



The FP Visa Bulletin for December: Dates for Filing Chart 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 December'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.

December Dates: An Overview

US Citizenship and Immigration Services (USCIS) announced that it will follow the State Department's Dates for Filing chart published in the December 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.

No Movement in All Employment-Based Preference Classes for December

There was no movement for Employment-Based Preferences Classes for December. USCIS will continue to rely on the Dates for Filing chart, with employment category priority dates as follows:

EB-1

- EB-1 remains current for All Chargeability Areas, Mexico, and Philippines
- EB-1 China remains the same with a priority date of May 15, 2023
- EB-1 Indian remains the same with a priority date of April 15, 2023

EB-2

- EB-2 All Chargeability Areas, Mexico, and Philippines remains the same with a priority date of July 15, 2024
- EB-2 China remains the same with a priority date of December 1, 2021

- EB-2 India remains the same with a priority date of December 1, 2013

EB-3

- EB-3 All Chargeability, Mexico, and Philippines remains the same with a priority date of July 1, 2023
- EB-3 China remains the same with a priority date of January 1, 2022
- EB-3 India remains the same with a priority date of August 15, 2014

Dates for Filing Chart

The recently announced Dates for Filing 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	May 15, 2023	April 15, 2023	Current	Current
EB-2	July 15, 2024	Dec. 1, 2021	Dec. 1, 2013	July 15, 2024	July 15, 2024
EB-3	July 1, 2023	Jan. 1, 2022	Aug. 15, 2014	July 1, 2023	July 1, 2023

What Should You Do? Your Action Plan

For December, USCIS is using the Dates for Filing chart. This means an Adjustment of Status may be filed for anyone with a priority date that is current. However, USCIS will not begin processing the case until the Final Action Date is current. While overall processing will be delayed, a filing application will be in the queue and USCIS will process requests for EAD cards and Advanced Parole.

If you have employees who have priority dates that will be current in December, you should reach out to your immigration attorney to prepare and submit their Adjustment of Status Application in December.

Conclusion

We will continue to monitor developments from immigration officials and provide similar guidance monthly. 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 authors of this Insight, or any attorney in our Immigration Practice Group.

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