



JULY VISA BULLETIN – FOUR-YEAR ADVANCE FOR EB-2 INDIA

The Department of State (DOS) has published the [July 2014 Visa Bulletin](#), announcing that the cut-off date for the employment-based, second preference (EB-2) immigrant visa category for applicants born in India will advance almost four years, to a new cut-off date of September 1, 2008.

Beginning July 1, 2014, applicants born in India with an employment-based priority date earlier than September 1, 2008, may file Applications to Adjust Status with U.S. Citizenship & Immigration Services (CIS), or have their pending applications approved. Applicants seeking to apply for their immigrant visas through an appropriate U.S. consulate abroad should also see their pending cases move forward through the National Visa Center and the designated consular post.

The EB-3 and “other worker” categories for applicants born in the Philippines will advance a full year, from January 1, 2008 to January 1, 2009. Other categories will remain stagnant or advance only modestly, including a five-week advance for EB-2 China and a two-week advance for EB-3 India.

Applicants with current priority dates, particularly in the categories that will advance significantly, should proceed without unnecessary delay in an effort to minimize the risk of being impacted by a future “retrogression” in the same category. In previous years, when there have been significant, multi-year advances in extremely backlogged categories, those categories tend to receive a high influx of filings, resulting in rapid use of quota numbers and the subsequent retrogression in the category to prevent oversubscription. This forward movement and retrogression tends to happen in the summer months, when the U.S. Department of State sometimes advances visa availability significantly as needed to ensure that all immigrant visa numbers for a given fiscal year are used before the end of the fiscal year on September 30th. Because a future retrogression could very well occur, applicants are encouraged to move quickly, filing their applications as soon as practicable in the month of July.

Applicants with current priority dates should contact their FosterQuan immigration attorney now for additional information regarding Application for Adjustment of Status with CIS in the United States. As always, FosterQuan will continue to monitor visa availability and will provide additional information via future Immigration Updates® and on our firm’s [website](#).