

**AUGUST 2007
VISA AVAILABILITY**

The bulletin issued by the Visa Office of the Bureau of Consular Affairs of the U.S. Department of State gives the following availability position for issuance of immigrant visas during August 2007:

Persons Chargeable to India

Family-Sponsored Preferences

1st Preference	Aug 08, 2001
2nd Preference	
2A	Jul 22, 2002
2B	Apr 08, 1998
3rd Preference	Oct 01, 1999
4th Preference	Mar 01, 1996

Employment-Based Preferences

1st Preference	Unavailable
2nd Preference	Unavailable
3rd Preference	Unavailable
Other Workers	Unavailable
4 th Preference	Unavailable
Certain Religious Workers	Unavailable
Iraqi & Afghani Translators	Unavailable
5 th Preference	Unavailable
Targeted Emp Areas	Unavailable

Persons Chargeable to Other Countries

For other chargeability areas, including Pakistan, Bangladesh, Sri Lanka, United Kingdom, and the nations of Africa, the cut-off dates for August 2007 are:

Family-Sponsored Preferences

1st Preference	Aug 08, 2001
2nd Preference	
2A	Jul 22, 2002
2B	Apr 08, 1998
3rd Preference	Oct 01, 1999
4th Preference	Nov 01, 1996

Employment-Based Preferences

1st Preference	Unavailable
2nd Preference	Unavailable
3rd Preference	Unavailable
Other Workers	Unavailable
4th Preference	Unavailable
Certain Religious Workers	Unavailable
Iraqi & Afghani Translators	Unavailable
5th Preference	Unavailable
Targeted Emp Areas	Unavailable

**AN IMPORTANT NOTE
RE JULY AVAILABILITY**

Readers may be aware that the Visa Office of the Department of State had issued Visa Bulletin #107 on June 12, 2007 that showed all employment based visa categories current for the month of July. On July 2, 2007 [the first working day of July] , Bulletin #108 was issued which stated that no visas were available during July for any of the employment based categories since all available visa numbers for the [fiscal] year were used during June and the supply of visa numbers was exhausted. The U.S. Citizenship and Immigration Services ["USCIS"] thereupon issued a statement declaring that all applications for adjustment of status [to lawful permanent residence] based upon any of the employment based categories filed in July would be returned to applicants!

A furor developed over this debacle by the Department of State and the USCIS. The American Immigration Lawyers Association, the American Immigration Law Foundation, Hon. Representative Zoe Lofgren, and many private law firms and other institutions became very active in denouncing this about turn by these two government agencies and describing the tremendous hardships and frustrations that would be suffered by visa applicants who had spent countless hours, efforts, and money in preparing their I-485

applications and supporting documents and keeping them ready for filing on July 2nd and the days following.

apply to all other applications filed on or after July 30, 2007).

The timely, organized, and consistent actions of objectors did result in getting justice done swiftly. The Department of State in its July 13, 2007 visa bulletin for August 2007 inserted the following paragraph D:

D. JULY EMPLOYMENT-BASED VISA AVAILABILITY.

After consulting with Citizenship and Immigration Services, the Visa Office advises readers that Visa Bulletin #107 (dated June 12) should be relied upon as the current July Visa Bulletin for purposes of determining Employment visa number availability, and that Visa Bulletin #108 (dated July 2) is hereby withdrawn.

On July 17, 2007, Emilio Gonzalez, USCIS Director, had this to say:

"The public reaction to the July 2 announcement made it clear that the federal government's management of this process needs further review. I am committed to working with Congress and the State Department to implement a more efficient system in line with public expectations."

On the same day, USCIS announced that, beginning immediately, it will accept employment-based applications to adjust status (Form I-485) filed by aliens whose priority dates are current under the July Visa Bulletin, No. 107. USCIS will accept applications filed not later than August 17, 2007.

The current fee schedule will apply to all I-485 applications filed under Visa Bulletin No. 107 through August 17, 2007. (The new fee schedule that becomes effective on July 30, 2007, will