

USCIS Response to Coronavirus (COVID-19)



U.S. Citizenship
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U.S. Citizenship and Immigration Services encourages eligible applicants to consider requesting to transfer the underlying basis of their adjustment of status application to the first (priority workers) or second (noncitizens in professions with advanced degrees or with exceptional ability) employment-based preference categories, because there is an exceptionally high number of employment-based immigrant visas available in these categories during this fiscal year (October 2021 through September 2022).

The overall employment-based annual limit for fiscal year 2022 is approximately twice as high as usual, because that limit includes all unused family-sponsored visa numbers from fiscal year 2021, which was approximately 140,000.

In addition, under the relevant statute, any visas not required in the fifth employment-based preference category are made available in the first employment-based preference category, and any visas not required in the first employment-based preference category are made available in the second employment-based preference category.

These visas cannot be made available to applicants in the third employment-based preference category because, given the significant number of noncitizens awaiting visas in the second employment-based preference category, these visas are required by statute to be used for the second preference category.

For more information, please see the section called “Transfer of Underlying Basis” on the [Green Card for Employment-Based Immigrants](#) page on our website as well as the [USCIS Policy Manual](#).

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