

Interesting Priority Date Updates from DoS--Rumor that EB-3 India Current by September 2018?

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May 24, 2018 | **IMMIGRATION**

I am sorry to refute what would be a minor miracle, but DoS' Charlie Oppenheim dispelled the rumor that EB-3 India would become current by September 2018. Apparently this misunderstanding stemmed from a hypothetical scenario discussed at a recent Federal Bar Conference. Unfortunately EB-3 India will not be current by September 2018, but low demand could still spur rapid advancement. I would not be surprised if EB-3 India caught up to EB-2 India. For years no one wanted to file an EB-3 India case, and that low volume is helping EB-3 India cases already in the queue.

Mr. Oppenheim does believe that EB-2 India will reach 2009 this year. Interesting he noted that there has been about a 60-75% decrease in EB-3 to EB-2 India upgrades. If that trend holds true, it bodes well for EB-2 advancement as well.

Many Indian nationals are looking to qualify under the EB-1 preference category, which may explain lower EB-3 to EB-2 upgrades, as well as the priority date backlog for EB-1 India. The new strategy may be Indian nationals pursuing EB-5 cases.

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