Visa Bulletin for July 2010

Number 22
Volume IX
Washington, D.C.

A. STATUTORY NUMBERS

1. This bulletin summarizes the availability of immigrant numbers during **July**. 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 under the numerical limitations, for the demand received by June **9th** in the chronological order of the reported priority dates. If the demand could not be satisfied within the statutory or regulatory limits, 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. Immediately that 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 which has been 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. Section 203 of the INA prescribes preference classes for allotment of immigrant visas as follows:

FAMILY-SPONSORED PREFERENCES

First: Unmarried Sons and Daughters of 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, and any unused first preference numbers:

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

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

Third: Married Sons and Daughters of Citizens: 23,400, plus any numbers not required by first and second preferences.

Fourth: Brothers and Sisters of Adult Citizens: 65,000, plus any numbers not required by first three preferences.

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 P.L. 102-395.

AILA InfoNet Doc. No. 10061163. (Posted 06/11/10)

4. 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, DOMINICAN REPUBLIC, INDIA, MEXICO, and PHILIPPINES.

5. 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	All Chargeability Areas Except Those Listed	CHINA-mainland born	DOMINICAN REPUBLIC	INDIA	MEXICO	PHILIPPINES
1st	01APR05	01APR05	01APR05	01APR05	01NOV92	01SEP95
2A	01JUL08	01JUL08	01JUN07	01JUL08	01JUN07	01JUL08
2B	01MAY03	01MAY03	01MAY03	01MAY03	15JUN92	01MAR00
3rd	01SEP01	01SEP01	01SEP01	01SEP01	01MAR92	01MAY93
4th	01JAN01	01JAN01	01JAN01	01JAN01	01MAR95	01APR89

*NOTE: For July, 2A numbers **EXEMPT from per-country limit** are available to applicants from all countries with priority dates **earlier** than 01JUN07. 2A numbers **SUBJECT to per-country limit** are available to applicants chargeable to all countries **EXCEPT the DOMINICAN REPUBLIC and MEXICO** with priority dates beginning 01JUN07 and earlier than 01JUL08. (All 2A numbers provided for the DOMINICAN REPUBLIC AND MEXICO are exempt from the per-country limit; there are no 2A numbers for the DOMINICAN REPUBLIC AND MEXICO subject to per-country limit.)

Employment-Based	All Chargeability Areas Except Those Listed	CHINA-mainland born	DOMINICAN REPUBLIC	INDIA	MEXICO	PHILIPPINES
1st	C	C	C	C	C	C
2nd	C	22NOV05	C	01OCT05	C	C
3rd	15AUG03	15AUG03	15AUG03	22NOV01	U	15AUG03
Other Workers	01JUN01	01JUN01	01JUN01	01JUN01	U	01JUN01
4th	C	C	C	C	C	C
Certain Religious Workers	C	C	C	C	C	C
5th	C	C	C	C	C	C
Targeted Employ-ment Areas/ Regional Centers	C	C	C	C	C	C
5th Pilot Programs	C	C	C	C	C	C

The Department of State has available a recorded message with visa availability information which can be heard at: (area code 202) 663-1541. This recording will be updated in the middle of each month with information on cut-off dates for the following month.

Employment Third Preference Other Workers Category: Section 203(e) of the NACARA, 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.

B. DIVERSITY IMMIGRANT (DV) CATEGORY

Section 203(c) of the Immigration and Nationality Act provides a maximum of up to 55,000 immigrant visas each fiscal year to permit immigration opportunities for persons from countries other than the principal sources of current immigration to the United States. The Nicaraguan and Central American Relief Act (NACARA) passed by Congress in November 1997 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 reduction has resulted in the DV-2010 annual limit being reduced 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 **July**, immigrant numbers in the DV category are available to qualified DV-2010 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	54,100	Except: Egypt: 24,500 Ethiopia: 25,100 Nigeria: 18,850
ASIA	23,500	
EUROPE	32,000	
NORTH AMERICA (BAHAMAS)	5	
OCEANIA	1,300	
SOUTH AMERICA, and the CARIBBEAN	1,500	

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-2010 program ends as of September 30, 2010. DV visas may not be issued to DV-2010 applicants after that date. Similarly, spouses and children accompanying or following to join DV-2010 principals are only entitled to derivative DV status until September 30, 2010. DV visa availability through the very end of FY-2010 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 AUGUST

For **August**, immigrant numbers in the DV category are available to qualified DV-2010 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	64,300	Except: Egypt: 26,000 Ethiopia: 25,625 Nigeria: 22,000
ASIA	28,700	
EUROPE	CURRENT	
NORTH AMERICA (BAHAMAS)	5	

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OCEANIA	CURRENT	
SOUTH AMERICA, and the CARIBBEAN	CURRENT	

D. VISA AVAILABILITY IN THE FAMILY-SPONSORED CATEGORIES

There continues to be extremely rapid forward movement of most Family preference cut-off dates. This is a direct result of the lack of demand by potential applicants who have chosen not to pursue final action on their cases, or who may no longer be eligible for status. The rapid movement provides the best opportunity to maximize number use under the FY-2010 annual numerical limitations. Should applicants eventually decide to pursue action on their cases it will have a significant impact on the cut-off dates.

E. RETROGRESSION OF THE MEXICO FAMILY THIRD AND FOURTH PREFERENCE CUT-OFF DATES

As the end of the fiscal year approaches, it has been necessary to retrogress the Mexico Family Third and Fourth preference cut-off dates to keep visa issuances within the annual numerical limitations set by law. It is anticipated that for October, the first month of the new fiscal year, these preferences will return to the latest cut-off dates reached during FY-2010.

F. VISA AVAILABILITY IN THE EMPLOYMENT-BASED CATEGORIES

Based on current indications of demand, the best case scenarios for cut-off dates which will be reached by the end of FY-2010 are as follows:

Employment First: Current

Employment Second:

China and India: March or April 2006

Employment Third:

Worldwide: June through September 2004
China: October through December 2003
India: February 2002
Mexico: Unavailable
Philippines: June through September 2004

Employment Fourth:

Worldwide: It may be necessary to establish a cut-off date for September.

Employment Fifth: Current

Please be advised that the above date ranges are only estimates which are subject to fluctuations in demand. Continued heavy demand during recent months has reduced the estimated forward movements projected earlier in the year. It is possible that some annual limits could be reached or that some preferences could retrogress prior to the end of the fiscal year. Those categories with a “Current” projection will remain so for the foreseeable future.

G. DIVERSITY VISA LOTTERY 2011 (DV-2011) RESULTS

The Kentucky Consular Center in Williamsburg, Kentucky has registered and notified the winners of the DV-2011 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 100,600 applicants have been registered and notified and may now 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-2011 numbers will be used during fiscal year 2011 (October 1, 2010 until September 30, 2011).

Applicants registered for the DV-2011 program were selected at random from over 12.1 million qualified entries (16.5 million with derivatives) received during the 60-day application period that ran from noon on October 2, 2009, until noon, November 30, 2009. 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 in their notification letter and must fully complete the information requested.

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Registrants living legally in the United States who wish to apply for adjustment of their status must contact U.S. Citizenship and Immigration Services for information on the requirements and procedures. Once the total *50,000 visa numbers have been used, the program for fiscal year 2011 will end. Selected applicants who do not receive visas by September 30, 2011 will derive no further benefit from their DV-2011 registration. Similarly, spouses and children accompanying or following to join DV-2011 principal applicants are only entitled to derivative diversity visa status until September 30, 2011.

Only participants in the DV-2011 program who were selected for further processing have been notified. Those who have not received notification were not selected. They may try for the upcoming DV-2012 lottery if they wish. The dates for the registration period for the DV-2012 lottery program will be widely publicized during August 2010.

* 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-2011 program:

AFRICA

ALGERIA 1,753
ANGOLA 55
BENIN 508
BOTSWANA 13
BURKINA FASO 183
BURUNDI 72
CAMEROON 3,674
CAPE VERDE 26
CENTRAL AFRICAN REP. 18
CHAD 59
COMOROS 7
CONGO 144
CONGO, DEMOCRATIC REPUBLIC OF THE 2,575
COTE D'IVOIRE 759
DJIBOUTI 45
EGYPT 4,251
EQUATORIAL GUINEA 13
ERITREA 851
ETHIOPIA 5,200
GABON 41
GAMBIA, THE 72
GHANA 6,002
GUINEA 701
GUINEA-BISSAU 5
KENYA 4,689
LESOTHO 11
LIBERIA 1,826
LIBYA 114
MADAGASCAR 55
MALAWI 33
MALI 88
MAURITANIA 25
MAURITIUS 61
MOROCCO 2,003
MOZAMBIQUE 2
NAMIBIA 13
NIGER 89
NIGERIA 6,000
RWANDA 204
SAO TOME AND PRINCIPE 0
SENEGAL 427
SEYCHELLES 4
SIERRA LEONE 3,911
SOMALIA 201
SOUTH AFRICA 963
SUDAN 1,156
SWAZILAND 4
TANZANIA 174
TOGO 1,011
TUNISIA 132
UGANDA 490
WESTERN SAHARA 0
ZAMBIA 128
ZIMBABWE 163

ASIA

AFGHANISTAN 97
BAHRAIN 15
BANGLADESH 5,999
BHUTAN 5
BRUNEI 5
BURMA 367
CAMBODIA 434
HONG KONG SPECIAL ADMIN. REGION 43
INDONESIA 205
IRAN 2,819
IRAQ 147
ISRAEL 129
JAPAN 298
JORDAN 136
NORTH KOREA 2
KUWAIT 88
LAOS 3
LEBANON 214
MALAYSIA 133
MALDIVES 4
MONGOLIA 279
NEPAL 2,189
OMAN 3
QATAR 9
SAUDI ARABIA 91
SINGAPORE 35
SRI LANKA 515
SYRIA 132
TAIWAN 365
THAILAND 77
TIMOR-LESTE 0
UNITED ARAB EMIRATES 66
YEMEN 95

EUROPE

ALBANIA 1,469
ANDORRA 0
ARMENIA 1,268
AUSTRIA 147
AZERBAIJAN 355
BELARUS 1,104
GEORGIA 699
GERMANY 1,895
GREECE 62
HUNGARY 272
ICELAND 48
IRELAND 201
PORTUGAL 61
Macau Special Admin. Region 5
ROMANIA 821
RUSSIA 2,464
SAN MARINO 0

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BELGIUM 94
BOSNIA & HERZEGOVINA 67
BULGARIA 950
CROATIA 97
CYPRUS 11
CZECH REPUBLIC 111
DENMARK 66
Greenland 1
ESTONIA 72
FINLAND 87
FRANCE 767
French Guiana 0
French Polynesia 13
French Southern & Antarctic Lands 1
Guadeloupe 0
Martinique 0
New Caledonia 9
Reunion 0
St. Pierre & Miquelon 0
ITALY 450
KAZAKHSTAN 370
KOSOVO 134
KYRGYZSTAN 196
LATVIA 122
LIECHTENSTEIN 1
LITHUANIA 262
LUXEMBOURG 3
MACEDONIA 263
MALTA 1
MOLDOVA 894
MONACO 0
MONTENEGRO 5
NETHERLANDS 139
Aruba 6
Netherlands Antilles 16
NORTHERN IRELAND 38
NORWAY 66
SERBIA 327
SLOVAKIA 125
SLOVENIA 14
SPAIN 219
SWEDEN 187
SWITZERLAND 195
TAJIKISTAN 257
TURKEY 2,266
TURKMENISTAN 135
UKRAINE 6,000
UZBEKISTAN 5,091
VATICAN CITY 0

NORTH AMERICA

BAHAMAS, THE 18

OCEANIA

AUSTRALIA 683
Christmas Island 0
Cocos Islands 0
FIJI 476
KIRIBATI 9
MARSHALL ISLANDS 6
MICRONESIA, FEDERATED STATES OF 0
NAURU 7
NEW ZEALAND 333
Cook Islands 0
Niue 8
PALAU 2
PAPUA NEW GUINEA 4
SAMOA 0
SOLOMON ISLANDS 3
TONGA 51
TUVALU 4
VANUATU 1
WESTERN SAMOA 13

SOUTH AMERICA, CENTRAL AMERICA, AND THE CARIBBEAN

ANTIGUA AND BARBUDA 1
ARGENTINA 134
BARBADOS 12
BELIZE 12
BOLIVIA 90
CHILE 63
COSTA RICA 50
CUBA 406
DOMINICA 29
GRENADA 5
GUYANA 36
HONDURAS 61
NICARAGUA 74
PANAMA 31
PARAGUAY 14
SAINT KITTS AND NEVIS 6
SAINT LUCIA 27
SAINT VINCENT AND THE GRENADINES 21
SURINAME 9
TRINIDAD AND TOBAGO 145
URUGUAY 23
VENEZUELA 752

Natives of the following countries were not eligible to participate in DV-2011: Brazil, Canada, China (mainland-born, excluding Hong Kong S.A.R. and Taiwan), Colombia, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, India, Jamaica, Mexico, Pakistan, Peru, the Philippines, Poland, South Korea, United Kingdom (except Northern Ireland) and its dependent territories, and Vietnam.

H. OBTAINING THE MONTHLY VISA BULLETIN

The Department of State's Bureau of Consular Affairs offers the monthly "Visa Bulletin" on the INTERNET'S WORLDWIDE WEB. The INTERNET Web address to access the Bulletin is:

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From the home page, select the VISA section which contains the Visa Bulletin.

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VISABULLETIN@STATE.GOV

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

Department of State Publication 9514
CA/VO: June 9, 2010