

JULY VISA AVAILABILITY

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 July 2005:

Persons Chargeable to India

Family-Sponsored Preferences

1st Preference	Apr 08, 2001
2nd Preference	
2A	May 22, 2001
2B	Jan 01, 1996
3rd Preference	Feb 01, 1998
4th Preference	Jan 15, 1993

Employment-Based Preferences

1st Preference	Current
2nd Preference	Current
3rd Preference	Unavailable
Schedule A Workers	Current
Other Workers	Unavailable
4 th 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 July 2005 are:

Family-Sponsored Preferences

1st Preference	Apr 08, 2001
2nd Preference	
2A	May 22, 2001
2B	Jan 01, 1996
3rd Preference	Feb 01, 1998
4th Preference	Sep 08, 1993

Employment-Based Preferences

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

MANDAMUS ISSUED AGAINST US CONSUL IN MOSCOW

In an employment-based immigrant visa case that was pending with the U. S. Consular Section in Moscow for 4 years, the U.S. District Court in San Diego has recently issued a writ of mandamus against the consular officers ordering them to issue a decision in the case within 60 days.

The district court has, of course, no jurisdiction to mandate a consular officer to approve the case but it has the jurisdiction to force the consulate to issue the decision one way or the other... either grant or deny the case rather than sit on it for years without taking action.

The complaint was filed on May 14, 2004 by RADUGA USA CORP against U S DEPT OF STATE, COLIN POWELL, U S consular officers in Moscow, and others. The case was submitted after status hearing on February 25, 2005 and the order of the Court was entered on May 24, 2005.