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Immigration

Visa Bulletin for December 2022 Includes Many Updates

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 Visa Bulletin for December 2022 includes a variety of updates:

- The estimated employment-based annual limit will be 197,000 for fiscal year (FY) 2023.
- Establishment of final action dates and application filing dates for China and India will most likely be necessary in the coming months.
- DOS has deemed it necessary to establish a worldwide employment second preference final action and application filing dates effective in December. Except for China and India, all countries are subject to a final action date of November 01, 2022, and an application filing date of December 01, 2022.
- Fewer additional numbers will be available to India in the employment second preference category than originally estimated when the October and November final action and application filing dates were established. Therefore, further corrective action has been necessary to ensure that the limited supply of visa numbers is allocated by priority date.
- High demand in the employment fourth preference category has necessitated the establishment of a worldwide final action date and application filing date for December. Except for El Salvador, Guatemala, Honduras and Mexico, all countries are subject to a final action date of June 22, 2022, and an application filing date of July 22, 2022.
- Higher than expected demand in the employment fourth preference category for El Salvador, Guatemala and Honduras may necessitate corrective action.
- The Certain Religious Workers (SR) category is set to expire as of December 16, 2022. No SR visas may be issued overseas, or final action taken on adjustment of status cases, after midnight December 15, 2022. Visas issued prior to that date will be valid only until December 15, 2022, and all individuals seeking admission in the non-minister special immigrant category must be admitted into the United States no later than midnight December 15, 2022. If legislative action

extends this category, the December dates will be applied for the entire month. If there is no legislative action extending this category, the category will become “Unavailable” effective December 16, 2022.