

Worldwide EB2 Retrogression- Now What?



It is no doubt a huge disappointment for many (and myself) to see today's July 2012 visa bulletin that the 'worldwide EB2' visa category has retrogressed almost 3 years. This is the one category that remained consistently 'current' in recent years (together with EB1).

So why did this happen? The Department of State (DOS) has reported that demand has been higher than usual resulting in this action. DOS has also indicated that should demand continue as it is, the category may even become 'unavailable' until the new fiscal year begins. With EB2 already unavailable for India and

China, it does seem to me that the indications will likely become true.

What does this mean for my clients? Well, disappointment and long waiting times for green cards. I personally thought that if the Fairness for High-Skilled Immigrant Act, H.R. 3012 ever passed, that may lead to such a consequence (meaning worldwide visa availability would be reduced). I didn't think that retrogression for this category would actually happen all by itself.

My suggestion to my clients is to ensure they continue to apply for their applications as usual and get 'in the queue' for when visas are current or available again. Not much can be done in this situation other than to persevere.

As I am always telling my clients and potential clients, the US immigration system is not ideal and reform is essential to ensure we do not lose talented people to help boost the economy and create jobs. I wonder what effect this will have in the coming months.

Watson Immigration Law will be monitoring this issue, so stay tuned.

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