

Business Immigration Weekly for October 7, 2013

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Practices: Immigration

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DOS RELEASES NOVEMBER 2013 VISA BULLETIN – SOME EMPLOYMENT-BASED IMMIGRANT VISA CATEGORIES CONTINUE TO ADVANCE

The U.S. Department of State ("DOS") recently released its November 2013 Visa Bulletin. Although the government's Fiscal Year 2014 commenced on October 1, 2013, the DOS continues to advance some of the employment-based immigrant visa categories in order to ensure that demand continues so that the available numbers in these categories are fully used. In the November 2013 Visa Bulletin, the DOS continues to significantly advance the EB-3 World category (which currently has the same cutoff date for the EB-3 Chinese national and Mexican national categories) from July 1, 2010 to October 1, 2010. At this time, the EB-3 Chinese national category is more advanced than the EB-2 Chinese national preference category which has been set at October 8, 2008. The DOS indicated that although it is rapidly advancing the EB-3 Chinese national category, this category may regress in the future if there is a sudden increase in demand. Both the EB-2 Indian national category and the EB-3 Indian national category do not advance in the November 2013 Visa Bulletin. The EB-2 Indian national category remains at June 15, 2008 after significantly advancing in the past six months. The EB-3 Indian national category remains at September 22, 2003. Also, the EB-3 Filipino national category remains at December 16, 2006.

The following is a comparison of the movement of the employment-based immigrant visa categories since the inception of the current retrogression:

| | Dec 2007 | Jun 2008 | Aug 2009 | Sept 2012 | May 2013 | Dec 2013 | Jan 2014 |
|------------|----------|----------|----------|-----------|----------|----------|----------|
| EB-3 World | 09/01/02 | 03/01/06 | U | 10/01/06 | 12/01/07 | 10/01/11 | 04/01/12 |
| EB-2 China | 01/01/03 | 04/01/04 | 10/01/03 | U | 05/15/08 | 11/08/08 | 12/08/08 |
| EB-3 China | 10/15/01 | 03/22/03 | U | 12/15/05 | 12/01/07 | 10/01/11 | 04/01/12 |
| EB-2 India | 01/01/02 | 04/01/04 | 10/01/03 | U | 09/01/04 | 11/15/04 | 11/15/04 |

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|--------------------------|----------|----------|---|----------|----------|----------|----------|
| EB-3 India | 05/01/01 | 11/01/01 | U | 10/08/02 | 12/22/02 | 09/01/03 | 09/01/03 |
| EB-3 Other Workers | 10/01/01 | 01/01/03 | U | 10/01/06 | 12/01/07 | 10/01/11 | 04/01/12 |

Additional information about the movement of the employment-based immigrant visa priority dates will be contained in our firm's future Immigration Updates when it becomes available.

CBP CONTINUES TO EXPAND GLOBAL ENTRY

Customs and Border Protection ("CBP") recently announced an expansion of its Global Entry program. Global Entry allows pre-approved, low-risk travelers the ability to bypass traditional CBP screening and use automated kiosks to complete their entry into the United States upon arrival. Global Entry kiosks are available at 34 U.S. airports and 10 CBP pre-clearance locations in Ireland and Canada, serving 98% of all incoming air travelers. CBP recently announced that it is expanding eligibility for participation in Global Entry to citizens of the Republic of Korea, Germany, Qatar and the United Kingdom. Nationals of these countries also join U.S. citizens, U.S. lawful permanent residents, Dutch citizens and Mexican nationals who are eligible to participate in Global Entry.