

U.S. Legal Permanent Residents: 2010

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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 Forces, 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 2010.¹

In 2010, a total of 1,042,625 persons became LPRs of the United States (see Table 1 and Figure 1). The majority of new LPRs (54 percent) already lived in the United States when they were granted lawful permanent residence. Nearly two-thirds 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 (13 percent), China (7 percent), and India (7 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.

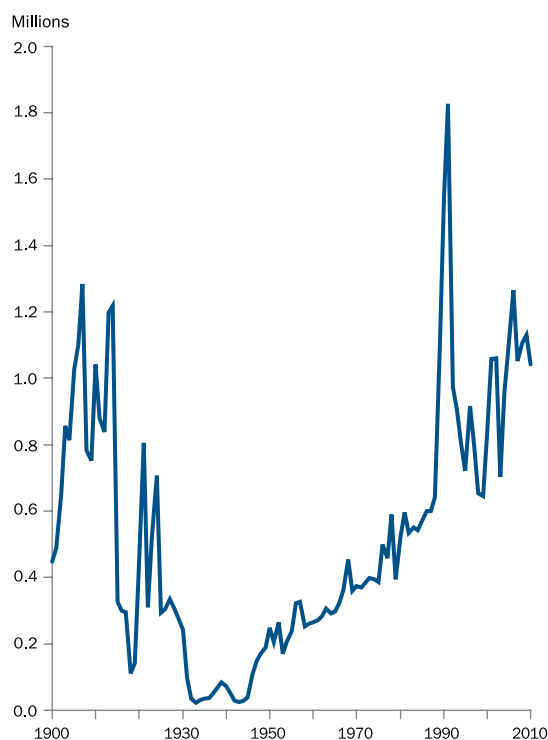
Preference Immigration and Diversity Limits

The term *preference* has been 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 age 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 1 for more details on the limit calculations).

Figure 1.
**LPR Flow to the United States:
1900 to 2010**



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



Homeland Security

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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 family-sponsored preferences from the previous year.

In 2010, the limit on preference immigration was 376,657 which included 226,000 visas in the family-sponsored preferences and 150,657 visas in the employment-based preferences (see Appendix 1). 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 2010, the per-country limit was 26,366 and the dependent area limit was 7,533.

Diversity immigrants are nationals of countries with low rates of legal immigration to the United States. The Diversity visa program is limited 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 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 2010.

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 in 2008, 2009, and 2010. 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 2008 to 2010

Category of admission	2010		2009		2008	
	Number	Percent	Number	Percent	Number	Percent
Total	1,042,625	100.0	1,130,818	100.0	1,107,126	100.0
New arrivals	476,049	45.7	463,042	40.9	466,558	42.1
Adjustments of status . . .	566,576	54.3	667,776	59.1	640,568	57.9

Source: U.S. Department of Homeland Security, Computer Linked Application Information Management System (CLAIMS), Legal Immigrant Data, Fiscal Years 2008 to 2010.

Other Admission Categories

The remaining admission categories usually account for less than 10 percent of the annual LPR flow. 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 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 commonly referred to as adjustments of status.

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* 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).

Information collected on these applications includes class of admission, date the decision was made to grant the applicant lawful permanent residence, country of birth, country of last residence, date of

Table 2.

Legal Permanent Resident Flow by Major Category of Admission: Fiscal Years 2008 to 2010

Category of admission	2010		2009		2008	
	Number	Percent	Number	Percent	Number	Percent
Total	1,042,625	100.0	1,130,818	100.0	1,107,126	100.0
Family-sponsored immigrants	691,003	66.3	747,413	66.1	716,244	64.7
Family-sponsored preferences	214,589	20.6	211,859	18.7	227,761	20.6
Unmarried sons/daughters of U.S. citizens	26,998	2.6	23,965	2.1	26,173	2.4
Spouses and children of alien residents	92,088	8.8	98,567	8.7	103,456	9.3
Married sons/daughters of U.S. citizens	32,817	3.1	25,930	2.3	29,273	2.6
Siblings of U.S. citizens	62,686	6.0	63,397	5.6	68,859	6.2
Immediate relatives of U.S. citizens	476,414	45.7	535,554	47.4	488,483	44.1
Spouses	271,909	26.1	317,129	28.0	265,671	24.0
Parents	116,208	11.1	120,155	10.6	121,470	11.0
Children*	88,297	8.5	98,270	8.7	101,342	9.2
Employment-based preferences	148,343	14.2	140,903	12.5	164,741	14.9
Priority workers	41,055	3.9	40,924	3.6	36,678	3.3
Professionals with advanced degrees	53,946	5.2	45,552	4.0	70,046	6.3
Skilled workers, professionals, unskilled workers	39,762	3.8	40,398	3.6	48,903	4.4
Certain special immigrants	11,100	1.1	10,341	0.9	7,754	0.7
Investors	2,480	0.2	3,688	0.3	1,360	0.1
Diversity programs	49,763	4.8	47,879	4.2	41,761	3.8
Refugees and Asylees	136,291	13.1	177,368	15.7	166,392	15.0
Refugee adjustments	92,741	8.9	118,836	10.5	90,030	8.1
Asylee adjustments	43,550	4.2	58,532	5.2	76,362	6.9
Parolees	1,592	0.2	2,385	0.2	1,172	0.1
Other categories	15,633	1.5	14,870	1.3	16,816	1.5
Children born abroad to alien residents	716	0.1	587	0.1	637	0.1
NACARA [†] Section 202	248	—	296	—	296	—
Cancellation of removal	8,180	0.8	8,156	0.7	11,128	1.0
Subject to annual limit	4,475	0.4	3,392	0.3	2,769	0.3
Not subject to limit (NACARA [†] Section 203)	3,705	0.4	4,764	0.4	8,359	0.8
Haitian Refugee Immigrant Fairness Act	386	—	552	—	1,580	0.1
Other	6,103	0.6	5,279	0.5	3,175	0.3

*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 2008 to 2010.

birth, marital status, geographic residence, occupation, and for adjustments of status, prior nonimmigrant status and date of entry. 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 2010 decreased 7.8 percent from 1,130,818 in 2009 to 1,042,625 (see Table 1). LPR adjustments of status decreased from 667,776 in 2009 to 566,576 in 2010. The lower level of adjustments of status in 2010 reflected fewer pending adjustment of status applications available for processing rather than a decline in the number of applications received. New arrival LPRs increased 2.8 percent from 463,042 in 2009 to 476,049 in 2010. Fifty-four percent of LPRs in 2010 were adjustments of status and 46 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 2010. 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.

Class of Admission

Family-sponsored immigrants (immediate relatives of U.S. citizens and family preference classes of admission) represented 66 percent of the total LPR flow in 2010 (see Table 2). Immediate relatives of U.S. citizens accounted for 46 percent of all individuals granted LPR status in 2010. Spouses of U.S. citizens represented 57 percent of immediate relative LPRs. Parents of U.S. citizens accounted for 24 percent, and children of U.S. citizens, including adopted orphans, comprised 19 percent.

Nearly 21 percent of new LPRs in 2010 were admitted under a family-sponsored preference. The second preference (spouses and children of alien residents) accounted for 43 percent of family-sponsored preference LPRs, and the fourth preference (siblings of U.S. citizens) comprised 29 percent.

Immigrants admitted under an employment-based preference accounted for 14 percent of the LPR flow in 2010. The second preference (professionals with advanced degrees) represented 36 percent of new employment-based preference LPRs. The first preference (priority workers) accounted for 28 percent, and the third preference (skilled workers, professionals, unskilled workers) represented 27 percent. The number of new LPRs admitted under an employment-based preference increased 5.3 percent between 2009 and 2010 because of an increase in the annual limit for the employment preference in 2010.

Refugee and asylee immigrant classes of admission represented 13 percent of the total LPR flow in 2010. Refugee adjustments accounted for 8.9 percent; asylee adjustments represented 4.2 percent.

Diversity immigrant classes of admission accounted for 4.8 percent of the total LPR flow in 2010.

Region and Country of Birth

The leading regions of birth of new LPRs in 2010 were Asia (41 percent) and North America (32 percent) (see Table 3). Together, Asia and North America accounted for 70 percent or more of the LPR flow each year from 2008 to 2010.

In 2010, 13 percent of all persons becoming LPRs were born in Mexico. The second leading country of birth was China (6.8 percent), followed by India (6.6 percent), Philippines (5.6 percent), and the Dominican Republic (5.2 percent). These five countries accounted for nearly 38 percent of all new LPRs in 2010.

State and Metropolitan Area of Residence

California was the state of residence of one-fifth (20 percent) of persons granted LPR status in 2010 (see Table 4). Other leading states of residence included New York (14.2 percent), Florida (10.3 percent), Texas (8.4 percent), and New Jersey (5.5 percent). These five states represented the residence of 58 percent of new LPRs in 2010.

The leading metropolitan areas of residence for new LPRs in 2010 were New York-Northern New Jersey-Long Island, NY-NJ-PA (17.8 percent) and Los Angeles-Long Beach-Santa Ana, CA (8.4 percent) (see Table 5).² Other prominent metropolitan areas of residence included Miami-Fort Lauderdale-Pompano Beach, FL, Washington-Arlington-Alexandria, DC-VA-MD-WV, and Chicago-Naperville-Joliet, IL-IN-WI. These five metropolitan areas accounted for the residence of 40 percent of new LPRs in 2010.

²Beginning in 2005, the Office of Immigration Statistics (OIS) redefined metropolitan areas (Primary Metropolitan Statistical Areas), to conform with new standards issued by the U.S. Office of Management and Budget for core-based statistical areas (CBSAs). See Federal Register, Vol. 65, No. 249, Wednesday 12/27/2000, available at <http://www.whitehouse.gov/omb/fedreg/metroareas122700.pdf>. The most current CBSA definitions are available from OMB at http://www.whitehouse.gov/omb/inforeg_statpolicy.html#ms.

Table 3.

Legal Permanent Resident Flow by Region and Country of Birth: Fiscal Years 2008 to 2010

(Countries ranked by 2010 LPR flow)

Region/country of birth	2010		2009		2008	
	Number	Percent	Number	Percent	Number	Percent
Total	1,042,625	100.0	1,130,818	100.0	1,107,126	100.0
REGION:						
Africa	101,355	9.7	127,050	11.2	105,915	9.6
Asia	422,063	40.5	413,312	36.5	399,027	36.0
Europe	88,743	8.5	105,398	9.3	103,719	9.4
North America	336,602	32.3	375,236	33.2	393,253	35.5
Caribbean	140,000	13.4	146,127	12.9	137,098	12.4
Central America	43,951	4.2	47,868	4.2	50,840	4.6
Other North America	152,651	14.6	181,241	16.0	205,315	18.5
Oceania	5,345	0.5	5,578	0.5	5,263	0.5
South America	87,187	8.4	102,878	9.1	98,555	8.9
Unknown	1,330	0.1	1,366	0.1	1,394	0.1
COUNTRY:						
Mexico	139,120	13.3	164,920	14.6	189,989	17.2
China, People's Republic	70,863	6.8	64,238	5.7	80,271	7.3
India	69,162	6.6	57,304	5.1	63,352	5.7
Philippines	58,173	5.6	60,029	5.3	54,030	4.9
Dominican Republic	53,870	5.2	49,414	4.4	31,879	2.9
Cuba	33,573	3.2	38,954	3.4	49,500	4.5
Vietnam	30,632	2.9	29,234	2.6	31,497	2.8
Haiti	22,582	2.2	24,280	2.1	26,007	2.3
Colombia	22,406	2.1	27,849	2.5	30,213	2.7
Korea, South*	22,227	2.1	25,859	2.3	26,666	2.4
Iraq	19,855	1.9	12,110	1.1	4,795	0.4
Jamaica	19,825	1.9	21,783	1.9	18,477	1.7
El Salvador	18,806	1.8	19,909	1.8	19,659	1.8
Pakistan	18,258	1.8	21,555	1.9	19,719	1.8
Bangladesh	14,819	1.4	16,651	1.5	11,753	1.1
Ethiopia	14,266	1.4	15,462	1.4	12,917	1.2
Peru	14,247	1.4	16,957	1.5	15,184	1.4
Iran	14,182	1.4	18,553	1.6	13,852	1.3
Nigeria	13,376	1.3	15,253	1.3	12,475	1.1
Canada	13,328	1.3	16,140	1.4	15,109	1.4
All other countries	359,055	34.4	414,364	36.6	379,782	34.3

*Data for South Korea prior to Fiscal Year 2009 include a small number of cases from North Korea.

Source: U.S. Department of Homeland Security, Computer Linked Application Information Management System (CLAIMS), Legal Immigrant Data, Fiscal Years 2008 to 2010.

Table 4.

Legal Permanent Resident Flow by State of Residence: Fiscal Years 2008 to 2010

(Ranked by 2010 LPR flow)

State of residence	2010		2009		2008	
	Number	Percent	Number	Percent	Number	Percent
Total	1,042,625	100.0	1,130,818	100.0	1,107,126	100.0
California	208,446	20.0	227,876	20.2	238,444	21.5
New York	147,999	14.2	150,722	13.3	143,679	13.0
Florida	107,276	10.3	127,006	11.2	133,445	12.1
Texas	87,750	8.4	95,384	8.4	89,811	8.1
New Jersey	56,920	5.5	58,879	5.2	53,997	4.9
Illinois	37,909	3.6	41,889	3.7	42,723	3.9
Massachusetts	31,069	3.0	32,607	2.9	30,369	2.7
Virginia	28,607	2.7	29,825	2.6	30,257	2.7
Maryland	26,450	2.5	26,722	2.4	27,062	2.4
Georgia	24,833	2.4	28,396	2.5	27,769	2.5
Other	285,366	27.4	311,512	27.5	289,570	26.2

Source: U.S. Department of Homeland Security, Computer Linked Application Information Management System (CLAIMS), Legal Immigrant Data, Fiscal Years 2008 to 2010.

Table 5.**Legal Permanent Resident Flow by Metropolitan Area of Residence: Fiscal Years 2008 to 2010**

(Ranked by 2010 LPR flow)

Metropolitan area of residence	2010		2009		2008	
	Number	Percent	Number	Percent	Number	Percent
Total	1,042,625	100.0	1,130,818	100.0	1,107,126	100.0
New York-Northern New Jersey-Long Island, NY-NJ-PA . . .	186,086	17.8	189,860	16.8	179,981	16.3
Los Angeles-Long Beach-Santa Ana, CA	87,443	8.4	97,539	8.6	96,492	8.7
Miami-Fort Lauderdale-Pompano Beach, FL	69,420	6.7	83,936	7.4	87,786	7.9
Washington-Arlington-Alexandria, DC-VA-MD-WV	41,322	4.0	42,567	3.8	42,832	3.9
Chicago-Naperville-Joliet, IL-IN-WI	35,109	3.4	38,840	3.4	39,826	3.6
San Francisco-Oakland-Fremont, CA	31,761	3.0	32,304	2.9	36,120	3.3
Houston-Sugar Land-Baytown, TX	30,844	3.0	32,022	2.8	30,514	2.8
Dallas-Fort Worth-Arlington, TX	26,006	2.5	29,022	2.6	26,443	2.4
Boston-Cambridge-Quincy, MA-NH	24,969	2.4	26,346	2.3	24,687	2.2
Atlanta-Sandy Springs-Marietta, GA	20,447	2.0	23,344	2.1	22,329	2.0
Other	489,218	46.9	535,038	47.3	520,116	47.0

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 2008 to 2010.

Table 6.**Legal Permanent Resident Flow by Age: Fiscal Years 2008 to 2010**

Age	2010		2009		2008	
	Number	Percent	Number	Percent	Number	Percent
Total	1,042,625	100.0	1,130,818	100.0	1,107,126	100.0
Under 5 years	37,592	3.6	38,177	3.4	38,278	3.5
5 to 14 years	118,987	11.4	130,701	11.6	127,601	11.5
15 to 24 years	191,328	18.4	209,682	18.5	199,029	18.0
25 to 34 years	253,188	24.3	277,867	24.6	261,548	23.6
35 to 44 years	195,209	18.7	210,901	18.7	216,968	19.6
45 to 54 years	118,070	11.3	124,621	11.0	123,716	11.2
55 to 64 years	75,817	7.3	80,208	7.1	79,375	7.2
65 years and over	52,425	5.0	58,659	5.2	60,604	5.5
Unknown age	9	—	2	—	7	—
Median age (years)	31	X	31	X	32	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 2008 to 2010.

Table 7.**Legal Permanent Resident Flow by Gender: Fiscal Years 2008 to 2010**

Gender	2010		2009		2008	
	Number	Percent	Number	Percent	Number	Percent
Total	1,042,625	100.0	1,130,818	100.0	1,107,126	100.0
Male	471,849	45.3	513,015	45.4	506,549	45.8
Female	570,771	54.7	617,799	54.6	600,555	54.2
Unknown	5	—	4	—	22	—

— Figure rounds to 0.0.

Source: U.S. Department of Homeland Security, Computer Linked Application Information Management System (CLAIMS), Legal Immigrant Data, Fiscal Years 2008 to 2010.

Table 8.**Legal Permanent Resident Flow by Marital Status: Fiscal Years 2008 to 2010**

Marital status	2010		2009		2008	
	Number	Percent	Number	Percent	Number	Percent
Total	1,042,625	100.0	1,130,818	100.0	1,107,126	100.0
Single	390,470	37.5	417,232	36.9	410,938	37.1
Married	596,959	57.3	654,674	57.9	637,807	57.6
Other*	51,174	4.9	54,454	4.8	53,633	4.8
Unknown	4,022	0.4	4,458	0.4	4,748	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 2008 to 2010.

Age, Gender, and Marital Status

New LPRs have historically been younger than the native population of the United States. In 2010, 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 2010, 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 (57 percent) of new LPRs were married compared with 38 percent of the native population (see Table 8).⁴

³ Calculated from the March 2010 Current Population Survey public use microdata file from the U.S. Census Bureau.

⁴ Ibid.

Appendix 1

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 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 2009 under categories 1 to 4 above was 547,193. There were zero unused employment preferences in 2009. The calculated limit for family-sponsored preferences in 2010 was -67,193 (480,000 minus 547,193 plus 0). Since this number was below 226,000, the family-sponsored preference 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 family-sponsored preferences in the previous fiscal year. There were 10,657 unused family-sponsored preferences in 2009. The 2010 employment-based preference limit was 150,657. 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.

Table A1.

Annual Limits for Preference and Diversity Immigrants: Fiscal Year 2010

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	150,657
First: Priority workers	43,088 [†]
Second: Professionals with advanced degrees or aliens of exceptional ability	43,088 [†]
Third: Skilled workers, professionals, and needed unskilled workers	43,088 [†]
Fourth: Certain special immigrants	10,697
Fifth: Employment creation ("investors")	10,696
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.

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 2010 per country limit for independent foreign states was 26,365 (7 percent of 376,657 or 226,000 plus 150,657), and the limit for dependencies was 7,533 (2 percent of 376,657).

Diversity Limits

The annual limit for diversity visas was 50,000 in 2010.

⁵ The 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).