

## **NOVEMBER 2016 VISA BULLETIN BRINGS MIXED NEWS FOR GREEN CARD HOPEFULS.**

Given that it is still very early in the new fiscal year, the final action dates in the [November Visa Bulletin](#) are not surprising. If you were to [compare the October 2016](#) against the Visa Bulletin against the November Visa Bulletin you would find that almost all of DOS's predictions have materialized, with a few notable exceptions.

**EB-4 El Salvador/Guatemala/Honduras** advanced to July 15, 2015. DOS continues to expect high demand in these categories and therefore any forward movement in the final action date will be slow. **EB-4 India** and **EB-4 Mexico** remain current.

**EB-1 China, EB-1 India, and EB-1 Worldwide** will remain current in November and for the foreseeable future. The demand caused by the retrogression of **EB-1 China** and **India** at the end of last fiscal year manifested itself with more than 3,000 numbers used as of October 1st, and that number is expected to increase throughout the month. Though this is strong demand, it did not reach the initial EB-1 total in October 2015 of 3,800 visas, and while number usage is high, a retrogression of the EB-1 category is not expected for the first half of the Fiscal Year. DOS will continue to monitor demand and will advise the public if there might be cause for concern about retrogression later in the Fiscal Year.

**EB-2 Worldwide** will remain current in November and retrogression is not expected in the foreseeable future. Although DOS anticipated that **EB-2 India** would advance at a four month pace, in November, **EB-2 India** will advance nine months to November 1st, 2007. This aggressive forward movement is motivated by lower demand than expected and DOS' desire to advance the final action date sufficiently to achieve visa usage at the level of his projected monthly target. While it remains to be seen whether **EB-2 India** will continue to advance at this aggressive pace or average out to the four month projection over a period of time, we can expect only forward movement in this category for the foreseeable future. DOS' goal is to recover to the November 2008 date which was reached last spring as quickly as possible, hopefully no later than March 2017.

**EB-2 China** advanced four months to July 15<sup>th</sup>, 2012, and **EB-3 China** advanced three months to April 15<sup>th</sup>, 2013. **EB-2 China** was previously up to September 2012, and is likely to recover to that date no later than February 2017. DOS also believes that **EB-2 China** may advance more rapidly based upon the anticipated EB-3 downgrades which could reduce the level of demand in EB-2.

Due to lower demand, the **EB-3 Philippines** final action date moved more quickly than expected. Should this continue, DOS anticipates that it may be able to advance the final action date by as much as several months at a time.

**EB-5 China** advanced two weeks, with a November final action date of March 8<sup>th</sup>, 2014. Since this category was only temporarily reauthorized, absent congressional action prior to issuance of the December Visa Bulletin, it is anticipated that we should expect **EB-5 China Regional**

**Centers** to be listed as "unavailable" for December. If this is the case, DOS will provide direction as to what the final action date will be in the event of a reauthorization.

**Family-Based Projections.** Since demand for visas for most family-based preference categories materializes at the U.S. Consulate Offices abroad, DOS has greater visibility into these numbers and final action date movements tend to be more predictable. DOS is watching demand in **F-4 China** and **India** closely due to fluctuations in demand.

Nachman Phulwani Zimovcak (NPZ) Law Group is an immigration group with offices in New York, New Jersey, Indiana and with affiliated offices in Canada and in India. We assist our clients with all U.S. and Canadian immigration and nationality matters on a routine basis. We also assist our clients with 221(g) issues at all U.S. Consulate Offices abroad. For more information, or to speak to one of our immigration and nationality lawyers or attorneys, please feel free to e-mail us at [info@visaserve.com](mailto:info@visaserve.com) or to call us at 201-670-0006 (x107).