

U.S. Legal Permanent Residents: 2012

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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 2012.¹

In 2012, a total of 1,031,631 persons became LPRs of the United States (see Table 1 and Figure 1). The majority of these new LPRs (53 percent) already lived in the United States when they were granted lawful permanent residence. Nearly 66 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 (7.9 percent), and India (6.4 percent).

THE LEGAL IMMIGRATION PROCESS

Admission Priorities

The Immigration and Nationality Act (INA) and its amendments are the basis of most immigration laws in effect today. U.S. law gives priority for LPR 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.

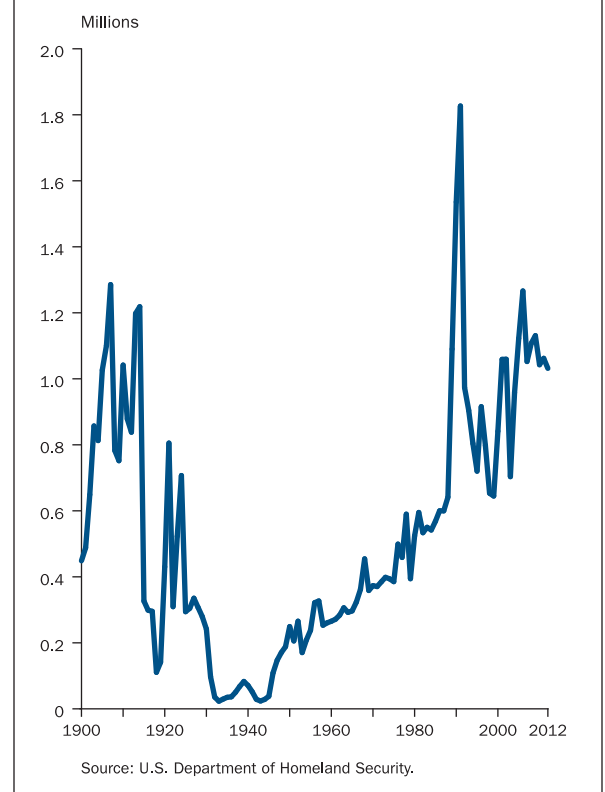
Preference Immigration and Diversity Limits

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:
Fiscal Years 1900 to 2012**



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



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 2012, the limit on preference immigration was 370,951 which included 226,000 visas in the family-sponsored preferences and 144,951 visas in the employment-based preferences (see **APPENDIX**). In addition, there are per-country limits equal to 7 percent of the total number of family-sponsored and employment preferences. Dependent areas are limited to 2 percent. In 2012, the per-country limit was 25,967 and the dependent area limit was 7,419.

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 persons granted LPR status 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 2012.

Immediate Relatives of U.S. Citizens

Some LPR admission categories are not subject to numeric limits. 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. This ceiling was reduced to 76,000 for 2012. 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 not subject to numerical limits. Until 2005, an annual limit of 10,000 existed on

Table 1.

Legal Permanent Resident Flow: Fiscal Years 2010 to 2012

Category of admission	2012		2011		2010	
	Number	Percent	Number	Percent	Number	Percent
Total	1,031,631	100.0	1,062,040	100.0	1,042,625	100.0
New arrivals	484,072	46.9	481,948	45.4	476,049	45.7
Adjustments of status . .	547,559	53.1	580,092	54.6	566,576	54.3

Source: U.S. Department of Homeland Security, Computer Linked Application Information System (CLAIMS), Legal Immigrant Data, Fiscal Years 2010 to 2012.

the number of persons authorized to adjust status as asylees. The REAL ID Act removed that cap.

Other Admission Categories

The remaining admission categories have accounted for less than 2 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

Table 2.

Legal Permanent Resident Flow by Major Category of Admission: Fiscal Years 2010 to 2012

Category of admission	2012		2011		2010	
	Number	Percent	Number	Percent	Number	Percent
Total	1,031,631	100.0	1,062,040	100.0	1,042,625	100.0
Family-sponsored immigrants	680,799	66.0	688,089	64.8	691,003	66.3
Family-sponsored preferences	202,019	19.6	234,931	22.1	214,589	20.6
Unmarried sons/daughters of U.S. citizens	20,660	2.0	27,299	2.6	26,998	2.6
Spouses and children of alien residents	99,709	9.7	108,618	10.2	92,088	8.8
Married sons/daughters of U.S. citizens	21,752	2.1	27,704	2.6	32,817	3.1
Siblings of U.S. citizens	59,898	5.8	71,310	6.7	62,686	6.0
Immediate relatives of U.S. citizens	478,780	46.4	453,158	42.7	476,414	45.7
Spouses	273,429	26.5	258,320	24.3	271,909	26.1
Parents	124,230	12.0	114,527	10.8	116,208	11.1
Children*	81,121	7.9	80,311	7.6	88,297	8.5
Employment-based preferences	143,998	14.0	139,339	13.1	148,343	14.2
Priority workers	39,316	3.8	25,251	2.4	41,055	3.9
Professionals with advanced degrees	50,959	4.9	66,831	6.3	53,946	5.2
Skilled workers, professionals, unskilled workers	39,229	3.8	37,216	3.5	39,762	3.8
Special immigrants	7,866	0.8	6,701	0.6	11,100	1.1
Investors	6,628	0.6	3,340	0.3	2,480	0.2
Diversity programs	40,320	3.9	50,103	4.7	49,763	4.8
Refugees and Asylees	150,614	14.6	168,460	15.9	136,291	13.1
Refugee adjustments	105,528	10.2	113,045	10.6	92,741	8.9
Asylee adjustments	45,086	4.4	55,415	5.2	43,550	4.2
Parolees	758	0.1	1,147	0.1	1,592	0.2
Other categories	15,142	1.5	14,902	1.4	15,633	1.5
Children born abroad to alien residents	643	0.1	633	0.1	716	0.1
NACARA [†] Section 202	183	—	158	—	248	—
Cancellation of removal	6,818	0.7	7,430	0.7	8,180	0.8
Subject to annual limit	4,015	0.4	4,206	0.4	4,475	0.4
Not subject to limit (NACARA [†] Section 203)	2,803	0.3	3,224	0.3	3,705	0.4
Haitian Refugee Immigrant Fairness Act	93	—	154	—	386	—
Other	7,405	0.7	6,527	0.6	6,103	0.6

*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 2010 to 2012.

I-485 Application to Register Permanent Residence or Adjust Status of USCIS (used by applicants living in the United States).

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 law 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 2012 decreased 2.9 percent from 1,062,040 in 2011 to 1,031,631 (see Table 1). LPR adjustments of status decreased from 580,092 in 2011 to 547,559 in 2012. New arrival LPRs increased slightly from 481,948 in 2011 to 484,072 in 2012. Fifty-three percent of LPRs in 2012 were adjustments of status and 47 percent were new arrivals.

Historical Trends

The annual LPR flow has exhibited an upward trend since 1945 (see Figure 1). The average annual LPR flow increased from 250,000 during the 1950s to more than 1 million between 2000 and 2012. 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 66 percent of the total LPR flow in 2012 (see Table 2). Immediate relatives of U.S. citizens

accounted for 46 percent of all individuals granted LPR status in 2012. Spouses of U.S. citizens represented 57 percent of immediate relative LPRs. Parents of U.S. citizens accounted for 26 percent, and children of U.S. citizens, including adopted orphans, comprised 17 percent.

Approximately 20 percent of new LPRs in 2012 were admitted under a family-sponsored preference. The second preference (spouses and children of alien residents) accounted for 49 percent of family-sponsored preference LPRs, and the fourth preference (siblings of U.S. citizens) comprised 30 percent. The number of new family-sponsored preference LPRs decreased from 2011 to 2012 because fewer individuals than expected appeared for scheduled interviews at US consular posts during the month of September. The decline in the family-sponsored preferences was greater than in other categories because of the high proportion of new arrivals in these preferences.

Immigrants admitted under an employment-based preference accounted for 14 percent of the LPR flow in 2012. The second preference (professionals with advanced degrees) represented 35 percent of new employment-based preference LPRs. The decline in the second preference from 2011 to 2012 was a result of decreased availability of unused visas from the other employment

preferences. The first preference (priority workers) and the third preference (skilled workers, professionals, and unskilled workers) each accounted for 27 percent.

Refugee and asylee immigrant classes of admission represented 15 percent of the total LPR flow in 2012. Refugee adjustments accounted for 10 percent; asylee adjustments represented 4.4 percent.

Diversity immigrant classes of admission accounted for 3.9 percent of the total LPR flow in 2012. The number of new Diversity LPRs decreased significantly from 2011 to 2012, possibly as a result of a slight delay in releasing the selection results and the implementation of a new Entrant Status Check procedure by the Department of State, which required applicants to retrieve their selection status online.

Region and Country of Birth

The leading regions of birth of new LPRs in 2012 were Asia (42 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 2009 to 2012.

In 2012, 14 percent of all persons granted LPR status were born in Mexico. Other prominent countries of birth were China (7.9 percent), India (6.4 percent), Philippines (5.6 percent), and the Dominican Republic (4 percent). These five countries accounted for 38 percent of all new LPRs in 2012.

State and Metropolitan Area of Residence

California was the state of residence of nearly one-fifth (19 percent) of persons granted LPR status in 2012 (see Table 4). Other leading states of residence included New York (15 percent), Florida (10 percent), Texas (9.3 percent), and New Jersey (4.9 percent). Fifty-eight percent of new LPRs intended to reside in these five states in 2012.

Table 3.

Legal Permanent Resident Flow by Region and Country of Birth: Fiscal Years 2010 to 2012

(Countries ranked by 2012 LPR flow)

Region and country of birth	2012		2011		2010	
	Number	Percent	Number	Percent	Number	Percent
REGION						
Total	1,031,631	100.0	1,062,040	100.0	1,042,625	100.0
Africa	107,241	10.4	100,374	9.5	101,355	9.7
Asia	429,599	41.6	451,593	42.5	422,063	40.5
Europe	81,671	7.9	83,850	7.9	88,801	8.5
North America	327,771	31.8	333,902	31.4	336,553	32.3
Caribbean	127,477	12.4	133,680	12.6	139,951	13.4
Central America	40,675	3.9	43,707	4.1	43,951	4.2
Other North America	159,619	15.5	156,515	14.7	152,651	14.6
Oceania	4,742	0.5	4,980	0.5	5,345	0.5
South America	79,401	7.7	86,096	8.1	87,178	8.4
Unknown	1,206	0.1	1,245	0.1	1,330	0.1
COUNTRY						
Total	1,031,631	100.0	1,062,040	100.0	1,042,625	100.0
Mexico	146,406	14.2	143,446	13.5	139,120	13.3
China, People's Republic	81,784	7.9	87,016	8.2	70,863	6.8
India	66,434	6.4	69,013	6.5	69,162	6.6
Philippines	57,327	5.6	57,011	5.4	58,173	5.6
Dominican Republic	41,566	4.0	46,109	4.3	53,870	5.2
Cuba	32,820	3.2	36,452	3.4	33,573	3.2
Vietnam	28,304	2.7	34,157	3.2	30,632	2.9
Haiti	22,818	2.2	22,111	2.1	22,582	2.2
Colombia	20,931	2.0	22,635	2.1	22,406	2.1
Korea, South	20,846	2.0	22,824	2.1	22,227	2.1
Jamaica	20,705	2.0	19,662	1.9	19,825	1.9
Iraq	20,369	2.0	21,133	2.0	19,855	1.9
Burma	17,383	1.7	16,518	1.6	12,925	1.2
El Salvador	16,256	1.6	18,667	1.8	18,806	1.8
Pakistan	14,740	1.4	15,546	1.5	18,258	1.8
Bangladesh	14,705	1.4	16,707	1.6	14,819	1.4
Ethiopia	14,544	1.4	13,793	1.3	14,266	1.4
Nigeria	13,575	1.3	11,824	1.1	13,376	1.3
Canada	12,932	1.3	12,800	1.2	13,328	1.3
Iran	12,916	1.3	14,822	1.4	14,182	1.4
All other countries	354,270	34.3	359,794	33.9	360,377	34.6

Source: U.S. Department of Homeland Security, Computer Linked Application Information Management System (CLAIMS), Legal Immigrant Data, Fiscal Years 2010 to 2012.

Table 4.

Legal Permanent Resident Flow by State of Residence: Fiscal Years 2010 to 2012

(Ranked by 2012 LPR flow)

State of residence	2012		2011		2010	
	Number	Percent	Number	Percent	Number	Percent
Total	1,031,631	100.0	1,062,040	100.0	1,042,625	100.0
California	196,622	19.1	210,591	19.8	208,446	20.0
New York	149,505	14.5	148,426	14.0	147,999	14.2
Florida	103,047	10.0	109,229	10.3	107,276	10.3
Texas	95,557	9.3	94,481	8.9	87,750	8.4
New Jersey	50,790	4.9	55,547	5.2	56,920	5.5
Illinois	38,373	3.7	38,325	3.6	37,909	3.6
Massachusetts	31,392	3.0	32,236	3.0	31,069	3.0
Virginia	28,227	2.7	27,767	2.6	28,607	2.7
Georgia	26,134	2.5	27,015	2.5	24,833	2.4
Maryland	25,032	2.4	25,397	2.4	24,130	2.3
Other*	286,952	27.8	293,026	27.6	287,686	27.6

*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 2010 to 2012.

Table 5.**Legal Permanent Resident Flow by Metropolitan Area of Residence: Fiscal Years 2010 to 2012**

(Ranked by 2012 LPR flow)

Metropolitan area of residence	2012		2011		2010	
	Number	Percent	Number	Percent	Number	Percent
Total	1,031,631	100.0	1,062,040	100.0	1,042,625	100.0
New York-Northern New Jersey-Long Island, NY-NJ-PA . . .	179,011	17.4	183,681	17.3	186,084	17.8
Los Angeles-Long Beach-Santa Ana, CA	81,508	7.9	86,161	8.1	87,443	8.4
Miami-Fort Lauderdale-Pompano Beach, FL	66,153	6.4	71,775	6.8	69,420	6.7
Washington-Arlington-Alexandria, DC-VA-MD-WV	38,518	3.7	39,365	3.7	41,322	4.0
Chicago-Joliet-Naperville, IL-IN-WI	34,898	3.4	35,039	3.3	35,109	3.4
Houston-Sugar Land-Baytown, TX	31,738	3.1	31,136	2.9	30,844	3.0
San Francisco-Oakland-Fremont, CA	29,583	2.9	32,433	3.1	31,761	3.0
Dallas-Fort Worth-Arlington, TX	28,010	2.7	28,090	2.6	26,003	2.5
Boston-Cambridge-Quincy, MA-NH	25,042	2.4	25,909	2.4	24,969	2.4
Atlanta-Sandy Springs-Marietta, GA	21,289	2.1	22,035	2.1	20,445	2.0
Other	495,881	48.1	506,416	47.7	489,225	46.9

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 2010 to 2012.

Table 6.**Legal Permanent Resident Flow by Age: Fiscal Years 2010 to 2012**

Age	2012		2011		2010	
	Number	Percent	Number	Percent	Number	Percent
Total	1,031,631	100.0	1,062,040	100.0	1,042,625	100.0
Under 5 years	37,495	3.6	38,378	3.6	37,592	3.6
5 to 14 years	115,986	11.2	123,123	11.6	118,987	11.4
15 to 24 years	189,698	18.4	199,114	18.7	191,328	18.4
25 to 34 years	249,111	24.1	252,917	23.8	253,188	24.3
35 to 44 years	187,101	18.1	197,377	18.6	195,209	18.7
45 to 54 years	117,397	11.4	120,797	11.4	118,070	11.3
55 to 64 years	79,206	7.7	77,198	7.3	75,817	7.3
65 years and over	55,628	5.4	53,126	5.0	52,425	5.0
Unknown age	9	—	10	—	9	—
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 2010 to 2012.

Table 7.**Legal Permanent Resident Flow by Sex: Fiscal Years 2010 to 2012**

Sex	2012		2011		2010	
	Number	Percent	Number	Percent	Number	Percent
Total	1,031,631	100.0	1,062,040	100.0	1,042,625	100.0
Male	467,638	45.3	480,679	45.3	471,849	45.3
Female	563,958	54.7	581,351	54.7	570,771	54.7
Unknown	35	—	10	—	5	—

— Figure rounds to 0.0.

Source: U.S. Department of Homeland Security, Computer Linked Application Information Management System (CLAIMS), Legal Immigrant Data, Fiscal Years 2010 to 2012.

Table 8.**Legal Permanent Resident Flow by Marital Status: Fiscal Years 2010 to 2012**

Marital status	2012		2011		2010	
	Number	Percent	Number	Percent	Number	Percent
Total	1,031,631	100.0	1,062,040	100.0	1,042,625	100.0
Single	374,559	36.3	405,164	38.1	390,470	37.5
Married	600,961	58.3	599,122	56.4	596,959	57.3
Other*	51,281	5.0	53,017	5.0	51,174	4.9
Unknown	4,830	0.5	4,737	0.4	4,022	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 2010 to 2012.

The leading metropolitan area of residence for new LPRs in 2012 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 (7.9 percent), Miami-Fort Lauderdale-Pompano Beach, FL (6.4 percent), Washington-Arlington-Alexandria, DC-VA-MD-WV (3.7 percent), and Chicago-Naperville-Joliet, IL-IN-WI (3.4 percent). These five metropolitan areas

accounted for the residence of 39 percent of new LPRs in 2012.

Age, Sex, and Marital Status

New LPRs have historically been younger than the native population of the United States. In 2012, 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 2012, 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 (58 percent) of new LPRs were married compared with 38 percent of the native population (see Table 8).⁴

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.

³Calculated from the March 2012 Current Population Survey public use microdata file from the U.S. Census Bureau.

⁴Ibid.

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 who were issued visas or who adjusted status in 2011 under categories 1 to 4 above was 470,662. There were 698 unused visas in the employment preferences in 2011. The calculated limit for family-sponsored preferences in 2012 was 10,036 (480,000 minus 470,662 plus 698). 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

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).

Table A1.

Annual Limits for Preference and Diversity Immigrants: Fiscal Year 2012

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	144,951
First: Priority workers	41,031†
Second: Professionals with advanced degrees or aliens of exceptional ability	41,030†
Third: Skilled workers, professionals, and needed unskilled workers	41,030†
Fourth: Certain special immigrants	10,930
Fifth: Employment creation (“investors”)	10,930
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.

were 4,951 unused visas in the family-sponsored preferences in 2011. The 2012 employment-based preference limit was 144,951. 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 2012 per country limit for independent foreign states was 25,967 (7 percent of 370,951 or 226,000 plus 144,951), and the limit for dependencies was 7,419 (2 percent of 370,951).

Diversity Limits

The annual limit for diversity visas was 50,000 in 2012.