

GMS Flash Alert

Immigration Edition

2022-187 | October 17, 2022



United States - November 2022 Visa Bulletin

The U.S. Department of State (DOS) has released the November 2022 *Visa Bulletin*.¹ U.S. Citizenship and Immigration Services (USCIS) has also confirmed that in November 2022, it will accept employment-based Forms I-485, *Applications to Register Permanent Residence or Adjust Status*, under the Dates of Filing chart of the *Visa Bulletin*.²

WHY THIS MATTERS

Each month, the DOS 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 Final Action Date Cut-Offs

USCIS has announced that in November 2022, it will allow applicants to submit I-485 applications based on the Dates of Filing chart. Notably, the Dates for Filing and Final Action Dates for EB-1, EB-2, and EB-3 professionals and skilled workers will primarily remain unchanged in November. The only significant change in the *Visa Bulletin* is that the final action cut-off date for the People's Republic of China ("China") EB-3 will advance to December 1, 2012, from September 1, 2012.

The Final Action Dates for next month are as follows:

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

EB-2: All countries of chargeability except China and India will remain current. China and India will remain at June 8,

2019, and April 1, 2012, respectively.

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EB-3 Professional and Skilled Workers: All countries of chargeability except China and India remain current; China and India will remain at June 15, 2018, and April 1, 2012, respectively.

EB-3 Other Workers: China will advance three months, to December 1, 2012. India will remain at April 1, 2012. All other countries will remain at June 1, 2020.

EB-4: All countries, 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, 2018, and Mexico's cut-off date will be September 15, 2020.

EB-5: For the EB-5 Unreserved categories (C5, T5, I5, and R5), China and India will remain at March 22, 2015, and November 8, 2019, respectively. EB-5 Final Action dates will remain current for all other countries, and for all EB-5 "Set-Aside" categories.

Employment-Based Preference Category Dates for Filing Cut-Offs

The November 2022 Dates for Filing are listed below.

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

EB-2: All countries of chargeability except China and India will remain current. China and India will remain at July 8, 2019, and May 1, 2012, respectively.

EB-3 Professional and Skilled Workers: All countries of chargeability except China and India remain current. China and India will remain at July 15, 2018, and July 1, 2012, respectively.

EB-3 Other Workers: All countries of chargeability except China and India will have a cut-off date of September 8, 2022. China and India will remain at November 1, 2015, and July 1, 2012, respectively.

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 April 15, 2018, and Mexico's cut-off date will be October 15, 2020.

EB-5: For the EB-5 Unreserved categories (C5, T5, I5, and R5), China and India will remain at January 1, 2016, and December 8, 2019, respectively, and all other countries will remain current. For the EB-5 "Set-Aside" categories (Rural, High Unemployment, and Infrastructure), the Date for Filing will remain current for all countries.

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 October 2022 *Visa Bulletin*, read [GMS Flash Alert 2022-163](#), September 14, 2022.

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