

GMS Flash Alert

Immigration Edition

2021-218 | August 18, 2021



United States - September 2021 Visa Bulletin, Medical Report Validity Extension

The U.S. Department of State released the September 2021 *Visa Bulletin* on August 9, 2021.¹ The U.S. Citizenship and Immigration Services (USCIS) has also confirmed that it will accept employment-based Form I-485, *Applications to Register Permanent Residence or Adjust Status*, next month according to the *Visa Bulletin*'s "Final Action Dates" chart.²

The U.S. State Department continues its "Chats with Charlie" on YouTube to discuss the monthly *Visa Bulletin*.³ Charlie Oppenheim is Chief of the Visa Control and Reporting Division of the U.S. Department of State. He has historically made predictions about movement in priority date cut-offs. Mr. Oppenheim is expected to host a live chat related to the September 2021 *Visa Bulletin* soon. As of the date of this publication, the YouTube livestream is not yet available.

Also, USCIS announced that it will temporarily extend the validity period of Form I-693, *Report of Medical Examination and Vaccination Record*, from two (2) years to four (4) years.⁴ More specifically, a Form I-693 will be considered acceptable if: a) the doctor's signature is dated 60 days or less from the date on which the Adjustment of Status application was filed, b) no more than four (4) years have passed since the date of the doctor's signature, and c) the Adjustment of Status application is adjudicated on or before September 30, 2021.

WHY THIS MATTERS

Each month, the U.S. Department of State releases a *Visa Bulletin* indicating the availability of statutorily limited visas for prospective immigrants. The cut-off dates reflected in the *Visa Bulletin*, coupled with USCIS' confirmation of which chart will apply, dictate eligibility to file a Form I-485 application in a given month. In addition, the Final Action Dates chart in the applicable *Visa Bulletin* determines whether pending Form I-485 application may be approved.

The live chats hosted by Charlie Oppenheim are an excellent opportunity for visa applicants and employers to ask general questions pertaining to the visa bulletin and anticipated movement in each visa category. Questions may be emailed to VisaBulletin@state.gov in advance of each live session, or asked via the YouTube live chat feature in real-time.

In the announcement by USCIS regarding the temporary extension of Form I-693 validity, the agency confirmed that it is on track to approve more employment-based Forms I-485 than it has since FY 2005. Every Form I-485 must be

accompanied by a valid Form I-693. By temporarily extending the validity period of Form I-693, USCIS will forgo requesting updated medical reports and vaccination records from many applicants who would otherwise need to provide the same. This change will facilitate faster adjudication before the end of the government's fiscal year, thereby limiting the potential of employment-based immigrant visas going unused.

September Cut-Off Dates for Employment-Based Preference Categories

The cut-off dates under the Final Action Dates chart for employment-based immigrant visas under the September 2021 *Visa Bulletin* will be as follows:

EB-1: All countries of chargeability including India and China will remain current.

EB-2: All countries of chargeability except India and China will remain current. China's cut-off date will advance to July 1, 2018, and India's cut-off date will move forward to September 1, 2011.

EB-3: All countries of chargeability except India and China will remain current. China's cut-off date remains unchanged at January 8, 2019, while India's cut-off date advances by six (6) months to January 1, 2014.

EB-3 Other Workers: All countries of chargeability except China and India will remain current. China will advance to February 1, 2010. India's cut-off date will advance six (6) months to January 1, 2014.

EB-4: All countries of chargeability, except El Salvador, Guatemala, Honduras, and Mexico, will remain current in September. El Salvador, Guatemala and Honduras will advance to March 15, 2019, while Mexico's cut-off date moves to March 1, 2020.

EB-5: All countries of chargeability, except China, will remain current. China's cut-off date will advance to November 22, 2015. The Regional Center program has expired and is listed in the visa bulletin as unavailable. If reauthorized by Congress before the end of next month, the Non-Regional Center final action dates will apply to individuals under the Regional Center program.

FOOTNOTES:

1 U.S. Department of State [website](#).

2 See the "[Adjustment of Status Filing Charts from the Visa Bulletin](#)" page on the USCIS website.

3 See <https://www.youtube.com/user/TravelGov>.

4 See [USCIS Temporarily Extending Validity Period of Form I-693 | USCIS](#).

Contact us

For additional information or assistance, please contact your local GMS or People Services professional* or one of the following professionals with the KPMG International member firm in Canada:



Victor Francis
Manager, Attorney, U.S. Immigration
KPMG Law LLP – Tax + Immigration,
Canada
Tel. +1 416-943-7894
victorfrancis1@kpmg.ca

Elizabeth Nanton
Partner, Practice Leader, U.S. Immigration
KPMG Law LLP – Tax + Immigration,
Canada
Tel. +1 604-691-3316
bnanton@kpmg.ca

* Please note the KPMG International member firm in the United States does not provide immigration or labour law services. However, KPMG Law LLP in Canada can assist clients with U.S. immigration matters.

The information contained in this newsletter was submitted by the KPMG International member firm in Canada.

© 2021 KPMG LLP, an Ontario limited liability partnership and a member firm of the KPMG global organization of independent member firms affiliated with KPMG International Limited, a private English company limited by guarantee. All rights reserved.

www.kpmg.com

kpmg.com/socialmedia



© 2021 KPMG LLP, a Delaware limited liability partnership and a member firm of the KPMG global organization of independent member firms affiliated with KPMG International Limited, a private English company limited by guarantee. All rights reserved.

The KPMG name and logo are registered trademarks or trademarks of KPMG International. The KPMG name and logo are trademarks used under license by the independent member firms of the KPMG global organization.

KPMG LLP is the U.S. firm of the KPMG global organization of independent professional services firms providing Audit, Tax and Advisory services. The KPMG global organization operates in 147 countries and territories and has more than 219,000 people working in member firms around the world.

Each KPMG firm is a legally distinct and separate entity and describes itself as such. KPMG International Limited is a private English company limited by guarantee. KPMG International Limited and its related entities do not provide services to clients.

Flash Alert is a GMS publication of KPMG LLP's Washington National Tax practice. To view this publication or recent prior issues online, please click [here](#). To learn more about our GMS practice, please visit us on the Internet: [click here](#) or go to <http://www.kpmg.com>.