

News & Types: Immigration Update

Business Immigration Weekly for January 8, 2016

1/8/2016

Practices: Immigration

VISA BULLETIN FOR FEBRUARY 2016

The Department of State (DOS) released the monthly Visa Bulletin and below is a summary of green card Final Action Dates and Dates For Filing dates for employment-based immigrant visa categories for the month of February.

PLEASE NOTE: Per a new USCIS policy, a week after the Department of State (DOS) issues its monthly Visa Bulletin indicating immigrant visa availability for the next month, the USCIS will make its own separate determination on green card availability. If green cards are available for a certain category, the USCIS will post its own notice on its website at: www.uscis.gov/visabulletininfo to alert immigrants applying in those categories with more availability, that they may use the Dates for Filing chart and not the Final Action Date chart. Thus immigrants may no longer rely on the DOS Visa Bulletin, but must wait one week after its publication and then look to the USCIS to see whether a green card is available to them.

GREEN CARD "DATES FOR FILING" AVAILABILITY DATES

Individuals with priority dates prior to the dates listed in the chart below are eligible to file their green card applications during the month of February.

Employment-Based	All Chargeability Areas Except Those Listed	CHINA-mainland born	INDIA	MEXICO	PHILIPPINES
1st	Current	Current	Current	Current	Current
2nd	Current	01/01/13	07/01/09	Current	Current
3rd	01/01/16	10/01/13	07/01/05	01/01/16	01/01/10
Other Workers	01/01/16	01/01/07	07/01/05	01/01/16	01/01/10

4th	Current	Current	Current	Current	Current
Certain Religious Workers	Current	Current	Current	Current	Current
5th Non-Regional Center (C5 and T5)	Current	05/01/15	Current	Current	Current
5th Regional Center (I5 and R5)	Current	05/01/15	Current	Current	Current

GREEN CARD APPROVAL "FINAL ACTION DATES"

Individuals with priority dates prior to the dates listed in the chart below have a green card available to them during the month of February, therefore, the US government may take final action on their case.

Employment- Based	All Chargeability Areas Except Those Listed	CHINA - mainland born	INDIA	MEXICO	PHILIPPINES
1st	Current	Current	Current	Current	Current
2nd	Current	03/01/12	08/01/08	Current	Current
3rd	10/01/15	10/01/12	06/15/04	10/01/15	01/08/08
Other Workers	10/01/15	12/22/06	06/15/04	10/01/15	01/08/08
4th	Current	Current	Current	Current	Current
Certain Religious Workers	Current	Current	Current	Current	Current
5th Non-Regional Center (C5 and T5)	Current	01/15/14	Current	Current	Current
5th	Current	01/15/14	Current	Current	Current

Regional Center (I5 and R5)					
--------------------------------	--	--	--	--	--

BELOW IS A SUMMARY OF CHANGES FROM THE VISA BULLETIN FOR LAST MONTH FOR FINAL ACTION DATES:

- The EB-2 China category has **advanced one month** from February 1, 2012 to March 1, 2012.
- The EB-2 India category has **advanced six months** from February 1, 2008 to August 1, 2008.
- The EB-3 World and Mexico categories **remain stalled** at October 1, 2015.
- The EB-3 China category **advances three months** from July 1, 2012 to October 1, 2012.
- The EB-3 India category **advances one month** from May 15, 2004 to June 15, 2004.
- The EB-3 Philippines category **advances two months** from November 1, 2007 to January 8, 2008.
- The EB-5 China advances **a few days** from January 8, 2014 to January 15, 2014.

Month-to-month availability of immigrant visas varies and depends on many factors. The entire Visa Bulletin can be viewed at: <http://travel.state.gov/content/visas/en/law-and-policy/bulletin/2016/visa-bulletin-for-february-2016.html>.