

THE FP VISA BULLETIN FOR JULY: FINAL ACTION DATES AND AN EMPLOYER'S IMMIGRATION ACTION PLAN

Insights
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Each month, federal immigration authorities publish a list of dates informing immigrant visa applicants when they should expect to be notified to assemble and submit required documentation to government officials. This Insight reviews July's release to help employers determine whether and when you should provide corresponding notifications to any of your foreign-national employees to assist their efforts. You'll also find a specific action plan so you can adapt your immigration strategy given this month's information. If you want to ensure you follow compliant processes to address your critical workforce needs in a timely manner, read on.

July Dates: An Overview

U.S. Citizenship and Immigration Services (USCIS) announced that it will follow the State Department's Final Action Dates chart published in the July Visa Bulletin to determine whether candidates are eligible to submit an Adjustment of Status application on Form I-485 for that month. Dates which appear in this chart must be compared with an employee's Immigration Priority Date shown on their EB-1/2/3 I-140 approval notice with their current employer to determine eligibility.

Some Changes for EB-3 Visa Dates

There were no changes to Final Action Dates for Employment-Based Preferences Classes 1 or 2 (EB-1 or EB-2). However, Final Actions Dates for Employment-Based Preference Class 3 (EB-3) retrogressed for all Jurisdictions, except China-mainland born.

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- EB-3 All Chargeability, Mexico and Philippines retrogressed 4 months, back to February 1, 2022
- EB-3 China stayed the same
- EB-3 India retrogressed to January 1, 2009

Final Action Dates Chart

The recently announced Final Action Dates for EB-1, EB-2 and EB-2 appear in the table below. Please note this table can always change, [so check here for the most accurate and updated information](#) before acting on these dates.

Preference	All Chargeability Areas Except Those Listed	CHINA-mainland born	INDIA
EB-1	Current	2/1/22	2/1/22
EB-2	2/15/22	6/8/19	1/1/11
EB-3	2/1/22	4/1/19	1/1/09

What Should You Do? Your Action Plan

Most retrogressions for July 2023 are marginal and do not represent an urgent call to action on the part of employers. However, the EB-3 India category retrogressed more than three years, from June 15, 2012, to January 1, 2009. If you have any employees who are impacted by this change, you should begin to have extensions of work authorization underway, and discuss any potential issues with legal counsel.

Conclusion

We will continue to monitor developments from immigration officials and provide similar guidance on a monthly basis. Make sure you are subscribed to [Fisher Phillips' Insight System](#) to get the most up-to-date information – including



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next month's FP Visa Bulletin. If you have any questions, please contact your Fisher Phillips attorney, the authors of this Insight, or any attorney in our [Immigration Practice Group](#).