



Permanent Workers

Approximately 140,000 immigrant visas are available each fiscal year for aliens (and their spouses and children) who seek to immigrate based on their job skills. If you have the right combination of skills, education, and/or work experience and are otherwise eligible, you may be able to live permanently in the United States. The five employment-based immigrant visa preferences (categories) are listed below.

Labor Certification

Some immigrant visa preferences require you to already have a job offer from a U.S. employer. This employer will be considered your sponsor. For some visa categories, before the U.S. employer can submit an immigration petition to USCIS, the employer must obtain an approved labor certification from the U.S. Department of Labor (DOL). The DOL labor certification verifies the following:

- There are insufficient available, qualified, and willing U.S. workers to fill the position being offered at the prevailing wage
- Hiring a foreign worker will not adversely affect the wages and working conditions of similarly employed U.S. workers

For more information see the “Labor Certification” link to the right.

US Federal Tax Information

Aliens employed in the U.S. may have a U.S. Tax obligation.

- [Taxation of Resident Aliens](#)

Permanent Worker Visa Preference Categories

Preferences	General Description	Labor Certification Required?
First Preference EB-1	This preference is reserved for persons of extraordinary ability in the sciences, arts, education, business, or athletics; outstanding professors or researchers; and multinational executives and managers.	No

Second Preference EB-2	This preference is reserved for persons who are members of the professions holding advanced degrees or for persons with exceptional ability in the arts, sciences, or business.	Yes, unless applicant can obtain a national interest waiver (See the “Labor Certification” link to the right for more waiver information.)
Third Preference EB-3	This preference is reserved for professionals, skilled workers, and other workers. (See Third Preference EB-3 link on left for further definition of these job classifications.)	Yes
Fourth Preference EB-4	This preference is reserved for “special immigrants,” which includes certain religious workers, employees of U.S. foreign service posts, retired employees of international organizations, alien minors who are wards of courts in the United States, and other classes of aliens.	No
Fifth Preference EB-5	This preference is reserved for business investors who invest \$1 million or \$500,000 (if the investment is made in a targeted employment area) in a new commercial enterprise that employs at least 10 full-time U.S. workers.	No

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