

Basic US Immigrant Visas

These allow the foreign national to come to the U.S. permanently, and can lead to eligibility to apply for citizenship. Most classifications can generally be separated into family based and employment based. See

http://travel.state.gov/visa/immigrants/types/types_1326.html

Family Based

Only “immediate relative” family-based visa applications are not subject to per country visa quotas. That means visas are immediately available for applications filed by an alien’s US citizen spouse, parent (for unmarried child under 21), or by a child age 21 or older for a parent. The Child Status Protection Act (CSPA) may provide some protection for children who reach 21, (age out) while an application is being processed. <http://manila.usembassy.gov/www3228.html>

Other petitions, family or employment based, are subject to numerical limitations that can cause extensive waits for an available visa. The current listing of “priority” (filing) dates of applications now getting visas are listed for different family and employment based immigrant visa category in the Department of State’s monthly “Visa Bulletin”

http://travel.state.gov/visa/bulletin/bulletin_1360.html

Employment Based

EB-1 Priority Workers

Persons of Extraordinary Ability

Outstanding Professors and Researchers

Multinational Executives and Managers

EB-2 Members of Professions Holding Advance Degrees or Aliens of Exceptional Ability

EB-3 Professionals and Skilled Workers

EB-4 Special Immigrants Including religious workers and other special categories, (Iraqi translators for US armed forces etc.)

EB-5 Employment Creation Investors (\$500,00 or \$1,000,000 minimum)

Employment based immigrant visas in categories 1 through 3 will normally require a prospective employer to establish that there are no qualified US workers available to fill a job opening. Those potential employment visas first require the filing of a “labor certification” with the US Department of Labor. Exceptions from this exist for “Persons of Extraordinary

Ability” in category EB-1, and for other persons in categories 1 through 3 who receive what is called a “National Interest Waiver.”