

# GMS Flash Alert

## Immigration Edition

2022-062 | March 18, 2022



# United States - April 2022 Visa Bulletin

On U.S. Department of State (DOS) has released the April 2022 *Visa Bulletin*.<sup>1</sup> 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.<sup>2</sup>

## WHY THIS MATTERS

Each month, the DOS releases a *Visa Bulletin* indicating the availability of statutorily limited visas for prospective immigrants.<sup>3</sup> 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 in the employment-based Final Action Dates chart of the April 2022 *Visa Bulletin* reflect advancement in the EB-2 category for India and the EB-3 *Other Workers* category for the People's Republic of China ("China"). More specifically, EB-2 India advanced by more than two months and EB-3 *Other Workers* China advanced by one month. The Final Action Dates for next month are as follows:

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

EB-2: All countries of chargeability except China and India will remain current. China's cut-off date will remain at March 1, 2019, whereas India's cut-off date will progress to July 8, 2013.

EB-3 Professional and Skilled Workers: All countries of chargeability except China and India 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 China and India will remain current. China's cut-off date will advance to June 1, 2012, and India's cut-off date will remain at January 15, 2012.

EB-4: All countries, except El Salvador, Guatemala, Honduras, and Mexico, will remain current. The cut-off for El Salvador, Guatemala and Honduras will remain at May 1, 2017; Mexico's cut-off date will also remain at April 1, 2020.

On March 15, 2022, the non-minister special immigrant program under the EB-4 category was extended through September 30, 2022. Non-minister special immigrant religious workers include individuals within a religious vocation or occupation engaged in a professional or non-professional capacity.<sup>4</sup> The Final Action Dates for individuals applying under this category are immediately current for all countries, except El Salvador, Guatemala, Honduras, and Mexico, which would be subject to the same Final Action Dates that apply for other EB-4 applicants chargeable to these countries.<sup>5</sup>

EB-5: The Non-Regional Center program will be current for all countries. The Regional Center program is currently unavailable, but the program was reauthorized on March 15, 2022, pursuant to *The Consolidated Appropriations Act, 2022*. Certain aspects of the legislation related to the Regional Center Program will go into effect 60 days after March 15, 2022. Further information will be published in the forthcoming editions of the Visa Bulletin.<sup>6</sup>

USCIS has announced that it will allow employment-based adjustment of status applicants to submit I-485 applications next month based on the Dates for Filing chart. The cut-off dates per the Dates for Filing chart in the April 2022 *Visa Bulletin* are below.

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

EB-2: All countries of chargeability except for China and India will be current. China's cut-off date will remain at April 1, 2019, and India's cut-off date will progress a full year to September 1, 2014.

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

EB-4: All countries except El Salvador, Guatemala and Honduras will remain current. The cut-off date for El Salvador, Guatemala, and Honduras will remain at June 15, 2017.

EB-5: The Non-Regional Center program remains current for all countries. The Regional Center program remains current for all countries except for China. The cut-off date for China will remain at December 15, 2015.

The Dates for Filing chart for next month shows that the EB-5 Regional Center program category will be current for most countries. USCIS will be able to adjudicate an I-485 filing based on an I-526 immigrant visa petition filed by an approved Regional Center but it is unclear when the agency will start doing so. Further information will be published in the upcoming editions of the Visa Bulletin.

## FOOTNOTES:

- 1 U.S. Department of State [website](#).
- 2 See the "[Adjustment of Status Filing Charts from the Visa Bulletin | USCIS](#)" page on the USCIS website.
- 3 For our prior coverage of the March 2022 *Visa Bulletin*, read [GMS Flash Alert 2022-037](#) (February 22, 2022).
- 4 See USCIS, [Special Immigrant Religious Workers | USCIS](#)
- 5 U.S. Department of State [website](#).
- 6 Ibid.

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