



www.AttorneyRivera.com

U. S. IMMIGRANT (PERMANENT) VISAS

IMMIGRANT VISAS PERMIT THE ALIEN TO LIVE AND WORK PERMANENTLY IN THE U.S.

FAMILY PREFERENCES Eligibility under these categories is based upon a close family relative who is a U.S. citizen or a permanent resident.

Immediate Relative Category: Immediate relatives of U.S. citizens are: spouses, unmarried minor children (under 21), and parents. Spouse of a deceased U. S. citizen, if married for at least two years before the death of the U.S. citizen.

First Preference: Unmarried sons and daughters, and step-children of U.S. citizens

Second Preference:

2A - Spouses and minor children of permanent residents

2B - Unmarried sons and daughters of permanent residents

Third Preference: Married sons and daughters of U.S. citizens and their children

Fourth Preference: Brothers and sisters of any age (married or unmarried) of adult U.S. citizens

EMPLOYMENT BASED IMMIGRATION

First Preference (Priority Workers)

- a) Aliens who have extraordinary ability in the sciences, arts, education, business or athletics;
- b) An alien who is an outstanding professor or researcher, with at least three years experience in teaching or research in the academic area who is recognized internationally;
- c) An alien who has been employed in managerial or executive capacity at least one year by an employer outside of the U.S. and who seeks to enter the U.S. to continue to render services to the same employer or to a subsidiary or affiliate in the U.S., in a capacity that is managerial or executive.

Second Preference: Members of professions who hold an advanced degree, or equivalent, OR possess a Bachelor's Degree plus five years of post-Bachelor's Degree experience in a specialty. A Labor Certification and an offer of employment from the U.S. employer are required in this category.

Third Preference:

- a) Members of professions with a Bachelor's Degree
- b) Skilled workers, requiring at least two years experience in the skill to perform labor for which qualified U.S. workers are not available in the U.S. A Labor Certification and an offer of employment from a U.S. employer are required.

Some of the job experiences that qualify people to apply for the Green Card in the Third Preference/ Skilled Worker Group are cabinetmakers, mechanics, technical occupations, and many other job groups. There are other jobs that will help you too. Discuss with us your past experience to determine whether you qualify.

Fourth Preference: A person who, for the past two years, has been a member of a religious denomination coming to the U.S. to perform religious services.

Fifth Preference: Investors who invest at least one million dollars in capital in a new commercial enterprise in the U.S., (\$500,000 in targeted rural or high unemployment areas) employ at least ten U.S. workers over a two-year period, may qualify for a green card.

LABOR CERTIFICATION

To apply for Lawful Permanent Residence (Green Card) through a job offer, you will have to have job experience.

The next step is to find an employer (sponsor) who will make you a job offer in the area of your expertise. Our office then begins the process of Labor Certification.

Labor Certification involves filing an application with the Department of Labor to prove that there is no one qualified who wants the job that has been offered to you. This is accomplished through a 30-day recruitment period. When qualified workers are not found, the Department of Labor will issue a Labor Certification.

The next step is to submit the approved Labor Certification to the U.S. Immigration Service. Once this is approved, the applicant may then receive his Visa appointment for his Green Card. If visa numbers are not available, the applicant must wait until one becomes available. (Patience is required.)

The applicant, his/her spouse and minor children (under the age of 21 on the day of their interview) will be eligible for permanent status.

Diversity Visa Lottery- Each year people born in certain countries and who completed high school or have two years of skilled work experience may apply for the "green card" lottery.