



# GMS Flash Alert

## Immigration Edition

2022-139 | July 19, 2022



# United States - August 2022 Visa Bulletin

The U.S. Department of State (DOS) has released the August 2022 *Visa Bulletin*.<sup>1</sup> U.S. Citizenship and Immigration Services (USCIS) has also confirmed that in August 2022, it will accept employment-based Forms I-485, *Applications to Register Permanent Residence or Adjust Status*, under the Final Action Dates chart of the *Visa Bulletin*.<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.

If an applicant falls into a category for which an immigrant visa number is not current (i.e., authorized for issuance to all qualified applicants), then an immigrant visa number may only be issued if the applicant has a priority date that is earlier than the applicable Final Action Date cut-off.

## Employment-Based Preference Category Cut-Off Dates

USCIS has announced that in August 2022, it will allow applicants to submit I-485 applications based on the Final Action Dates chart.

Notably, the employment-based Final Action Dates chart of the August 2022 *Visa Bulletin* does not reflect any forward movement for EB-2 China or India.

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 April 1, 2019, and India's cut-off date will remain at December 1, 2014.

EB-3 Professional and Skilled Workers: All countries of chargeability except China and India remain current. China's cut-off date will advance one month to April 22, 2018, and India's cut-off date will also advance one month to February 15, 2012.

EB-3 Other Workers: All countries of chargeability except China and India will have a cut-off date of May 8, 2019. China's cut-off date will remain at June 1, 2012, and India's cut-off date will advance one month to February 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 November 8, 2017, and Mexico's cut-off date will 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. The law allows these workers to immigrate or adjust status to permanent resident by that date. 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>4</sup>

EB-5: Final Action Date will be current for all set aside sub-categories (i.e., rural, high unemployment, and infrastructure), regardless of the country of chargeability. The Final Action Date will also be current in unreserved subcategories – including C5, T5, I5, and R5 – for all countries, except for China. The EB-5 China cut-off for intending immigrants in an unreserved sub-category will remain at November 22, 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 July 2022 *Visa Bulletin*, read [GMS Flash Alert 2022-117](#), June 17, 2022.

4 See USCIS, "[Special Immigrant Religious Workers](#)."

\* \* \* \*

## 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](mailto:bnanton@kpmg.ca)



**Jashan Girm**  
**Associate Attorney,**  
**U.S. Immigration**  
KPMG Law LLP – Tax + Immigration,  
Canada  
Tel. +1 416-468-7557  
[jgirm@kpmg.ca](mailto:jgirm@kpmg.ca)

*\* Please note the KPMG International member firm in the United States does not provide immigration or labor 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.**

© 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](http://www.kpmg.com)

[kpmg.com/socialmedia](http://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>.