

April 2023 Department of State Visa Bulletin Shows Further Retrogression , Anticipates Further Delays

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The U.S. Department of State's Bureau of Consular Affairs has released the [Visa Bulletin](#) for April 2023. The new Visa Bulletin reflects an ongoing trend of backlogs and slowdowns in the visa process, in stark contrast to the progress reflected in the Visa Bulletin in fiscal years 2021 and 2022.

As [warned by the Department of State in the Visa Bulletin](#) for March 2023, the final action dates for multiple categories have again retrogressed due to a rising demand in green card applications. Notably, the priority dates for the Employment-Based Second Preference (EB-2) category has retrogressed in multiple subcategories, including worldwide, India, Mexico, and Philippines, with the retrogression for EB-2 India as the most severe (from October 2011 to January 2011). The priority dates in the EB-4 category have also retrogressed significantly, as seen in the final action date chart below.

Employment-Based	All Chargeability Areas Except Those Listed	CHINA-Mainland and Born	INDIA	MEXICO	PHILIPPINES
1st	C	01FEB22	01FEB22	C	C
2nd	01JUL22	08JUN19	01JAN11	01JUL22	01JUL22
3rd	C	01NOV18	15JUN12	C	C
Other Workers	01JAN20	01OCT14	15JUN12	01JAN20	01JAN20

4th	01SE P18	01SE P18	01SE P18	01SE P18	01SE P18
Certa in Rel igious Work ers	01SE P18	01SE P18	01SE P18	01SE P18	01SE P18
5th U nrese rved (inclu ding C5, T5, I5, R5)	C	08JU L15	01JU N18	C	C
5th Set Aside : Rural (20%)	C	C	C	C	C
5th Set Aside : High Une mplo ymen t (10%)	C	C	C	C	C
5th Set Aside : Infras tructu re (2%)	C	C	C	C	C

For April 2023, [USCIS has confirmed](#) it will adopt the above final action date chart in determining eligibility for filing I-485 adjustment of status applications. These measures taken by the Department of State and USCIS are in response to continuing high demand for green cards applications in the EB-2 category, coupled with [fewer numbers available](#) this fiscal year in comparison to fiscal years 2021 and 2022. The Department of State will continue to monitor visa application demand and make

further adjustments in the coming months. In the Visa Bulletin for March 2023, the Department of State also [cautioned](#) that increasing demand in the EB-3 category may necessitate additional measures such as establishing a cutoff date or retrogression. While that has not occurred this month, changes may be coming in the future for the EB-3 category as well.

Ogletree Deakins' [Immigration Practice Group](#) will continue to monitor developments with respect to these and other policy changes and will post updates on the [Immigration](#) blog as additional information becomes available. |

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National Law Review, Volume XIII, Number 84

Source URL: <https://natlawreview.com/article/april-2023-department-state-visa-bulletin-shows-further-retrogression-anticipates>