

Insights, News & Events

THE FP VISA BULLETIN FOR SEPTEMBER 2026: FINAL ACTION DATES AND AN EMPLOYER'S IMMIGRATION ACTION PLAN

Insights
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The FP Visa Bulletin for September 2026: Final Action Dates and an Employer's Immigration Action Plan

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 September'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. Read on to ensure you follow compliant processes that address your critical workforce needs in a timely manner.

Special Note on Consular-Processing Development.

This Visa Bulletin continues to govern immigrant visa-number availability, but recent State Department action affecting immigrant visa appointments at US embassies and consulates may create an additional delay for employees pursuing permanent residence through consular processing abroad ([read more here](#)). This development does not generally affect employees pursuing adjustment of status through USCIS in the United States. Accordingly, a current priority date or a documentarily complete case does not guarantee that a consular interview will be scheduled or that an

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immigrant visa will be issued immediately. Employers should identify affected employees and consult your FP immigration counsel regarding timing, travel, employment-start planning, and potential alternatives.

September 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 September Visa Bulletin to determine whether candidates are eligible to submit an Adjustment of Status application on Form I-485 for that month. Dates appearing 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.

Movement in Employment-Based Preference Classes for September

The September 2026 Visa Bulletin shows no movement in the "Final Action" chart for all employment-based categories.

India's employment-based categories remain steadfast for this month: visa issuance shows no movement in the EB-1 and EB-3 categories, and visas within the EB-2 continue to be designated as "U" or "unauthorized." When a category is designated as unauthorized, it means that no visas are currently authorized for issuance within that category. Regarding the lack of movement in India's EB-1 category, the State Department cited high demand and noted that the EB-1 category may necessitate making the category unavailable in the coming weeks if the pro-rated limit is reached before the fiscal year ends. As for the EB-2 category, the State Department previously noted that India's pro-rated EB-2 limit had been reached, making the EB-2 category unavailable for the remainder of fiscal year 2026.

China's EB-1/2/3 category remains unchanged for this month. The Philippines and Mexico continues to be current for EB-1 and EB-2 but remains unchanged for EB-3. All other countries of chargeability either remained current or unchanged in the EB-1, EB-2, and EB-3 categories.

EB-1

- EB-1 remains current for All Chargeability Areas, Mexico, and Philippines
- EB-1 China remains the same with a priority date of July 1, 2023
- EB-1 India remains the same with a priority date of October 15, 2022

EB-2

- EB-2 remains current for All Chargeability Areas, Mexico, and Philippines
- EB-2 China remains the same with a priority date of September 1, 2021
- EB-2 India remains designated as "unauthorized;" it previously had a priority date of September 1, 2013

EB-3

- EB-3 All Chargeability Areas and Mexico remain the same with a priority date of September 1, 2024
- 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 January 1, 2014
- EB-3 Philippines remains the same with a priority date of August 1, 2023

Final Action Dates

The recently announced Final Action Dates for EB-1, EB-2, and EB-3 appear in the table below. Please note this table can change at any time, so check [here](#) for the most accurate and up-to-date information before acting on these dates.

Employment-based	All Chargeability Areas Except Those Listed	CHINA-mainland born	INDIA	MEXICO	PH
1st	C	01JUL23	15OCT22	C	C
2nd	C	01SEP21	U	C	C
3rd	01SEP24	01JAN22	01JAN14	01SEP24	01/

What Should You Do? Your Action Plan

For September, USCIS is using the “Final Action” chart to determine who can file an application for an Adjustment of Status to Lawful Permanent Residence. This means that an application may be filed and processed for a candidate with an immigration priority date that is earlier than the listed cutoff date for their preference category and country of chargeability, or whose category is otherwise listed as current.

For Adjustment of Status cases that are already pending and were filed in a category that has since fallen behind in its cutoff date, USCIS will not continue adjudicating the application until the Final Action date has surpassed the individual immigration priority date or is otherwise deemed current. While overall processing may be delayed, a duly filed application will remain in good standing in the government’s queue, and USCIS will process related requests for EAD cards and Advance Parole.

If you have employees who have priority dates that will be (or remain) current in September, you should reach out to your FP immigration attorney to prepare and submit their Adjustment of Status Applications in September.

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 author of this Insight, or any attorney in our [Immigration Practice Group](#).