

Green Card Through Family

Many people become permanent residents (get a green card) through family members. The United States promotes family unity and allows U.S. citizens and permanent residents to petition for certain relatives to come and live permanently in the United States. You may be eligible to get a green card through a family member who is a U.S. citizen or permanent resident, or through the special categories described below.

There are two distinct paths through which you can get your green card. Many family members who are already in the United States may qualify for adjustment of status to permanent residence in the United States, which means they are able to complete their immigrant processing without having to return to their home country. Those relatives outside the United States or those who are not eligible to adjust status in the United States may be eligible for consular processing through a U.S. embassy or consulate abroad that has jurisdiction over their foreign place of residence.

If Your Family Member is a U.S. Citizen

You may be able to get a green card as an immediate relative or as a family member in a preference category if your U.S. citizen relative files a Form I-130, Petition for Alien Relative, for you.

- **Immediate Relative of a U.S. Citizen**

You are an immediate relative of a U.S. citizen if you are:

- The child (unmarried and under 21 years old) of a U.S. citizen
- The spouse (husband or wife) of a U.S. citizen
- The parent of a U.S. citizen (if the U.S. citizen is 21 years or older)

- **Family Member of a U.S. Citizen in a Preference Category**

You are a family member of a U.S. citizen in a preference category if you are:

- An unmarried son or daughter (21 years or older) of a U.S. citizen
- A married son or daughter (any age) of a U.S. citizen
- A sibling (brother or sister) of a U.S. citizen

If Your Family Member is a Permanent Resident

You may be able to get a green card as a family member in a preference category if your family member filed a Form I-130 on your behalf.

- **Family member of a permanent resident in a preference category**

You are a family member of a permanent resident in a preference category if you are:

- The spouse of a permanent resident
- The child (unmarried and under 21 years old) of permanent resident
- The unmarried son or daughter (21 years or older) of a permanent resident

Green Card Through Special Categories of Family Relationship

You may also be eligible to get a green card if you:

- Are a battered child or spouse of a U.S. citizen
- Entered the United States with a K visa as the fiancé(e) or spouse of a U.S. citizen or an accompanying child

- Obtained V nonimmigrant status
- Are a widow(er) of a U.S. citizen
- Are born to a foreign diplomat in the United States

Green Card Through a Job

Many people become permanent residents through a job or offer of employment. Some categories require a certification from the U.S. Department of Labor to show that there are not enough U.S. workers who are able, willing, qualified, and available in the geographic area where the immigrant is to be employed and that no American workers are displaced by foreign workers. In other cases, highly skilled workers, those with extraordinary ability in certain professions, and investors/entrepreneurs are given priority to immigrate through several immigrant categories. In all cases, the process involves several steps.

The main ways to immigrate based on a job offer or employment are listed below.

Green Card Through a Job Offer

You may be eligible to become a permanent resident based on an offer of permanent employment in the United States. Most categories require an employer to get a labor certification and then file a Form I-140, Immigrant Petition for Alien Worker, for you.

Green Card Through Investment

Green cards may be available to investors/entrepreneurs who are making an investment in an enterprise that creates new U.S. jobs.

Green Card Through Self Petition

Some immigrant categories allow you to file for yourself (“self-petition”). This option is available for either “Aliens of Extraordinary Ability” or certain individuals granted a National Interest Waiver.

Green Card Through Special Categories of Jobs

There are a number of specialized jobs that may allow you to get a green card based on a past or current job. All of these require a Form I-360, Petition for Amerasian, Widow(er), or Special Immigrant, and are described in Section 101(a)(27) of the Immigration and Nationality Act (INA) (see the “INA” link to the right):

- Afghan/Iraqi Translator
- Broadcaster
- International Organization Employee
- Iraqi Who Assisted the U.S. Government
- NATO-6 Nonimmigrant
- Panama Canal Employee
- Physician National Interest Waiver
- Religious Worker

In some cases, you may be able to file the immigrant petition (either a Form I-140 or I-360, depending on your category) at the same time that you file Form I-485, known as “concurrent filing.”

If you are not eligible to adjust your status inside the United States to a permanent resident, the immigrant petition will be sent to the U.S. consulate abroad to complete the visa process. In order to apply for a green card, there must be a visa immediately available to you