



*United States Department of State
Bureau of Consular Affairs*

VISA BULLETIN

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IMMIGRANT NUMBERS FOR APRIL 2023

A. STATUTORY NUMBERS FOR PREFERENCE IMMIGRANT VISAS

This bulletin summarizes the availability of immigrant numbers during April for "Final Action Dates" and "Dates for Filing Applications," indicating when immigrant visa applicants should be notified to assemble and submit required documentation to the National Visa Center.

Unless otherwise indicated on the U.S. Citizenship and Immigration Services (USCIS) website at www.uscis.gov/visabulletininfo, individuals seeking to file applications for adjustment of status with USCIS must use the "Final Action Dates" charts below for determining when they can file such applications. When USCIS determines that there are more immigrant visas available for the fiscal year than there are known applicants for such visas, USCIS will state on its website that applicants may instead use the "Dates for Filing Visa Applications" charts in this Bulletin.

1. Procedures for determining dates. Consular officers are required to report to the Department of State documentarily qualified applicants for numerically limited visas; USCIS reports applicants for adjustment of status. Allocations in the charts below were made, to the extent possible, in chronological order of reported priority dates, for demand received by March 9th. If all reported demand could not be satisfied, the category or foreign state in which demand was excessive was deemed oversubscribed. The final action date for an oversubscribed category is the priority date of the first applicant who could not be reached within the numerical limits. If it becomes necessary during the monthly allocation process to retrogress a final action date, supplemental requests for numbers will be honored only if the priority date falls within the new final action date announced in this bulletin. If at any time an annual limit were reached, it would be necessary to immediately make the preference category "unavailable", and no further requests for numbers would be honored.

2. Section 201 of the Immigration and Nationality Act (INA) sets an annual minimum family-sponsored preference limit of 226,000. The worldwide level for annual employment-based preference immigrants is at least 140,000. Section 202 prescribes that the per-country limit for preference immigrants is set at 7% of the total annual family-sponsored and employment-based preference limits, i.e., 25,620. The dependent area limit is set at 2%, or 7,320.

3. INA Section 203(e) provides that family-sponsored and employment-based preference visas be issued to eligible immigrants in the order in which a petition on behalf of each has been filed. Section 203(d) provides that spouses and children of preference immigrants are entitled to the same status, and the same order of consideration, if accompanying or following to join the principal. The visa prorating provisions of Section 202(e) apply to allocations for a foreign state or dependent area when visa demand exceeds the per-country limit. These provisions apply at present to the following oversubscribed chargeability areas: CHINA-mainland born, INDIA, MEXICO, and PHILIPPINES.

4. Section 203(a) of the INA prescribes preference classes for allotment of Family-sponsored immigrant visas as follows:

FAMILY-SPONSORED PREFERENCES

First: (F1) Unmarried Sons and Daughters of U.S. Citizens: 23,400 plus any numbers not required for fourth preference.

Second: Spouses and Children, and Unmarried Sons and Daughters of Permanent Residents: 114,200, plus the number (if any) by which the worldwide family preference level exceeds 226,000, plus any unused first preference numbers:

A. (F2A) Spouses and Children of Permanent Residents: 77% of the overall second preference limitation, of which 75% are exempt from the per-country limit.

B. (F2B) Unmarried Sons and Daughters (21 years of age or older) of Permanent Residents: 23% of the overall second preference limitation.

Third: (F3) Married Sons and Daughters of U.S. Citizens: 23,400, plus any numbers not required by first and second preferences.

Fourth: (F4) Brothers and Sisters of Adult U.S. Citizens: 65,000, plus any numbers not required by first three preferences.

A. FINAL ACTION DATES FOR FAMILY-SPONSORED PREFERENCE CASES

On the chart below, the listing of a date for any class indicates that the class is oversubscribed (see paragraph 1); "C" means current, i.e., numbers are authorized for issuance to all qualified applicants; and "U" means unauthorized, i.e., numbers are not authorized for issuance. (NOTE: Numbers are authorized for issuance only for applicants whose priority date is **earlier** than the final action date listed below.)

<u>Family-Sponsored</u>	All Charge-ability Areas Except Those Listed	CHINA-mainland born	INDIA	MEXICO	PHILIPPINES
F1	01DEC14	01DEC14	01DEC14	01APR01	01MAR12
F2A	08SEP20	08SEP20	08SEP20	01NOV18	08SEP20
F2B	22SEP15	22SEP15	22SEP15	01JUN01	22OCT11
F3	22NOV08	22NOV08	22NOV08	01NOV97	08JUN02
F4	22MAR07	22MAR07	15SEP05	01AUG00	22AUG02

For April, F2A numbers EXEMPT from per-country limit are authorized for issuance to applicants from all countries with priority dates earlier than 01NOV18. F2A numbers SUBJECT to per-country limit are authorized for issuance to applicants chargeable to all countries EXCEPT MEXICO, with priority dates beginning 01NOV18 and earlier than 08SEP20. All F2A numbers provided for MEXICO are exempt from the per-country limit.

B. DATES FOR FILING FAMILY-SPONSORED VISA APPLICATIONS

The chart below reflects dates for filing visa applications within a timeframe justifying immediate action in the application process. Applicants for immigrant visas who have a priority date earlier than the application date in the chart below may assemble and submit required documents to the Department of State's National Visa Center, following receipt of notification from the National Visa Center containing detailed instructions. The application date for an oversubscribed category is the priority date of the first applicant who cannot submit documentation to the National Visa Center for an immigrant visa. If a category is designated "current," all applicants in the relevant category may file applications, regardless of priority date.

The "C" listing indicates that the category is current, and that applications may be filed regardless of the applicant's priority date. The listing of a date for any category indicates that only applicants with a priority date which is **earlier** than the listed date may file their application.

Visit www.uscis.gov/visabulletininfo for information on whether USCIS has determined that this chart can be used (in lieu of the chart in paragraph 4.A.) this month for filing applications for adjustment of status with USCIS.

Family-Sponsored	All Chargeability Areas Except Those Listed	CHINA-mainland born	INDIA	MEXICO	PHILIPPINES
F1	08AUG16	08AUG16	08AUG16	01DEC02	22APR15
F2A	C	C	C	C	C
F2B	01JAN17	01JAN17	01JAN17	01JAN02	01OCT13
F3	08NOV09	08NOV09	08NOV09	15JUN01	08NOV03
F4	15DEC07	15DEC07	22FEB06	01APR01	22APR04

5. Section 203(b) of the INA prescribes preference classes for allotment of Employment-based immigrant visas as follows:

EMPLOYMENT-BASED PREFERENCES

First: Priority Workers: 28.6% of the worldwide employment-based preference level, plus any numbers not required for fourth and fifth preferences.

Second: Members of the Professions Holding Advanced Degrees or Persons of Exceptional Ability: 28.6% of the worldwide employment-based preference level, plus any numbers not required by first preference.

Third: Skilled Workers, Professionals, and Other Workers: 28.6% of the worldwide level, plus any numbers not required by first and second preferences, of which not more than 10,000 may be provided to "*Other Workers".

Fourth: Certain Special Immigrants: 7.1% of the worldwide level.

Fifth: Employment Creation: 7.1% of the worldwide level, of which 32% are reserved as follows: 20% reserved for qualified immigrants who invest in a rural area; 10% reserved for qualified immigrants who invest in a high unemployment area; and 2% reserved for qualified immigrants who invest in infrastructure projects. The remaining 68% are unreserved and are allotted for all other qualified immigrants.

A. FINAL ACTION DATES FOR EMPLOYMENT-BASED PREFERENCE CASES

On the chart below, the listing of a date for any class indicates that the class is oversubscribed (see paragraph 1); "C" means current, i.e., numbers are authorized for issuance to all qualified applicants; and "U" means unauthorized, i.e., numbers are not authorized for issuance. (NOTE: Numbers are authorized for issuance only for applicants whose priority date is **earlier** than the final action date listed below.)

	All Charge- ability Areas Except Those Listed	CHINA- mainland born	INDIA	MEXICO	PHILIPPINES
<u>Employment- Based</u>					
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	01SEP18	01SEP18	01SEP18	01SEP18	01SEP18
Certain Religious Workers	01SEP18	01SEP18	01SEP18	01SEP18	01SEP18
5th Unreserved (including C5, T5, I5, R5)	C	08JUL15	01JUN18	C	C
5th Set Asides:					
Rural (20%)	C	C	C	C	C
High Unemployment (10%)	C	C	C	C	C
Infra- structure (2%)	C	C	C	C	C

*Employment Third Preference Other Workers Category: Section 203(e) of the Nicaraguan and Central American Relief Act (NACARA) passed by Congress in November 1997, as amended by Section 1(e) of Pub. L. 105-139, provides that once the Employment Third Preference Other Worker (EW) cut-off date has reached the priority date of the latest EW petition approved prior to November 19, 1997, the 10,000 EW numbers available for a fiscal year are to be reduced by up to 5,000 annually beginning in the following fiscal year. This reduction is to be made for as long as necessary to offset adjustments under the NACARA program. Since the EW final action date reached November 19, 1997 during Fiscal Year 2001, the reduction in the EW annual limit to 5,000 began in Fiscal Year 2002. For Fiscal Year 2023 this reduction will be limited to approximately 150.

B. DATES FOR FILING OF EMPLOYMENT-BASED VISA APPLICATIONS

The chart below reflects dates for filing visa applications within a timeframe justifying immediate action in the application process. Applicants for immigrant visas who have a priority date earlier than the application date in the chart may assemble and submit required documents to the Department of State’s National Visa Center, following receipt of notification from the National Visa Center containing detailed instructions. The application date for an oversubscribed category is the priority date of the first applicant who cannot submit documentation to the National Visa Center for an immigrant visa. If a category is designated “current,” all applicants in the relevant category may file, regardless of priority date.

The “C” listing indicates that the category is current, and that applications may be filed regardless of the applicant’s priority date. The listing of a date for any category indicates that only applicants with a priority date which is **earlier** than the listed date may file their application.

Visit www.uscis.gov/visabulletininfo for information on whether USCIS has determined that this chart can be used (in lieu of the chart in paragraph 5.A.) this month for filing applications for adjustment of status with USCIS.

Employment- Based	All Charge-ability Areas Except Those Listed	CHINA - mainland born	INDIA	MEXICO	PHILIPPINES
1st	C	01JUN22	01JUN22	C	C
2nd	01DEC22	08JUL19	01MAY12	01DEC22	01DEC22
3rd	C	01FEB19	01AUG12	C	C
Other Workers	01FEB20	01NOV15	01AUG12	01FEB20	01FEB20
4th	01OCT18	01OCT18	01OCT18	01OCT18	01OCT18
Certain Religious Workers	01OCT18	01OCT18	01OCT18	01OCT18	01OCT18
5 th Unreserved (including C5, T5, I5, and R5)	C	01JAN16	08DEC19	C	C

(Chart B. DATES FOR FILING OF EMPLOYMENT-BASED VISA APPLICATIONS continued from previous page)

Employment- Based	All Charge-ability Areas Except Those Listed	CHINA - mainland born	INDIA	MEXICO	PHILIPPINES
5 th Set Aside: (Rural – 20%)	C	C	C	C	C
5 th Set Aside: (High Unemployment – 10%)	C	C	C	C	C
5 th Set Aside: (Infrastructure – 2%)	C	C	C	C	C

B. DIVERSITY IMMIGRANT (DV) CATEGORY FOR THE MONTH OF APRIL

Section 203(c) of the INA provides up to 55,000 immigrant visas each fiscal year to permit additional immigration opportunities for persons from countries with low admissions during the previous five years. The NACARA stipulates that beginning with DV-99, and for as long as necessary, up to 5,000 of the 55,000 annually allocated diversity visas will be made available for use under the NACARA program. This will result in reduction of the DV-2023 annual limit to approximately 54,850. DV visas are divided among six geographic regions. No one country can receive more than seven percent of the available diversity visas in any one year.

For April, immigrant numbers in the DV category are available to qualified DV-2023 applicants chargeable to all regions/eligible countries as follows. When an allocation cut-off number is shown, visas are available only for applicants with DV regional lottery rank numbers BELOW the specified allocation cut-off number:

Region	All DV Chargeability Areas Except Those Listed Separately		
AFRICA	50,000	Except: Algeria	27,550
		Egypt	16,150
		Morocco	31,725
ASIA	18,750	Except: Iran	5,500
		Nepal	12,600
EUROPE	30,000	Except: Russia	25,750
		Uzbekistan	8,500
NORTH AMERICA (BAHAMAS)	13		
OCEANIA	1,150		
SOUTH AMERICA, and the CARIBBEAN	2,250		

Entitlement to immigrant status in the DV category lasts only through the end of the fiscal (visa) year for which the applicant is selected in the lottery. The year of entitlement for all applicants registered for the DV-2023 program ends as of September 30, 2023. DV visas may not be issued to DV-2023 applicants after that date. Similarly, spouses and children accompanying or following to join DV-2023 principals are only entitled to derivative DV status until September 30, 2023. DV visa availability through the very end of FY-2023 cannot be taken for granted. Numbers could be exhausted prior to September 30.

C. DIVERSITY (DV) IMMIGRANT CATEGORY RANK CUT-OFFS WHICH WILL APPLY IN MAY

For May, immigrant numbers in the DV category are available to qualified DV-2023 applicants chargeable to all regions/eligible countries as follows. When an allocation cut-off number is shown, visas are available only for applicants with DV regional lottery rank numbers BELOW the specified allocation cut-off number:

Region	All DV Chargeability Areas Except Those Listed Separately		
AFRICA	60,000	Except: Algeria	35,900
		Egypt	18,650
		Morocco	45,600
ASIA	18,750	Except: Iran	6,000
		Nepal	17,775
EUROPE	30,000	Except: Russia	29,350
		Uzbekistan	10,140
NORTH AMERICA (BAHAMAS)	15		
OCEANIA	1,450		
SOUTH AMERICA, and the CARIBBEAN	2,400		

D. EMPLOYMENT-BASED SECOND PREFERENCE (EB-2) RETROGRESSION FOR REST OF WORLD COUNTRIES, INDIA, MEXICO, and PHILIPPINES

Item D in the March 2023 *Visa Bulletin* warned that retrogression in the Employment-Based Second Preference (EB-2) category was likely due to much higher than expected number use and demand since December 2022. The Department and USCIS continue to see high demand from applicants with priority dates earlier than the established final action dates. Therefore, the EB-2 final action dates for Rest of World, India, Mexico, and the Philippines retrogressed to keep number use within the FY 2023 annual limit.

The Rest of World, Mexico, and Philippines EB-2 final action dates retrogressed to 01JUL22 and the India EB-2 final action date retrogressed to 01JAN11. This situation will be continually monitored, and any necessary adjustments will be made accordingly.

E. FAMILY-SPONSORED SECOND PREFERENCE VISA AVAILABILITY

Item D in the February 2023 *Visa Bulletin* warned readers of the possibility of a final action date being established in the F2A category. Number use in the F2A category has remained steady to date in FY-2023 and it has become necessary to establish an F2A final action date to keep number use within the annual limit.

F2A numbers exempt from per-country limits are available to applicants from all countries with priority dates earlier than 01NOV18. F2A numbers subject to per-country limits are available to applicants chargeable to all countries except Mexico, with priority dates beginning 01NOV18 and earlier than 08SEP20. All F2A numbers provided for Mexico are exempt from the per-country limit.

This situation is being continually monitored and any necessary adjustments will be made accordingly.

F. FURTHER RETROGRESSION IN EB-4 CATEGORY FOR ALL COUNTRIES

Based on INA standards and expected demand from these countries for family-sponsored and employment-based preference visas, the Department of State is no longer including a separate column covering applicants chargeable to El Salvador, Guatemala, or Honduras in the charts titled, "Final Action Dates for Employment-Based Preference Cases" and "Dates for Filing of Employment-Based Visa Applications," for applicants who are seeking an immigrant visa in the EB-4 category. Final action and filing dates for applicants from these three countries are now provided in the column headed "All Chargeability Areas Except Those Listed." The Department has submitted for publication a public notice in the *Federal Register* to further explain this change.

G. FOR THE LATEST INFORMATION ON VISA PROCESSING AT U.S. EMBASSIES AND CONSULATES, PLEASE VISIT THE BUREAU OF CONSULAR AFFAIRS WEBSITE AT TRAVEL.STATE.GOV