



GMS Flash Alert

Immigration Edition

2021-264 | October 20, 2021



United States – November 2021 Visa Bulletin

The U.S. Department of State (DOS) has released the November 2021 *Visa Bulletin*.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 "Dates of Filing" chart.²

The DOS continues to use its "Charts with Charlie" on YouTube to discuss the monthly *Visa Bulletin*.³ Charlie Oppenheim, Chief of the DOS Visa Control and Reporting Division, has historically made predictions about movement in priority date cut-offs. On October 26, 2021, at 1:00 p.m. EDT, Mr. Oppenheim will host his final live chat to discuss the November *Visa Bulletin*. While this will be Charlie Oppenheim's last chat before his retirement, DOS has advised that @TravelGov – the YouTube channel that streams these chats – will continue to host chats on consular-related issues.

WHY THIS MATTERS

Each month, the DOS releases a *Visa Bulletin* indicating the availability of statutorily limited visas for prospective immigrants.⁴ 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 a pending Form I-485 or immigrant visa application may be approved.

Charlie Oppenheim's live chats are an excellent opportunity for visa applicants and employers to ask general questions about the *Visa Bulletin* and anticipated movement in each preference category. Questions can be emailed to VisaBulletin@state.gov ahead of the event with "Chat with Charlie Question" in the subject line. Questions will also be taken via the YouTube Live Chat and will be answered in real-time.

Employment-Based Preference Category Cut-Off Dates

The cut-off dates on the employment-based Final Action Dates chart in the November 2021 *Visa Bulletin* reflect retrogression in the EB-3 categories for the People's Republic of China ("China") and India. According to the DOS, this is a direct result of extraordinarily heavy applicant demand for immigrant numbers, primarily by USCIS offices for Adjustment of Status cases. The Final Action Dates are as follows:

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EB-1: All countries of chargeability will remain current.

EB-2: All countries of chargeability except India and China will remain current. China's cut-off date will progress to November 15, 2018, and India's cut-off date will progress to December 1, 2011.

EB-3 Professionals and Skilled Workers: All countries of chargeability except India and China will remain current. China's cut-off date will retrogress to March 22, 2018, and India's cut-off date will retrogress to January 15, 2012.

EB-3 Other Workers: All countries of chargeability except India and China will remain current. China's cut-off date will progress to March 1, 2010, and India's cut-off date will retrogress to January 15, 2012.

EB-4: The cut-off date for El Salvador, Guatemala, and Honduras will remain at March 15, 2019. Mexico's cut-off date will progress to April 1, 2020. All other countries of chargeability will continue to be current in November.

EB-5: The Non-Regional Center program will be current for all countries except China. China's cut-off date will remain at November 22, 2015. The Regional Center program has expired. If the Regional Center program is reauthorized next month, then the cut-off dates will mirror those of the Non-Regional Center program.

The cut-off dates per the Dates for Filing chart in the November 2021 *Visa Bulletin* are below.

EB-1: All countries of chargeability will be current.

EB-2: All countries of chargeability except India and China will be current. China's cut-off date will progress to February 1, 2019, and India's cut-off date will progress to January 8, 2013.

EB-3 Professionals and Skilled Workers: All countries of chargeability except India and China will be current. China's cut-off date will retrogress to April 1, 2018, and India's cut-off date will retrogress to January 22, 2012.

EB-3 Other Workers: All countries of chargeability except India and China will remain current. China's cut-off date will be May 1, 2010, and India's cut-off date will retrogress to January 22, 2012.

EB-4: The cut-off date for El Salvador, Guatemala, and Honduras will be May 15, 2019. All other countries of chargeability will be current in November.

EB-5: The category will be current for all countries except China. China's cut-off date will be December 15, 2015.

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 For our prior coverage of the October 2021 *Visa Bulletin*, read [GMS Flash Alert 2021-238](#) (September 16, 2021).

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Contact us

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