



GMS Flash Alert

Immigration Edition

2022-011 | January 19, 2022



United States - February 2022 Visa Bulletin

The U.S. Department of State (DOS) has released the February 2022 *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

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.³ 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 each 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.

Employment-Based Preference Category Cut-Off Dates

The cut-off dates on the employment-based Final Action Dates chart in the February 2022 *Visa Bulletin* reflect progression in the EB-2 category for the People's Republic of China ("China") and India. EB-2 India advanced by 5 months and 24 days to January 1, 2013. The Final Action Dates are as follows:

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 March 1, 2019, and India's cut-off date will progress to January 1, 2013.

EB-3 Professionals and Skilled Workers: All countries of chargeability except India and China will remain current. China's cut-off date will remain at March 22, 2018, and India's cut-off date will remain at 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 April 1, 2012, and India's cut-off date will remain at January 15, 2012.

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

EB-5: The Non-Regional Center program will be current for all countries. 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, except China, which would be subject to a November 22, 2015, final action date.

USCIS announced that in February it will follow the Dates for Filing chart. The cut-off dates per the Dates for Filing chart in the February 2022 *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 remain at April 1, 2019, and India's cut-off date will progress to September 1, 2013.

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

EB-3 Other Workers: All countries of chargeability except India and China will remain current. China's cut-off date will progress to June 1, 2015, and India's cut-off date will remain at January 22, 2012.

EB-4: All countries of chargeability except El Salvador, Guatemala, and Honduras will remain current. The cut-off date for El Salvador, Guatemala, and Honduras remains May 15, 2019.

EB-5: The Non-Regional Center program remains current for all countries. The Regional Center program remains current for all countries except for China. China's cut-off date will remain at 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 For our prior coverage of the January 2021 *Visa Bulletin*, read [GMS Flash Alert 2021-312](#) (December 20, 2021).

* * * *

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:



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



Hitesh Bhatia
Senior Manager, U.S. Immigration
KPMG Law LLP – Tax + Immigration,
Canada
Tel. +1 604-403-5396
hiteshbhatia@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 Canada.

© 2022 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



© 2022 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>.