United States Department of State
Bureau of Consular Affairs

VISA BULLETIN

Number 45 Volume IX **Washington, D.C.**

IMMIGRANT NUMBERS FOR JUNE 2012

A. STATUTORY NUMBERS

1. This bulletin summarizes the availability of immigrant numbers during June. Consular officers are required to report to the Department of State documentarily qualified applicants for numerically limited visas; U.S. Citizenship and Immigration Services in the Department of Homeland Security reports applicants for adjustment of status. Allocations were made, to the extent possible, in chronological order of reported priority dates, for demand received by May 8th. If not all demand could be satisfied, the category or foreign state in which demand was excessive was deemed oversubscribed. The cut-off date for an oversubscribed category is the priority date of the first applicant who could not be reached within the numerical limits. Only applicants who have a priority date earlier than the cut-off date may be allotted a number. If it becomes necessary during the monthly allocation process to retrogress a cut-off date, supplemental requests for numbers will be honored only if the priority date falls within the new cut-off date announced in this bulletin.

2. Section 201 of the Immigration and Nationality Act (INA) sets an annual minimum family-sponsored preference limit of 226,000. The worldwide level for annual employment-based preference immigrants is at least 140,000. Section 202 prescribes that the per-country limit for preference immigrants is set at 7% of the total annual family-sponsored and employment-based preference limits, i.e., 25,620. The dependent area limit is set at 2%, or 7,320.

3. INA Section 203(e) provides that family-sponsored and employment-based preference visas be issued to eligible immigrants in the order in which a petition in behalf of each has been filed. Section 203(d) provides that spouses and children of preference immigrants are entitled to the same status, and the same order of consideration, if accompanying or following to join the principal. The visa prorating provisions of Section 202(e) apply to allocations for a foreign state or dependent area when visa demand exceeds the per-country limit. These provisions apply at present to the following oversubscribed chargeability areas: CHINA-mainland born, INDIA, MEXICO, and PHILIPPINES.

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4. Section 203(a) of the INA prescribes preference classes for allotment of Family-sponsored immigrant visas as follows:

FAMILY-SPONSORED PREFERENCES

First: (**F1**) Unmarried Sons and Daughters of U.S. Citizens: 23,400 plus any numbers not required for fourth preference.

Second: Spouses and Children, and Unmarried Sons and Daughters of Permanent Residents: 114,200, plus the number (if any) by which the worldwide family preference level exceeds 226,000, plus any unused first preference numbers:

A. (**F2A**) Spouses and Children of Permanent Residents: 77% of the overall second preference limitation, of which 75% are exempt from the per-country limit;

B. (**F2B**) Unmarried Sons and Daughters (21 years of age or older) of Permanent Residents: 23% of the overall second preference limitation.

Third: (**F3**) Married Sons and Daughters of U.S. Citizens: 23,400, plus any numbers not required by first and second preferences.

Fourth: (**F4**) Brothers and Sisters of Adult U.S. Citizens: 65,000, plus any numbers not required by first three preferences.

On the chart below, the listing of a date for any class indicates that the class is oversubscribed (see paragraph 1); "C" means current, i.e., numbers are available for all qualified applicants; and "U" means unavailable, i.e., no numbers are available. (NOTE: Numbers are available only for applicants whose priority date is **earlier** than the cut-off date listed below.)

Family-Sponsored	All Charge-ability Areas Except Those Listed	CHINA-mainland born	INDIA	MEXICO	PHILIPPINES
F1	22JUN05	22JUN05	22JUN05	15MAY93	01JUL97
F2A	01JAN10	01JAN10	01JAN10	08DEC09	01JAN10
F2B	15APR04	15APR04	15APR04	01JAN92	08DEC01
F3	01APR02	01APR02	01APR02	15JAN93	22JUL92
F4	08JAN01	15DEC00	08JAN01	01JUN96	22JAN89

*NOTE: For June, F2A numbers EXEMPT from per-country limit are available to applicants from all countries with priority dates earlier than 08DEC09. F2A numbers SUBJECT to per-country limit are available to applicants chargeable to all countries EXCEPT MEXICO with priority dates beginning 08DEC09 and earlier than 01JAN10. (All F2A numbers provided for MEXICO are exempt from the per-country limit; there are no F2A numbers for MEXICO subject to per-country limit.)

5. Section 203(b) of the INA prescribes preference classes for allotment of Employment-based immigrant visas as follows:

EMPLOYMENT-BASED PREFERENCES

First: Priority Workers: 28.6% of the worldwide employment-based preference level, plus any numbers not required for fourth and fifth preferences.

Second: Members of the Professions Holding Advanced Degrees or Persons of Exceptional Ability: 28.6% of the worldwide employment-based preference level, plus any numbers not required by first preference.

Third: Skilled Workers, Professionals, and Other Workers: 28.6% of the worldwide level, plus any numbers not required by first and second preferences, not more than 10,000 of which to "*Other Workers".

Fourth: Certain Special Immigrants: 7.1% of the worldwide level.

Fifth: Employment Creation: 7.1% of the worldwide level, not less than 3,000 of which reserved for investors in a targeted rural or high-unemployment area, and 3,000 set aside for investors in regional centers by Sec. 610 of Pub. L. 102-395.

On the chart below, the listing of a date for any class indicates that the class is oversubscribed (see paragraph 1); "C" means current, i.e., numbers are available for all qualified applicants; and "U" means unavailable, i.e., no numbers are available. (NOTE: Numbers are available only for applicants whose priority date is **earlier** than the cut-off date listed below.)

Employment-Based	All Chargeability Areas Except Those Listed	CHINA-mainland born	INDIA	MEXICO	PHILIPPINES
1st	C	C	C	C	C
2nd	C	U	U	C	C
3rd	08JUN06	08AUG05	15SEP02	08JUN06	22MAY06
Other Workers	08JUN06	22APR03	15SEP02	08JUN06	22MAY06
4th	C	C	C	C	C
Certain Religious Workers	C	C	C	C	C
5th Targeted Employment Areas/ Regional Centers and Pilot Programs	C	C	C	C	C

*Employment Third Preference Other Workers Category: Section 203(e) of the Nicaraguan and Central American Relief Act (NACARA) passed by Congress in November 1997, as amended by Section 1(e) of Pub. L. 105–139, provides that once the Employment Third Preference Other Worker (EW) cut-off date has reached the priority date of the latest EW petition approved prior to November 19, 1997, the 10,000 EW numbers available for a fiscal year are to be reduced by up to 5,000 annually beginning in the following fiscal year. This reduction is to be made for as long as necessary to offset adjustments under the NACARA program. Since the EW cut-off date reached November 19, 1997 during Fiscal Year 2001, the reduction in the EW annual limit to 5,000 began in Fiscal Year 2002.

6. The Department of State has a recorded message with visa availability information which can be heard at: (202) 663-1541. This recording is updated on or about the tenth of each month with information on cut-off dates for the following month.

B. DIVERSITY IMMIGRANT (DV) CATEGORY

Section 203(c) of the INA provides up to 55,000 immigrant visas each fiscal year to permit additional immigration opportunities for persons from countries with low admissions during the previous five years. The NACARA stipulates that beginning with DV-99, and for as long as necessary, up to 5,000 of the 55,000 annually-allocated diversity visas will be made available for use under the NACARA program. **This resulted in reduction of the DV-2012 annual limit to 50,000.** DV visas are divided among six geographic regions. No one country can receive more than seven percent of the available diversity visas in any one year.

For June, immigrant numbers in the DV category are available to qualified DV-2012 applicants chargeable to all regions/eligible countries as follows. When an allocation cut-off number is shown, visas are available only for applicants with DV regional lottery rank numbers BELOW the specified allocation cut-off number:

Region	All DV Chargeability Areas Except Those Listed Separately		
AFRICA	CURRENT		
ASIA	CURRENT		
EUROPE	CURRENT	Except: Uzbekistan	17,050
NORTH AMERICA (BAHAMAS)	CURRENT		
OCEANIA	CURRENT		
SOUTH AMERICA, and the CARIBBEAN	CURRENT		

Entitlement to immigrant status in the DV category lasts only through the end of the fiscal (visa) year for which the applicant is selected in the lottery. The year of entitlement for all applicants registered for the DV-2012 program ends as of September 30, 2012. DV visas may not be issued to DV-2012 applicants after that date. Similarly, spouses and children accompanying or following to join DV-2012 principals are only entitled to derivative DV status until September 30, 2012. DV visa availability through the very end of FY-2012 cannot be taken for granted. Numbers could be exhausted prior to September 30.

C. ADVANCE NOTIFICATION OF THE DIVERSITY (DV) IMMIGRANT CATEGORY RANK CUT-OFFS WHICH WILL APPLY IN JULY

For July, immigrant numbers in the DV category are available to qualified DV-2012 applicants chargeable to all regions/eligible countries as follows. When an allocation cut-off number is shown, visas are available only for applicants with DV regional lottery rank numbers BELOW the specified allocation cut-off number:

Region	All DV Chargeability Areas Except Those Listed Separately		
AFRICA	CURRENT		
ASIA	CURRENT		
EUROPE	CURRENT	Except: Uzbekistan	17,700
NORTH AMERICA (BAHAMAS)	CURRENT		
OCEANIA	CURRENT		
SOUTH AMERICA, and the CARIBBEAN	CURRENT		

D. CHINA-MAINLAND AND INDIA EMPLOYMENT SECOND PREFERENCE CATEGORY IS UNAVAILABLE

Despite the retrogression of the China and India Employment Second preference cut-off date to August 15, 2007, demand for numbers by applicants with priority dates earlier than that date remained excessive. Such demand is primarily based on cases which had originally been filed with the U.S. Citizenship and Immigration Services (USCIS) for adjustment of status in the Employment Third preference category, and are now eligible to be upgraded to Employment Second preference status. The potential amount of such "upgrade" demand is not currently being reported, but it was evident that the continued availability of Employment Second preference numbers for countries other than China and India was being jeopardized. Therefore, it was necessary to make the China and India Employment Second preference category "Unavailable" in early April, and it will remain so for the remainder of FY-2012.

Numbers will once again be available for China and India Employment Second preference cases beginning October 1, 2012 under the FY-2013 annual numerical limitations. Every effort will be made to return the China and India Employment Second preference cut-off date to the May 1, 2010 date which had been reached in April 2012. Readers should be advised that it is impossible to accurately estimate how long that may take, but current indications are that it would definitely not occur before spring 2013.

USCIS has indicated that it will continue accepting China and India Employment Second preference I-485 filings during May, based on the originally announced May cut-off date.

E. EMPLOYMENT FIRST AND SECOND PREFERENCE VISA AVAILABILITY

Item F of the May Visa Bulletin (number 44) provided projections regarding visa availability in the coming months. Information received from the USCIS after the publication of that item requires an update in the projections for the Employment First and Second preference categories.

Employment First: Based on the current rate of demand, it may be necessary to establish a cut-off date at the end of the fiscal year in an effort to limit number use within the annual numerical limit.

Employment Second: Based on the current rate of demand, it may be necessary to establish a cut-off date for this category for all countries other than China and India. Such action may be required at any time during the next few months.

Please be advised that the above are only estimates for what could happen during the next few months based on applicant demand patterns experienced in recent months.

F. DIVERSITY VISA LOTTERY 2013 (DV-2013) RESULTS

The Kentucky Consular Center in Williamsburg, Kentucky has registered and notified the winners of the DV-2013 diversity lottery. The diversity lottery was conducted under the terms of section 203(c) of the Immigration and Nationality Act and makes available *50,000 permanent resident visas annually to persons from countries with low rates of immigration to the United States. Approximately 105,628 applicants have been registered. Applicants may check the status of their entry using the confirmation number through Entrant Status Check on the website www.dvlottery.state.gov. Entrants selected may make an application for an immigrant visa. Since it is likely that some of the first *50,000 persons registered will not pursue their cases to visa issuance, this larger figure should insure that all DV-2013 numbers will be used during fiscal year 2013 (October 1, 2012 until September 30, 2013).

Applicants registered for the DV-2013 program were selected at random from 7,941,400 qualified entries (12,577,463 with derivatives) received during the 30-day application period that ran from noon, Eastern Daylight Time on Tuesday, October 4, 2011, until noon, Eastern Daylight Time on Saturday, November 5, 2011. The visas have been apportioned among six geographic regions with a maximum of seven percent available to persons born in any single country. During the visa interview, principal applicants must provide proof of a high school education or its equivalent, or show two years of work experience in an occupation that requires at least two years of training or experience within the past five years. Those selected will need to act on their immigrant visa applications quickly. Applicants should follow the instructions provided on the website www.dvlottery.state.gov.

Registrants living legally in the United States who wish to apply for adjustment of their status must contact USCIS for information on the requirements and procedures. Once the total *50,000 visa numbers have been used, the program for fiscal year 2013 will end. Selected applicants who do not receive visas by September 30, 2013 will derive no further benefit from their DV-2013 registration. Similarly, spouses and children accompanying or following to join DV-2013 principal applicants are only entitled to derivative diversity visa status until September 30, 2013.

Dates for the DV-2014 program registration period will be widely publicized in the coming months. Those interested in entering the DV-2014 program should check the Department of State's Visa web page for more details in September.

* The Nicaraguan and Central American Relief Act (NACARA) passed by Congress in November 1997 stipulated that up to 5,000 of the 55,000 annually-allocated diversity visas be made available for use under the NACARA program. The reduction of the limit of available visas to 50,000 began with DV-2000.

The following is the statistical breakdown by foreign-state chargeability of those registered for the DV-2013 program:

AFRICA

ALGERIA 2,161
ANGOLA 47
BENIN 809
BOTSWANA 18
BURKINA FASO 296
BURUNDI 94
CAMEROON 3,858
CAPE VERDE 25
CENTRAL AFRICAN REP. 18
CHAD 28
COMOROS 8
CONGO 156
CONGO, DEMOCRATIC REPUBLIC OF THE 3,924
COTE D'IVOIRE 805
DJIBOUTI 79
EGYPT 5,015
EQUATORIAL GUINEA 19
ERITREA 804
ETHIOPIA 4,910
GABON 38
GAMBIA, THE 85
GHANA 5,105
GUINEA 1,350
GUINEA-BISSAU 25
KENYA 4,410
LESOTHO 6
LIBERIA 1,916
LIBYA 138
MADAGASCAR 40
MALAWI 29
MALI 80
MAURITANIA 31
MAURITIUS 67
MOROCCO 2,068
MOZAMBIQUE 10
NAMIBIA 21
NIGER 53
NIGERIA 6,218
RWANDA 369
SAO TOME AND PRINCIPE 0
SENEGAL 394
SEYCHELLES 0
SIERRA LEONE 2,516
SOMALIA 197
SOUTH AFRICA 956
SOUTH SUDAN 5
SUDAN 747
SWAZILAND 3
TANZANIA 150
TOGO 1,065
TUNISIA 145
UGANDA 513
ZAMBIA 87
ZIMBABWE 169

ASIA

AFGHANISTAN 128
BAHRAIN 15
BHUTAN 4
BRUNEI 8
BURMA 403
CAMBODIA 986
HONG KONG SPECIAL ADMIN. REGION 92
INDONESIA 215
IRAN 6,029
IRAQ 164
ISRAEL 175
JAPAN 440
JORDAN 251
NORTH KOREA 0
KUWAIT 137
LAOS 1
LEBANON 269
MALAYSIA 67
MALDIVES 0
MONGOLIA 167
NEPAL 4,370
OMAN 10
QATAR 24
SAUDI ARABIA 287
SINGAPORE 31
SRI LANKA 802
SYRIA 170
TAIWAN 360
THAILAND 75
TIMOR-LESTE 1
UNITED ARAB EMIRATES 98
YEMEN 266

EUROPE

ALBANIA 1,520
ANDORRA 0
ARMENIA 1,174
AUSTRIA 108
AZERBAIJAN 373
BELARUS 1,195
BELGIUM 79
BOSNIA & HERZEGOVINA 54
BULGARIA 1,299
CROATIA 75
CYPRUS 10
CZECH REPUBLIC 73
DENMARK 77
  Faroe Islands 9
ESTONIA 47
FINLAND 72
FRANCE 549
  French Polynesia 11
  New Caledonia 0
  Saint Barthelemy 4
GEORGIA 723
GERMANY 1,253
GREECE 99
HUNGARY 246
ICELAND 38
IRELAND 138
ITALY 396
KAZAKHSTAN 533
KOSOVO 183
KYRGYZSTAN 237
LATVIA 140
LIECHTENSTEIN 0
LITHUANIA 248
LUXEMBOURG 4
MACEDONIA 262
MALTA 4
MOLDOVA 1,330
MONACO 3
MONTENEGRO 11
NETHERLANDS 109
  Aruba 8
  Curacao 7
  Sint Maarten 2
NORTHERN IRELAND 45
NORWAY 50
POLAND 2,038
PORTUGAL 40
  Macau 2
ROMANIA 711
RUSSIA 2,846
SAN MARINO 0
SERBIA 303
SLOVAKIA 100
SLOVENIA 5
SPAIN 196
SWEDEN 162
SWITZERLAND 131
TAJIKISTAN 330
TURKEY 1,807
TURKMENISTAN 94
UKRAINE 6,424
UZBEKISTAN 5,101
VATICAN CITY 0

NORTH AMERICA

BAHAMAS, THE 16

OCEANIA

AUSTRALIA 1,035
  Christmas Islands 0
  Cocos Islands 2
  Norfolk Island 4
FIJI 597
KIRIBATI 5
MARSHALL ISLANDS 0
MICRONESIA, FEDERATED STATES OF 1
NAURU 14
NEW ZEALAND 373
  Cook Islands 0
  Niue 7
  Tokelau 7
PALAU 1
PAPUA NEW GUINEA 18
SAMOA 0
SOLOMON ISLANDS 0
TONGA 91
TUVALU 3
VANUATU 5
WESTERN SAMOA 30

SOUTH AMERICA, CENTRAL AMERICA, AND THE CARIBBEAN

ANTIGUA AND BARBUDA 3
ARGENTINA 117
BARBADOS 5
BELIZE 22
BOLIVIA 74
CHILE 42
COSTA RICA 63
CUBA 490
DOMINICA 17
GRENADA 18
GUYANA 43
HONDURAS 90
NICARAGUA 65
PANAMA 31
PARAGUAY 8
SAINT KITTS AND NEVIS 5
SAINT LUCIA 19
SAINT VINCENT AND THE GRENADINES 14
SURINAME 4
TRINIDAD AND TOBAGO 137
URUGUAY 15
VENEZUELA 924

Natives of the following countries were not eligible to participate in DV-2013: Bangladesh, Brazil, Canada, China (mainland-born, excluding Hong Kong S.A.R., Macau S.A.R., and Taiwan), Colombia, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, India, Jamaica, Mexico, Pakistan, Peru, the Philippines, South Korea, United Kingdom (except Northern Ireland) and its dependent territories, and Vietnam.

G. OBTAINING THE MONTHLY VISA BULLETIN

The Department of State's Bureau of Consular Affairs publishes the monthly Visa Bulletin on their website at www.travel.state.gov under the Visas section. Alternatively, visitors may access the Visa Bulletin directly by going to:

http://www.travel.state.gov/visa/bulletin/bulletin_1360.html.

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The Department of State also has available a recorded message with visa cut-off dates which can be heard at: (202) 663-1541. The recording is normally updated by the middle of each month with information on cut-off dates for the following month.

Readers may submit questions regarding Visa Bulletin related items by E-mail at the following address:

VISABULLETIN@STATE.GOV

(This address cannot be used to subscribe to the Visa Bulletin.)

Department May 8, 2012