

July 2015 Visa Bulletin: Cutoff Date for EB-5 Retrogression Moves Forward to September 1, 2013

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The Department of State's (DOS) brings some good news for China indicating that the EB-5 immigrant visa category will advance by four months for China, from May 1, 2013 to September 1, 2013.

This development has come as a bit of a surprise to those of you who follow Charles ("Charlie") Oppenheimer's, chief of the Visa Control and Reporting Division at the DOS, predictions for employment-based cut-off numbers, who predicted that the EB-5 cut-off date imposed for May 1, 2013, would remain for June.

In light of this modest movement in the retrogression date, mainland-Chinese born EB-5 investors should continue to file I-526 Petitions as soon as possible because these developments have no effect on the adjudication of I-526 Petitions. DOS has created a waiting list based on the priority date, or the date an I-526 Petition is filed, which you can read more about on our EB-5 Insights blog .

There was forward movement in the other employment-based categories in the July Visa Bulletin as well. The EB-2 category for China advanced four months, from June 1, 2013 to October 1, 2013. The EB-2 category remained the same, October 1, 2008, for India from June to July. The EB-2 category is "current" for "All Other Countries."

The EB-3 category remained the same from June to July for China, with September 1, 2011 for the EB-3 "Professional and Skilled Workers" category, and January 1, 2006 for the EB-3 subcategory for "Other Workers". The EB-3 category and subcategory for "Other Workers" both advanced by a few days for India, from January 22, 2004 to February 1, 2004. The EB-3 category and subcategory for "Other Workers" both advanced by over a month for "All Other Countries," from February 15, 2015 to April 1, 2015.

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