



EMAIL BULLETIN

IMMIGRANT VISA AVAILABILITY ADVANCES ONE YEAR FOR EMPLOYMENT-BASED, THIRD PREFERENCE (EB-3) CANDIDATES NOT BORN IN INDIA, CHINA, OR MEXICO

17 April 2007

Candidates with Priority Dates before August 1, 2003 May File Applications to Adjust Status to U.S. Lawful Permanent Resident Beginning May 1, 2007

The U.S. Department of State has announced, in its May 2007 Monthly Visa Bulletin, that immigrant visa availability will advance a full year for applicants under the Employment-Based, Third Preference (EB-3) Immigrant Visa Category who were not born in India, China, or Mexico. The April 2007 Monthly Visa Bulletin published a priority date of August 1, 2002 for this category, meaning that applicants must have had a priority date prior to August 1, 2002 in order to file an Application to Adjust Status to U.S. Lawful Permanent Resident. As of May 1, 2007, the availability will advance one year, until August 1, 2003, meaning that applicants who were not born in India, China, or Mexico who have an EB-3 priority date before August 1, 2003 will be eligible to file Applications to Adjust Status to U.S. Lawful Permanent Resident.

Visa availability for candidates in the EB-3 immigrant visa category who were born in India, China, or Mexico remains unchanged from the April 2007 Monthly Visa Bulletin. Other notable categories seeing no advancement in the May 2007 Visa Bulletin are EB-2 China and EB-2 India. Visas are currently available without backlog for the following categories: EB-1, EB-2 not born in China or India, EB-4, Certain Religious Workers, EB-5, and Targeted Employment Areas.

For additional information or to initiate the process of preparing and filing Applications to Adjust Status for qualified candidates under any of these employment-based categories, please contact your Tindall & Foster, P.C. immigration attorney as soon as possible. Your Tindall & Foster attorney will be able to provide you with a comprehensive list of required documents and information as well as information concerning the particular requirements for Applications to Adjust Status and how those requirements may impact a particular case. Because a large number of filings under the EB-3 category are anticipated during the month of May, and such a large number could force further retrogression of immigrant visa availability in June and July, we recommend that applicants begin now to collect the documents and information needed for the preparation and filing of Immigrant Visa Petitions under this category during the month of May 2007.