

**Annual Report of Immigrant Visa Applicants in the Family-sponsored and
Employment-based preferences Registered at the National Visa Center
as of November 1, 2012**

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, 2012, 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>FY 2012</u>	<u>FY 2013</u>	<u>Increase/Decrease From 2012 Totals (and % of change)</u>
FAMILY FIRST	295,168	288,705	(- 2.2%)
FAMILY SECOND TOTAL	839,755	706,910	(-15.8%)
2A-Spouses/Children:	322,636	220,313	(-31.7%)
2B- Adult Sons/Daughters:	517,119	486,597	(- 5.9%)
FAMILY THIRD	846,520	830,906	(- 1.8%)
FAMILY FOURTH	2,519,623	2,473,114	(- 1.8%)
TOTAL	4,501,066	4,299,635	(- 4.5%)

Employment-based Preferences

<u>Category</u>	<u>FY 2012</u>	<u>FY 2013</u>	<u>Increase/Decrease From 2012 Totals (and % of change)</u>
EMPLOYMENT FIRST	2,118	2,547	(+20.3%)
EMPLOYMENT SECOND	6,888	6,892	(+ 0.1%)
EMPLOYMENT THIRD TOTAL	112,023	99,978	(- 10.8%)
Skilled Workers:	97,060	86,862	(- 10.5%)
Other Workers:	14,963	13,116	(- 12.3%)
EMPLOYMENT FOURTH TOTAL	498	479	(- 3.8%)
EMPLOYMENT FIFTH TOTAL	1,806	3,162	(+ 75.1%)
TOTAL	123,333	113,058	(- 8.3%)
 GRAND TOTAL	 4,624,399	 4,412,693	 (- 4.6%)

Immigrant Waiting List By Country

Immigrant visa issuances during fiscal year 2013 are limited by the terms of INA 201 to no more than 226,000 in the family-sponsored preferences and approximately 154,000 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 Instruction Package) 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 twelve countries with the highest number of waiting list registrants in FY 2013 are listed below; together these represent 77% of the total. This list includes all countries with at least 60,000 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 2013 per-country limit will be approximately 26,600.

<u>Country</u>	<u>Applicants</u>
Mexico	1,316,118
Philippines	462,145
India	332,846
Vietnam	267,281
China-mainland born	240,637
Dominican Republic	169,422
Bangladesh	161,896
Pakistan	115,903
Haiti	106,312
Cuba	87,485
El Salvador	77,107
Jamaica	61,204
<u>All Others</u>	<u>1,014,337</u>
Worldwide Total	4,412,693

**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	93,431	32.3%
Philippines	23,723	8.2%
Dominican Republic	21,670	7.5%
Jamaica	18,689	6.5%
Haiti	16,119	5.6%
El Salvador	8,307	2.9%
Guyana	8,231	2.8%
Cuba	7,677	2.6%
Vietnam	7,140	2.5%
Colombia	6,013	2.1%
<u>All Others</u>	<u>77,705</u>	<u>27.0%</u>
Total	288,705	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 486,597 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 for increasing future demand in the FIRST preference could result in slower advances in the worldwide cut-off date as a consequence. Only two countries, Mexico and the Philippines, 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 706,910. Of these, 220,313 (31.2%) are spouses and children of permanent residents of the United States (the 2A class), and 486,597 (68.8%) are adult unmarried sons/daughters of permanent residents (the 2B class). The Family SECOND preference represents 16.4% of the total Family preference waiting list. It will receive 114,200 visa numbers for FY 2013, 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 2013. 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	88,054	40.0%
Dominican Republic	25,053	11.4%
Cuba	13,801	6.3%
Haiti	11,715	5.3%
Philippines	9,615	4.3%
All Others	72,075	32.7%
Total	220,313	100%

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 may increase and partially offset new F2A filings.

2B: Visa numbers for this class of adult sons and daughters will be approximately 26,250 during FY 2013. 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	201,225	41.4%
Dominican Republic	56,223	11.6%
Philippines	50,099	10.3%
Haiti	22,845	4.7%
Cuba	15,715	3.2%
China-mainland born	15,701	3.2%
El Salvador	15,563	3.2%
Vietnam	8,765	1.8%
Jamaica	7,153	1.5%
Guatemala	7,033	1.4%
All Others	86,275	17.7%
Total	486,597	100%

As noted earlier, some of the 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 (Mexico and Philippines) 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	183,113	22.0%
Philippines	151,491	18.2%
Vietnam	72,227	8.7%
India	65,134	7.8%
China-mainland born	32,712	4.0%
Cuba	22,606	2.7%
Pakistan	16,752	2.0%
Dominican Republic	16,016	1.9%
Poland	14,728	1.8%
Jamaica	14,564	1.8%
All Others	241,563	29.1%
Total	830,906	100%

Family FOURTH Preference:

Applicants registered in the Family FOURTH preference total 2,473,114. 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	746,137	30.2%
India	230,799	9.3%
Philippines	188,521	7.6%
Vietnam	174,841	7.1%
China-mainland born	171,057	6.9%
Bangladesh	150,747	6.1%
Pakistan	91,286	3.7%
Dominican Republic	50,397	2.0%
Haiti	44,433	1.8%
South Korea	36,361	1.5%
<u>All Others</u>	<u>588,535</u>	<u>23.8%</u>
Total	2,473,114	100%

The steadily growing waiting period in this preference is now more than eleven years for countries of most favorable visa availability and even longer for some oversubscribed countries.

EMPLOYMENT-BASED PREFERENCES

It is important to note that eighty-six percent of all Employment preference immigrants were processed as adjustment of status cases at CIS offices during FY 2012. 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 significantly 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>
China-mainland born	379	14.9%
Canada	238	9.3%
Great Britain & Northern Ireland	234	9.2%
India	190	7.5%
Korea, South	137	5.4%
Venezuela	119	4.7%
Mexico	83	3.2%
Germany	71	2.8%
Iran	71	2.8%
Brazil	63	2.4%
<u>All Others</u>	<u>962</u>	<u>37.8%</u>
Worldwide Total	2,547	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	3,742	54.3%
China-mainland born	916	13.3%
Korea, South	486	7.0%
Philippines	377	5.5%
Canada	157	2.3%
<u>All Others</u>	<u>1,214</u>	<u>17.6%</u>
Worldwide Total	6,892	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	36,978	42.6%
India	21,380	24.6%
China-mainland born	5,440	6.3%
Korea, South	2,575	3.0%
Mexico	1,938	2.2%
<u>All Others</u>	<u>18,551</u>	<u>21.3%</u>
Worldwide Total	86,862	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	4,700	35.8%
Korea, South	2,279	17.4%
Mexico	2,002	15.3%
Philippines	1,278	9.7%
India	590	4.5%
<u>All Others</u>	<u>2,267</u>	<u>17.3%</u>
Worldwide Total	13,116	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	25.1%
Korea, South	38	7.9%
Nigeria	28	5.8%
Philippines	27	5.6%
Canada	25	5.2%
Colombia	18	3.8%
All Others	223	46.6%
Worldwide Total	479	100%

Visa availability is "current" for all countries.

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	2,277	72.0%
Korea, South	150	4.7%
Mexico	76	2.4%
Iran	70	2.2%
Venezuela	67	2.1%
Russia	61	2.0%
All Others	461	14.6%
Worldwide Total	3,162	100%

Visa availability is "current" for all countries.

**Family
Immigrant Waiting List
By Country**

The seven countries with the highest number of Family-sponsored waiting list registrants are listed below; together these represent 66.7% of the total. This list includes all countries with at least 150,000 persons on the waiting list. (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 2013 per-country limit will be 15,820.)

Family Preferences

<u>Country</u>	<u>Total</u>
Mexico	1,311,960
Philippines	423,449
India	306,789
Vietnam	267,067
China-mainland born	226,921
Dominican Republic	169,359
Bangladesh	161,731
All Others	1,432,359
Worldwide Total	4,299,635

**Family
Immigrant Waiting List
By Region**

A breakdown of the NVC waiting list by region is:

<u>Region</u>	<u>Total</u>
Africa	117,803
Asia	1,827,100
Europe	153,617
N. America*	1,948,952
Oceania	11,238
S. America	240,925
Family Total	4,299,635

*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 78.1% of the total. This list includes all countries with at least 4,100 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 2013 per-country limit will be approximately 10,780.)

Employment Preferences

<u>Country</u>	<u>Total</u>
Philippines	38,696
India	26,057
China-mainland born	13,716
Korea, South	5,665
Mexico	4,158
All Others	24,766
Worldwide Total	113,058

**Employment
Immigrant Waiting List
By Region**

A breakdown of the NVC waiting list by region is:

<u>Region</u>	<u>Total</u>
Africa	2,501
Asia	92,811
Europe	5,906
N. America*	7,916
Oceania	294
S. America	3,630
Family Total	113,058

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