GENERAL CATEGORIES OF IMMIGRANTS

Persons immigrating to the United States are divided by U.S. immigration law into two general categories: (I) those who may obtain legal permanent residence status without numerical limitation, and (II) those who are restricted by an annual limitation on the number of persons who may enter as permanent residents. The second category is further divided into (A) family sponsored immigrants, (B) employment based immigrants, and (C) diversity immigrants.

I.   IMMIGRANTS NOT NUMERICALLY LIMITED

A.   Immediate Relatives of United States Citizens:

The spouse and minor unmarried children of a United States citizen, and the parent of a United States citizen who is over the age of twenty-one.

B.   Returning Residents:

Immigrants who lived in the United States previously as lawful permanent residents and are returning to live in the United States after a temporary visit of more than one year abroad.

II.   IMMIGRANTS SUBJECT TO NUMERICAL LIMITATIONS

Subject to certain transitional laws, immigration into the United States beginning in 1995 will be limited to 675,000 persons per year, not including persons in category I above. That figure is divided into three distinct sub-categories.

A.   Family-Sponsored Immigrants:

Preference relatives may receive all of the visas not used by Immediate Relatives, but in no case less than 226,000 visas per year. These family-based preference categories with minimum preference limits in parentheses, include:

1.   First Preference: Unmarried sons and daughters of U.S. citizens, and children if any. (23,400)

2.   Second Preference: Spouses, children, and unmarried sons and daughters of lawful permanent resident alien.

3.   Third Preference: Married sons and daughters of U.S. Citizens, and their spouses and children. (23,400)

4.   Fourth Preference: Brothers and sisters of United States citizens, and their spouses and children, provided the U.S. citizens are 21 years of age or over. (65,000)

B.   **Employment-Based Immigrants:**

A total of 140,000 immigrant visas yearly are available for this category which is divided into five preference groups: (Percent of yearly limit in parentheses)

1.   Priority Workers: Persons of extraordinary ability in the sciences, arts, education, business, or athletics; outstanding professors and researchers; and certain multinational executives and managers (28.6%).

2.   Members of the Professions: Professionals holding advanced degrees, and persons of exceptional ability in the sciences, arts, and business (28.6%).

3.   Professionals, Skilled and Unskilled Workers: Professionals holding baccalaureate degrees, skilled workers with at least two years experience, and other workers whose skills are in short supply in the United States (28.6%). (Unskilled workers are subject to a sublimit of 10,000).

4.   Special Immigrants: Certain religious workers and ministers of religion, certain international organization employees and their immediate family members, and specially qualified and recommended current and former employees of the United States Government (7.1%).

5.   Investors: Persons who create employment for at least ten unrelated persons by investing capital in a new commercial enterprise in the United States. The minimum amount of capital required is between $500,000 and $1,000,000, depending on the employment rate in the geographic area (7.1%).

C.   **Diversity Immigrants:**

Each year immigrant visas shall be made available to natives of foreign states identified as having been adversely affected by previous provisions of the immigrant law. Applicants for this category of visa must have a firm commitment for employment in the United States. Applicants will be registered during a specified annual application period.