

NOVEMBER 05 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 November 2005:

Persons Chargeable to India

Family-Sponsored Preferences

1st Preference	Apr 22, 2001
2nd Preference	
2A	Dec 01, 2001
2B	May 22, 1996
3rd Preference	May 08, 1998
4th Preference	Oct 01 1993

Employment-Based Preferences

1st Preference	Aug 01, 2002
2nd Preference	Nov 01, 1999
3rd Preference	Jan 01, 1998
Schedule A Workers	Current
Other Workers	Oct 01, 2000
4 th Preference	Current
Certain Religious Workers	Current
5th Preference	Current
Targeted Emp Areas	Current

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 November 2005 are:

Family-Sponsored Preferences

1st Preference	Apr 22, 2001
2nd Preference	
2A	Dec 01, 2001
2B	May 22, 1996
3rd Preference	May 08, 1998
4th Preference	Mar 15, 1994

Employment-Based Preferences

1st Preference	Current
2nd Preference	Current
3rd Preference	Mar 01, 2001
Schedule A Workers	Current
Other Workers	Oct 01, 2000
4th Preference	Current
Certain Religious Workers	Current
5th Preference	Current
Targeted Emp Areas	Current

SENATE JUDICIARY COMMITTEE PASSES PROPOSAL RE H1B

About two weeks ago, on October 20, 2005, the Senate Judiciary Committee held a markup of a proposal to provide temporary relief from the H-1B visa blackout and the employment-based immigrant visa backlogs, in exchange for increased fees on some petitions. The proposal ultimately passed out of Committee by a strong 14-2 vote. Some of the provisions in the final package would:

1. Impose a new \$500 fee on immigrant visa petitions for the EB-1, EB-2, and EB-3 categories.
2. Recapture unused employment-based visas from prior years for immediate allocation of up to 90,000/year.
3. Exempt spouses and minor children from counting against the annual cap on employment-based immigrant visas.
4. Recapture approximately 300,000 unused H-1B numbers dating back to FY 1991 with a limit of 30,000 per year. This would effectively raise the cap from 65,000 to 95,000 for at least 10 years.
5. Impose a new fee on the recaptured H-1B visas so that the fees on the original 65,000 H-1B allotment remain unchanged but the additional 30,000 available annually carry an additional \$500 fee.

6. Impose a new \$750 fee on L-1 visas.

This proposal still must be reconciled in conference with the House's alternative budget reconciliation bill, which imposes a \$1,500 fee increase on L visas.