

U.S. Legal Permanent Residents: 2011

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A legal permanent resident (LPR) or “green card” recipient is defined by immigration law as a person who has been granted lawful permanent residence in the United States. Permanent resident status confers certain rights and responsibilities. For example, LPRs may live and work permanently anywhere in the United States, own property, and attend public schools, colleges, and universities. They may also join certain branches of the Armed Force and apply to become U.S. citizens if they meet certain eligibility requirements. This Office of Immigration Statistics *Annual Flow Report* presents information obtained from applications for LPR status on the number and characteristics of persons who became LPRs in the United States during 2011.¹

In 2011, a total of 1,062,040 persons became LPRs of the United States (see Table 1 and Figure 1). The majority of new LPRs (55 percent) already lived in the United States when they were granted lawful permanent residence. Nearly 65 percent of new LPRs were granted permanent resident status based on a family relationship with a U.S. citizen or legal permanent resident of the United States. The leading countries of birth of new LPRs were Mexico (14 percent), China (8.2 percent), and India (6.5 percent).

THE LEGAL IMMIGRATION PROCESS

Admission Priorities

The Immigration and Nationality Act (INA) and its amendments are the basis for most immigration laws in effect today. U.S. law gives priority for immigration status to foreign nationals who have a close family relationship with a U.S. citizen or LPR, needed job skills, refugee or asylee status, or who are from countries with relatively low levels of immigration to the United States.

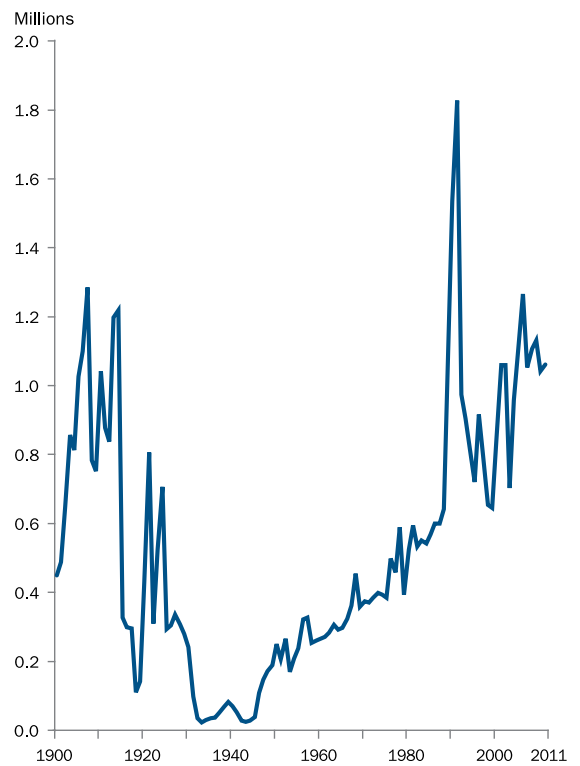
Preference Immigration and Diversity Limits

The term *preference* is used in immigration law to designate priority categories for LPR status. As specified by the Immigration Act of 1990, an annual limit of between 416,000 and 675,000 currently exists for family-sponsored preference, employment-based preference, and diversity immigrants.

Family-sponsored preferences consist of four categories: unmarried sons and daughters of U.S. citizens and their children; spouses, children, and unmarried sons and daughters of lawful permanent residents and their children; married

sons and daughters of U.S. citizens and their spouses and children; and brothers and sisters of U.S. citizens aged 21 years and older and their spouses and children. The annual limit for family-sponsored preferences ranges from 226,000 to 480,000 (See **APPENDIX** for more details on the limit calculations).

Figure 1.
Legal Permanent Resident Flow to the United States: 1900 to 2011



Source: U.S. Department of Homeland Security.

¹ In this report, years refer to fiscal years (October 1 to September 30).



Homeland Security

Office of Immigration Statistics
POLICY DIRECTORATE

Employment-based preferences consist of five categories of workers (and their spouses and children): priority workers; professionals with advanced degrees or aliens of exceptional ability; skilled workers, professionals (without advanced degrees), and needed unskilled workers; certain special immigrants (e.g., ministers, religious workers, and employees of the U.S. government abroad); and employment creation immigrants or “investors.” The employment-based preference limit is equal to 140,000 plus any unused visas in the family-sponsored preferences from the previous year.

In 2011, the limit on preference immigration was 366,000 which included 226,000 visas in the family-sponsored preferences and 140,000 visas in the employment-based preferences (see **APPENDIX**). In addition, there are per-country and dependent area limits equal to 7 percent and 2 percent, respectively, of the total number of family-sponsored and employment preferences. In 2011, the per-country limit was 25,620 and the dependent area limit was 7,320.

Diversity immigrants are nationals of countries with low rates of legal immigration to the United States. The Diversity Visa Program is available to nationals of countries with fewer than 50,000 admissions during the preceding five years in the employment-based and family-sponsored preferences and immediate relative classes of admission. The annual diversity visa limit has been 50,000 since 1999. The Office of Immigration Statistics (OIS) calculates diversity limits for six broad world regions using a formula based on immigrant admissions during the preceding five years and the population total of the region. The per-country limit of diversity visas was 3,500 in 2011.

Immediate Relatives of U.S. Citizens

Some LPR admission categories are exempt from the annual numeric limits for preference and diversity immigration. The largest category numerically is immediate relatives (spouses and children, including orphans adopted abroad, of U.S. citizens and parents of adult U.S. citizens aged 21 and over). Immediate relatives of U.S. citizens typically account for more than 40 percent of the annual LPR flow. New LPRs in the immediate relatives and family-sponsored preference categories of admission are collectively referred to as family-sponsored immigrants.

Refugee and Asylee Adjustments of Status

The number of persons who may be admitted to the United States as refugees each year, as defined by the Refugee Act of 1980, is established by the President in consultation with Congress. The ceiling on refugee admissions was set at 70,000 from 2003 to 2007 and 80,000 from 2008 to 2011. There is no numerical limit on the number of persons who can be granted asylum status in a year.

Refugees are required to apply for adjustment to legal permanent resident status after one year of residence in the United States. Asylees are eligible to apply one year after they are granted asylum. Refugee and asylee adjustments of status are exempt from preference and diversity annual numerical limits. Until 2005, an annual limit of 10,000 existed on the number of persons authorized to adjust status as asylees. The REAL ID Act removed that cap.

Table 1.

Legal Permanent Resident Flow: Fiscal Years 2009 to 2011

Category of admission	2011		2010		2009	
	Number	Percent	Number	Percent	Number	Percent
Total	1,062,040	100.0	1,042,625	100.0	1,130,818	100.0
New arrivals	481,948	45.4	476,049	45.7	463,042	40.9
Adjustments of status . .	580,092	54.6	566,576	54.3	667,776	59.1

Source: U.S. Department of Homeland Security, Computer Linked Application Information System (CLAIMS), Legal Immigrant Data, Fiscal Years 2009 to 2011.

Other Admission Categories

The remaining admission categories have accounted for less than 3 percent of the annual LPR flow over the past five years. These categories tend to be limited to certain foreign nationals admitted under special legislation.

Paths to LPR Status

There are two paths to LPR status depending on whether the applicant is living in the United States or another country at the time of application. Foreign nationals living abroad apply for an immigrant visa at a consular office of the Department of State. Once issued a visa, a foreign national may enter the United States and become an LPR when admitted at a port of entry. These LPRs are referred to as new arrivals in this report.

Persons who qualify for legal permanent resident status who are living in the United States, including refugees, asylees, and certain temporary workers, foreign students, family members of U.S. citizens or alien residents, and undocumented immigrants, file an application for adjustment of status to lawful permanent residence with U.S. Citizenship and Immigration Services (USCIS). At the time they apply for adjustment of status, they may also apply for permission to work. Adjustment of status applicants are granted lawful permanent residence at the time their applications are approved. These LPRs are referred to as adjustments of status in this report.

Eligibility for Naturalization

Most legal permanent residents who are at least 18 years of age are eligible to apply for citizenship after meeting certain requirements. These requirements generally include 5 years of lawful permanent residency in the United States or 3 years for those married to a United States citizen and successful completion of English language, civics, and history tests. Legal immigrant children under 18 years of age may automatically acquire citizenship when a parent naturalizes.

DATA

The data presented in this report were obtained from the Computer Linked Application Information Management System (CLAIMS) of USCIS, which maintains information from the applications for lawful permanent resident status. These applications are the DS-230 *Application for Immigrant Visa and Alien Registration* or the DS-260 *Electronic Application for Immigrant Visa and Alien Registration* of the Department of State (used by applicants living abroad) and the I-485 *Application to Register Permanent Residence or Adjust Status* of USCIS (used by applicants living in the United States).

Table 2.

Legal Permanent Resident Flow by Major Category of Admission: Fiscal Years 2009 to 2011

Category of admission	2011		2010		2009	
	Number	Percent	Number	Percent	Number	Percent
Total	1,062,040	100.0	1,042,625	100.0	1,130,818	100.0
Family-sponsored immigrants	688,089	64.8	691,003	66.3	747,413	66.1
Family-sponsored preferences	234,931	22.1	214,589	20.6	211,859	18.7
Unmarried sons/daughters of U.S. citizens	27,299	2.6	26,998	2.6	23,965	2.1
Spouses and children of alien residents	108,618	10.2	92,088	8.8	98,567	8.7
Married sons/daughters of U.S. citizens	27,704	2.6	32,817	3.1	25,930	2.3
Siblings of U.S. citizens	71,310	6.7	62,686	6.0	63,397	5.6
Immediate relatives of U.S. citizens	453,158	42.7	476,414	45.7	535,554	47.4
Spouses	258,320	24.3	271,909	26.1	317,129	28.0
Parents	114,527	10.8	116,208	11.1	120,155	10.6
Children*	80,311	7.6	88,297	8.5	98,270	8.7
Employment-based preferences	139,339	13.1	148,343	14.2	140,903	12.5
Priority workers	25,251	2.4	41,055	3.9	40,924	3.6
Professionals with advanced degrees	66,831	6.3	53,946	5.2	45,552	4.0
Skilled workers, professionals, unskilled workers	37,216	3.5	39,762	3.8	40,398	3.6
Certain special immigrants	6,701	0.6	11,100	1.1	10,341	0.9
Investors	3,340	0.3	2,480	0.2	3,688	0.3
Diversity programs	50,103	4.7	49,763	4.8	47,879	4.2
Refugees and Asylees	168,460	15.9	136,291	13.1	177,368	15.7
Refugee adjustments	113,045	10.6	92,741	8.9	118,836	10.5
Asylee adjustments	55,415	5.2	43,550	4.2	58,532	5.2
Parolees	1,147	0.1	1,592	0.2	2,385	0.2
Other categories	14,902	1.4	15,633	1.5	14,870	1.3
Children born abroad to alien residents	633	0.1	716	0.1	587	0.1
NACARA [†] Section 202	158	—	248	—	296	—
Cancellation of removal	7,430	0.7	8,180	0.8	8,156	0.7
Subject to annual limit	4,206	0.4	4,475	0.4	3,392	0.3
Not subject to limit (NACARA [†] Section 203)	3,224	0.3	3,705	0.4	4,764	0.4
Haitian Refugee Immigrant Fairness Act	154	—	386	—	552	—
Other	6,527	0.6	6,103	0.6	5,279	0.5

*Includes orphans.

[†]Nicaraguan Adjustment and Central American Relief Act of 1997.

— Figures round to 0.0.

Source: U.S. Department of Homeland Security, Computer Linked Application Information Management System (CLAIMS), Legal Immigrant Data, Fiscal Years 2009 to 2011.

Information recorded in CLAIMS includes class of admission, date the applicant was granted lawful permanent residence, country of birth, country of last residence, date of birth, marital status, geographic residence, occupation, and, for adjustments of status, prior nonimmigrant status and date of most recent entry as a nonimmigrant. The number and demographic composition of new LPRs are affected by many factors including changes to immigration legislation and procedure and volatility in application levels at USCIS. For these reasons, caution should be exercised in drawing conclusions about the propensity to immigrate from the data presented in this report.

TRENDS AND CHARACTERISTICS OF NEW LEGAL PERMANENT RESIDENTS

The number of individuals granted LPR status in 2011 increased 1.9 percent from 1,042,625 in 2010 to 1,062,040 (see Table 1). LPR adjustments of status increased from 566,576 in 2010 to 580,092 in 2011. New arrival LPRs increased 1.2 percent from 476,049 in 2010 to 481,948 in 2011. Fifty-five percent of LPRs in 2011 were adjustments of status and 45 percent were new arrivals.

Historical Trends

The annual LPR flow has exhibited an upward trend since World War II (see Figure 1). The average annual LPR flow increased from

250,000 during the 1950s to more than 1 million between 2000 and 2011. Changes in immigration law associated with this increase included the elimination of country quotas controlling Eastern Hemisphere immigration, increases in annual limits for hemispheric and preference immigration, and the inclusion of parents of adult U.S. citizens as numerically exempt immediate relatives. The spike in legal immigration around 1990 reflects the legalization of 2.7 million unauthorized immigrants under the Immigration Reform and Control Act (IRCA) of 1986.

Category of Admission

Family-sponsored immigrants (immediate relatives of U.S. citizens and family preference classes of admission) represented 65 percent of the total LPR flow in 2011 (see Table 2). Immediate relatives of U.S. citizens accounted for 43 percent of all individuals granted LPR status in 2011. Spouses of U.S. citizens represented 57 percent of immediate relative LPRs.

Parents of U.S. citizens accounted for 25 percent, and children of U.S. citizens, including adopted orphans, comprised 18 percent.

More than 22 percent of new LPRs in 2011 were admitted under a family-sponsored preference. The second preference (spouses and children of alien residents) accounted for 46 percent of family-sponsored preference LPRs, and the fourth preference (siblings of U.S. citizens) comprised 30 percent.

Immigrants admitted under an employment-based preference accounted for 13 percent of the LPR flow in 2011. The second preference (professionals with advanced degrees) represented 48 percent of new employment-based preference LPRs. This large proportion was due to the increased availability of unused visas from the other employment preferences. The third preference (skilled workers, professionals, unskilled workers) represented 27 percent, and the first preference (priority workers) accounted for 18 percent. The number of new LPRs admitted under an employment-based preference declined 6.1 percent between 2010 and 2011 because of a decrease in the annual limit for the employment preferences in 2011.

Refugee and asylee immigrant classes of admission represented 16 percent of the total LPR flow in 2011. Refugee adjustments accounted for 11 percent; asylee adjustments represented 5.2 percent.

Diversity immigrant classes of admission accounted for 4.7 percent of the total LPR flow in 2011.

Region and Country of Birth

The leading regions of birth of new LPRs in 2011 were Asia (43 percent) and North America (31 percent) (see Table 3). Together, Asia and North America accounted for 70 percent or more of the LPR flow each year from 2009 to 2011.

In 2011, 14 percent of all persons granted LPR status were born in Mexico. Other prominent countries of birth were China (8.2 percent), India (6.5 percent), Philippines (5.4 percent), and the Dominican Republic (4.3 percent). These five countries accounted for nearly 38 percent of all new LPRs in 2011.

The number of persons granted LPR status who were born in China increased by 23 percent from 2010 to 2011. Asylee adjustments accounted for most of this increase.

State and Metropolitan Area of Residence

California was the state of residence of one-fifth (20 percent) of persons granted LPR status in 2011 (see Table 4). Other leading states of residence included New York (14 percent), Florida (10 percent), Texas (8.9 percent), and New Jersey (5.2 percent). These five states represented the residence of 58 percent of new LPRs in 2011.

The leading metropolitan area of residence for new LPRs in 2011 was New York-Northern New Jersey-Long Island, NY-NJ-PA (17 percent) (see Table 5).² Other prominent metropolitan areas of residence included Los Angeles-Long Beach-Santa Ana, CA (8.1 percent), Miami-Fort Lauderdale-Pompano Beach, FL (6.8 percent), Washington-Arlington-Alexandria, DC-VA-MD-WV (3.7 percent), and Chicago-Naperville-Joliet, IL-IN-WI (3.3 percent). These five metropolitan areas accounted for the residence of 39 percent of new LPRs in 2011.

²The most current CBSA definitions are available from OMB at http://www.whitehouse.gov/sites/default/files/omb/assets/fedreg_2010/06282010_metro_standards-Complete.pdf.

Table 3.

Legal Permanent Resident Flow by Region and Country of Birth: Fiscal Years 2009 to 2011

(Countries ranked by 2011 LPR flow)

Region and country of birth	2011		2010		2009	
	Number	Percent	Number	Percent	Number	Percent
REGION						
Total	1,062,040	100.0	1,042,625	100.0	1,130,818	100.0
Africa	100,374	9.5	101,355	9.7	127,046	11.2
Asia	451,593	42.5	422,063	40.5	413,312	36.5
Europe	83,850	7.9	88,801	8.5	105,476	9.3
North America	333,902	31.4	336,553	32.3	375,180	33.2
Caribbean	133,680	12.6	139,951	13.4	146,071	12.9
Central America	43,707	4.1	43,951	4.2	47,868	4.2
Other North America	156,515	14.7	152,651	14.6	181,241	16.0
Oceania	4,980	0.5	5,345	0.5	5,578	0.5
South America	86,096	8.1	87,178	8.4	102,860	9.1
Unknown	1,245	0.1	1,330	0.1	1,366	0.1
COUNTRY						
Total	1,062,040	100.0	1,042,625	100.0	1,130,818	100.0
Mexico	143,446	13.5	139,120	13.3	164,920	14.6
China, People's Republic	87,016	8.2	70,863	6.8	64,238	5.7
India	69,013	6.5	69,162	6.6	57,304	5.1
Philippines	57,011	5.4	58,173	5.6	60,029	5.3
Dominican Republic	46,109	4.3	53,870	5.2	49,414	4.4
Cuba	36,452	3.4	33,573	3.2	38,954	3.4
Vietnam	34,157	3.2	30,632	2.9	29,234	2.6
Korea, South	22,824	2.1	22,227	2.1	25,859	2.3
Colombia	22,635	2.1	22,406	2.1	27,849	2.5
Haiti	22,111	2.1	22,582	2.2	24,280	2.1
Iraq	21,133	2.0	19,855	1.9	12,110	1.1
Jamaica	19,662	1.9	19,825	1.9	21,783	1.9
El Salvador	18,667	1.8	18,806	1.8	19,909	1.8
Bangladesh	16,707	1.6	14,819	1.4	16,651	1.5
Burma	16,518	1.6	12,925	1.2	13,621	1.2
Pakistan	15,546	1.5	18,258	1.8	21,555	1.9
Iran	14,822	1.4	14,182	1.4	18,553	1.6
Peru	14,064	1.3	14,247	1.4	16,957	1.5
Ethiopia	13,793	1.3	14,266	1.4	15,462	1.4
Canada	12,800	1.2	13,328	1.3	16,140	1.4
All other countries	357,554	33.7	359,506	34.5	415,996	36.8

Source: U.S. Department of Homeland Security, Computer Linked Application Information Management System (CLAIMS), Legal Immigrant Data, Fiscal Years 2009 to 2011.

Table 4.

Legal Permanent Resident Flow by State of Residence: Fiscal Years 2009 to 2011

(Ranked by 2011 LPR flow)

State of residence	2011		2010		2009	
	Number	Percent	Number	Percent	Number	Percent
Total	1,062,040	100.0	1,042,625	100.0	1,130,818	100.0
California	210,591	19.8	208,446	20.0	227,876	20.2
New York	148,426	14.0	147,999	14.2	150,722	13.3
Florida	109,229	10.3	107,276	10.3	127,006	11.2
Texas	94,481	8.9	87,750	8.4	95,384	8.4
New Jersey	55,547	5.2	56,920	5.5	58,879	5.2
Illinois	38,325	3.6	37,909	3.6	41,889	3.7
Massachusetts	32,236	3.0	31,069	3.0	32,607	2.9
Virginia	27,767	2.6	28,607	2.7	29,825	2.6
Georgia	27,015	2.5	24,833	2.4	28,396	2.5
Maryland	25,778	2.4	26,450	2.5	26,722	2.4
Other*	292,645	27.6	285,366	27.4	311,512	27.5

*Includes unknown, U.S. territories and armed forces posts.

Source: U.S. Department of Homeland Security, Computer Linked Application Information Management System (CLAIMS), Legal Immigrant Data, Fiscal Years 2009 to 2011.

Table 5.**Legal Permanent Resident Flow by Metropolitan Area of Residence: Fiscal Years 2009 to 2011**

(Ranked by 2011 LPR flow)

Metropolitan area of residence	2011		2010		2009	
	Number	Percent	Number	Percent	Number	Percent
Total	1,062,040	100.0	1,042,625	100.0	1,130,818	100.0
New York-Northern New Jersey-Long Island, NY-NJ-PA . . .	183,681	17.3	186,084	17.8	189,849	16.8
Los Angeles-Long Beach-Santa Ana, CA	86,161	8.1	87,443	8.4	97,538	8.6
Miami-Fort Lauderdale-Pompano Beach, FL	71,775	6.8	69,420	6.7	83,936	7.4
Washington-Arlington-Alexandria, DC-VA-MD-WV	39,365	3.7	41,322	4.0	42,567	3.8
Chicago-Joliet-Naperville, IL-IN-WI	35,039	3.3	35,109	3.4	38,840	3.4
San Francisco-Oakland-Fremont, CA	32,433	3.1	31,761	3.0	32,302	2.9
Houston-Sugar Land-Baytown, TX	31,136	2.9	30,844	3.0	32,021	2.8
Dallas-Fort Worth-Arlington, TX	28,090	2.6	26,003	2.5	29,020	2.6
Boston-Cambridge-Quincy, MA-NH	25,909	2.4	24,969	2.4	26,346	2.3
Atlanta-Sandy Springs-Marietta, GA	22,035	2.1	20,445	2.0	23,343	2.1
Other, including unknown	506,416	47.7	489,225	46.9	535,056	47.3

Note: Metropolitan areas defined based on Core-based Statistical Areas (CBSAs).

Source: U.S. Department of Homeland Security, Computer Linked Application Information Management System (CLAIMS), Legal Immigrant Data, Fiscal Years 2009 to 2011.

Table 6.**Legal Permanent Resident Flow by Age: Fiscal Years 2009 to 2011**

Age	2011		2010		2009	
	Number	Percent	Number	Percent	Number	Percent
Total	1,062,040	100.0	1,042,625	100.0	1,130,818	100.0
Under 5 years	38,378	3.6	37,592	3.6	38,177	3.4
5 to 14 years	123,123	11.6	118,987	11.4	130,701	11.6
15 to 24 years	199,114	18.7	191,328	18.4	209,682	18.5
25 to 34 years	252,917	23.8	253,188	24.3	277,867	24.6
35 to 44 years	197,377	18.6	195,209	18.7	210,901	18.7
45 to 54 years	120,797	11.4	118,070	11.3	124,621	11.0
55 to 64 years	77,198	7.3	75,817	7.3	80,208	7.1
65 years and over	53,126	5.0	52,425	5.0	58,659	5.2
Unknown age	10	—	9	—	2	—
Median age (years)	31	X	31	X	31	X

X Not applicable.

— Figure rounds to 0.0.

Source: U.S. Department of Homeland Security, Computer Linked Application Information Management System (CLAIMS), Legal Immigrant Data, Fiscal Years 2009 to 2011.

Table 7.**Legal Permanent Resident Flow by Gender: Fiscal Years 2009 to 2011**

Gender	2011		2010		2009	
	Number	Percent	Number	Percent	Number	Percent
Total	1,062,040	100.0	1,042,625	100.0	1,130,818	100.0
Male	480,679	45.3	471,849	45.3	513,015	45.4
Female	581,351	54.7	570,771	54.7	617,799	54.6
Unknown	10	—	5	—	4	—

— Figure rounds to 0.0.

Source: U.S. Department of Homeland Security, Computer Linked Application Information Management System (CLAIMS), Legal Immigrant Data, Fiscal Years 2009 to 2011.

Table 8.**Legal Permanent Resident Flow by Marital Status: Fiscal Years 2009 to 2011**

Marital status	2011		2010		2009	
	Number	Percent	Number	Percent	Number	Percent
Total	1,062,040	100.0	1,042,625	100.0	1,130,818	100.0
Single	405,164	38.1	390,470	37.5	417,232	36.9
Married	599,122	56.4	596,959	57.3	654,674	57.9
Other*	53,017	5.0	51,174	4.9	54,454	4.8
Unknown	4,737	0.4	4,022	0.4	4,458	0.4

*Other includes persons who are widowed, divorced, or separated.

Source: U.S. Department of Homeland Security, Computer Linked Application Information Management System (CLAIMS), Legal Immigrant Data, Fiscal Years 2009 to 2011.

Age, Gender, and Marital Status

New LPRs have historically been younger than the native population of the United States. In 2011, the median age for persons becoming LPRs was 31 years; in contrast, the median age of the U.S. native population was 35 years (see Table 6).³

New LPRs are more likely to be female than the native U.S. population. In 2011, females accounted for 55 percent of persons granted LPR status (see Table 7) compared with 51 percent for

the U.S. native population. The majority (56 percent) of new LPRs were married compared with 38 percent of the native population (see Table 8).⁴

³ Calculated from the March 2011 Current Population Survey public use microdata file from the U.S. Census Bureau.

⁴ Ibid.

PREFERENCE IMMIGRATION LIMITS⁵

Family-sponsored Preferences Limit

The annual limit is calculated as 480,000 minus the number of aliens who were issued visas or who adjusted to LPR status in the previous fiscal year as 1) immediate relatives of U.S. citizens, 2) children born subsequent to the issuance of a visa to an accompanying parent, and 3) children born abroad to lawful permanent residents on temporary trips abroad minus 4) certain categories of aliens paroled into the United States in the second preceding fiscal year plus 5) unused visas in the employment preferences in the preceding year.

The family-sponsored preference limit may not fall below a minimum of 226,000 in any year. The number of legal permanent residents issued visas or who adjusted status in 2010 under categories 1 to 4 above was 479,487. There were 388 unused visas in the employment preferences in 2010. The calculated limit for family-sponsored preferences in 2011 was 901 (480,000 minus 479,487 plus 388). Since this number was below 226,000, the family-sponsored preferences limit was set at 226,000. The limit for each category is shown above (see Table A1).

Employment-based Preference Limit

The annual limit is equal to 140,000 plus unused visas in the family-sponsored preferences in the previous fiscal year. There were zero unused visas in the family-sponsored preferences in 2010.

Table A1.

Annual Limits for Preference and Diversity Immigrants: Fiscal Year 2011

Preference/description	Limit
Family-sponsored preferences	226,000
First: Unmarried sons and daughters of U.S. citizens and their children.	23,400 [*]
Second: Spouses, children, and unmarried sons and daughters of permanent resident aliens.	114,200 [†]
Third: Married sons and daughters of U.S. citizens	23,400 [†]
Fourth: Brothers and sisters of U.S. citizens (at least 21 years of age)	65,000 [†]
Employment-based preferences	140,000
First: Priority workers	40,040 [†]
Second: Professionals with advanced degrees or aliens of exceptional ability	40,040 [†]
Third: Skilled workers, professionals, and needed unskilled workers	40,040 [†]
Fourth: Certain special immigrants	9,940
Fifth: Employment creation ("investors")	9,940
Diversity	50,000

^{*}Plus unused family 4th preference visas.
[†]Visas not used in higher preferences may be used in these categories.
[‡]Plus unused employment 4th and 5th preference visas.
 Source: U.S. Department of State.

The 2011 employment-based preference limit was 140,000. The limit is 28.6 percent of the total for each of the first three employment preferences and 7.1 percent for each of the last two preferences.

Per Country and Dependent Area Limits

A limit of 7 percent of the total family-sponsored and employment-based preferences is set for independent countries, and a limit of 2 percent is set for dependent areas. The 2011 per country limit for independent foreign states was 25,620 (7 percent of 366,000 or 226,000 plus 140,000), and the limit for dependencies was 7,320 (2 percent of 366,000).

Diversity Limits

The annual limit for diversity visas was 50,000 in 2011.

⁵The Bureau of Consular Affairs, U.S. Department of State, is responsible for determining these limits. See the monthly Visa Bulletin for more information on the limits (http://travel.state.gov/visa/bulletin/bulletin_1770.html).