

**Recapture of Visa Numbers for Schedule A Occupations:
Summary of the Provision Included in the Emergency
Supplemental Appropriations Package (H.R. 1268)**

Section 502 Visas for Nurses:

- Amends § 106(d) of the American Competitiveness in the Twentieth Century Act (AC21) (which provides for the recapture of unused employment-based immigrant visas) by placing the unused employment-based visa numbers from fiscal years 2001-2004 in the “bank” for use in future fiscal years when the demand for employment-based immigrant visas in EB-1, 2, and 3 exceeds the annual quota.
- The use of the “bank” visas numbers collected from fiscal years 2001-2004 are reserved for immigrant worker petitions based on Schedule A immigrants (Nurses, Physical Therapists, and Performing Artists of Exceptional Ability) and their family members accompanying or following to join.
- The total number of visas used from the “bank” may not exceed 50,000.