

DOS Releases April 2016 Visa Bulletin; Charlie Oppenheim ‘Checks-in’

Article By:

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The **Department of State (DOS)** has released the [April 2016 Visa Bulletin](#), with the Application Final Action Date chart for employment-based applications reflecting some substantial movement. Notably, the 2nd preference category for China-mainland born applicants has moved ahead one month to Sept. 1, 2012, and for India born applicants it has moved ahead a few weeks to Nov. 8, 2008. The 3rd preference and Other Workers categories have moved ahead at least one month for all applicants. The Final Action Date cut-off for China-mainland born applicants is now Feb. 1, 2014, for all EB-5 category applicants, keeping with the slow, but forward, trend of advancing priority date processing in that category. There was no movement in the Dates for Filing chart for employment-based categories.

On March 10, 2016, in its [monthly powwow with Charlie Oppenheim](#), Chief of Visa Control and Reporting Division at the DOS, the AILA DOS Liaison Committee discussed visa trends and analysis with the visa guru. Charlie’s February predictions of continued forward movement in the EB-2 and EB-3 China categories came to pass as noted above. The expert attributes this to an increase in I-485 adjustment applications in these categories coming to a close. Moving forward, Charlie is hopeful that better data sharing and analytics will be implemented between DOS and USCIS so as to better enable DOS to predict upcoming visa numbers.

With regard to the Final Action Date chart, “Charlie must make assumptions regarding upcoming demand based on the available data and his prior experience in an effort to stabilize Final Action Date movements. Charlie prefers to advance the Final Action Dates conservatively in the hope of avoiding a retrogression later in the fiscal year, especially in categories that are subject to upgrades and downgrades. Unfortunately the need to generate sufficient demand to use all numbers available under the annual limits often requires aggressive forward movement of the dates.” By way of example, this is precisely what happened with the EB-3 Worldwide cut-off date, which has advanced 16 months in the past year, and is now only one month behind today’s calendar date [as of March 10, 2016].

New NVC EB-5 Investor Assistance Desk Unveiled to the Exaltation of Practitioners Everywhere

Along with new priority dates, the April Visa Bulletin also included an announcement regarding a new

outlet for assistance at the National Visa Center (NVC) for EB-5 case processing. Specifically, the NVC has created a dedicated email address (NVCeb5@state.gov) to address EB-5 inquiries. This email box will be staffed with officers who are knowledgeable in EB-5 matters in an effort to improve customer service. EB-5 practitioners are rightly ecstatic about this development after enduring years of understaffed helpdesks with inadequately trained agents which witnessed inordinately long response delays and, in some instances, a complete unresponsiveness to submitted inquiries and requests. The EB-5 community is hopeful that communicating with the NVC will be more streamlined and accurate in light of this positive development.

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