

1. What Is The Visa Bulletin?

The U.S. Government issues the Visa Bulletin every month to indicate the number of immigrant visas (green cards) available and who can file and when.

If you're in line for a green card, it is important for you to understand how the Visa Bulletin works and the caps.

The number of employment-based green cards (Immigrant Visas) available every year is capped at 140,000 visas. There is also a limit per country and per category, which can create a backlog. The number of family-based green cards available per year are capped at 226,000 visas.

2. How To Read The Visa Bulletin?

The top row of the Visa Bulletin lists the countries (Countries of Birth of the applicant) and the left-hand column lists visa categories (like 1st, 2nd, 3rd). If you don't see your country of birth listed, it is because it falls under the "All Chargeability Areas" category. The boxes within the chart contain what is called "Priority Dates."

You can find your priority date on USCIS' I-797 I-140 Receipt or Approval Notice. The priority date is your spot in the green card wait line.

To read the Bulletin, you look at the All Chargeability or Country of Birth column and look across to your visa category (1st, 2nd, 3rd, etc), then the box where they intersect is the cut-off-date. If your priority date is before the date in the box ("the cut-off date"), then you may be able to file your case, depending on whether USCIS is using the Final Action Date or Dates for Filing chart.

If the date shows as "C" (current), it means there is no backlog in your category and you can file your green card application regardless of your priority date.

If the date shows as "U" (unavailable), it means an annual immigrant visa limit is reached and no further applications for green cards can be filed.

3. How Do I Know Which Chart to Use?

You are only able to file Form I-485 or apply for the visa abroad when the Visa Bulletin in your category shows that your Priority Date is Current in the applicable chart.

*This material is not intended to substitute as legal advice.

Last updated: 10/2020

USCIS uses two charts to indicate who can file a green card application:

- **The Final Action Dates Chart:** This chart is most commonly used by USCIS to designate when the Form I-485 can be filed.
- **The Dates For Filing Applications Chart:** This chart is most commonly used by the National Visa Center (NVC) for those applying for green cards from outside the U.S. But at times, USCIS uses this chart to allow the filing of Form I-485 for those in the U.S.

A new Visa Bulletin is issued every month. And, each month, in coordination with DOS, USCIS monitors visa numbers and posts the relevant chart it will use to allow Form I-485 filings.

To determine which chart to use, USCIS compares the number of visas available for the remainder of the fiscal year with:

- Documentarily qualified visa applicants reported by DOS;
- Pending adjustment of status applications reported by USCIS; and
- Historical drop off rate (for example, denials, withdrawals, abandonments).

4. What Happens If Next Month's Visa Bulletin Changes?

If the new Visa Bulletin shows that your Priority Date is not Current, you can't file for a green card.

For example, if your Priority Date is Current in October 2020, then you can file your Form I-485 with USCIS in October. However, if in November 2020 your Priority Date has retrogressed, then your Form I-485 cannot be accepted by USCIS in November 2020.

If you filed your case with USCIS, and the new Visa Bulletin shows your Priority Date has retrogressed, USCIS will hold your case in abeyance until your Priority Date becomes current again. If you were able to obtain an employment authorization document (EAD) and/or travel authorization, you should continue to renew those documents.

Similarly, an individual can apply for a green card at a Consulate with a Current Priority Date. However, if the next month's Visa Bulletin shows a Priority Date has retrogressed, the individual cannot apply or receive a green card.

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Last updated: 10/2020