

U.S.A

IMMIGRANT VISAS: IMMEDIATE RELATIVE & FAMILY SPONSORED EMPLOYMENT SPONSORED

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U.S. VISAS

In order to enter to the territory of the United State you should **obtain a valid U.S. visa.** [What is U.S Visa?](#)

- Visa is an endorsement that is placed within a passport that grants the holder official permission to enter, leave or stay in U.S. for a specified time period.

There are two types of Visas that U.S. provides to the foreign citizens:

1. **Non - immigrant visas:** Non-immigrant visas are for foreign nationals wishing to enter the United States on a temporary basis - for **tourism, medical treatment, business, temporary work, study, or other similar reasons.**
2. **Immigrant visas:** Immigrant visas are issued to foreign nationals who intend to live permanently in the United States.

Immigrant visas (IV) are:

Family based immigration visas

A foreign citizen seeking to live permanently in the United States requires an immigrant visa (IV). To be eligible to apply for an IV, a foreign citizen must be sponsored by an immediate relative who is at least 21 years of age and is either a U.S. citizen or U.S. Lawful Permanent Resident (that is, a green-card holder).

There are two types of family-based immigrant visas:

Immediate Relative – these visas are based on a close family relationship with a U.S. citizen, such as a spouse, child or parent. The number of immigrants in these categories is not limited each fiscal year.

Family Preference – these visas are for specific, more distant, family relationships with a U.S. citizen and some specified relationships with a Lawful Permanent Resident (LPR). The number of immigrants in these categories is limited each fiscal year.

Keep in mind that **U.S. citizens** can file an immigrant visa petition for their:

- Spouse
- Son or daughter
- Parent
- Brother or sister

U.S. Lawful Permanent Residents can only file an immigrant visa petition for their:

- Spouse
- Unmarried son or daughter

[Begin your family based immigrant visa process here](#)

Employment based Immigration visas

Every fiscal year (October 1st – September 30th), approximately 140,000 employment-based immigrant visas are made available to qualified applicants under the provisions of U.S. immigration law. Employment based immigrant visas are divided into five preference categories. Certain spouses and children may accompany or follow-to-join employment-based immigrants.

1. The First Steps toward an Immigrant Visa: Labour Certification and Filing a Petition To be considered for an immigrant visa under some of the employment-based categories below, the applicant's prospective employer or agent must first obtain a labour certification approval from the [Department of Labor](#). Once received (if required), the employer then files an [Immigrant Petition for Alien Worker, Form I-140](#), with the U.S. Citizenship and Immigration Services (USCIS) for the appropriate employment-based preference category. (NOTE: Persons with extraordinary abilities in the Employment First preference category are able to file their own petitions.) When filing the [Immigrant Petition for Alien Worker, Form I-140](#), see the detailed form instructions, as well as more detailed requirements information on the USCIS [Permanent Workers](#) webpage.

CATEGORIES

Employment First Preference (E1): Priority Worker and Persons of Extraordinary Ability

There are three sub-groups within this category:

1. **Persons with extraordinary ability** in the sciences, arts, education, business, or athletics. Applicants in this category must have extensive documentation showing sustained national or international acclaim and recognition in their fields of expertise. Such applicants do not have to have specific job offers, so long as they are entering the U.S. to continue work in the fields in which they have extraordinary ability. Such applicants can file their own Immigrant Petitions for Alien Worker, Form I-140, with the USCIS.
2. **Outstanding professors and researchers** with at least three years' experience in teaching or research, who are recognized internationally. Applicants in this category must be coming to the U.S. to pursue tenure, tenure track teaching, or a comparable research position at a university or other institution of higher education. The prospective employer must provide a job offer and file an Immigrant Petition for Alien Worker, Form I-140, with the USCIS.
3. **Multinational managers or executives** who have been employed for at least one of the three preceding years by the overseas affiliate, parent, subsidiary, or branch of the U.S. employer. The applicant's employment outside of the U.S. must have been in a managerial or executive capacity, and the applicant must be coming to work in a managerial or executive capacity. The prospective employer must provide a job offer and file an Immigrant Petition for Alien Worker, Form I-140, with the USCIS.

Employment Second Preference (E2): Professionals Holding Advanced Degrees and Persons of Exceptional Ability

A Second Preference applicant must generally have a labor certification approved by the [Department of Labor](#). A job offer is required and the U.S. employer must file an [Immigrant Petition for Alien Worker, Form I-140](#), on behalf of the applicant. Applicants may apply for an exemption, known as a [National Interest Waiver](#), from the job offer and labor certification if the exemption would be in the national interest. In this case, the applicant may self-petition by filing the Immigrant Petition for Alien Worker, Form I-140, along with evidence of the national interest. Professionals Holding Advanced Degrees and Persons of Exceptional Ability receive 28.6 percent of the yearly worldwide limit of

employment-based immigrant visas, plus any unused visas from the Employment First Preference category.

There are two subgroups within this category:

1. **Professionals holding an advanced degree** (beyond a baccalaureate degree), or a baccalaureate degree and at least five years progressive experience in the profession.
2. **Persons with exceptional ability** in the sciences, arts, or business. Exceptional ability means having a degree of expertise significantly above that ordinarily encountered in the sciences, arts, or business.

Employment Third Preference (E3): Skilled Workers, Professionals, and Unskilled Workers (Other Workers)

A Third Preference applicant must have an approved [Immigrant Petition for Alien Worker, Form I-140](#), filed by the prospective employer. All such workers generally require labor certification approved by the [Department of Labor](#). Skilled Workers, Professionals, and Unskilled Workers (Other Workers) receive 28.6 percent of the yearly worldwide limit of employment-based immigrant visas, plus any unused visas from the Employment First Preference and Second Preference categories.

There are three subgroups within this category:

1. **Skilled workers** are persons whose jobs require a minimum of 2 years training or work experience that are not temporary or seasonal.
2. **Professionals** are members of the professions whose jobs require at least a baccalaureate degree from a U.S. university or college or its foreign equivalent degree.
3. **Unskilled workers (Other workers)** are persons capable of filling positions that require less than two years training or experience that are not temporary or seasonal.

Employment Fourth Preference (E4): Certain Special Immigrants

A Fourth Preference applicant must be the beneficiary of an approved [Petition for Amerasian, Widow\(er\), or Special Immigrant, Form I-360](#), with the exception of Certain Employees or Former Employees of the U.S. Government Abroad (see number 3 below). Labor certification is not required for any of the Certain Special Immigrants subgroups. Special Immigrants receive 7.1 percent of the yearly worldwide limit of employment-based immigrant visas.

There are many subgroups within this category:

1. **Broadcasters in the U.S.** employed by the International Broadcasting Bureau of the Broadcasting Board of Governors or a grantee of such organization
2. [Ministers of Religion](#)
3. **Certain Employees or Former Employees** of the U.S. Government Abroad - Must use [Form DS-1884, Petition To Classify Special Immigrant Under INA 203\(b\)\(4\) As An Employee Or Former Employee of the U.S. Government Abroad](#)
4. **Iraqi and Afghan interpreters/translators** who have worked directly with the United States armed forces or under Chief of Mission authority as a translator/interpreter for a period of at least 12 months and meet requirements. This classification has an annual numeric limitation of 50 visas. See Special Immigrant Visas for [Iraqi and Afghan Translators/Interpreters](#) for more information.
5. **Iraqi and Afghan nationals who have provided faithful and valuable service** while employed by or on behalf of the U.S. government in Iraq for not less than one year on or after March 20th, 2003 and prior to September 30, 2013, or while employed by, or on behalf of the U.S. government, the International Security Assistance Force (ISAF), or a successor mission in

Afghanistan for a period of not less than one year between October 7th, 2001 and December 31, 2023, and have experienced an ongoing serious threat as a consequence of that employment. See Special Immigrant Visas for [Iraqis - Worked for/on behalf of the U.S. Government](#) and [Afghans - Worked for/on behalf of the U.S. Government](#) for more information.

6. **Certain Foreign Medical Graduates** (Adjustments Only)
7. **Certain Retired International Organization Employees**
8. **Certain Unmarried Sons and Daughters** of International Organization Employees
9. **Certain Surviving Spouses** of deceased International Organization Employees
10. **Special Immigrant Juveniles** (no family member derivatives; Adjustments Only)
11. **Persons Recruited** Outside of the United States Who Have Served or are Enlisted to Serve in the U.S. Armed Forces
12. **Persons who are beneficiaries** of petitions or labor certification applications filed prior to September 11th, 2001, if the petition or application was rendered void due to a terrorist act on September 11th, 2001
13. [Certain Religious Workers](#)

Employment Fifth Preference (E5): Immigrant Investors

Immigrant Investor visa categories are for capital investment by foreign investors in new commercial enterprises in the United States which provide job creation. Select [Immigrant Investor Visas](#) to learn more about this employment-based category.

Fees and Visa Application process

Visa services remain suspended at the U.S. Embassy in Baghdad, Iraq. Please continue to monitor the Embassy and Consulate websites at <https://iq.usembassy.gov/> to see when we can return to normal operations.

Please note that U.S. Consulate General Erbil is not an immigrant visa processing post.

You may request that your application be transferred to a different U.S. Embassy or Consulate for further processing when routine visa services resume. Please visit the website of the U.S. Embassy or Consulate where you would like your case transferred to determine the operating status. Once the Embassy or Consulate has resumed immigrant visa processing, to request the transfer, directly email the post to which you would like your application to be transferred. Unless you are a citizen or resident of the country in which that U.S. Embassy or Consulate is located, please note that your application transfer request may be refused. The U.S. Embassy cannot assist you in making travel arrangements to another country for your visa interview. To find a U.S. Embassy or Consulate in your Region, please visit <https://www.usembassy.gov/>

Please use the following email addresses **to contact U.S. Embassy in Baghdad.**

Immigrant Visas (including Special Immigrant Visas, returning resident visa, follow-to-join refugee, or follow-to-join asylee inquiries): BaghdadIV@state.gov

Refugee and Internally Displaced Persons Affairs: IC@iom.int.

If you have a tip concerning fraud that you wish to share with us, you may contact the Fraud Prevention Unit by e-mailing us at BaghdadFPU@state.gov. If you wish us to keep your identity confidential, be sure to tell us that this is your wish when you contact us.

For Visa application following steps would apply: After USCIS approves the petition, it is sent to the National Visa Center (NVC). Once received, the NVC will assign a case number for the petition. When an applicant's [priority date](#) meets the most recent [qualifying date](#), the NVC will instruct the applicant to complete [Form DS-261](#), Choice of Address and Agent. (NOTE: If you already have an attorney, the NVC will not instruct you to complete Form DS-261.) The NVC will begin pre-processing the applicant's case by providing the applicant with instructions to submit the appropriate fees. After the appropriate fees are paid, the NVC will request that the applicant submit the necessary immigrant visa documents, including application forms, civil documents, and more. Learn more about [National Visa Center](#) visa case processing.

Can My Family Members Also Receive Immigrant Visas?

Based on your approved petition, your spouse and minor unmarried children, younger than 21, may apply for immigrant visas with you. Like you, they must also fill out required application forms, obtain required civil documents, pay the required fees, and undergo medical examinations. Same-sex spouses of U.S. citizens and Lawful Permanent Residents (LPRs), along with their minor children, are now eligible for the same immigration benefits as opposite-sex spouses. Consular officers at U.S. Embassies and Consulates will adjudicate their immigrant visa applications upon receipt of an approved I-130 or I-140 petition from [USCIS](#). For further information, please see our [FAQ's](#).

Numerical Limitations

All categories of employment-based immigrant visas are issued in the chronological order in which the petitions were filed until the annual numerical limit for the category is reached. The filing date of a petition becomes the applicant's [priority date](#). Immigrant visas cannot be issued until an applicant's priority date is reached. In certain heavily oversubscribed categories, there may be a waiting period of several years before a priority date is reached. Check the [Visa Bulletin](#) for the latest priority dates.

Fees

Fees are charged for the following services:

- Filing of Immigrant Petition for Alien Worker, Form I-140, or Petition for Amerasian, Widow(er), or Special Immigrant, Form I-360 (this fee is charged by USCIS)
- Processing an immigrant visa application, Form DS-260 (see **Note** below)
- Medical examination and required vaccinations (costs vary)
- Other costs may include: translations; photocopying charges; fees for obtaining the documents you need for the immigrant visa application (such as passport, police certificates, birth certificates, etc.); and expenses for travel to the U.S. Embassy or Consulate for your visa interview. Costs vary from country to country and case to case.

For current fees for Department of State services, see [Fees for Visa Services](#). For current fees for USCIS services, see [Check Filing Fees](#) on the USCIS website.

Note: Fees must be paid for each intending immigrant, regardless of age, and are not refundable.

Fees should not be paid to the NVC or paid at the U.S. Embassy or Consulate where you have your visa interview unless specifically requested. Applicants will be provided with instructions by the NVC on where and when to pay the appropriate fees. Do not send payments to the NVC's address in Portsmouth, New Hampshire.

Required Documentation

In general, the following documents are required:

- **Passport(s)** valid for six months beyond the intended date of entry into the United States, unless longer validity is specifically requested by the U.S. Embassy/Consulate in your country. Please review the [instructions](#) for guidance.
- **Form DS-260**, Immigrant Visa and Alien Registration Application.
 - Preview a [sample](#) DS-260 (6.4MB).
- **Two (2) 2x2 photographs**. See the required photo format explained in [Photograph Requirements](#).
- **Civil Documents for the applicant**. See [Documents the Applicant Must Submit](#) for more specific information about documentation requirements, including information on which documents may need to be translated. The consular officer may ask for more information during your visa interview. Bring your original civil documents (or certified copies) such as birth and marriage certificates, as well as legible photocopies of the original civil documents, and any required translations to your immigrant visa interview. Original documents and translations can then be returned to you.
- **Financial Support** – At your immigrant visa interview, you must demonstrate to the consular officer that you are not likely to become a [public charge](#) in the United States. (NOTE: For applicants where a U.S. citizen or lawful permanent resident (LPR) relative filed the Form I-140 petition or where such a relative has a significant ownership interest in the entity that filed the petition, that relative must complete [Form I-864, Affidavit of Support Under Section 213A of the Act](#), on behalf of the applicant.)
- **Completed Medical Examination Forms** – These are provided by the panel physician after you have completed your medical examination and vaccinations (see below).

Visa Interview

Once the NVC determines the file is complete with all the required documents, they schedule the applicant's interview appointment. NVC then sends the file, containing the applicant's petition and the documents listed above, to the U.S. Embassy or Consulate where the applicant will be interviewed for a visa. The applicant, attorney, and third-party agent, if applicable, will receive appointment emails, or letters (if no email address is available), containing the date and time of the applicant's visa interview along with instructions, including guidance for obtaining a medical examination.

Each applicant should bring a valid passport to the interview, as well as any other documentation above not already provided to NVC. A consular officer will interview the applicant, and the consular officer will determine whether the applicant is eligible to receive an immigrant visa in accordance with U.S. immigration law. Ink-free, digital fingerprint scans will be taken on the day of the interview. Generally, an applicant receives original civil documents and original translations back at the time of interview.

Medical Examinations and Vaccinations

Important Notice: In preparing for your interview, you will need to schedule and complete your medical examination and any required vaccinations before your visa interview. **Before an immigrant visa can be issued, every applicant, regardless of age, must undergo a medical examination which must be performed by an authorized panel physician.** NVC provides applicants instructions regarding medical examinations, including information on authorized panel physicians. See [Medical Examination](#) for more information, including a list of panel physicians by country, and frequently asked questions.

Vaccination Requirements

U.S. immigration law requires immigrant visa applicants to obtain certain vaccinations prior to the issuance of immigrant visas. See [Vaccination Requirements for IV Applicants](#) for the list of required vaccinations and additional information.

How Long Does It Take?

Employment based immigrant visa cases take additional time because they are in numerically limited visa categories. The length of time varies from case to case and cannot be predicted for individual cases with any accuracy. Some cases are delayed because applicants do not follow instructions carefully. Some visa applications require further [administrative processing](#), which takes additional time after the consular officer interviews the applicant.

Visa Ineligibility

Certain conditions and activities may make an applicant ineligible for a visa. Examples of these ineligibilities include: drug trafficking; overstaying a previous visa; and submitting fraudulent documents. If you are ineligible for a visa, you will be informed by the consular officer and advised whether there is a waiver of the ineligibility available to you and what the waiver process is. [Ineligibilities and Waivers: Laws](#) contains the complete list of ineligibilities.

Misrepresentation of Material Facts or Fraud

Attempting to obtain a visa by the willful misrepresentation of a material fact or fraud may result in you becoming permanently ineligible to receive a U.S. visa or enter the United States.

When You Have Your Immigrant Visa - What You Should Know

If you are issued an immigrant visa, the consular officer will give you your passport containing the immigrant visa and a sealed packet containing the documents which you provided. **It is important that you do not open the sealed packet.** Only the U.S. immigration official should open this packet when you enter the United States. You are required to enter the United States before the expiration date printed on your visa. When traveling, the primary (or principal) applicant must enter the United States before or at the same time as family members holding visas.

USCIS Immigrant Fee - You must pay the USCIS Immigrant Fee to U.S. Citizenship and Immigration Services (USCIS) after you receive your immigrant visa and before you travel to the United States. (SI-1, SI-2, SI-3, SQ-1, SQ-2, and SQ-3 visa holders will not pay the fee.) Select [USCIS Immigrant Fee](#) on the USCIS website for more information.

Important Notice: USCIS will not issue a Permanent Resident Card (Form I-551 or Green Card) until you have paid the fee.

Entering the United States: Port-of-Entry

A visa allows a foreign citizen to travel to the U.S. port-of-entry and request permission to enter the United States. Applicants should be aware that a visa does not guarantee entry into the United States. The DHS, U.S. Customs and Border Protection (CBP) officials have authority to permit or deny admission to the United States. Travelers should review important information about admissions and entry requirements on the CBP website under [Travel](#).

Once you have paid the USCIS immigrant fee and have been admitted to the U.S. as a permanent resident, your Permanent Resident Card, Form I-551 (formerly called Alien Registration Card, also known as a [green card](#)) will be mailed to you.

Additional Information

Immigrant visa applicants should not make any final travel arrangements, dispose of property, or give up jobs until and unless visas are issued. Some visa applications require further [administrative processing](#), which takes additional time after the visa applicant's interview. An immigrant visa is generally valid for six months from the issuance date.

General Visa Questions

- Before submitting your inquiry, we request that you carefully review this website for answers to your questions. Because of the volume of inquiries, we cannot promise an immediate reply to your inquiry.
- If your inquiry concerns a visa case in progress overseas, you should first contact the U.S. Embassy or Consulate handling your case for status information. Select [U.S. Embassy or Consulate](#) to find contact information.
- You can find contact information for our Public Inquiries Division at [Contact Us](#).

Summary of Immigrant visas

The chart below contains different purposes for immigrating to the United States, and the related immigrant visa categories for which information is available on U.S. State Department website. Select a visa category below to learn more:

	Visa category
Immediate Relative & Family Sponsored	
Spouse of a U.S. Citizen	IR1, CR1
Spouse of a U.S. Citizen awaiting approval of an I-130 immigrant petition	K-3 *
Fiancé(e) to marry U.S. Citizen & live in U.S.	K-1 *
Intercountry Adoption of Orphan Children by U.S. Citizens	IR3, IH3, IR4, IH4
Certain Family Members of U.S. Citizens	IR2, CR2, IR5, F1, F3, F4
Certain Family Members of Lawful Permanent Residents	F2A, F2B
Employer Sponsored – Employment	
Employment-Based Immigrants, including (preference group):	
<ul style="list-style-type: none"> • Priority workers [First] • Professionals Holding Advanced Degrees and Persons of Exceptional Ability [Second] • Professionals and Other Workers [Third] • Employment Creation/Investors [Fifth] • Certain Special Immigrants: [Fourth] 	E1 E2 E3, EW3 C5, T5, R5, I5 S (many**)
Religious Workers	SD, SR
Iraqi and Afghan Translators/Interpreters	SI
Iraqis Who Worked for/on Behalf of the U.S. Government	SQ
Other Immigrants	
Diversity Immigrant Visa	DV
Returning Resident	SB

Important Notes:

***K Visas** – Listed with immigrant visas because they are for immigration related purposes.

About this chart - This chart is a list of many immigrant visa categories, but not every immigrant visa category.

**Refer to the Foreign Affairs Manual, [9 FAM 502.1](#) for a listing of all immigrant visa categories.