
Chapter Ten

Now that You Are a Citizen

*Peace unto you for that you persevered in patience!
So how excellent!
–The Holy Qur'an*

In this Chapter:

- Getting a United States Passport
- Bringing Family Members to the United States
- Registering to Vote



As a new citizen you have many benefits.

You can get a passport, bring close family members to the United States to live permanently, vote in elections and more. This chapter outlines how to take advantage of some of the benefits and duties you now have as a new citizen.

GETTING A UNITED STATES PASSPORT

Your First United States Passport

You can apply for a passport the same day you receive your naturalization certificate. You must apply for your first passport in person at a passport agency or acceptance facility.

Where to Apply

There are passport offices in major cities, and there are more than 9,000 passport acceptance facilities throughout the country in post offices and other locations that can issue passports. To find a location near you, you can:

- look in the phone book in the federal government section (blue pages) under “passport”;
- call information at “411”; or
- look on the internet at <http://www.travel.state.gov>. Select “Passports,” then “Where to Apply in the U.S.” You can then search for the nearest facility by zip code, city, and state.

What to Bring With You

- Payment. Acceptable forms of payment (check, money order, etc.) vary depending on where you are applying. Find out in advance what is acceptable. The total fee is \$100 (for applicants age 16 or older), but this includes an execution fee of \$25 that is paid separately to the facility where you are applying. So you may need two separate payments of \$75 to the State Department and \$25 to the acceptance facility.
- Proof of United States citizenship using your original naturalization certificate.

Note: Do not turn in your original naturalization certificate. You will just show it to the official receiving your application.

- Proof of identity with one of the following: your original naturalization certificate; a current driver's license; or a current government or military ID.
- A completed Form DS-11, *Application for Passport*, except for the signature. You can complete the form in advance, but do not sign it until you are in front of the official receiving it. You can download the form from the internet or get it at the passport agency or acceptance facility.
- Social Security Number.

See Attachment A for a copy of Form DS-11.

- Two passport photos as described below:
 - identical
 - taken within the past six months, showing current appearance
 - color
 - 2x2 inches in size
 - between 1 inch and 1 3/8 inches from the bottom of the chin to the top of the head
 - front view of the face
 - plain white or off-white background
 - taken in normal street clothes (no uniforms except religious attire that is worn daily)

Note: If you normally wear prescription glasses, a head covering, or similar articles, wear them for the picture. However, dark glasses are not allowed unless you have a doctor's letter, and the head covering cannot hide your face. You must include a statement with your application explaining why you have to wear the head covering.

Waiting Time for Your Passport

A regular passport takes about six weeks. Processing times vary at different facilities. If you are concerned, inquire about processing times before submitting the application. If you need your passport more quickly, you can get it within about two weeks for an extra \$60 fee plus shipping fees for expedited mailing.

Passport for a Child

The child must appear in person. Parental consent may be requested for a child age 14 to 17. If the child is under age 14, the consent of both parents or legal guardians, and a valid ID for both, is required. In addition, proof of the relationship with the parents is required for a child under age 14. The passport costs \$85 for a child under age 16 and \$100 for a child age 16 or older.

BRINGING FAMILY MEMBERS TO THE UNITED STATES

Historically, family reunification has been the principal policy underlying United States immigration law. Family-based immigration allows for close relatives of citizens and lawful permanent residents (LPRs) to immigrate to the United States by filing Form I-130 for a fee of \$355. They immigrate either as immediate relatives of United States citizens or through the family preference system. These relatives are given immigrant visas and later issued an I-551 *Permanent Resident Card*, also known as a “green card.”

*See Attachment B
for a copy of
Form I-130.*

United States citizens have an advantage over LPRs in petitioning for relatives. While an LPR can only petition for a spouse and unmarried children, a citizen also can petition for parents, brothers and sisters, and married children.

All citizens or LPRs wishing to petition for a family member must complete an *Affidavit of Support* (Form I-864). The affidavit must show that the sponsor’s income is at least 125% of the poverty level in order to eliminate the need for sponsored relatives to receive federal means-tested public benefits, such as food stamps. It is a legally enforceable document promising financial support for the sponsored relatives.



Immediate Relatives

The term “immediate relative” includes the following family relationships: spouse, child (unmarried, under age 21), and parent of a United States citizen. (A citizen must be age 21 or older to sponsor a parent.) It also includes widows and widowers of citizens who were married for at least two years prior to the citizen’s death and who file an application within two years of the death.

The benefit of immigrating as an immediate relative is that there is no limit on the number of visas available each year. These persons are not subject to the long waiting period that exists in many of the preference categories. However, due to considerable backlogs at USCIS and overseas consulates, even immediate relatives can expect to wait up to a year or more to receive their immigrant status.

Family-Sponsored Visa Preferences

There are a limited number of visas available every year under the family preference system. Relatives immigrating through an LPR, as well as some immigrating through a citizen, are subject to the annual quota for available visas. The following are the family preference categories.

First Preference: Unmarried sons and daughters (any age) of United States *citizen*.

Second Preference: Has two subsections.

2A: Spouses and unmarried children (under age 21) of *LPR*.

2B: Unmarried sons and daughters (age 21 and older) of *LPR*.

Third Preference: Married sons and daughters of United States *citizen*.

Fourth Preference: Brothers and sisters of United States *citizen*, where citizen is at least 21 years old.

Priority Dates

When you file a petition for a family member through the family preference system, your visa petition is given a priority date. This is the date USCIS received your petition (Form I-130), if it was properly filed. To be properly filed, the petition must be signed and submitted with the filing fee and necessary documents. Visas are given in chronological order based on the priority date.

See Attachment C for a sample I-130 approval notice with priority date.

Once you know the priority date, you can determine whether or not it is available or “current” or approximately how long before it becomes current. The primary source of information on visa availability is the *Visa Bulletin*, published monthly by the U.S. State Department. An immigration professional can provide you with this information, or you can find it on the State Department’s website at <http://travel.state.gov>.

See Attachment D for a sample Visa Bulletin showing what priority dates are being called.

A preference visa is generally subtracted from a numerical limit for the country where the applicant was born. Yearly numerical limits are created by the United States government in order to control the numbers of immigrants coming from countries with high numbers and to give other immigrants an opportunity to come to the United States. This is because there are more immigrants from some countries than from others. Once the visas for a particular country and a particular category are used for the fiscal year, no more visas will be issued that year.



United States vs. Overseas Processing

Immigrants meeting certain requirements are eligible to process their visas in the United States. For example, immigrants with I-130 petitions or labor certifications filed on or before April 30, 2001 may qualify to process in the United States by paying a penalty fee of \$1,000. Those who are not eligible to process in the United States must go to an overseas consulate. When the priority date for your relative is current, you should contact National Visa Center by mail.

Warning: If your relative is living undocumented in the United States, leaving to process at an overseas consulate may have serious consequences. It may trigger a three- or ten-year bar against re-entering the United States. However, a waiver of the bar may be available. Talk to an immigration lawyer or accredited representative before your relative leaves the United States.

Principal and Derivative Beneficiaries

Family members who are being petitioned by a United States citizen or LPR through the preference system are called “principal beneficiaries.” Their minor, unmarried children or spouse may also be admitted to the United States as “derivative beneficiaries,” as they are dependents of the principal beneficiary. They can be given the same preference status as the principal beneficiary without having to file a separate I-130 petition. These derivatives may either accompany the principal beneficiary or “follow to join,” which means immigrating more than six months after the principal beneficiary. However, this procedure only works through the preference system. A family member immigrating as an immediate relative of a citizen cannot bring derivative beneficiaries. In this case, each family member must file a separate I-130 petition.

Changing Priority Dates

Intending immigrants may lose their ability to immigrate under the original I-130 while it is being processed. For example, the unmarried son or daughter of an LPR may marry, thus canceling the petition. Or, the derivative, dependent child of an immigrating parent may turn 21, thus requiring a separate I-130 to be filed. Fortunately, a 2002 law called the Child Status Protection Act allows many children to retain their derivative status after turning 21. This new law allows certain unmarried children of U.S. citizens to preserve their eligibility as immediate relatives if they turn 21 before completing the immigration process. Certain children of lawful permanent residents are also allowed to preserve their second preference 2A status.

The intending immigrant may also change from one preference category to another. For example, an unmarried son or daughter of a citizen may marry, thus moving from first preference to third preference.

In some of the examples above, the intending immigrant is able to keep the original priority date, even if a new I-130 must be filed. For example, when a derivative child ages out and the LPR parent is required to file a separate I-130, the child retains the original priority date of the I-130 that was filed on behalf of the LPR's spouse.

Upgrading Petitions for Family Members

I-130 petitions that you filed for family members when you were a permanent resident can be upgraded when you become a citizen. Send a letter stating that you are now a United States citizen and you want to upgrade the category of your petition, together with a copy of your naturalization certificate and a copy of the I-130 approval notice containing the priority date. The upgrade request should be sent to the office that recently adjudicated the petition (USCIS Service Center) or to the National Visa Center if the file has already been forwarded there.

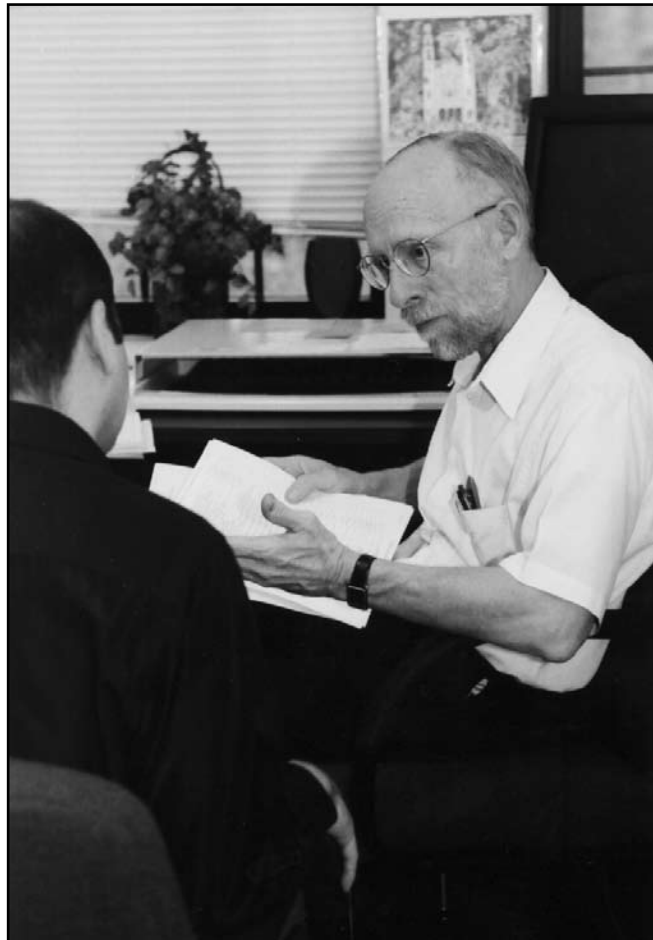
See Attachment E for a sample letter to upgrade the status of a relative.

upgrade = To move to a higher or better level. *"When I became a citizen, I upgraded my wife's petition so she could get her visa much faster."*

Filling Out the Forms

The rules and forms for sponsoring a family member for a permanent resident visa are very complicated. Congress has passed new laws that make it harder for a United States citizen or LPR to qualify to sponsor a relative. The laws also limit the ability of relatives to process their visas in the United States.

It is best to seek help from an immigration professional such as a lawyer or accredited representative to determine eligibility for sponsorship, complete the I-130 accurately, get the supporting documentation, and provide information about bars and waivers. The legal professional can also follow-up on the application, let you know when the priority date is expected to be current, and help you resolve any problems that occur. When the priority date becomes current, the legal professional can help you update USCIS with new information and attend the local USCIS interview with you and your relative.



REGISTERING TO VOTE

How to Register

You must register before you can vote. In most states you must be registered 20-30 days before the next election. To register you must fill out a voter registration form and either mail it, leave it with a state agency or public office, or deliver it in person to a voter registration office in your local, county, or state government. You can also give the form to a voter registrar.

Note: North Dakota is the only state that does not require voter registration. Wisconsin, Minnesota, and Maine allow people to register the day of the election.

Who Can Register

You must be a United States citizen and at least 18 years old on or before the date of the election. You also must be a resident of the state where you will vote. Each state has its own voter registration laws which further specify who can register. More information about state laws can be found on the National Mail Voter Registration Form at <http://www.eac.gov/>.



Where to Register

In some cities, voter registration services are offered at naturalization oath ceremonies. You can also register at your state, county, or local election board offices. In addition, you can register with a voter registrar at designated locations. Many states offer registration at public libraries, post offices, unemployment offices, public high schools, universities, and technical schools.

In most states you can register at the Department of Motor Vehicles when you apply for or renew your driver's license or state ID. You can also register at agencies that provide public assistance such as Temporary Assistance for Needy Families (TANF), Medicaid, and food stamps, and also at state offices with programs for the disabled.

You can register through the mail by filling out a registration form and mailing it to the address provided in the instructions.

Registration Forms

You can use a national, state, or local voter registration form. The National Mail Registration Form is accepted in most states and the District of Columbia. It is sometimes called the "FEC Form" because it was designed by the Federal Election Commission. The form is available in English and Spanish on the FEC website at <http://www.fec.gov>. The form can also be found on the Election Assistance Commission website at <http://www.eac.gov>. Your state and county government also may have their own form.

Note: North Dakota does not have voter registration. Wyoming cannot accept the form by state law. In New Hampshire, town and city clerks will accept the form only as a request for their own mail-in absentee voter registration form.

You also can get a national or state mail-in registration form by calling the Chief State Election Official in your state. It is usually available through your county or city elections office, as well as from voter registrars. Many states allow you to print their voter registration form from their website.

How Often to Register

You do not need to register for every election. Usually you do not have to register again unless you have moved, not voted for a long time, or changed your name. You can call your elections office to find out the rules for your states. If you move to another part of the country, you usually need to register again.

VOTER REGISTRATION APPLICATION - PLEASE COMPLETE IN BLACK INK.

1 Will you be at least 18 yrs old or older on or by the next General Election? Yes No
 Are you a U.S. citizen? Yes No
 If you answer **NO** to either question, do not complete this form.

2 Check boxes that apply and complete Items 3-13.
 New Registration Party Affiliation Change
 Name Change Address Change

3 Last Name Title (Jr., Sr., etc.) First Name Middle Name

4a MARYLAND Driver's License or MVA ID Number - MANDATORY (if you have neither, see instructions)
4b Check here if you do not have either a current, valid Maryland driver's license / MVA ID card or a Social Security number.

5 Maryland Residence Address: Street Number Street Name Apt. No. City or Town Zip Code County Check here if you reside in Baltimore City.
 Mailing Address (if different from Item 5):

6

7 Birth Date: Month Date Year **8** Sex: Male Female **9** Daytime Phone:

10 Party (check one): Democrat Republican Green Libertarian
 Unaffiliated (decline to join a party) Other-Specify: _____

11 Check here if you would like information on polling place assistance for elderly, disabled, or voters unable to write or read the ballot.
12 Check here if you would like information on working as an election judge for your County Board of Elections.

Under penalty of perjury, I hereby swear or affirm: I am a U.S. citizen. I am a Maryland resident. I will be at least 18 years old or older by the next General Election. I am not under guardianship for mental disability. I have not been convicted of buying or selling votes. I have not been convicted of a felony, or if I have, I have completed serving a court-ordered sentence of imprisonment, including any term of parole or probation for the conviction. The information in this application is true to the best of my knowledge, information, and belief.

13 Signature (required) Date

DO NOT WRITE IN SPACE BELOW

DISTRICT _____ REG. CODE _____ CLERK'S INITIALS _____
 PRECINCT _____ ME _____
 WARD _____ MONTH _____ DAY _____ YEAR _____ VOTER ID _____


LAST VOTER REGISTRATION INFORMATION (if applicable)

A Name on Last Registration: Last Name Title (Jr., Sr., etc.) First Name Middle Name Date of Birth

B Address on Last Registration: Street Number Street Name Apt. No. City or Town State Zip Code County

Voter Registration Card

After you register to vote, you will receive a voter registration card. When you vote, you must show your card and/or another form of identification.

 **COMMONWEALTH OF VIRGINIA**
VOTER CARD

REG. NO. _____ DATE ISSUED **07/07/2008**

LOCALITY **FAIRFAX COUNTY**

PRECINCT **408 - MOUNT EAGLE**

DISTRICTS: CONG **08** SEN **030** HSE **045**

LOCAL: **LEE**

Voter Registration Office
 OFFICE OF ELECTIONS
 12000 GOVERNMENT CENTER PKWY, SUITE 323
 FAIRFAX, VA 22035-0081
 703-222-0776

VOTING LOCATION
 MT. EAGLE ELEMENTARY SCHOOL
 6116 NORTH KINGS HWY.

FOLD HERE



APPLICATION FOR A U.S. PASSPORT

OMB APPROVAL NO. 1405-0004
EXPIRATION DATE: 12-31-2010
ESTIMATED BURDEN: 85 MIN

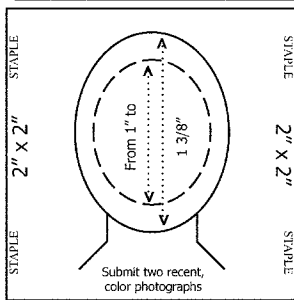
Attention: see WARNING on page two of instructions
Please select the document (or documents) for which you are applying:
[] U.S. Passport Book [] U.S. Passport Card
The U.S. passport card may only be used for international travel by land or sea between the United States, Canada, Mexico, the Caribbean and Bermuda. Please visit our website for detailed information.

1. Name Last, First & Middle
2. Date of Birth (mm/dd/yyyy)
3. Sex [] M [] F
4. Place of Birth (City & State or City & Country as it is presently known)
5. Social Security Number
6. Mailing Address: Street/RFD # or P.O. Box, Apartment or unit #

City, State, Zip Code (Zip + 4 if known), In Care Of or Country, if applicable

7. Contact Phone Number (Home, Cell, Work)
8. Email Address (Optional)

9. Have You Ever Used A Different Name (Maiden, Previous Marriage, Legal Name Change)? If yes, please complete. (Attach additional pages if needed)




10. Parents' Information
Father's Name - First & Middle, Last, Date of Birth, Father's Place of Birth, U.S. Citizen?
Mother's Name - First & Middle, Last (Maiden), Date of Birth, Mother's Place of Birth, U.S. Citizen?

CONTINUE TO PAGE 2
DO NOT SIGN APPLICATION UNTIL REQUESTED TO DO SO BY PERSON ADMINISTERING OATH.

I declare under penalty of perjury all of the following: 1)I am a citizen or non-citizen national of the United States and have not, since acquiring U.S. citizenship or nationality, performed any of the acts listed under "Acts or Conditions" on the reverse side of this application (unless explanatory statement is attached); 2)the statements made on the application are true and correct; 3)I have not knowingly and willfully made false statements or included false documents in support of this application; 4)the photograph submitted with this application is a genuine, current, photograph of me; and 5)I have read and understood the warning on page two of the instructions to the application form.

Signatures: Applicant's Signature - age 16 and older, Father's/Legal Guardian's Signature, Mother's/Legal Guardian's Signature
Identifying Documents - Applicant or Father (if identifying minor)
Identifying Documents - Mother (if identifying minor)

Acceptance Agent (Vice) Consul USA, Passport Services Staff Agent
Subscribed and sworn to (affirmed) before me: Facility Name/Location, Facility/Agent ID Number
Signature of person authorized to accept applications, Date
PPT Fee, EF, Postage, Other
Barcode: DS 11 10 2007 1

Name of Applicant <i>(Last, First & Middle)</i>				Date of Birth <i>(mm/dd/yyyy)</i>	
11. Height	12. Hair Color	13. Eye Color	14. Occupation	15. Employer	
16. Additional Contact Phone Numbers					
		<input type="checkbox"/> Home <input type="checkbox"/> Cell			<input type="checkbox"/> Home <input type="checkbox"/> Cell
		<input type="checkbox"/> Work <input type="checkbox"/> _____			<input type="checkbox"/> Work <input type="checkbox"/> _____
17. Permanent Address: Street/RFD # (No P.O. Box)					
					Apartment or unit #
City		State	Zip Code		
18. Emergency Contact - Provide the information of a person not traveling with you to be contacted in the event of an emergency.					
Name		Address: Street/RFD # or P.O. Box			Apartment or unit #
City		State	Zip Code	Phone Number	Relationship
19. Travel Plans					
Date of Trip <i>(mm/dd/yyyy)</i>		Length of Trip	Countries to be visited		
20. Have you ever been married? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, complete the remaining items in #20.					
Current spouse's or most recent former spouse's name		Place of birth	Date of marriage <i>(mm/dd/yyyy)</i>	Widowed?	Date <i>(mm/dd/yyyy)</i>
				<input type="checkbox"/>	
				Divorced?	
				<input type="checkbox"/>	
21. Have you ever been issued a U.S. Passport Book? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, complete the remaining items in #21.					
Your name as listed on your most recent passport book				Most recent passport book number	
Status of your most recent passport book			Approximate date your most recent passport book was issued or date you applied <i>(mm/dd/yyyy)</i>		
<input type="checkbox"/> In My Possession <input type="checkbox"/> Stolen <input type="checkbox"/> Lost <input type="checkbox"/> Other _____					
22. Have you ever been issued a U.S. Passport Card? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, complete the remaining items in #22.					
Your name as listed on your most recent passport card				Most recent passport card number	
Status of your most recent passport card			Approximate date your most recent passport card was issued or date you applied <i>(mm/dd/yyyy)</i>		
<input type="checkbox"/> In My Possession <input type="checkbox"/> Stolen <input type="checkbox"/> Lost <input type="checkbox"/> Other _____					
STOP! PLEASE DO NOT WRITE BELOW THIS LINE					
FOR ISSUING OFFICE ONLY <input type="checkbox"/> Sole Parent <input type="checkbox"/> Both					
Name as it appears on citizenship evidence _____					
<input type="checkbox"/> Birth Certificate	SR	CR	City	Filed/Issued:	
<input type="checkbox"/> Report of Birth	240	545	1350	Filed/City:	
<input type="checkbox"/> Naturalization / Citizenship Certificate	A#		Date Acquired:		
<input type="checkbox"/> Passport	Issue Date:				
<input type="checkbox"/> Other:					
<input type="checkbox"/> Attached:					
					

Department of Homeland Security
U.S. Citizenship and Immigration Services

OMB #1615-0012; Expires 01/31/11

I-130, Petition for Alien Relative

DO NOT WRITE IN THIS BLOCK - FOR USCIS OFFICE ONLY

Form header section containing A#, Section of Law/Visa Category, Action Stamp, Fee Stamp, and Remarks.

A. Relationship You are the petitioner. Your relative is the beneficiary.

Form section A containing questions 1, 2, and 3 regarding the relationship and adoption.

B. Information about you

C. Information about your relative

Main body of the form containing questions 1 through 12 for both the petitioner and the relative.

Form section 13: If you are a U.S. citizen, complete the following.

Form section 14: If your relative is currently in the U.S., complete the following.

Form section 14: If you are a lawful permanent resident alien, complete the following.

Form section 15: Name and address of present employer (if any).

Form section 14b: Did you gain permanent resident status through marriage to a U.S. citizen or lawful permanent resident?

Form section 16: Has your relative ever been under immigration proceedings?

INITIAL RECEIPT RESUBMITTED RELOCATED: Rec'd Sent COMPLETED: Appv'd Denied Ret'd



Form I-130 (Rev. 05/27/08)Y

C. Information about your alien relative (continued)

17. List husband/wife and all children of your relative.

(Name) (Relationship) (Date of Birth) (Country of Birth)

18. Address in the United States where your relative intends to live.

(Street Address) (Town or City) (State)

19. Your relative's address abroad. (Include street, city, province and country) Phone Number (if any)

20. If your relative's native alphabet is other than Roman letters, write his or her name and foreign address in the native alphabet.

(Name) Address (Include street, city, province and country):

21. If filing for your husband/wife, give last address at which you lived together. (Include street, city, province, if any, and country):

From: **To:**

22. Complete the information below if your relative is in the United States and will apply for adjustment of status.

Your relative is in the United States and will apply for adjustment of status to that of a lawful permanent resident at the USCIS office in:

If your relative is not eligible for adjustment of status, he or she will apply for a visa abroad at the American consular post in:

(City) (State) (City) (Country)

NOTE: Designation of a U.S. embassy or consulate outside the country of your relative's last residence does not guarantee acceptance for processing by that post. Acceptance is at the discretion of the designated embassy or consulate.

D. Other information

1. If separate petitions are also being submitted for other relatives, give names of each and relationship.

2. Have you ever before filed a petition for this or any other alien? Yes No

If "Yes," give name, place and date of filing and result.

WARNING: USCIS investigates claimed relationships and verifies the validity of documents. USCIS seeks criminal prosecutions when family relationships are falsified to obtain visas.

PENALTIES: By law, you may be imprisoned for not more than five years or fined \$250,000, or both, for entering into a marriage contract for the purpose of evading any provision of the immigration laws. In addition, you may be fined up to \$10,000 and imprisoned for up to five years, or both, for knowingly and willfully falsifying or concealing a material fact or using any false document in submitting this petition.

YOUR CERTIFICATION: I certify, under penalty of perjury under the laws of the United States of America, that the foregoing is true and correct. Furthermore, I authorize the release of any information from my records that U.S. Citizenship and Immigration Services needs to determine eligibility for the benefit that I am seeking.

E. Signature of petitioner.

Date Phone Number ()

F. Signature of person preparing this form, if other than the petitioner.

I declare that I prepared this document at the request of the person above and that it is based on all information of which I have any knowledge.

Print Name _____ Signature _____ Date _____

Address _____ G-28 ID or VOLAG Number, if any. _____

Department of Homeland Security
U.S. Citizenship and Immigration Service

I-797, Notice of Action



RECEIPT NUMBER EAC- [REDACTED]		CASE TYPE I130 IMMIGRANT PETITION FOR RELATIVE, FIANCE (E), OR ORPHAN	
RECEIPT DATE November 14, 2006	PRIORITY DATE November 13, 2006	PETITIONER A [REDACTED]	
NOTICE DATE May 31, 2007	PAGE 1 of 1	BENEFICIARY A [REDACTED]	
[REDACTED]		Notice Type: Approval Notice Section: Husband or wife of U.S. Citizen, 201(b) INA	

The above petition has been approved. The petition indicates that the person for whom you are petitioning is in the United States and will apply for adjustment of status. The evidence indicates that he or she is not eligible to file an adjustment of status application. This determination is based on the information submitted with the petition and any relating files. If the person for whom you are petitioning believes that he or she is eligible for adjustment of status, then he or she should contact the local INS office for more information.

Because the person for whom you are petitioning is not eligible to adjust, we have sent the approved petition to the Department of State National Visa Center (NVC), 32 Rochester Avenue, Portsmouth, NH 03801-2909. NVC processes all approved immigrant visa which consular post is the appropriate consulate to complete visa processing. NVC will then forward the approved petition to that consulate.

This completes all INS action on this petition. If you have any questions about visa issuance, please contact the NVC directly. The telephone number to NVC is (603) 334-0700. Please allow 90 days before contacting the National Visa Center regarding your petition.

The NVC will communicate with the person for whom you are petitioning concerning further immigrant visa processing steps.

The approval of this visa petition does not in itself grant any immigration status and does not guarantee that the alien beneficiary will subsequently be found to be eligible for a visa, for admission to the United States, or for an extension, change, or adjustment of status.

THIS FORM IS NOT A VISA NOR MAY IT BE USED IN PLACE OF A VISA.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

IMMIGRATION & NATURALIZATION SERVICE
VERMONT SERVICE CENTER
75 LOWER WELDEN STREET
SAINT ALBANS VT 05479-0001
Customer Service Telephone: (800) 375-5283



Visa Bulletin

Number 120
Volume VIII
Washington, D.C.

VISA BULLETIN FOR JULY 2008

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; the Bureau of 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 **6th** 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.)

Family	All Chargeability Areas Except Those Listed	CHINA-mainland born	INDIA	MEXICO	PHILIPPINES
1st	15MAR02	15MAR02	15MAR02	22JUL92	15MAR93
2A	01AUG03	01AUG03	01AUG03	U	01AUG03
2B	15SEP99	15SEP99	15SEP99	08APR92	01MAR97
3rd	08JUN00	08JUN00	08JUN00	08AUG92	01APR91
4th	01SEP97	15FEB97	15FEB97	22DEC94	08MAR86

***NOTE:** For July, 2A numbers **EXEMPT from per-country limit** will be unavailable because the annual limit for such visas will have been reached. This will only impact the processing of Mexico F2A applicants.

July 15, 2008

National Visa Center
Attn: WC
32 Rochester Avenue
Portsmouth, NH 03801-2909

RE: [name of wife]
Case Number: _____
Petitioner: _____ (USC)
Beneficiary: _____ (wife)

Dear Sir/Madam:

I filed a Petition for *Alien Relative* (Form I-130) for my wife, [name], on January 7, 2006 as a legal permanent resident. I am now a citizen. Enclosed, please find:

- Copy of "Notice of Action" dated _____ advising that the petition has been approved;
- Copy of my Naturalization Certificate; and
- Copy of my Marriage Certificate

Please be advised that I attained United States citizenship on July 14, 2008

Since I am now a citizen, an immigrant visa is immediately available to my spouse, the beneficiary. We request that you forward the approved petition to the U.S. Consulate in Paris, France, where my wife lives as a citizen of France, for visa processing. Please note that my wife's address has changed to:

[full address in Paris]

If you have any questions or concerns, please contact me at (313) 000-0000 or [e-mail address].

Sincerely,

[name of petitioner]