



# The FP Visa Bulletin for March: Final Action Charts 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 March'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.*

## March Dates: An Overview

U.S. Citizenship and Immigration Services (USCIS) announced that it will follow the State Department's Final Action chart published in the March 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.

## USCIS Will Now Use Final Action Chart

USCIS is no longer accepting applications using the Dates for Filing chart, and instead will utilize the Final Action chart. This will reduce the number of accepted filings but allows minor advancements for all three Employment-Based Preference Classes for March. This change caused a small retrogression in accepted filings from last month, but USCIS will now process the Adjustment of Status applications for those that are current. The EB-1 priority date advances by two weeks for China, and one month for India. Both the EB-2 and EB-3 priority date advances by one week, excluding China and India.

### EB-1

- EB-1 remains current for All Chargeability Areas, Mexico, and Philippines
- EB-1 China is now accepting applications with a priority date of July 15, 2022
- EB-1 India is now accepting applications with a priority date of October 1, 2020

### EB-2

## EB-2

- EB-2 All Chargeability Areas, Mexico, and Philippines are now accepting applications with a priority date of November 22, 2022
- EB-2 China is now accepting applications with a priority date of January 1, 2020
- EB-2 India is now accepting applications with a priority date of March 1, 2012

## EB-3

- EB-3 All Chargeability and Mexico are now accepting applications with a priority date of September 8, 2022
- EB-3 China is now accepting applications with a priority date of September 1, 2020

EB-3 India is now accepting applications with a priority date of July 1, 2012

## Final Action Chart

The recently announced Final Action for EB-1, EB-2 and EB-3 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	MEXICO	PHILIPPINES
EB-1	Current	7/15/22	10/1/20	Current	Current
EB-2	11/22/22	6/1/20	3/1/12	11/22/22	11/22/22
EB-3	9/8/22	9/1/20	7/1/12	9/8/22	9/8/22

## What Should You Do? Your Action Plan

For March, USCIS has shifted from accepting Adjustment of Status applications using the Dates for Filing Chart to now using the Final Action chart. USCIS has been using the Dates for Filing chart since October 1, 2023. It is not clear whether USCIS will allow the Dates for Filing chart again this fiscal year, as this determination is based on visa usage.

You should review your employee's priority dates and ensure that your employees file for their adjustment of status who are still current for February but may not be current in March. If you have any employees who have priority dates that will be current in March, you should reach out to your immigration attorney to prepare and submit their Adjustment of Status Application in March.

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

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