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More visa numbers open for Filipinos

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Filipinos who have acquired U.S. citizenship are no longer discouraged from petitioning for their brothers and sisters and their married sons and daughters for eventual immigrant status. Likewise, skilled and unskilled workers and business investors are no longer dissuaded from registering for visa preference or non-preference classifications.

This was emphasized by the U.S. Department of State in its telegram to consular posts recently.

Under present condition, visas for Filipinos are open only to the first, second and third preferences. A sizeable number of Filipinos have filed their immigrant visa petitions so that the 20,000 limitation for the country has long been reached.

This in turn has resulted in the unavailability of visa numbers for married sons and daughters of US citizens (4th preference), brothers and sisters of U.S. citizens (5th preference), skilled and unskilled worker in short supply in the U.S. (6th preference), and business investors (non-preference). Because of visa number unavailability it has been the policy of the American consulates to discourage petitions beyond the third preference.

This is not the case anymore under the new Department of State ruling which was issued in connection with the new immigration law amendments. An alien seeking to register on a heavily oversubscribed waiting list, like the Philippines, will be "legally entitled" to be so registered provided he meets the requirement for the acquisition of the immigrant status sought "no matter how futile it may appear because of the unavailability of visa numbers."

The State Department notes that it becomes increasingly important to process applications of this kind, because effective October 1, 1977, the law will require pro-rata allocation of visa numbers throughout the preference classes for natives of a foreign state which has reached its limitation of 20,000 in the previous year.

The effect of such provision will be to make visa numbers available to natives of such foreign state, like the Philippines, in every preference class and even possibly in the non-preference class if the 6 percent made available to refugees cannot be used by natives of said foreign state. In such case, the 1200 numbers potentially available to refugees would "fall down" to become available for allocation to non-preference immigrants.