



GMS Flash Alert

Immigration Edition

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United States - October 2023 Visa Bulletin

The U.S. Department of State (DOS) released the October 2023 *Visa Bulletin*.¹ Historically speaking, the October *Visa Bulletin* has announced dramatic advancement in immigrant priority dates. However, there was little movement this year. Most employment-based categories saw modest advancement, and the EB-1 category for Indian and Chinese nationals remains back-logged.

The October *Visa Bulletin* usually reflects the biggest advancement in the visa cut-off numbers. This is because October marks the beginning of a new government fiscal year and also dictates the allocation and availability of visas for prospective immigrants. The beginning of the fiscal year resets the quotas for various categories of green cards for both the family-sponsored and employment-based applications.

U.S. Citizenship and Immigration Services (USCIS) confirmed that it will use the Dates for Filing chart.²

WHY THIS MATTERS

Each month, the DOS releases a *Visa Bulletin* indicating the availability of statutorily-limited visas for prospective immigrants. The U.S. 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

The cut-off dates for the Dates of Filing Chart for October 2023³ 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 China moves forward to August 1, 2022, and for India it retrogresses to July 1, 2019.

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

EB-3 Professional and Skilled Workers: The cut-off dates for all countries of chargeability except China and India retrogresses to February 1, 2023. China's cut-off date will advance to September 1, 2020, and India's cut-off date will remain at August 1, 2012.

EB-3 Other Workers: All countries of chargeability except China, India, and Philippines will have a cut-off date of December 15, 2020. China's cut-off date will progress to June 1, 2017, and India's cut-off date will remain at August 1, 2012. Whereas the cut-off date for the Philippines will retrogress to May 15, 2020.

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

Certain Religious workers: The cut-off date for all countries advances to March 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 progresses to January 1, 2017, and the cut-off date for India moves forward to April 1, 2022.

The cut-off dates for the Dates of Final Action Chart for October 2023 are as follows⁴:

EB-1: All countries of chargeability except China and India are now current. The cut-off date for China moves forward to February 15, 2022, and for India it progresses to January 1, 2017.

EB-2: The cut-off date for all countries except China and India moves forward to July 8, 2022. The cut-off for China will progress to October 1, 2019, and the cut-off for India will move forward to January 1, 2012.

EB-3 Professional and Skilled Workers: The cut-off dates for all countries of chargeability except China and India moves forward to December 1, 2021. China's cut-off date will advance to January 1, 2020, and India's cut-off date will proceed to May 1, 2012.

EB-3 Other Workers: All countries of chargeability except China, India, and the Philippines will have a cut-off date of August 1, 2020. China's cut-off date will progress to January 1, 2016, and India's cut-off date will move forward to May 1, 2012. Whereas the cut-off date for the Philippines will remain at May 1, 2020.

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

Certain Religious workers: There is no cut-off date listed for Certain Religious Workers for all countries. The *Visa Bulletin* lists visa availability as "U" for "unauthorized." This means that immigrant visas are temporarily unavailable to all applicants in this particulate category for all countries of chargeability.

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 progresses to October 1, 2015, and the cut-off date for India moves forward to December 15, 2018.

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](#).

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