

## Department of State Releases September 2016 Visa Bulletin

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Employment-based final action dates reflect modest advancement for the end of the fiscal year.

The US Department of State (DOS) has released its September 2016 Visa Bulletin. The Visa Bulletin sets out per-country priority date cutoffs that regulate immigrant visa availability and the flow of adjustment of status and consular immigrant visa application filings and approvals.

### What Does the September 2016 Visa Bulletin Say?

The September 2016 Visa Bulletin includes both a Dates for Filing Visa Applications chart and an Application Final Action Dates chart. The former indicates when intending immigrants may file their applications for adjustment of status or immigrant visas, and the latter indicates when an adjustment of status application or immigrant visa application may be approved and permanent residence granted.

If the US Citizenship and Immigration Services (USCIS) determines that there are more immigrant visas available for a fiscal year than there are known applicants for such visas, it will state on its website that applicants may use the Dates for Filing Visa Applications chart. Otherwise, applicants should use the Application Final Action Dates chart to determine when they may file their adjustment of status applications.

### Application Final Action Dates

USCIS will continue to use the Application Final Action Dates chart. To be eligible to file an employment-based (EB) adjustment application in September 2016, foreign nationals must have a priority date that is earlier than the date listed below for their preference category and country (changes from last month's Visa Bulletin dates are shown in **yellow**):

EB	All Charge ability Areas Except	China (mainland born)	El Salvador, Guatemala, and Honduras	India	Mexico	Philippine s

	Those Listed					
1st	C	01JAN10	C	01JAN10	C	C
2nd	01FEB14	01JAN10	01FEB14	22FEB05 (was 15NOV04)	01FEB14	01FEB14
3rd	01MAY16 (was 15MAR16)	01JAN10	01MAY16 (was 15MAR16)	15FEB05 (was 08NOV04)	01MAY16 (was 15MAR16)	01JUL10 (was 15MAY09)
Other Workers	01MAY16 (was 15MAR16)	01JAN10	01MAY16 (was 15MAR16)	15FEB05 (was 08NOV04)	01MAY16 (was 15MAR16)	01JUL10 (was 15MAY09)

### Dates for Filing Visa Applications (no change from August)

EB	All Chargeability Areas Except Those Listed	China (mainland born)	India	Mexico	Philippines
1st	C	C	C	C	C
2nd	C	01JUN13	01JUL09	C	C
3rd	C	01MAY15	01JUL05	C	01JAN13
Other Workers	C	01AUG09	01JUL05	C	01JAN13

### How This Affects You

In September, USCIS will continue to use the Application Final Action Dates chart. The cutoff dates for EB-2 India will advance by three months and one week to February 22, 2005, and the cutoff dates for EB-3 India will advance by three months and one week to February 15, 2005. EB-3 Philippines will advance by more than one year to July 1, 2010.

Most other categories saw relatively minor advancement. The final action cutoff date for EB-3 China will stay at January 1, 2010, and the EB-5 China cutoff date will remain unchanged at February 15, 2014. EB-3 final action cutoff dates for the worldwide allotment, El Salvador, Guatemala, Honduras, and Mexico will advance by six weeks to May 1, 2016.

The DOS confirmed that EB-1 allotments will return to “current” status for October. We anticipate no forward movement for EB-2 or EB-3 China. The USCIS indicated that the EB-3 allotment for India will likely advance to early 2005 by September. Read the entire [September 2016 Visa Bulletin](#).

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