

## EMPLOYMENT-BASED IMMIGRATION

**THE EMPLOYMENT PREFERENCE SYSTEM** allows certain immigrants to obtain permanent residence (“green cards”) in the United States to work. Currently, immigration law allots 140,000 employment-based visas to immigrants. These employment-based visas are divided into the following categories:

**FIRST PREFERENCE:** Up to **40,000** visas a year may be issued to *priority workers*. People who have “extraordinary ability” or who are “outstanding professors and researchers” and in their field “certain multinational executives and managers” fall into this category. In addition, any visas left over from the fourth and fifth preferences (see below) are added to this category.

**SECOND PREFERENCE:** Up to **40,000** visas a year (plus any visas left over from the first preference) may be issued to persons who are “members of the professions holding advanced degrees or aliens of exceptional ability” in their field.

**THIRD PREFERENCE:** Up to **40,000** visas a year (plus any visas left over from the first and second preferences) may be issued to *skilled workers, professionals, and other workers*. The *other workers* category covers workers who are “capable of performing unskilled labor,” and who are not temporary or seasonal. Workers in this category are limited to **5,000** visas per year. *Skilled workers* must be capable of performing skilled labor requiring at least two years training or experience.

**FOURTH PREFERENCE:** Up to **10,000** visas a year may be issued to certain special immigrants, including ministers, religious workers, former U.S. government employees and others.

**FIFTH PREFERENCE:** Up to **10,000** visas a year may be issued to persons who have between \$500,000 and \$3 million to invest in a job-creating enterprise in the U.S. At least 10 U.S. workers must be employed by each investor. The amount of money can vary depending on which area of the country will benefit from the investment. If the investor fails to meet the conditions specified, he or she can lose permanent resident status.