

# One Minute Memo®



## Department of State Says No More Immigrant Visas Available in July

The U.S. Department of State (DOS) advised today that, effective July 2, 2007, there are no longer any immigrant visa numbers available in any employment-based category—including First (EB-1), Second (EB-2), and Third (EB-3) preference categories. The full text of the DOS announcement is at: [http://travel.state.gov/visa/frvi/bulletin/bulletin\\_3263.html](http://travel.state.gov/visa/frvi/bulletin/bulletin_3263.html)

DOS had previously announced that all employment-based categories were “current” for the month of July, and as a result most green card applicants who had been awaiting a visa number were in the process of preparing to file their I-485 adjustment of status applications during July 2007. Given this recent DOS announcement, it appears unlikely that the United States Citizenship and Immigration Services (CIS) will accept any employment-based I-485 cases.

Foreign national employees who were in the process of preparing documents, obtaining medical examinations, or arranging to sign documents should refrain from making such arrangements, as their I-485 cases cannot be filed

at this time. It may be possible to file the I-485 when the employee’s priority date again becomes current—an event unlikely to happen prior to October 1, 2007, which is the start of the government’s new fiscal year.

This is an unfortunate, unprecedented turn of events that caps a season of distressing and sometimes confusing business immigration developments—including the H-1B cap fiasco, the suspension of premium processing for I-140 filings, the elimination of labor certification substitution, the imposition of expiration dates for labor certifications, and our government’s inability to pass much-needed comprehensive immigration reform.

*If you have any questions concerning this One Minute Memo®, please contact the Seyfarth Shaw LLP attorney with whom you work or any Immigration attorney on our website at [www.seyfarth.com](http://www.seyfarth.com).*

Attorney Advertising. This One Minute Memo® is a periodical publication of Seyfarth Shaw LLP and should not be construed as legal advice or a legal opinion on any specific facts or circumstances. The contents are intended for general information purposes only, and you are urged to consult a lawyer concerning your own situation and any specific legal questions you may have. Any tax information or written tax advice contained herein (including any attachments) is not intended to be and cannot be used by any taxpayer for the purpose of avoiding tax penalties that may be imposed on the taxpayer. (The foregoing legend has been affixed pursuant to U.S. Treasury Regulations governing tax practice.)

Copyright© 2007 Seyfarth Shaw LLP. All rights reserved.