

State Department Warns of Possible EB-1 Retrogression for China and India

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Article By

[Melissa Manna](#)

[Ogletree, Deakins, Nash, Smoak & Stewart, P.C.](#)

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The U.S. Department of State has released the [Visa Bulletin for May 2019](#), which shows slight progress in most employment-based preference categories.

The *Visa Bulletin* provides monthly updates to foreign nationals waiting in line to adjust their status to lawful permanent resident (a.k.a. get their green cards). According to U.S. Citizenship and Immigration Services (USCIS), for May 2019, applicants must use the Final Action Dates chart to determine if a green card filing window will be open. This means that only those foreign nationals whose priority dates are earlier than the dates listed in the Final Action Dates chart for the May 2019 *Visa Bulletin* may submit applications for adjustment of status.

Below is a summary of the three primary employment-based preference categories and the changes to each, if any, since the [April 2019 Visa Bulletin](#) was published.

EB-1. The dates for India and China will remain at February 22, 2017, for the second

month in a row. The dates for all other EB-1 countries will progress by one month to March 1, 2018.

EB-2. There will be very slight movement for India in the EB-2 category. The date advances by just four days from April 12, 2009 to April 16, 2009. EB-2 for China fares slightly better, moving forward by a full six weeks to May 15, 2016. All other countries will remain current for May 2019.

EB-3. There will be only slight progress for India in the EB-3 category. The date inches forward by just nine days to July 1, 2009. EB-3 for China will see an advancement of three weeks to August 22, 2015, while the Philippines will advance by three months to June 1, 2018. All other EB-3 countries will remain current for May 2019.

The State Department also noted that there continues to be extremely high demand for EB-1 visa numbers for India and China. As a result, the dates may further retrogress in coming months. The agency says that if there is a retrogression, it would be temporary and the dates would likely return to the latest date reached during fiscal year 2019 by the start of fiscal year 2020. It is not clear when the retrogression would take effect.

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