

*United States Department of State*

*Bureau of Consular Affairs*

# VISA BULLETIN

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## IMMIGRANT NUMBERS FOR MARCH 2001

### A. STATUTORY NUMBERS

1. This bulletin summarizes the availability of immigrant numbers during March. Consular officers are required to report to the Department of State documentarily qualified applicants for numerically limited visas; the Immigration and Naturalization Service reports applicants for adjustment of status. Allocations were made, to the extent possible under the numerical limitations, for the demand received by February 7th 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.

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. 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, 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.)

	<b>All Charge-ability Areas Except Those Listed</b>	<b>CHINA-mainland born</b>	<b>INDIA</b>	<b>MEXICO</b>	<b>PHILIPPINE S</b>
<b>Family</b>					
1st	01MAR99	01MAR99	01MAR99	22APR94	22MAY88
2A*	22SEP96	22SEP96	22SEP96	22OCT94	22SEP96
2B	22JUN93	22JUN93	22JUN93	15OCT91	22JUN93

3rd	08MAY96	08MAY96	08MAY96	15JUL95	15NOV87
4th	01OCT89	01OCT89	08MAR88	01OCT89	01AUG79

\*NOTE: For March, 2A numbers **EXEMPT from per-country limit** are available to applicants from all countries with priority dates **earlier** than 22OCT94. 2A numbers **SUBJECT to per-country limit** are available to applicants chargeable to all countries **EXCEPT MEXICO** with priority dates beginning 22OCT94 and earlier than 22SEP96. (All 2A numbers provided for MEXICO are exempt from the per-country limit; there are no 2A numbers for MEXICO subject to per-country limit.)

	<b>All Charge- ability Areas Except Those Listed</b>	<b>CHINA- mainland born</b>	<b>INDIA</b>	<b>MEXICO</b>	<b>PHILIPPINE</b>
<b>Employment-Based</b>					
1st	C	C	C	C	C
2nd	C	15MAR00	15JUL00	C	C
3rd	C	01JAN99	01SEP97	C	C
Other Workers	01ARP97	01APR97	01APR97	01APR97	01APR97
4th	C	C	C	C	C
Certain Religious Workers	C	C	C	C	C
5th	C	C	C	C	C
Targeted Employment Areas/ Regional Centers	C	C	C	C	C

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

**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 (NCARA) 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 NCARA program. **This reduction has resulted in the DV-2001 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 **March**, immigrant numbers in the DV category are available to qualified DV-2001 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:

**All DV Chargeability Areas  
Except Those Listed  
Separately**

**Region**

AFRICA	AF 14,100	
ASIA	AS 5,900	Except: Bangladesh AS 5,225
EUROPE	EU 14,400	Except: Albania EU 6,800
NORTH AMERICA (BAHAMAS)	NA 15	
OCEANIA	OC 715	
SOUTH AMERICA, CENTRAL AMERICA, and the CARIBBEAN	SA 1,530	

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-2001 program ends as of September 30, 2001. DV visas may not be issued to DV-2001 applicants after that date. Similarly, spouses and children accompanying or following to join DV-2001 principals are only entitled to derivative DV status until September 30, 2001. DV visa availability through the very end of FY-2001 cannot be taken for granted. Numbers could be exhausted prior to September

30. **Once all numbers provided by law for the DV-2001 program have been used, no further issuances will be possible. C. ADVANCE NOTIFICATION OF THE DIVERSITY (DV) IMMIGRANT CATEGORY RANK CUT-OFFS WHICH WILL APPLY IN APRIL** For April, immigrant numbers in the DV category are available to qualified DV-2001 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:

<b>Region</b>	<b>All DV Chargeability Areas Except Those Listed Separately</b>	
AFRICA	AF 14,100	
ASIA	AS 6,800	Except: Bangladesh AS 5,225
EUROPE	EU 14,700	Except: Albania EU 8,380
NORTH AMERICA (BAHAMAS)	NA 15	
OCEANIA	OC 750	
SOUTH AMERICA, CENTRAL AMERICA, and the CARIBBEAN	SA 1,530	

#### **D. VISA AVAILABILITY DURING THE COMING MONTHS**

**F2A:** The March cut-off date movement in the F2A category is much greater than might ordinarily be expected. This movement was made in an effort to diminish the potential for processing problems during the coming months based on overseas and domestic workload considerations. Should any additional forward movement in this cut-off date be required, it is not likely to occur until the summer months, if at all. Therefore, readers should not make any plans based on the expectation of continued F2A cut-off movement. In addition, there is often a dramatic increase in demand for visa numbers attributed to rapid cut-off date movement. Should this occur, it may be necessary to temporarily retrogress the cut-off date late in the fiscal year.

**Employment categories:** Item D, paragraph five, of the December 2000 Visa Bulletin (no. 26) announced that changes had been made regarding the application of per-country limits for Employment-based visas. The rapid advance of the March cut-off dates reflect

the impact that such changes are beginning to have, and will continue to have for the foreseeable future.

#### **E. 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 page to access the *Bulletin* is:

<http://travel.state.gov>

Individuals may also obtain the *Visa Bulletin* by fax. From a fax phone, dial (202) 647-3000. Follow the prompts and enter in the code 1522 to have each *Bulletin* faxed.

To be placed on the Department of State's e-mail subscription list for the *Visa Bulletin*, please provide your e-mail information to the following e-mail address:

[VISABULLETIN@STATE.GOV](mailto:VISABULLETIN@STATE.GOV)

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