

GMS Flash Alert

Immigration

2024-089 | April 15, 2024



United States – May 2024 Visa Bulletin

The May 2024 *Visa Bulletin* released by the U.S. Department of State (DOS) reflects minimal movement in employment-based cut-off dates relative to the April 2024 *Visa Bulletin*.¹ Also, United States Citizenship and Immigration Services (USCIS) will continue to accept Forms I-485, *Applications to Register Permanent Residence or Adjust Status*, for all employment-based preference categories based on the Final Action Dates chart next month.²

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 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.

In the April 2024 *Visa Bulletin*, DOS indicated 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.³ (For prior coverage, see [GMS Flash Alert 2024-063](#), March 19, 2024.) Accordingly, most employment-based categories remain unchanged in the May 2024 *Visa Bulletin*. As very-little-to-no forward movement in employment-based cut-off dates is expected in the upcoming months with a potential for retrogression, it is recommended that eligible applicants submit an I-485 application without delay.

Employment-Based Preference Category Cut-Off Dates

Cut-Off Dates for Dates of Filing Chart for May 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 remains at 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 stay at September 15, 2012, and the Philippines' cut-off date will stay at 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, India's cut-off date will remain at September 15, 2012, and the Philippines' cut-off date will also remain at May 15, 2020.

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

Certain Religious workers: The cut-off dates for all countries remain at December 1, 2020.

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

Cut-Off Dates for Dates of Final Action Chart for May 2024⁴

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

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

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

EB-3 Other Workers: All countries of chargeability except China, India, and the Philippines will stay at October 8, 2020. China's cut-off date will remain at January 1, 2017, India's cut-off date will remain at 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: The cut-off dates for all countries are November 1, 2020.

EB-5: Final Action Dates are current for all countries, except for the C5, T5, I5, and R5 (i.e., 5th Unreserved) programs for China and India. The 5th 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](#).

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 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:



Elizabeth Nanton
Practice Leader & Partner, U.S. Immigration
KPMG Law LLP – Tax + Immigration, Canada
Tel. +1 604-691-3316
bnanton@kpmg.ca



Nashrah Rahman
Manager – Attorney, U.S. Immigration
KPMG Law LLP – Tax + Immigration, Canada
Tel. +1 416-468-7557
nashrahrman@kpmg.ca

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

© 2024 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

Some or all of the services described herein may not be permissible for KPMG audit clients and their affiliates or related entities.

Learn about us:  kpmg.com

© 2024 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. Printed in the U.S.A. USCS001250-2F

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.

KPMG International Limited is a private English company limited by guarantee and does not provide services to clients. No member firm has any authority to obligate or bind KPMG International or any other member firm vis-à-vis third parties, nor does KPMG International have any such authority to obligate or bind any member firm. The information contained 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.