

VISA BULLETIN FOR SEPTEMBER 2013

By

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The following information is provided by the Visa Office regarding the cut-off dates for the month of *September 2013*.

FAMILY PREFERENCES

F1-Family first preference: Unmarried sons and daughters over the age of 21 years of U.S. Citizens. The cut-off date has moved forward by two (2) weeks for most of the countries including *India* to *September 15, 2006*.

F2A - Family second preference: Spouses and minor children, and unmarried sons and daughters of permanent residents. The cut-off date for this category for most countries including *India* is *CURRENT*.

F2B- Family second preference: Unmarried sons and daughters over 21 of permanent residents. The cut-off date has moved forward by ten (10) weeks for most of the countries including *India* to *February 15, 2006*.

F3-Family third preference: Married sons and daughters of U.S. Citizens and their spouses and children. The cut-off date has moved forward by six (6) weeks for most of the countries including *India* to *January 22, 2003*.

F4-Family fourth preference: Brothers and sisters of U.S. Citizens. The cut-off date has moved forward by three (4) weeks for most of the countries including *India* to *July 22, 2001*.

EMPLOYMENT PREFERENCES

EB1 – Priority Workers: The cut-off date for this category for all countries including *India* is *CURRENT*.

EB2 – Advanced Degree holders: The cut-off date for this category for most countries is *CURRENT*. For *India*, it moved forward by twenty two (22) weeks to *June 15, 2008*.

EB3 – Professional Skilled Workers: The cut-off date for this category has moved twenty four (24) weeks to *July 1, 2010* for most of the countries and for *India*, it has moved thirty two (32) weeks to *September 22, 2003*.

EB3 – Other Workers: The cut-off date for this category has moved twenty four (24) weeks to *July 1, 2010* for most of the countries and for *India*, it has moved thirty two (32) weeks to *September 22, 2003*.

EB4 (Certain Special Immigrants) is *CURRENT* for all countries including *INDIA*.

EB4 (Certain Religious Workers) is *CURRENT* for all countries including *INDIA*.

EB5 (Targeted Employment Areas/Regional Centers) and the pilot program is *CURRENT* for all countries including *INDIA*.

FAMILY-sponsored:

F2A: This category was made “Current” in an effort to generate new demand for the upcoming fiscal year. Information received during discussions with the National Visa Center and U.S. Citizenship and Immigration Services indicates that this action is already having the intended result. Therefore, it is likely that a cut-off will be imposed for October. This cut-off is unlikely to have any negative impact on those who have already initiated action on their case prior to the announcement of the October cut-off dates.

EMPLOYMENT-based:

SECOND:

India: This cut-off date has been advanced significantly more than originally expected, based on the projection that there would be “otherwise unused” numbers under the overall Employment Second preference annual limit. This is the result of a decrease in Employment First preference number use, and a similar decrease in Employment Second preference demand for most other countries during the past two months. It is expected that such movement will generate a very significant amount of new India demand during the coming months.

THIRD:

The Employment-based Third preference cut-off date for most countries was advanced at an extremely rapid pace in April through July in an effort to generate demand. Historically such movements have resulted in a dramatic increase in applicant demand for numbers within a few months. At this time there is no indication that the expected increase is materializing or will do so in the near future. This has resulted in significant movements in the September cut-off for all countries.

It is unlikely that there will be any forward movement of most Employment-based cut-off dates during the next couple of months. In addition, a sudden surge in demand could require the retrogression of a cut-off date at any time. Such action would be required if it appears that such number use could impact visa availability under the FY-2014 annual limits.

E. DETERMINATION OF THE NUMERICAL LIMITS ON IMMIGRANTS REQUIRED UNDER THE TERMS OF THE IMMIGRATION AND NATIONALITY ACT (INA)

The State Department is required to make a determination of the worldwide numerical limitations, as outlined in Section 201(c) and (d) of the INA, on an annual basis. These calculations are based in part on data provided by U.S. Citizen and Immigration Services (CIS) regarding the number of immediate relative adjustments in the preceding year and the number of aliens paroled into the United States under Section 212(d)(5) in the second preceding year. Without this information, it is impossible to make an official determination of the annual limits. To avoid delays in processing while waiting for the USCIS data, the Visa Office (VO) bases allocations on the minimum annual limits outlined in Section 201 of the INA. On July 25th, USCIS provided the required data to VO.

The Department of State has determined the Family and Employment preference numerical limits for FY-2013 in accordance with the terms of Section 201 of the INA. These numerical limitations for FY-2013 are as follows:

Worldwide Family-Sponsored preference limit:	226,000
Worldwide Employment-Based preference limit:	158,466

Under INA Section 202(A), the per-country limit is fixed at 7% of the family and employment annual limits. For FY-2013 the per-country limit is 26,913. The dependent area annual limit is 2%, or 7,689.

For more information, please feel free to contact the Immigration and Nationality Lawyers at the NPZ Law Group at 201-670-0006 or by e-mailing us at info@visaserve.com.