

U.S. Legal Permanent Residents: 2008

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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 2008.¹

In 2008, a total of 1,107,126 persons became LPRs of the United States (see Table 1 and Figure 1). The majority of new LPRs (58 percent) already lived in the United States when they were granted lawful permanent residence. Nearly 65 percent were granted permanent residence 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 (17 percent), China (7 percent), and India (6 percent).

THE LEGAL IMMIGRATION PROCESS

Admission Priorities

The Immigration and Nationality Act (INA) and its amendments are the basis for most immigration laws in effect today. U.S. law gives priority for immigration status to foreign nationals who have a close family relationship with a U.S. citizen or LPR, who have needed job skills, who are from countries with relatively low levels of immigration to the United States, or who have refugee or asylee status.

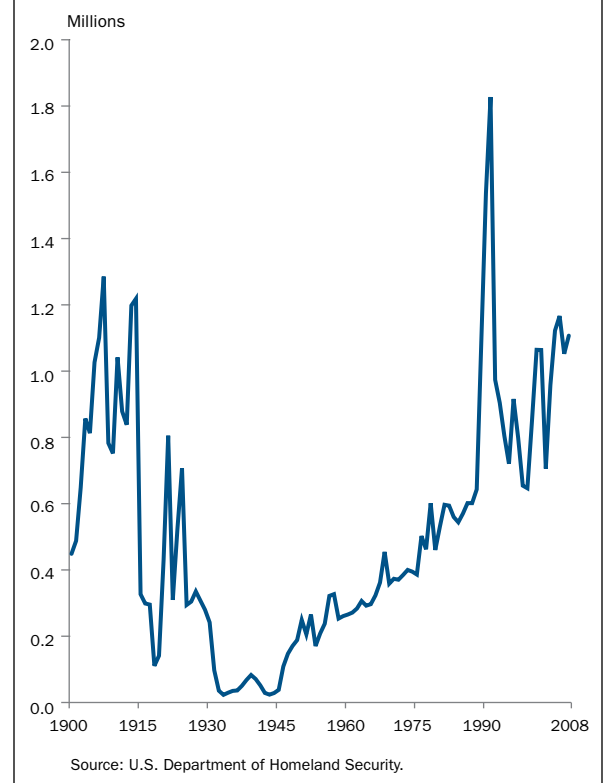
Preference Immigration and Diversity Limits

The term *preference* has been 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 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 and over, and their spouses and children. The annual limit for family-sponsored preferences ranges from 226,000 to 480,000. (See Appendix 1 for more details on the limit calculations).

Figure 1.
**LPR Flow to the United States:
1900 to 2008**



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



Employment 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; special immigrants (e.g., ministers, religious workers, and employees of the U.S. government abroad); and employment creation immigrants or “investors.” The employment preference limit is equal to 140,000 plus any unused family preferences from the previous year.

Diversity immigrants are nationals of countries with low rates of legal immigration to the United States. The annual Diversity limit has been 50,000 since 1999. Nationals of countries with more than 50,000 numerically limited admissions during the preceding five years are excluded from participating in the Diversity Program. The Office of Immigration Statistics (OIS) calculates Diversity limits for six broad world regions using data collected by U.S. Citizenship and Immigration Services (USCIS) of the Department of Homeland Security (DHS). The limits are calculated annually using a formula based on immigrant admissions during the preceding five years and the population total of the region. The maximum limit per country is 3,850.

In 2008, the limit on preference immigration was 388,704; including 226,000 for family-sponsored preferences and 162,704 for employment preferences (see Appendix 1). In addition, there are per-country and dependent area limits equal to 7 percent and 2 percent, respectively, of the total number of family-sponsored and employment preferences. In 2008, the per-country limit was 27,209 and the dependent area limit was 7,774.

Immediate Relatives of U.S. Citizens

Some LPR admission categories are exempt from the annual numeric limits for preference and diversity immigration. The largest category numerically is immediate relatives (spouses and children of U.S. citizens and parents of adult U.S. citizens aged 21 and over). Immediate relatives of U.S. citizens typically account for 40 percent or more of the annual LPR flow and, when combined with family-sponsored preferences, are referred to as family-sponsored immigrants.

Refugees and Asylees

Refugees and asylees who adjust to LPR status are exempt from preference and diversity annual numerical limits. 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 each year from 2003 to 2008. There is no numerical limit on the number of persons who can be granted asylum status in a year.

Refugees are eligible to adjust to legal permanent resident status after one year of residence in the United States. Asylees must also wait one year after they are granted asylum to apply for lawful permanent residence. Until 2005, an annual limit of 10,000 existed on the number of persons authorized to adjust status under the major classes of admission for asylees. The REAL ID Act eliminated that cap.

Table 1.

Legal Permanent Resident Flow: Fiscal Years 2006 to 2008

Category of admission	2008		2007		2006	
	Number	Percent	Number	Percent	Number	Percent
Total	1,107,126	100.0	1,052,415	100.0	1,266,129	100.0
New arrivals	466,558	42.1	431,368	41.0	446,881	35.3
Adjustments of status . . .	640,568	57.9	621,047	59.0	819,248	64.7

Source: U.S. Department of Homeland Security, Computer Linked Applicant Information Management System (CLAIMS), Legal Immigrant Data, Fiscal Years 2006 to 2008.

Other Admission Categories

The remaining admission categories usually account for less than 10 percent of the annual LPR flow. 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, they may enter the United States and become LPRs when they are admitted at a port of entry.

Persons who qualify for legal permanent resident status who are living in the United States, including refugees, certain temporary workers, foreign students, family members, and certain undocumented immigrants, file an application for adjustment of status to lawful permanent residence with 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.

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 and successful completion of English language, civics and history tests. Legal immigrant children under 18 years of age may automatically acquire citizenship from their U.S. citizen parents.

DATA

The data presented in this report were obtained from the Computer Linked Application Information System (CLAIMS) of USCIS, which maintains information from the applications for lawful permanent resident status. The DS-230 Application for Immigrant Visa and Alien Registration of the Department of State is used by applicants living abroad. The I-485 Application to Register Permanent Residence or Adjust Status of USCIS is used by applicants living in the United States.

Information collected on these applications includes: class of admission, date the decision was made to grant the applicant lawful permanent residence, country of birth, country of last residence, age, marital status, geographic residence, occupation, previous immigrant status and year of entry (for adjustments of status only). Since the late 1990s, the annual LPR flow and its

Table 2.

Legal Permanent Resident Flow by Major Category of Admission: Fiscal Years 2006 to 2008

Category of admission	2008		2007		2006	
	Number	Percent	Number	Percent	Number	Percent
Total	1,107,126	100.0	1,052,415	100.0	1,266,129	100.0
Family-sponsored immigrants	716,244	64.7	689,820	65.5	802,577	63.4
Family-sponsored preferences	227,761	20.6	194,900	18.5	222,229	17.6
Unmarried sons/daughters of U.S. citizens	26,173	2.4	22,858	2.2	25,432	2.0
Spouses and children of alien residents	103,456	9.3	86,151	8.2	112,051	8.8
Married sons/daughters of U.S. citizens	29,273	2.6	20,611	2.0	21,491	1.7
Siblings of U.S. citizens	68,859	6.2	65,280	6.2	63,255	5.0
Immediate relatives of U.S. citizens	488,483	44.1	494,920	47.0	580,348	45.8
Spouses	265,671	24.0	274,358	26.1	339,843	26.8
Parents	121,470	11.0	116,734	11.1	120,441	9.5
Children	101,342	9.2	103,828	9.9	120,064	9.5
Employment-based preferences	166,511	15.0	162,176	15.4	159,081	12.6
Priority workers	36,678	3.3	26,697	2.5	36,960	2.9
Professionals with advanced degrees	70,046	6.3	44,162	4.2	21,911	1.7
Skilled workers, professionals, unskilled workers	48,903	4.4	85,030	8.1	89,922	7.1
Special immigrants	9,524	0.9	5,481	0.5	9,539	0.8
Investors	1,360	0.1	806	0.1	749	0.1
Diversity programs	41,761	3.8	42,127	4.0	44,471	3.5
Refugees and Asylees	166,392	15.0	136,125	12.9	216,454	17.1
Refugee adjustments	90,030	8.1	54,942	5.2	99,609	7.9
Asylee adjustments	76,362	6.9	81,183	7.7	116,845	9.2
Parolees	1,172	0.1	1,999	0.2	4,569	0.4
Other categories	15,046	1.4	20,168	1.9	38,977	3.1
Children born abroad to alien residents	637	0.1	597	0.1	623	—
NACARA ¹ Section 202	296	—	340	—	661	0.1
Cancellation of removal	11,128	1.0	14,927	1.4	29,516	2.3
Subject to annual limit	2,769	0.3	3,148	0.3	3,566	0.3
Not subject to limit (NACARA ¹ Section 203)	8,359	0.8	11,779	1.1	25,950	2.0
Haitian Refugee Immigrant Fairness Act	1,580	0.1	2,448	0.2	3,375	0.3
Other	1,405	0.1	1,856	0.2	4,802	0.4

¹Nicaraguan 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 2006 to 2008.

demographic composition have fluctuated because of application processing at USCIS, affecting the number of adjustment of status applications adjudicated. Therefore, 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

Legal immigration increased five percent from 1,052,415 in 2007 to 1,107,126 in 2008 (see Table 1). The increase in the number of LPR new arrivals (8 percent) was slightly greater than the increase in the number of adjustments of status (3 percent). However, adjustments of status represented nearly 6 in 10 new LPRs in both 2007 and 2008 (see Table 1). From 2007 to 2008, the number of adjustment of status applications filed with USCIS decreased as did the number of applications pending a decision.

immediate relatives of U.S. citizens accounted for 68 percent of all family-sponsored immigrants and 44 percent of the total LPR flow.

Employment-based preferences accounted for 15 percent of persons becoming LPRs in 2008. The third preference was historically the leading employment-based category of admission, averaging 55 percent of the annual employment-based LPR flow from 2003 to 2007. However, the number of new LPRs using the third preference category of admission decreased by 42 percent from 2007 to 2008 to represent 29 percent of the employment-based LPR flow in 2008. Over the same period, the number of new LPRs in the employment-based second preference category of admission increased by 59 percent from 44,162 in 2007 to 70,046 in 2008.

Refugee and asylee immigrant classes of admission represented 15 percent of new LPRs in 2008. Refugee adjustments accounted for 54 percent of these admissions.

Diversity immigrant classes of admission accounted for 3.8 percent of the total LPR flow in 2008. The number of new LPRs in diversity immigrant classes of admission has decreased every year since 2004.

Historical Trends

The annual LPR flow has exhibited an upward trend since World War II (see Figure 1). The annual average LPR flow quadrupled from 250,000 during the 1950s to just over one million during 2000 to 2008. Changes in immigration law associated with this increase include 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.

Class of Admission

Family-sponsored immigrants, including family-sponsored preferences and immediate relatives of U.S. citizens, represented 65 percent of the total LPR flow in 2008 (See Table 2). During 2008,

Region and Country of Birth

The leading regions of birth of persons becoming LPRs in 2008 were North America (36 percent) and Asia (35 percent) (see Table 3). The percentage of new LPRs born in North America increased from 32 percent in 2007 to 36 percent in 2008. Together, Asia and North America accounted for approximately two-thirds of the LPR flow each year from 2004 to 2008.

In 2008, 17 percent of all persons becoming LPRs were born in Mexico. The second leading country of birth was China (7.3 percent), followed by India (5.7 percent), the Philippines (4.9 percent), Cuba (4.5 percent), the Dominican Republic (2.9 percent), Vietnam (2.8 percent), Colombia (2.7 percent), Korea (2.4 percent), and Haiti (2.3 percent). These 10 countries accounted for 53 percent of all new LPRs in 2008.

The percentage of new LPRs born in Cuba rose from 2.8 percent to 4.5 percent from 2007 to 2008. This increase was concentrated among the refugee classes of admission. The number of new LPRs that were born in the Philippines decreased as result of a decline in the use of recaptured visa numbers made available in the employment-based third preference classes of admission by the REAL ID Act.

State and Metropolitan Area of Residence

California was the state of residence of more than one-fifth (22 percent) of persons gaining LPR status in 2008 (see Table 4). Other leading states of residence included New York (13 percent), Florida (12 percent), Texas (8.1 percent), New Jersey (4.9 percent), and Illinois (3.9 percent). These six states represented the residence of 64 percent of new LPRs in 2008. The top 10 states of residence (which also included Massachusetts, Virginia, Georgia, and Maryland) accounted for the residence of 74 percent of new LPRs.

Table 3.

Legal Permanent Resident Flow by Region and Country of Birth: Fiscal Years 2006 to 2008

(Countries ranked by 2008 LPR flow)

Region/country of birth	2008		2007		2006	
	Number	Percent	Number	Percent	Number	Percent
Total	1,107,126	100.0	1,052,415	100.0	1,266,129	100.0
REGION:						
Africa	105,915	9.6	94,711	9.0	117,422	9.3
Asia	383,608	34.6	383,508	36.4	422,284	33.4
Europe	119,138	10.8	120,821	11.5	164,244	13.0
North America	393,253	35.5	339,355	32.2	414,075	32.7
Caribbean	137,098	12.4	119,123	11.3	146,768	11.6
Central America	50,840	4.6	55,926	5.3	75,016	5.9
Other North America	205,315	18.5	164,306	15.6	192,291	15.2
Oceania	5,263	0.5	6,101	0.6	7,384	0.6
South America	98,555	8.9	106,525	10.1	137,986	10.9
Unknown	1,394	0.1	1,394	0.1	2,734	0.2
COUNTRY:						
Mexico	189,989	17.2	148,640	14.1	173,749	13.7
China, People's Republic	80,271	7.3	76,655	7.3	87,307	6.9
India	63,352	5.7	65,353	6.2	61,369	4.8
Philippines	54,030	4.9	72,596	6.9	74,606	5.9
Cuba	49,500	4.5	29,104	2.8	45,614	3.6
Dominican Republic	31,879	2.9	28,024	2.7	38,068	3.0
Vietnam	31,497	2.8	28,691	2.7	30,691	2.4
Colombia	30,213	2.7	33,187	3.2	43,144	3.4
Korea ¹	26,666	2.4	22,405	2.1	24,386	1.9
Haiti	26,007	2.3	30,405	2.9	22,226	1.8
Pakistan	19,719	1.8	13,492	1.3	17,418	1.4
El Salvador	19,659	1.8	21,127	2.0	31,782	2.5
Jamaica	18,477	1.7	19,375	1.8	24,976	2.0
Guatemala	16,182	1.5	17,908	1.7	24,133	1.9
Peru	15,184	1.4	17,699	1.7	21,718	1.7
Canada	15,109	1.4	15,495	1.5	18,207	1.4
United Kingdom	14,348	1.3	14,545	1.4	17,207	1.4
Iran	13,852	1.3	10,460	1.0	13,947	1.1
Ethiopia	12,917	1.2	12,786	1.2	16,152	1.3
Nigeria	12,475	1.1	12,448	1.2	13,459	1.1
All other countries	365,800	33.0	362,020	34.4	465,970	36.8

¹ Korea includes North and South Korea.

Source: U.S. Department of Homeland Security, Computer Linked Applicant Information Management System (CLAIMS), Legal Immigrant Data, Fiscal Years 2006 to 2008.

Table 4.

Legal Permanent Resident Flow by State of Residence: Fiscal Years 2006 to 2008

(Ranked by 2008 LPR flow)

State of residence	2008		2007		2006	
	Number	Percent	Number	Percent	Number	Percent
Total	1,107,126	100.0	1,052,415	100.0	1,266,129	100.0
California	238,444	21.5	228,941	21.8	264,667	20.9
New York	143,679	13.0	136,739	13.0	180,157	14.2
Florida	133,445	12.1	126,277	12.0	155,986	12.3
Texas	89,811	8.1	77,278	7.3	89,027	7.0
New Jersey	53,997	4.9	55,834	5.3	65,931	5.2
Illinois	42,723	3.9	41,971	4.0	52,452	4.1
Massachusetts	30,369	2.7	30,555	2.9	35,558	2.8
Virginia	30,257	2.7	29,682	2.8	38,483	3.0
Georgia	27,769	2.5	27,353	2.6	32,202	2.5
Maryland	27,062	2.4	24,255	2.3	30,199	2.4
Other	289,570	26.2	273,530	26.0	321,467	25.4

Source: U.S. Department of Homeland Security, Computer Linked Applicant Information Management System (CLAIMS), Legal Immigrant Data, Fiscal Years 2006 to 2008.

Table 5.**Legal Permanent Resident Flow by Metropolitan Area of Residence: Fiscal Years 2006 to 2008**

(Ranked by 2008 LPR flow)

Metropolitan areas of residence	2008		2007		2006	
	Number	Percent	Number	Percent	Number	Percent
Total	1,107,126	100.0	1,052,415	100.0	1,266,129	100.0
New York-Northern New Jersey-Long Island, NY-NJ-PA . . .	179,981	16.3	175,746	16.7	224,430	17.7
Los Angeles-Long Beach-Santa Ana, CA	96,492	8.7	95,410	9.1	120,875	9.5
Miami-Fort Lauderdale-Pompano Beach, FL	87,787	7.9	78,169	7.4	98,911	7.8
Washington-Arlington-Alexandria, DC-VA-MD-WV	42,827	3.9	40,696	3.9	54,541	4.3
Chicago-Naperville-Joliet, IL-IN-WI	39,826	3.6	39,504	3.8	49,747	3.9
San Francisco-Oakland-Fremont, CA	36,120	3.3	35,644	3.4	38,344	3.0
Houston-Sugar Land-Baytown, TX	30,514	2.8	26,850	2.6	31,557	2.5
Dallas-Fort Worth-Arlington, TX	26,451	2.4	23,272	2.2	26,639	2.1
Boston-Cambridge-Quincy, MA-NH	24,691	2.2	24,678	2.3	28,469	2.2
Atlanta-Sandy Springs-Marietta, GA	22,329	2.0	22,056	2.1	25,270	2.0
Other	520,108	47.0	490,390	46.6	567,346	44.8

Note: Metropolitan areas defined based on Core-based Statistical Areas (CBSAs).

Source: U.S. Department of Homeland Security, Computer Linked Applicant Information Management System (CLAIMS), Legal Immigrant Data, Fiscal Years 2006 to 2008.

The leading metropolitan areas of residence for new LPRs in 2008 were New York-Northern New Jersey-Long Island, NY-NJ-PA (16 percent) and Los Angeles-Long Beach-Santa Ana, CA (8.7 percent) (see Table 5).² Other prominent locations included Miami-Fort Lauderdale-Pompano Beach, FL, Washington-Arlington-Alexandria, DC-VA-MD-WV, and Chicago-Naperville-Joliet, IL-IN-WI. These five metropolitan areas accounted for the residence of 40 percent of new LPRs in 2008.

Table 6.**Legal Permanent Resident Flow by Age: Fiscal Years 2006 to 2008**

Age	2008		2007		2006	
	Number	Percent	Number	Percent	Number	Percent
Total	1,107,126	100.0	1,052,415	100.0	1,266,129	100.0
Under 5 years	38,278	3.5	39,319	3.7	45,491	3.6
5 to 14 years	127,601	11.5	118,889	11.3	146,048	11.5
15 to 24 years	199,029	18.0	192,265	18.3	232,973	18.4
25 to 34 years	261,548	23.6	257,522	24.5	311,302	24.6
35 to 44 years	216,968	19.6	199,643	19.0	244,575	19.3
45 to 54 years	123,716	11.2	113,717	10.8	138,494	10.9
55 to 64 years	79,375	7.2	72,550	6.9	82,077	6.5
65 years and over	60,604	5.5	58,504	5.6	65,119	5.1
Unknown age	7	—	6	—	50	—
Median age (years)	32	X	32	X	31	X

X Not applicable.

— Figures round to 0.0.

Source: U.S. Department of Homeland Security, Computer Linked Applicant Information Management System (CLAIMS), Legal Immigrant Data, Fiscal Years 2006 to 2008.

Age, Gender, and Marital Status

LPRs have historically been younger than the native population of the United States. In 2008, the median age for persons becoming LPRs was 32 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 2008, females accounted for 54 percent of new LPRs (see Table 7) compared with 51 percent for the U.S. native population. The majority (58 percent) of new LPRs were married compared with 39 percent of the native population (see Table 8).⁴

² Beginning in 2005, the Office of Immigration Statistics (OIS) redefined metropolitan areas (Primary Metropolitan Statistical Areas), to conform with new standards issued by the U.S. Office of Management and Budget for core-based statistical areas (CBSAs). See Federal Register, Vol. 65, No. 249, Wednesday 12/27/2000, available at <http://www.whitehouse.gov/omb/fedreg/metroareas122700.pdf>. The most current CBSA definitions are available from OMB at <http://www.whitehouse.gov/omb/infereg/statpolicy.html#fs>.

³ Calculated from the March 2008 Current Population Survey public use microdata file from the Bureau of the Census.

⁴ Ibid.

Table 7.**Legal Permanent Resident Flow by Gender: Fiscal Years 2006 to 2008**

Gender	2008		2007		2006	
	Number	Percent	Number	Percent	Number	Percent
Total	1,107,126	100.0	1,052,415	100.0	1,266,129	100.0
Male	506,549	45.8	471,377	44.8	562,991	44.5
Female	600,555	54.2	581,031	55.2	703,121	55.5
Unknown	22	—	7	—	17	—

— Figures round to 0.0.

Source: U.S. Department of Homeland Security, Computer Linked Applicant Information Management System (CLAIMS), Legal Immigrant Data, Fiscal Years 2006 to 2008.

Table 8.**Legal Permanent Resident Flow by Marital Status: Fiscal Years 2006 to 2008**

Marital Status	2008		2007		2006	
	Number	Percent	Number	Percent	Number	Percent
Total	1,107,126	100.0	1,052,415	100.0	1,266,129	100.0
Single	410,938	37.1	387,252	36.8	470,258	37.1
Married	637,807	57.6	610,134	58.0	730,327	57.7
Other	53,633	4.8	50,318	4.8	58,062	4.6
Unknown	4,748	0.4	4,711	0.4	7,482	0.6

Source: U.S. Department of Homeland Security, Computer Linked Applicant Information Management System (CLAIMS), Legal Immigrant Data, Fiscal Years 2006 to 2008.

Appendix 1

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 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 issued visas or who adjusted status in fiscal year 2007 under categories 1 to 4 above was 507,125. There were zero unused employment preferences in 2007. The calculated limit for family-sponsored preferences in 2008 was -27,125 (480,000 minus 507,125 plus 0). Since this number was below 226,000, the family-sponsored preference limit was set at 226,000. The limit for each category is shown below (see Table A1).

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/frvi/bulletin/bulletin_1770.html).

Table A1.

Annual Limits for Preference and Diversity Immigrants: Fiscal Year 2008

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	162,704
First: Priority workers	46,534 [†]
Second: Professionals with advanced degrees or aliens of exceptional ability	46,533 [†]
Third: Skilled workers, professionals, and needed unskilled workers	46,533 [†]
Fourth: Special immigrants	11,552
Fifth: Employment creation ("investors")	11,552
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.

Employment Preference Limit

The annual limit is equal to 140,000 plus unused family-sponsored preferences in the previous fiscal year. There were 22,704 unused family sponsored preferences in 2007. The 2008 employment preference limit was 162,704 (140,000 plus 22,704). The limit is 28.6 percent of the total for each of the first three employment preferences and 7.1 percent for the last two preferences.

Per-Country and Dependent Area Limits

A limit of 7 percent of the total family-sponsored and employment preferences is set for independent countries, and a limit of 2 percent is set for dependent areas. The 2008 per-country limit for independent foreign states was 27,209 (7 percent of 388,704 or 226,000 plus 162,704) and the limit for dependencies was 7,774 (2 percent of 388,704).

Diversity Limits

The annual limit for diversity visas was 50,000 in 2008.