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Immigration

‘Steady Increase’ in Demand for Employment-Based Visas

Legal Update

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This article was prepared with the assistance of ABIL, the Alliance of Business Immigration Lawyers, of which Loan Huynh, Fredrikson Immigration Department Chair, is a member.

The Department of State’s (DOS) Visa Bulletin for September notes a steady increase in both U.S. Citizenship and Immigration Services and Department of State demand patterns for employment-based visas during the fiscal year. As a result, the Department expects that most employment-based preference category limits and/or the overall employment-based preference limit for FY 2022 to be reached during September. If the annual limit were reached, “it would be necessary to immediately make the preference category ‘unavailable,’ and no further requests for numbers would be honored,” the bulletin states.

For adjustment of status filing dates for September 2022, the Final Action Dates chart in the Visa Bulletin must be used for employment-based preference categories.

The bulletin also notes that the worldwide employment-based preference numerical limit for FY 2022 is 281,507.