

Department of State Releases June 2010 Visa Bulletin

May 14, 2010

The U.S. Department of State (DOS) has released its June 2010 Visa Bulletin. The Visa Bulletin sets out per country priority date cutoffs that regulate the flow of adjustment of status (AOS) and consular immigrant visa applications. Foreign nationals may file applications to adjust their status to that of permanent resident, or to obtain approval of an immigrant visa application at an American embassy or consulate abroad, provided that their priority dates are prior to the cutoff dates specified by the DOS.

What Does the June 2010 Visa Bulletin Say?

EB-1: All EB-1 categories remain current.

EB-2: Priority dates remain current for foreign nationals in the EB-2 category from all countries except China and India.

The relevant priority date cutoffs for Indian and Chinese nationals are as follows:

China: November 22, 2005 (forward movement of two months)

India: February 1, 2005 (no movement)

EB-3: There is continued backlog in the EB-3 category.

The relevant priority date cutoffs for foreign nationals in the EB-3 category are as follows:

China: June 22, 2003 (forward movement of two months)

India: October 22, 2001 (forward movement of three weeks)

Mexico: Unavailable

Philippines: June 22, 2003 (forward movement of two months)

Rest of the World: June 22, 2003 (forward movement of two months)

The annual immigrant visa limit for the EB-3 category for Mexico remains “unavailable.” This means that no employment-based immigrant visas are available in the EB-3 category for foreign nationals from Mexico and that they may not file AOS or immigrant visa applications, regardless of their priority dates. I-140 petitions may continue to be filed in the EB-3 category, however. Visa numbers should become available again in October with the start of the new fiscal year.

How This Affects You

Priority date cutoffs are assessed on a monthly basis by the DOS, based on anticipated demand. Cutoff dates can move forward or backward, or remain static and unchanged. Employers and employees should take the immigrant visa backlogs into account in their long-term planning, and take measures to mitigate their effects. To see the June 2010 Visa Bulletin in its entirety, please visit the DOS website at http://travel.state.gov/visa/frvi/bulletin/bulletin_4879.html.

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Now Available: *AILA's Focus on Immigration Practice Under AC21*

Written by Eleanor Pelta and A. James Vázquez-Azpiri, *AILA's Focus on Immigration Practice Under AC21* provides invaluable insight on the effect AC21 has had on the H-1B visa category. For more information, please visit www.ailapubs.org/ac21.html or call 1.800.982.2939 to order a copy.

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