

JANUARY VISA AVAILABILITY

2B	Aug 01, 1995
3rd Preference	Dec 22, 1997
4th Preference	Nov 22, 1992

The bulletin issued by the Visa Office of the Bureau of Consular Affairs of the U.S. Department of State gives the following availability position for issuance of immigrant visas during January 2005:

Persons Chargeable to India

Family-Sponsored Preferences

1st Preference	Dec 22, 2000
2nd Preference	
2A	Aug 15, 2000
2B	Aug 01, 1995
3rd Preference	Dec 22, 1997
4th Preference	Apr 08, 1992

Employment-Based Preferences

1st Preference	Current
2nd Preference	Current
3rd Preference	JAN 01, 2002
Other Workers	Current
4th Preference	Current
Certain Religious	
Workers	Current
5th Preference	Current
Targeted Emp	
Areas	Current

Persons Chargeable to Other Countries

For other chargeability areas, including Pakistan, Bangladesh, Sri Lanka, United Kingdom, and the nations of Africa, the cut-off dates for January 2005 are:

Family-Sponsored Preferences

1st Preference	Dec 22, 2000
2nd Preference	
2A	Aug 15, 2000

Employment-Based Preferences

1st Preference	Current
2nd Preference	Current
3rd Preference	Current
Other Workers	Current
4th Preference	Current
Certain Religious	
Workers	Current
5th Preference	Current
Targeted Emp	
Areas	Current

It is important to note that Employment-based India 3rd Preference is not current any more. It has a cut-off date of January 1, 2002. The Department of State informs that April is the month when some forward movement in that category is likely.

PERM IS FINALLY HERE.

PERM ["Program Electronic Review Management"] relating to labor certifications is now officially here (69 FR 77326, Dec 27, 2004). The rule will be effective on March 28, 2005.

There are numerous sections to ponder in the PERM rule. One such section is the new 20 CFR 656.17(d) "Refiling Procedures", that is, the procedures to upgrade to PERM. That seems straightforward: Applications for which a job order has already been issued under the old regulations cannot be upgraded to PERM.

We will discuss other key PERM provisions in detail in these columns in the near future.