



## *Immigration Law Update*



The Ryan, Swanson & Cleveland Seattle Immigration Group is committed to providing excellent service and efficient communication to our clients.

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### **DRAMATIC VISA RETROGRESSION FOR EMPLOYMENT-BASED THIRD PREFERENCE (EB-3) CATEGORY**

The Department of State announced that there will be an **immediate** retrogression of visas available for the Employment-Based Third Preference (EB-3) category, except for those who have been scheduled for an interview at a Consulate in March. USCIS has stopped processing Adjustment of Status Applications (I-485) with priority dates after the dates which appear in the April Visa Bulletin for the EB-3 category. This category is for persons applying for permanent residency based on a job that requires a college degree or two years of experience. An applicant's priority date for a visa is established by the date the Labor Certification Application was filed with the Department of Labor or the filing of the Form I -140 with the USCIS, if no Labor Certification is required.

For the past year the visa priority date for the EB-3 category has been within the first five months of 2005. Thus, any one who had a priority date earlier than the visa priority date could file for adjustment of status to permanent residency. The priority date now has been set at March 1, 2003 which means that those who previously filed for adjustment of status, but have a priority date after March 1, 2003 will have to wait until the priority date is moved forward to their priority date before obtaining permanent residency. For those who have not filed for adjustment of status they will have to wait until the visa priority date moves to their priority date before they can even file. This retrogression means there will be a long delay for thousands of people who want to obtain permanent residency.

Please contact us if you have any questions:

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