
U.S. DEPARTMENT OF STATE UPDATES VISA AVAILABILITY IN JULY 2009 VISA BULLETIN

Each month the U.S. Department of State (DOS) publishes the [Monthly Visa Bulletin](#), reporting current immigrant visa availability under the annual quota system for U.S. immigration. In the July 2009 Visa Bulletin, the U.S. DOS reports continued unavailability of immigrant visas under the Employment-Based, Third Preference (EB-3) immigrant category for all countries of birth. Additionally, in keeping with previous forecasts, the DOS has also announced further retrogression of immigrant visa availability under the Employment-Based, Second Preference (EB-2) immigrant category for applicants born in India or China.

Under the July 2009 Visa Bulletin, in order to apply or be approved for permanent residency under the EB-2 category, applicants born in India or China must have established a priority date before January 1, 2000. Currently visas under the Employment-Based, First Preference (EB-1) immigrant category, which encompasses Aliens of Extraordinary Ability, Outstanding Researchers & Professors, and Multi-National Managers and Executives, remain available for applicants from all countries of birth; however, the DOS has indicated that there may be a modest retrogression of visa availability for a short time in the closing months of the fiscal year for applicants born in India or China. Availability would return beginning with the new fiscal year on October 1, 2009.

For more information on beginning the permanent residency process and establishing a priority date under the appropriate immigrant category for one or more foreign national employees, please contact your Foster Quan immigration attorney.