

# ALERTS

## September 2018 Visa Bulletin

08.2018

In its September Visa Bulletin, U.S. Department of State (DOS) announced that the final action dates for several employment-based (EB) visa categories will significantly retrogress as of September 1, 2018. This retrogression is expected to be temporary and as of October 1, 2018 (the first month of fiscal year 2019), the final action dates are anticipated to be returned to those established for August.

Specifically, the following EB categories that are currently available will retrogress as of September 1<sup>st</sup>:

EB-2: WORLDWIDE, EL SALVADOR, GUATEMALA, HONDURAS, MEXICO, PHILIPPINES

EB-3: WORLDWIDE, EL SALVADOR, GUATEMALA, HONDURAS, MEXICO

EB-3OW: WORLDWIDE, EL SALVADOR, GUATEMALA, HONDURAS, MEXICO

Philippine nationals in the EB-3 and EB-3 Other Worker category are currently retrogressed to June 1, 2017. As of September 1, they will further retrogress to November 1, 2016.

The retrogression impacts applicants seeking employment-based green cards as DOS is responsible for the issuance of the Immigrant Visa (IV) numbers required for permanent residency applicants to complete their green card process.

Applicants can expect the following action as of September 1<sup>st</sup> if their category retrogresses and their priority date falls after current priority date on the September Visa Bulletin:

- Applicants seeking to file for Adjustment of Status will not be able to file their I-485;
- Applicants who have I-485 applications pending with USCIS may experience delays in their processing, such as the scheduling of their final green card interview; and
- Applicants pending Immigrant Visa processing with the National Visa Center may experience delays in their processing.

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According to DOS, this latest retrogression is due to an extremely high rate of demand for EB IV numbers, primarily for USCIS adjustment of status applicants. This action will allow DOS to hold worldwide number use within the maximum allowed under the FY-2018 annual limits.

If you have questions regarding the September Visa Bulletin or any other related inquiries, please contact an MVA team member.