

OCTOBER 05 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 October 2005:

Persons Chargeable to India

Family-Sponsored Preferences

1st Preference	Apr 22, 2001
2nd Preference	
2A	Nov 01, 2001
2B	Apr 22, 1996
3rd Preference	Apr 15, 1998
4th Preference	Aug 01 1993

Employment-Based Preferences

1st Preference	Aug 01, 2002
2nd Preference	Nov 01, 1999
3rd Preference	Jan 01, 1998
Schedule A Workers	Current
Other Workers	Oct 01, 2000
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 October 2005 are:

Family-Sponsored Preferences

1st Preference	Apr 22, 2001
2nd Preference	
2A	Nov 01, 2001
2B	Apr 22, 1996
3rd Preference	Apr 15, 1998
4th Preference	Feb 01, 1994

Employment-Based Preferences

1st Preference	Current
2nd Preference	Current
3rd Preference	Mar 01, 2001
Schedule A Workers	Current
Other Workers	Oct 01, 2000
4th Preference	Current
Certain Religious Workers	Current
5th Preference	Current
Targeted Emp Areas	Current

EMPLOYMENT-BASED VISA NUMBERS RETROGRESS

The October 2005 visa bulletin brings unwelcome news for many applicants in the employment based categories. The first and second preference categories [which were current until September 30, 2005] have retrogressed for India. The third preference, which was unavailable until the last month, has become available as the new fiscal year has begun, but with a cut-off date of January 1, 1998 for India.

The first preference for China is worse than India. The cut-off date for the employment based first preference for India is August 1, 2002 while for China, it is January 1, 2000.

What this retrogression means is that persons [chargeable to India or China] for whom labor certifications or approvals of I-140 petitions are issued on or after October 1, 2005 are unable to file their applications for adjustment of status to lawful permanent resident [that is, for "green cards"] until the visa availability becomes current for their respective priority dates.

We shall continue to update the readers as the situation changes from month to month.