

Family-based Immigrant Visas

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Overview - Family-based Immigrant Visas

Two groups of family based immigrant visa categories, including immediate relatives and family preference categories, are provided under the provisions of United States immigration law, specifically the Immigration and Nationality Act (INA).

Immediate Relative Immigrant Visas (Unlimited): These visa types are based on a close family relationship with a United States (U.S.) citizen described as an Immediate Relative (IR). The number of immigrants in these categories is not limited each fiscal year. Immediate relative visa types include:

- **IR-1:** Spouse of a U.S. Citizen - [Learn More](#)
- **IR-2:** Unmarried Child Under 21 Years of Age of a U.S. Citizen
- **IR-3:** Orphan adopted abroad by a U.S. Citizen - [Learn More](#)

- **IR-4:** Orphan to be adopted in the U.S. by a U.S. citizen - [Learn More](#)
- **IR-5:** Parent of a U.S. Citizen who is at least 21 years old

Family Preference Immigrant Visas (Limited): These visa types are for specific, more distant, family relationships with a U.S. citizen and some specified relationships with a Lawful Permanent Resident (LPR). There are fiscal year numerical limitations on family preference immigrants, shown at the end of each category. The **family preference categories** are:

- **Family First Preference (F1):** Unmarried sons and daughters of U.S. citizens, and their minor children, if any. (23,400)
- **Family Second Preference (F2):** Spouses, minor children, and unmarried sons and daughters (age 21 and over) of LPRs. At least seventy-seven percent of all visas available for this category will go to the spouses and children; the remainder is allocated to unmarried sons and daughters. (114,200)
- **Family Third Preference (F3):** Married sons and daughters of U.S. citizens, and their spouses and minor children. (23,400)
- **Family Fourth Preference (F4):** Brothers and sisters of U.S. citizens, and their spouses and minor children, provided the U.S. citizens are at least 21 years of age. (65,000)

Note: Grandparents, aunts, uncles, in-laws, and cousins cannot sponsor a relative for immigration.

Numerical Limitations for Limited Family-based Preference Categories

Whenever the number of qualified applicants for a category exceeds the available immigrant visas, there will be an immigration wait. In this situation, the available immigrant visas will be issued in the chronological order in which the petitions were filed using their priority date. The filing date of a petition becomes what is called the applicant's **priority date**. Immigrant visas cannot be issued until an applicant's priority date is reached. In certain categories with many approved petitions compared to available visas, there may be a waiting period of several years, or more, before a priority date is reached. Check the [Visa Bulletin](#) for the latest priority dates.

Returning Resident Immigrant Visas (SB) - A lawful permanent resident (LPR) who has remained outside the U.S. for longer than twelve months, or beyond the validity period of a re-entry permit, will require a new immigrant visa to enter the U.S. and resume permanent residence. A provision exists under U.S. visa law for the issuance of a returning resident special immigrant visa to an LPR who remained outside the U.S. due to circumstances beyond his/her control. For more information about international travel as a LPR, and returning resident immigrant visas, visit our [Returning Resident webpage](#).

The First Step toward an Immigrant Visa: Filing a Petition

As the first step, a sponsoring relative must file a Petition for Alien Relative, [Form I-130](#) with the Department of Homeland Security, U.S. Citizenship and Immigration Services (USCIS).

In certain circumstances, a U.S. citizen living abroad can file an immigrant visa petition outside the United States. Review [Filing Immigrant Petitions Outside the United States](#) to learn more.

U.S. Sponsor Minimum Age Requirement

U.S. citizens must be age 21 or older to file petitions for siblings or parents. There is no minimum

age for a sponsor to file petitions for all other categories of family based immigrant visas. However, a U.S. citizen or lawful permanent resident (LPR) must be at least 18 years of age and have a residence ([domicile](#)) in the U.S. before he or she can sign an Affidavit of Support, Form I-864 or I-864-EZ. This form is required for an immigrant visa for a spouse and other relatives of U.S. sponsors.

Is Residence in the U.S. Required for the U.S. Sponsor?

Yes. As a U.S. sponsor/petitioner, you must maintain your principal residence (also called [domicile](#)) in the U.S., which is where you plan to live for the foreseeable future. Living in the U.S. is required for a U.S. sponsor to file the Affidavit of Support, with few exceptions. To learn more, review the [Affidavit of Support \(I-864 or I-864EZ\) Instructions](#).

If You Were an LPR and Are Now a U.S. Citizen: Upgrading a Petition

If you filed a petition for your spouse and/or minor children when you were a lawful permanent resident (LPR), and you are now a U.S. citizen, you must [upgrade the petition](#) from [family second preference \(F2\)](#) to [immediate relative \(IR\)](#). You can do this by sending proof of your U.S. citizenship to the National Visa Center (NVC). You should send:

- A copy of the biodata page of your U.S. passport; or
- A copy of your certificate of naturalization

Important Notice: If you upgrade a [family second preference \(F2\)](#) petition for your spouse and you did not file separate petitions for your minor children when you were a LPR, you must do so now. A child is not included in an [immediate relative \(IR\)](#) petition. (This is different from the family second preference (F2) petition, which includes minor children in their parent's F2 petition.)

Children born abroad after you became a U.S. citizen may qualify for U.S. citizenship. They should apply for U.S. passports. The consular officer will determine whether your child is a U.S. citizen and can have a passport. If the consular officer determines your child is not a U.S. citizen, the child must apply for an immigrant visa if he/she wants to live in the U.S.

Next Steps - Fees, Affidavit of Support, and Visa Application

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. For family preference immigrant visa cases, when an applicant's [priority date](#) meets the most recent [qualifying date](#), the NVC will send the Choice of Address and Agent form to the applicant, if an attorney or agent will be used. (NOTE: If you already have an attorney, the NVC will not send you this form.) NVC will begin pre-processing the applicant's case by providing the applicant and petitioner 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 the Affidavit of Support, 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.

Numerical Limitations

All categories of family preference immigrant visas are issued in the chronological order in which the petitions were filed until the 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 an immigrant Petition for Alien Relative, Form I-130 (this fee is charged by USCIS).
- Processing an immigrant visa application, Form DS-230 or 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. These instructions are also available on [NVC's Immigrant Visa Processing webpage](#). 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 60 days beyond the expiration date printed on the immigrant visa
- **Affidavit of Support** (Form [I-864](#), [I-864A](#), [I-864 EZ](#), or [I-864W](#), as appropriate) from the petitioner/U.S. sponsor
- **Application for Immigrant Visa and Alien Registration**, [Form DS-230](#), both Part I and Part II, or **Online Immigrant Visa Application and Registration**, Form DS-260 (**NOTE: Form DS-260 is a new online application form. It is currently in use for immigrant visa applicants whose cases meet certain criteria. Review [Online Immigrant Visa Forms](#) to learn whether you must complete the online DS-260 form.**)

- **Two (2) 2x2 photographs.** See the required photo format explained in [Photograph Requirements](#).
- **Civil Documents** for the applicant (and petitioner in IR-5 and F4 cases). 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. If not already submitted to the NVC, bring clear, legible photocopies of civil documents, such as birth and marriage certificates, and any required translations to your immigrant visa interview. Original documents and translations can then be returned to you.
- **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, petitioner, 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.

Applicants should bring their valid passports, as well as any other documentation above not already provided to NVC, to their visa interviews. During the interview process, ink-free, digital fingerprint scans will be taken. Generally, applicants will receive their original civil documents and original translations back at the time of interview.

F2A Spouse of Lawful Permanent Resident Visa Applicants: Rights and Protections – Pamphlet

You should read the [Rights and Protections pamphlet](#) before your visa interview to learn about your rights in the United States relating to domestic violence, sexual assault, and child abuse and protection available to you. The consular officer will verbally summarize the pamphlet to you during your interview.

Medical Examination 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**. Applicants are provided instructions by NVC 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?

Family preference 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 visa applicant's interview by a consular officer.

Ineligibilities for Visas - What if the Applicant is Ineligible for a Visa?

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. [Classes of Aliens Ineligible to Receive Visas](#) 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.

If you receive your immigrant visa on or after February 1, 2013, you must pay the USCIS Immigrant Fee to the U.S. Citizenship and Immigration Services (USCIS) after you receive your immigrant visa and before you travel to the United States. (IR-3, IH-3, IR-4, and IH-4 visa holders are exempt from this 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 U.S. - Port of Entry

A visa allows a foreign citizen to travel to the U.S. port of entry and request permission to enter the U.S. Applicants should be aware that a visa does not guarantee entry into

the U.S. The DHS, U.S. Customs and Border Protection (CBP) officials have authority to permit or deny admission to the U.S. Travelers should review important information about admissions and entry requirements on the CBP website under [Travel](#). Once you 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 *green card*) will be mailed to you.

How to Apply for a Social Security Number Card

If you elected on your immigrant visa application form to receive your Social Security Number Card upon admission to the United States as an immigrant, your card will be sent via mail to the U.S. address you designated on your application form, and should arrive approximately six weeks following your admission. If you did not elect to receive your Social Security Number Card automatically, you will have to apply to be issued a card following your arrival in the United States. To learn about applying for a Social Security Number Card, visit the [Social Security Administration](#) website.

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 by a consular officer. 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 the Office of Visa Services, Public Inquiries Division at [How to Contact Us](#).