



AUGUST VISA BULLETIN SHOWS 7-YEAR RETROGRESSION FOR EB-3 CHINA

The U.S. Department of State (DOS) has published the Monthly [Visa Bulletin for August](#), indicating a retrogression of more than seven years in visa availability under the Employment-based, Third (EB-3) Preference category for applicants born in China. Beginning August 1, 2015, EB-3 applicants born in China must have a priority date earlier than June 1, 2004, in order to file an Application to Adjust Status, or to have pending applications approved.

EB-3 China Applicants Should Act Now to File Applications before August 1st

For the remainder of the month of July, EB-3 applicants born in China may continue to file Applications to Adjust Status so long as their priority dates are earlier than the July Visa Bulletin's EB-3 China cut-off date of September 1, 2011. Applicants should contact their Foster immigration attorney now in order to initiate and file qualifying applications before August 1st. Filing before August 1st will enable applicants to secure interim benefits such as Employment Authorization Document (EAD) cards and Advance Parole Travel Documents, which can be renewed for as long as the Application to Adjust Status remains pending.

EB-3 Philippines – New Cut-off Date of June 1, 2004

For the month of July, immigrant visas were completely unavailable for the (EB-3) and "Other Worker" categories for persons born in the Philippines. Beginning August 1st, EB-3 applicants born in the Philippines will again be able to file Applications to Adjust Status, or have pending applications approved, so long as their priority dates are earlier than June 1, 2004. This is a modest improvement after Department of State officials recently forecast continued unavailability under this category through at least the end of the fiscal year.

EB-2 China and EB-3 "All Other" Advance 2 ½ Months

Visa availability under the EB-2 category for applicants born in China will advance to a new cutoff date of December 15, 2013. Additionally, the EB-3 category for all areas of chargeability other than India, China and the Philippines will advance to a new cutoff date of July 15, 2015, meaning there is essentially no backlog in immigrant visa availability for EB-3 applicants not born in India, China or the Philippines.

EB-5 China Holds Steady

The August Visa Bulletin for EB-5 China shows no movement from the September 1, 2013 cutoff date in July.

As always, Foster will continue to monitor immigrant visa availability and will provide additional information in future Immigration Updates[®] and on our firm's website at www.fosterglobal.com.