

## FAMILY BASED PERMANENT RESIDENCE

### McCandlish Holton PC

<p>US law allows individuals who are U.S. citizens or permanent residents to sponsor certain family members for permanent residence. Below is a listing of the eligible individuals:</p>	
<p><b>I. U.S. Citizens can sponsor</b></p>	<ul style="list-style-type: none"> <li>a. Husband or wife (no quota)</li> <li>b. Unmarried child under 21 years of age (no quota)</li> <li>c. Unmarried son or daughter over 21</li> <li>d. Married son or daughter of any age</li> <li>e. Brother or sister, <b>if the sponsor is at least 21 years old</b>, or</li> <li>f. Parent, <b>if the sponsor is at least 21 years old. (no quota)</b></li> </ul>
<p><b>II. U.S. Permanent Residents can sponsor</b></p>	<ul style="list-style-type: none"> <li>a. Husband or wife, or</li> <li>b. Unmarried son or daughter of any age.</li> </ul>
<p><b>III. Preference Categories</b></p> <p>There are strict quotas for all family-based permanent resident applications <u>except</u> “immediate relatives” of U.S. citizens, which includes parents, spouses and unmarried children under the age of 21. The quotas for all other eligible family members are allocated by “preference” categories. Because the number of applications far exceeds the quotas, most preference categories are backlogged many years. To determine wait times for quotas, visit <a href="http://www.state.gov">www.state.gov</a>, and review the monthly “Visa Bulletin” for the appropriate preference category.</p>	<p><b>First preference:</b> Unmarried, adult sons and daughters of U.S. citizens. Adult means 21 years of age or older.</p> <p><b>Second Preference:</b> Spouses of lawful permanent residents, their unmarried children (under twenty-one), and the unmarried sons and daughters of lawful permanent residents.</p> <p><b>Third Preference:</b> Married sons and daughters of U.S. Citizens.</p> <p><b>Fourth Preference:</b> Brothers and sisters of adult (over 21) U.S. Citizens.</p>

NOTICE: This chart is a summary only and does not contain all of the technical information related to these matters. For further information, please contact The McCandlish Holton Immigration Practice Group Attorneys, Mark B. Rhoads (mrhoads@lawmh.com) 804-775-3824, Helen L. Konrad (hkonrad@lawmh.com) 804-775-3825, Jennifer A. Minear (jminear@lawmh.com) 804-775-3822, Dan M. Pringle ([dpringle@lawmh.com](mailto:dpringle@lawmh.com)) 804-775-3823 Andrea F. Rahal ([arahal@lawmh.com](mailto:arahal@lawmh.com)) 804-775-3826. Fax (804) 249-9595, 1111 E. Main St, Suite 1500, Richmond, Virginia 23219; P.O. Box 796, Richmond, Virginia. 23218; [www.lawmh.com](http://www.lawmh.com).