result, I-485 approvals and immigrant visa issuance during this period will be limited to those employment-based applicants with a priority date that is earlier than the Final Action Date cut-offs reflected in the April 2024 *Visa Bulletin*.

## Employment-Based Preference Category Cut-Off Dates

### Cut-Off Dates for Dates of Filing Chart for April 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 remains at January 1, 2023, and the cut-off date for India progresses to April 1, 2021.

EB-2: The cut-off dates for all countries except China and India remain February 15, 2023. The cut-off for China will stay at June 1, 2020, and the cut-off for India remains at May 15, 2012.

EB-3 Professional and Skilled Workers: The cut-off dates for all countries of chargeability except China, India, and the Philippines remain February 1, 2023. China's cut-off date will stay at July 1, 2021, India's cut-off date will move forward to September 15, 2012, and the cut-off date for the Philippines will remain January 1, 2023.

EB-3 Other Workers: All countries of chargeability except China, India, and the Philippines will have cut-off dates of December 15, 2020. China's cut-off date will remain June 1, 2017, and India's cut-off date proceeds to September 15, 2012. The cut-off date for the Philippines will stay at May 15, 2020.

EB-4: The cut-off dates for all countries will progress to December 1, 2020.

Certain Religious workers: The cut-off dates for all countries move forward to December 1, 2020.

EB-5: Cut-off dates are current for all countries, except for the C5, T5, I5, and R5 (i.e., 5<sup>th</sup> Unreserved) programs for China and India. The 5<sup>th</sup> Unreserved cut-off date for China remains at January 1, 2017, and the 5<sup>th</sup> Unreserved cut-off date for India remains at April 1, 2022.

### Cut-Off Dates for Dates of Final Action Chart for April 2024<sup>5</sup>

EB-1: All countries of chargeability except China and India will be current. The cut-off date for China progresses to September 1, 2022, and for India, the cut-off date advances to March 1, 2021.

EB-2: The cut-off dates for all countries except China and India move forward to January 15, 2023. The cut-off for China will progress to February 1, 2020, and the cut-off for India will also move forward to April 15, 2012.

EB-3 Professional and Skilled Workers: The cut-off dates for all countries of chargeability except China and India move forward to November 22, 2022. China's cut-off date will remain at September 1, 2020, and India's cut-off date will progress to August 15, 2012.

EB-3 Other Workers: All countries of chargeability except China, India, and the Philippines will have a cut-off date of October 8, 2020. China's cut-off date will remain January 1, 2017, India's cut-off date will move forward to August 15, 2012, and the cut-off date for the Philippines will remain at May 1, 2020.

EB-4: The cut-off dates for all countries will remain at November 1, 2020.

Certain Religious workers: This category is listed as unavailable for all countries for April. Legislative action is required to extend this status. If extended, it is likely that this category will be subject to the same final action dates as listed in the EB-4 preference category under the Final Action Chart.

EB-5: Final Action Dates are current for all countries, except for the C5, T5, I5, and R5 (i.e., 5<sup>th</sup> Unreserved) programs for China and India. The 5<sup>th</sup> Unreserved cut-off date for China will remain at December 15, 2015, and the cut-off date for India remains at December 1, 2020.

## FOOTNOTES:

1 U.S. Department of State [website](#). For coverage of last month's *Visa Bulletin*, see [GMS Flash Alert 2024-038](#), February 16, 2024.

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

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

4 *Ibid.*

5 *Ibid.*

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