i) Immigrants Subject to the General Quotas

(1) Programs and Ceilings

(a) Three main programs for immigrants subject to general quotas:

(i) Family-Sponsored Immigrants

1. 480,000 – (number of immediate relatives who were admitted in the preceding fiscal year) + (employment-based visas that were available in the preceding fiscal year but were not used)

2. Ceiling must always be at least 226,000

   a. Minimum addresses the fear that high immediate relative numbers would wipe out too many of the visas allotted to other family members

(ii) Employment-Based Immigrants

1. 140,000 + (Family-sponsored visas that were available in the preceding year but were not used)

(iii) Diversity Immigrants

1. Annual ceiling of 55,000

(2) Preference Categories and Sub-Ceilings

(a) Family Sponsored Program

(i) 1st: Unmarried sons and daughters of United States Citizens

1. 23,400 + (Visas that the 4th preference applicants don’t need)

(ii) 2nd: Spouses and unmarried sons and daughter of LPRs

1. 114,200 + (Visas that the 1st preference applicants don’t need) + (Amount by which the total worldwide family-sponsored ceiling exceeds 226,000)

   a. 2nd is the only preference that refers to the relatives of LPRs

   b. Due to extreme backup, Congress provided that whenever the total ceiling for family-sponsored immigrants exceeded 226,000, the total excess would go to the 2nd preference.

2. Subcategories

   a. 2A’s: Spouses and “children” of LPRs

      i. At least 77% of the 2nd go to 2A’s

      ii. 75% of 2A’s exempt from the per-country limit

   b. 2B’s: Others- Over age 21 unmarried sons and daughters

(iii) 3rd: Married sons and daughters of United States citizens

1. 23,400 + (Visas that the 1st and 2nd preference applicants don’t need)

(iv) 4th: Siblings of over-age-21 United States citizens

1. 65,000 + (Visas that the 1st, 2nd, and 3rd preference applicants don’t need)

(b) Employment Based Immigrants

(i) Priority Workers

1. 28.6%

(ii) Members of the Professions holding Advanced Degrees

1. 28.6%

(iii) Skilled Workers, Professionals
1. 28.6%
(iv) Special Immigrants (Religious workers and long-term foreign employees of U.S. Government)
   1. 7.1%
(v) Employment Creation
   1. 7.1%
(c) A spouse or child who is accompanying, or following to join an immigrant who is within any of the three broad preference categories is entitled to the same preference status and the same place in line as the principal immigrant – 203(d)