

**Annual Report of Immigrant Visa Applicants in the Family-sponsored and
Employment-based preferences Registered at the National Visa Center
as of November 1, 2010**

Most prospective immigrant visa applicants qualify for status under the law on the basis of family relationships or employer sponsorship. Entitlement to visa processing in these classes is established ordinarily through approval by Citizenship and Immigration Services (CIS) of a petition filed on the applicant's behalf. The petitions of applicants who will be processed at an overseas post are forwarded by CIS to the Department of State; applicants in categories subject to numerical limit are registered on the visa waiting list. Each case is assigned a priority (i.e., registration) date based on the filing date accorded to the petition. Visa issuance within each numerically limited category is possible only if the applicant's priority date is within the applicable cut-off dates which are published each month by the Department of State in the Visa Bulletin. Family and Employment preference applicants compete for visa numbers within their respective categories on a worldwide basis according to priority date; a per-country limit on such preference immigrants set by INA 202 places a maximum on the amount of visas which may be issued in a single year to applicants from any one country, however.

In October, the Department of State asked the National Visa Center (NVC) at Portsmouth, New Hampshire to report the totals of applicants on the waiting list in the various numerically-limited immigrant categories. Applications for adjustment of status under INA 245 which are pending at CIS Offices are not included in the tabulation of the immigrant waiting list data which is being provided at this time. As such, the following figures ONLY reflect petitions which the Department of State has received, and do not include the significant number of applications held with the CIS Offices.

The following figures have been compiled from the NVC report submitted to the Department on November 1, 2010, and show the number of immigrant visa applicants on the waiting list in the various preferences and subcategories subject to numerical limit. All figures reflect persons registered under each respective numerical limitation, i.e., the totals represent not only principal applicants or petition beneficiaries, but their spouses and children entitled to derivative status under INA 203(d) as well.

Family-sponsored Preferences

<u>Category</u>	<u>FY2009</u>	<u>FY2010</u>	<u>Increase/Decrease From 2009 Totals (and % of change)</u>	
FAMILY FIRST	245,516	271,018	+ 25,502	(+10.4%)
FAMILY SECOND TOTAL	842,762	913,611	+ 70,849	(+8.4%)
2A-Spouses/Children:	324,864	361,038	+ 36,174	(+11.1%)
2B- Adult Sons/Daughters:	517,898	552,573	+ 34,675	(+6.7%)
FAMILY THIRD	553,280	853,083	+299,803	(+54.2%)
FAMILY FOURTH	1,727,897	2,515,062	+787,165	(+45.6%)
TOTAL	3,369,455	4,552,774	+1,183,319	(+35.1%)

Employment-based Preferences

<u>Category</u>	<u>FY2009</u>	<u>FY2010</u>	<u>Increase/Decrease From 2009 Totals (and % of change)</u>	
EMPLOYMENT FIRST	3,601	2,961	-640	(-17.8%)
EMPLOYMENT SECOND	6,295	6,738	+443	(+7.0%)
EMPLOYMENT THIRD TOTAL	119,759	119,183	-576	(-0.5%)
Skilled Workers:	103,448	102,395	-1,053	(-1.0%)
Other Workers:	16,311	16,788	+477	(+2.9%)
EMPLOYMENT FOURTH TOTAL	529	554	+25	(+4.7%)
EMPLOYMENT FIFTH TOTAL	325	1,183	+858	(+264.0%)
TOTAL	130,509	130,619	+110	(+0.1%)
 GRAND TOTAL	 3,499,964	 4,683,393	 +1,183,429	 (+33.8%)

Immigrant Waiting List By Country

Immigrant visa issuances during fiscal year 2011 are limited by the terms of INA 201 to no more than 226,000 in the family-sponsored preferences and 140,000 in the employment-based preferences. (Visas for "Immediate Relatives" - i.e., spouses, unmarried children under the age of 21 years, and parents - of U.S. citizens are not subject to numerical limitation, however.)

It should by no means be assumed that once an applicant is registered, the case is then continually included in the waiting list totals unless and until a visa is issued. The consular procedures mandate a regular culling of visa cases to remove from the count those unlikely to see further action, so that totals are not unreasonably inflated. If, for example, a consular post receives no response within one year from an applicant to whom the visa application instruction letter (i.e., the consular "Packet 3" letter) is sent when the movement of the visa availability cut-off date indicates a visa may become available within a reasonable time frame, the case is considered "inactive" under the consular procedures and is no longer included in waiting list totals.

The thirteen countries with the highest number of waiting list registrants in FY2010 are listed below; together these represent 78% of the total. This list includes all countries with at least 65,000 persons on the waiting list. The per-country limit in INA 202 sets an annual maximum on the amount of preference visas which may be issued to applicants from any one country; the 2011 per-country limit will be 25,620.

Country	FY2010
Mexico	1,381,896
Philippines	535,750
India	336,719
Vietnam	283,299
China-mainland born	274,563
Dominican Republic	162,323
Bangladesh	154,622
Pakistan	113,816
Haiti	105,193
Cuba	86,969
El Salvador	85,706
Korea, South	68,852
Jamaica	67,766
All Others	1,025,919
Worldwide Total	4,683,393

**Immigrant Waiting List
By Preference Category**

FAMILY-SPONSORED PREFERENCES

Family FIRST Preference:

The worldwide Family FIRST preference numerical limitation is 23,400. The top ten countries with the highest F1 waiting list totals are:

<u>Country</u>	<u>Family First Preference Total</u>	<u>Percent of Category Waiting List</u>
Mexico	80,764	29.8%
Philippines	33,218	12.3%
Jamaica	18,660	6.9%
Haiti	15,584	5.8%
Dominican Republic	14,730	5.4%
Cuba	8,086	3.0%
Vietnam	7,617	2.8%
El Salvador	7,329	2.7%
Guyana	7,153	2.6%
Colombia	5,781	2.1%
All Others	72,096	26.6%
Total	271,018	100%

Cases are being added to the waiting list in this category not only by the approval of new FIRST preference petitions, but also through automatic conversion of pending 2B cases into FIRST preference upon the naturalization of the petitioner.

Given the 552,573 Family 2B waiting list and the several years' interval between 2B petition filing and visa issuance, it is likely that increasing numbers of petitioners will be naturalized and the petitions converted to Family FIRST preference long before 2B visas become available. The prospect is for increasing oversubscription in the FIRST preference, with slower advances in the worldwide cut-off date the consequence. Only three countries, Philippines, Mexico, and Dominican Republic, have FIRST preference cut-off dates which are earlier than the worldwide date.

Family SECOND Preference:

The total Family SECOND preference waiting list figure is 913,611. Of these, 361,038 (39.5%) are spouses and children of permanent residents of the United States (the 2A class), and 552,573 (60.5%) are adult unmarried sons/daughters of permanent residents (the 2B class). The Family SECOND preference represents 20% of the total Family preference waiting list. It will receive 114,200 visa numbers for FY-2011, just over half of the 226,000 family preference total; 77% of SECOND preference numbers are provided to 2A applicants, while the remaining 23% go to the 2B class.

2A: About 88,000 visa numbers are expected to be available during FY-2011. The top five countries with the highest 2A waiting list totals are:

<u>Country</u>	<u>Family 2A Preference Total</u>	<u>Percent of Category Waiting List</u>
Mexico	163,436	45.3%
Dominican Republic	31,883	8.8%
Haiti	16,216	4.5%
Philippines	15,300	4.2%
Cuba	14,909	4.1%
All Others	119,294	33.1%
Total	361,038	100%

The 1990 Act increased the number of visas which are available for the 2A class, which provided a greater equalization of the visa waiting period for applicants from all countries. At present, only Mexico has a visa cut-off date earlier than that for all other countries. It is apparent, however, that the large waiting list will ensure the continued oversubscription and a considerable delay between the filing of a petition and the applicant's turn for visa issuance being reached.

One result of the extended wait for a 2A visa is that some of the children (i.e., under 21 years of age) registered in this class will not be reached for visas before their 21st birthday. In such situation, they are automatically moved into the 2B class (for unmarried adult sons/daughters of permanent residents) as soon as they turn 21. The wait for a 2B visa is even longer than in 2A.

The four year interval between the cut-off and calendar dates for most countries assures that many petitioners will be eligible to naturalize before 2A visa numbers become available for their spouses and children. Upon naturalization of the petitioner, a pending 2A case is converted automatically into the "Immediate Relative" visa category, which is not subject to numerical limit and therefore has no visa waiting period. As a result, the amount of cases being processed in the "Immediate Relative" category is likely to increase, and the rate of new F2A filings would stabilize the waiting list.

2B: Visa numbers for this class of adult sons and daughters are expected to total about 26,000 during FY-2011. The waiting list far exceeds the annual limit. The top ten countries with the highest 2B waiting list totals are:

<u>Country</u>	<u>Family 2B Preference Total</u>	<u>Percent of Category Waiting List</u>
Mexico	219,428	39.7%
Philippines	59,029	10.7%
Dominican Republic	56,486	10.2%
Haiti	26,238	4.8%
China-mainland born	20,042	3.6%
El Salvador	19,509	3.5%
Cuba	14,649	2.7%
Vietnam	10,968	2.0%
Jamaica	9,575	1.7%
Peru	8,471	1.5%
<u>All Others</u>	<u>108,178</u>	<u>19.6%</u>
Total	552,573	100%

As noted above, some of the additional 2B cases are applicants converted from the 2A class upon their turning 21.

Family THIRD Preference:

The annual visa limit is 23,400. Two oversubscribed countries (Philippines and Mexico) have sufficiently heavy demand in this preference to require a cut-off date substantially earlier than the worldwide date. The top ten countries with the highest F3 waiting list totals are:

<u>Country</u>	<u>Family Third Preference Total</u>	<u>Percent of Category Waiting List</u>
Mexico	174,761	20.5%
Philippines	164,022	19.2%
Vietnam	80,737	9.5%
India	66,160	7.7%
China-mainland born	34,561	4.0%
Cuba	22,773	2.7%
Poland	17,709	2.1%
Pakistan	16,521	1.9%
South Korea	15,316	1.8%
Jamaica	15,117	1.8%
<u>All Others</u>	<u>245,406</u>	<u>28.8%</u>
Total	853,083	100%

Family FOURTH Preference:

Applicants registered in the Family FOURTH preference total 2,515,062. Annual visa issuances are limited to 65,000. The waiting period for the Family FOURTH preference is longer than any other category because the demand severely exceeds the number of available visas. The countries listed below have the largest number of FOURTH preference applicants:

<u>Country</u>	<u>Family Fourth Preference Total</u>	<u>Percent of Category Waiting List</u>
Mexico	738,635	29.4%
India	230,411	9.2%
Philippines	217,168	8.6%
China-mainland born	193,752	7.7%
Vietnam	176,654	7.0%
Bangladesh	141,777	5.6%
Pakistan	86,822	3.5%
Dominican Republic	45,341	1.8%
South Korea	40,259	1.6%
Haiti	37,244	1.5%
All Others	606,999	24.1%
Total	2,515,062	100%

The steadily growing waiting period in this preference now approaches ten years for countries of most favorable visa availability and even longer for some oversubscribed countries.

EMPLOYMENT-BASED PREFERENCES

It is important to note that approximately ninety percent of all Employment preference immigrants are currently being processed as adjustment of status cases at CIS offices. Cases pending with CIS are not counted in the consular waiting list tally which is presented below. Therefore, in several Employment categories the waiting list totals being provided below understate real immigrant demand. The Employment waiting list counts not only prospective workers, but also their spouses and children entitled under the law to derivative preference status.

Employment FIRST Preference:

Top countries are:

<u>Country</u>	<u>Employment First Preference</u>	<u>Percent of Category Waiting List</u>
Canada	370	12.5%
China-mainland born	355	12.0%
Great Britain and Northern Ireland	291	9.8%
India	209	7.1%
Korea, South	149	5.0%
Venezuela	120	4.1%
Japan	112	3.8%
Iran	93	3.1%
Mexico	91	3.1%
Germany	72	2.4%
<u>All Others</u>	<u>1,099</u>	<u>37.1%</u>
Worldwide Total	2,961	100%

Visa availability is "current" for all countries.

Employment SECOND Preference:

Top countries are:

<u>Country</u>	<u>Employment Second Preference</u>	<u>Percent of Category Waiting List</u>
India	3,350	49.7%
China-mainland born	1,022	15.2%
Korea, South	425	6.3%
Philippines	294	4.4%
Canada	194	2.9%
<u>All Others</u>	<u>1,453</u>	<u>21.5%</u>
Worldwide Total	6,738	100%

This category is "current" at present for all but two countries.

Employment THIRD Preference:

Top countries are:

<u>Country</u>	<u>Employment Third Preference</u>	<u>Percent of Category Waiting List</u>
Philippines	44,903	43.8%
India	20,873	20.4%
China-mainland born	6,724	6.6%
Korea, South	3,461	3.4%
Mexico	2,434	2.4%
<u>All Others</u>	<u>24,000</u>	<u>23.4%</u>
Worldwide Total	102,395	100%

Employment Third “Other Workers”:

Top Countries are:

<u>Country</u>	<u>Employment Third Preference: Skilled Worker/ Professional Components</u>	<u>Percent of Waiting List in These Classes</u>
China-mainland born	5,142	30.6%
Korea, South	4,005	23.9%
Mexico	2,261	13.5%
Philippines	1,730	10.3%
India	602	3.6%
<u>All Others</u>	<u>3,048</u>	<u>18.1%</u>
Worldwide Total	16,788	100%

With visa demand well in excess of the Employment Third Preference annual limits, a significant wait for a visa must be expected to continue for the indefinite future.

Employment FOURTH Preference:

Top countries are:

<u>Country</u>	<u>Employment Fourth Preference</u>	<u>Percent of Waiting List in These Classes</u>
India	120	21.7%
Korea, South	42	7.6%
Nigeria	34	6.1%
Ghana	31	5.6%
Philippines	30	5.4%
Mexico	28	5.0%
All Others	269	48.6%
Worldwide Total	554	100%

Employment FIFTH Preference:

Top countries are:

<u>Country</u>	<u>Employment Fifth Preference</u>	<u>Percent of Waiting List in These Classes</u>
China-mainland born	766	64.8%
Korea, South	96	8.1%
Iran	52	4.4%
China-Taiwan born	47	4.0%
India	18	1.5%
Russia	17	1.4%
All Others	187	15.8%
Worldwide Total	1,183	100%

**Family
Immigrant Waiting List
By Country**

The six countries with the highest number of Family-sponsored waiting list registrants are listed below; together these represent just over 63% of the total. (The per-country limit in INA 202 sets an annual maximum on the amount of Family preference visas which may be issued to applicants from any one country; the FY-2011 per-country limit will be 15,820.)

Family Preferences

Country	Total
Mexico	1,377,024
Philippines	488,737
India	311,547
Vietnam	283,065
China-mainland born	260,551
Dominican Republic	162,234
All Others	1,669,616
Worldwide Total	4,552,774

**Family
Immigrant Waiting List
By Region**

A breakdown of the NVC waiting list by region is:

Region	Total
Africa	117,067
Asia	1,964,109
Europe	163,043
N. America*	2,034,517
Oceania	12,338
S. America	261,700
Family Total	4,552,774

*North America includes Canada, Mexico, Central America and the Caribbean.

**Employment
Immigrant Waiting List
By Country**

The five countries with the highest number of Employment-based waiting list registrants are listed below; together these represent 76% of the total. This list includes all countries with at least 4,800 persons on the waiting list. (The per-country limit in INA 202 sets an annual maximum on the amount of Employment preference visas which may be issued to applicants from any one country; the FY-2011 per-country limit will be 9,800.)

Employment Preferences

Country	Total
Philippines	47,013
India	25,172
China-mainland born	14,012
Korea, South	8,178
Mexico	4,872
All Others	31,372
Worldwide Total	130,619

**Employment
Immigrant Waiting List
By Region**

A breakdown of the NVC waiting list by region is:

Region	Total
Africa	3,120
Asia	105,152
Europe	7,262
N. America*	9,715
Oceania	325
S. America	5,045
Family Total	130,619

*North America includes Canada, Mexico, Central America and the Caribbean.