



Monday, December 10, 2007

## **IMMIGRANT VISA AVAILABILITY UNDER THE EMPLOYMENT-BASED SECOND PREFERENCE CATEGORY HAS RETROGRESSED FURTHER FOR PERSONS BORN IN INDIA AND CHINA**

The U.S. Department of State has announced in its December 2007 Monthly Visa Bulletin that immigrant visa availability will retrogress significantly for applicants born in India or China who are applying under the Employment-based, Second Preference (EB-2) Immigrant Visa Category.

Pursuant to the November 2007 Visa Bulletin, visas were available to persons born in China, classifiable under the EB-2 category, for whom priority dates were established by the filing of an Application for Permanent Employment Certification before January 1, 2006. As of December 1, 2007, visas are available for such applicants whose priority dates were established before January 1, 2003.

Pursuant to the November 2007 Visa Bulletin, visas were available to persons born in India, classifiable under the EB-2 category, for whom priority dates were established by the filing of an Application for Permanent Employment Certification before April 4, 2004. As of December 1, 2007, visas are available for such applicants whose priority dates were established before January 1, 2002.

Publication of the January Visa Bulletin is expected mid-December, at which time the state of visa availability for these and other applicant categories will be established for the month of January. It is possible that further retrogression could occur, or that visa availability in these and other categories could advance. As always, Tindall & Foster, P.C. will continue to monitor visa availability each month and will provide updates regarding sharp advances or retrogression in visa availability via future Email Bulletins or on the [Tindall & Foster, P.C. web site](http://www.tindallfoster.com).