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Nonimmigrant and Immigrant Visa Categories: Data Brief

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Introduction

Congress has an interest in the visa categories by which foreign nationals may enter or be present in the United States and how they are being used. U.S. immigration policy is governed largely by the Immigration and Nationality Act (INA), which was first codified in 1952 and has been amended significantly several times since.¹ The United States has long distinguished temporary immigration from permanent immigration. Temporary immigration occurs through the admission of visitors for specific purposes and limited periods of time, and encompasses two dozen categories (which are commonly referred to by the letter and numeral that denote their subparagraph in the INA).² Permanent immigration occurs through family- and employer-sponsored categories, the diversity immigrant visa lottery, refugee and asylee admissions, and other pathways.

This brief report provides the following information:

- a list of nonimmigrant (i.e., temporary)³ visa categories and lawful permanent resident (LPR)⁴ categories;
- a description of each category;
- the allowed duration of stay in the United States for each nonimmigrant visa category;
- the annual numeric limit (or *cap*), if applicable, for each nonimmigrant and LPR category; and
- the number of visas that were issued or of individuals obtaining LPR status for each category in the most recent year for which data are available.⁵

This information is provided in two tables: **Table 1** contains information for nonimmigrant visa categories, and **Table 2** contains information for LPR categories.

¹ The INA is Title 8 of the U.S. Code. For an overview of U.S. immigration policy, see CRS Report R45020, *Primer on U.S. Immigration Policy*.

² These categories are found in INA §101(a)(15), 8 U.S.C. §1101(a)(15).

³ *Nonimmigrants* are foreign nationals lawfully admitted to the United States for a specific purpose and period of time, including tourists, diplomats, students, temporary workers, and exchange visitors, among others. For more information, see CRS Report R45040, *Immigration: Nonimmigrant (Temporary) Admissions to the United States*.

⁴ LPRs are foreign nationals lawfully admitted to the United States to live permanently. For more information, see CRS Report R42866, *Permanent Legal Immigration to the United States: Policy Overview*.

⁵ In this report, data on nonimmigrant visa issuances come from the Department of State, which has published data for FY2021. Data on persons obtaining LPR status come from the Department of Homeland Security (DHS), which has not published FY2021 data as of the cover date of this report; thus, LPR data in this report are for FY2020.

Table I. Nonimmigrant Visas, FY2021

Visa Category	Description	Initial Duration of Stay^a	Annual Numeric Limit	FY2021 Visa Issuances
A-1	Ambassador, public minister, career diplomat, or consul, and immediate family	Duration of assignment	None	9,171
A-2	Other foreign government official or employee, and immediate family	Duration of assignment	None	47,027
A-3	Attendant, servant, or personal employee of A-1/A-2, and immediate family	Up to three years	None	696
B-1	Visitor for business	Six months to one year	None	13,449
B-2	Visitor for pleasure	Six months to one year	None	2,492
B-1/B-2	Visitor for business and pleasure	Six months to one year	None	814,957
B-1/B-2/ BCC	Border crossing cards for Mexicans	Up to 30 days (or longer if coupled with B-1 or B-2)	None	470,501
B-1/B-2/ BCV	Mexican Lincoln Border Crossing Visa	Up to 30 days (or longer if coupled with B-1 or B-2)	None	42,388
C-1	Person in transit	Up to 29 days	None	3,790
C-1/D	Combination transit/crew member	Up to 29 days	None	158,018
C-2	Person in transit to United Nations Headquarters	Up to 29 days	None	4
C-3	Foreign government official and immediate family, attendant, servant, or personal employee in transit	Up to 29 days	None	2,507
CW-1	Commonwealth of the Northern Marianas (CNMI) transitional worker	Up to one year	For FY2021: 12,000 plus 3,000 for disaster recovery workers	400
CW-2	Spouse or child of CW-1	Up to one year	None	129
D	Crew member	Up to 29 days	None	2,497
E-1	Treaty trader, spouse and child, and employee	Up to two years	None	4,851
E-2	Treaty investor, spouse and child, and employee	Up to two years	None	33,129
E-2C	CNMI treaty investor, spouse, and child	Up to two years	None	20
E-3	Australian specialty occupation professional	Up to two years	10,500	2,309
E-3D	Spouse or child of E-3	Up to two years	None	1,623
E-3R	Returning E-3	Up to two years	None	1,092

Visa Category	Description	Initial Duration of Stay ^a	Annual Numeric Limit	FY2021 Visa Issuances
F-1	Foreign student (academic or language training program)	Duration of study (limited to 12 months for secondary school students)	None	357,839
F-2	Spouse or child of F-1	Duration of study	None	19,820
F-3	Border commuter academic or language student	Duration of study	None	0
G-1	Principal resident representative of recognized foreign member government to international organization, staff, and immediate family	Duration of assignment	None	5,028
G-2	Other representative of recognized foreign member government to international organization, staff, and immediate family	Duration of assignment	None	3,772
G-3	Representative of nonrecognized or nonmember foreign government to international organization, staff, and immediate family	Duration of assignment	None	171
G-4	International organization officer or employee, and immediate family	Duration of assignment	None	15,016
G-5	Attendant, servant, or personal employee of G-1 through G-4, and immediate family	Up to three years	None	83
H-1B	Temporary worker—professional specialty occupation	Specialty occupation: up to three years; Department of Defense (DOD) research & development: up to five years	Specialty occupation or fashion model: 65,000, plus 20,000 for those with U.S. advanced degrees; renewals and certain research/educational employers are not counted against cap; DOD research & development: 100 at any time	61,569
H-1 B-1	Free trade agreement professional from Chile or Singapore	Up to one year	1,400 for Chile; 5,400 for Singapore	Chile: 1,097 Singapore: 489
H-2A	Temporary worker—agricultural workers	Up to one year	None	257,898
H-2B	Temporary worker—nonagricultural workers	Up to one year (up to three years in the case of a one-time event)	66,000	95,053
H-3	Temporary worker—trainee	Alien trainee: up to two years Special education exchange visitor	Alien trainee: none	382

Visa Category	Description	Initial Duration of Stay ^a	Annual Numeric Limit	FY2021 Visa Issuances
		program: up to 18 months	Special education exchange visitor program: 50	
H-4	Spouse or child of H-1B, H-1B-1, H-2A, H-2B, or H-3	Same as H-1, H-2, or H-3 spouse/parent	None	55,444
I	Representative of foreign information media, spouse and child	Duration of employment	None	4,550
J-1	Cultural exchange visitor	Duration of program	None	129,662
J-2	Spouse or child of J-1	Duration of program	None	18,961
K-1	Fiancé(e) of U.S. citizen	Valid for four months; must marry within 90 days of entry to adjust to LPR status	None	19,218
K-2	Child of K-1	Same as parent	None	2,699
K-3	Spouse of U.S. citizen awaiting lawful permanent resident visa	Up to two years	None	2
K-4	Child of K-3	Up to two years or until 21 st birthday	None	0
L-1	Intracompany transferee (executive, managerial, and specialized personnel continuing employment with international firm or corporation)	Up to three years; up to one year when beneficiary is coming to open or be employed in a new office	None	24,863
L-2	Spouse or child of L-1	Same as spouse/parent	None	30,354
M-1	Vocational student	Duration of study	None	4,554
M-2	Spouse or child of M-1	Same as spouse/parent	None	219
M-3	Border commuter vocational or nonacademic student	Duration of study	None	0
NATO-1	Principal permanent representative of member nations to North Atlantic Treaty Organization (NATO), high ranking NATO officials, and immediate family members	Tour of duty	None	26
NATO-2	Other representatives of member states to NATO (including any of its subsidiary bodies) and immediate family members; dependents of member of a force entering in accordance with provisions of NATO agreements, members of such force	Tour of duty	None	6,977
NATO-3	Official clerical staff accompanying a representative of a member state to NATO, and immediate family	Tour of duty	None	1
NATO-4	Officials of NATO (other than those classifiable as NATO-1), and immediate family	Tour of duty	None	70

Visa Category	Description	Initial Duration of Stay ^a	Annual Numeric Limit	FY2021 Visa Issuances
NATO-5	Experts employed in missions on behalf of NATO (other than NATO-4 officials), and their dependents	Tour of duty	None	10
NATO-6	Civilian employees of a force entering in accordance with the provisions of NATO agreements or attached to NATO headquarters, and their dependents	Tour of duty	None	496
NATO-7	Attendant, servant, or personal employee of NATO-1 through NATO-6, and immediate family	Up to three years	None	2
N-8	Parent of certain special immigrants (pertaining to international organizations)	Up to three years, as long as special immigrant remains a child	None	10
N-9	Child of N-8 or of certain special immigrants (pertaining to international organizations)	Up to three years, or until no longer a child, whichever is shorter	None	1
O-1	Person with extraordinary ability in the sciences, arts, education, business, or athletics	Up to three years	None	7,294
O-2	Person accompanying and assisting in the artistic or athletic performance by O-1	Up to three years	None	2,870
O-3	Spouse or child of O-1 or O-2	Up to three years	None	2,838
P-1	Internationally recognized athlete or member of an internationally recognized entertainment group and essential support	Up to five years for individual, up to one year for group or team	None	8,825
P-2	Artist or entertainer in a reciprocal exchange program and essential support	Up to one year	None	13
P-3	Artist or entertainer in a culturally unique program and essential support	Up to one year	None	743
P-4	Spouse or child of P-1, P-2, or P-3	Same as spouse/parent	None	972
Q-1	International cultural exchange program participant	Up to 15 months	None	98
R-1	Religious worker	Up to 30 months	None	1,942
R-2	Spouse or child of R-1	Up to 30 months	None	835
S-5	Witness or informant in criminal matter	Up to three years	200	0
S-6	Witness or informant in terrorism matter	Up to three years	50	0
S-7	Spouse or child of S-5 and S-6	Up to three years	None	0

Visa Category	Description	Initial Duration of Stay ^a	Annual Numeric Limit	FY2021 Visa Issuances
T-1	Victim of a severe form of trafficking in persons	Up to four years; may adjust to LPR status if conditions are met	5,000	0
T-2	Spouse of T-1	Same as T-1	None	32
T-3	Child of T-1	Same as T-1	None	173
T-4	Parent of T-1 under age 21	Same as T-1	None	28
T-5	Unmarried sibling under age 18 of T-1 under age 21	Same as T-1	None	29
T-6	Adult or minor child of T-2, T-3, T-4, or T-5	Same as T-1	None	17
TN	NAFTA professional	Up to three years	None	24,904
TD	Spouse or child of TN	Up to three years	None	11,919
U-1	Victim or informant of criminal activity	Up to four years; may adjust to LPR status if conditions are met.	10,000	138
U-2	Spouse of U-1	Same as U-1	None	96
U-3	Child of U-1	Same as U-1	None	894
U-4	Parent of U-1 under age 21	Same as U-1	None	17
U-5	Unmarried sibling under age 18 of U-1 under age 21	Same as U-1	None	20
V-1	Spouse of LPR who has had immigrant visa petition pending for three years or longer; transitional visa that leads to LPR status when visa becomes available	Up to two years	None	0
V-2	Child of LPR who has had immigrant visa petition pending for three years or longer	Up to two years, or until 21 st birthday	None	0
V-3	Child of V-1 or V-2	Up to two years, or until 21 st birthday	None	0
Total				2,792,083

Source: Visa Category, Description, Duration of Stay, and Annual Numeric Limit: §§101(a)(15), 212, and 214 of the Immigration and Nationality Act (8 U.S.C. §§1101(a)(15), 1182, and 1184); and §214 of 8 C.F.R. FY2021 Visa Issuances: U.S. Department of State, *Report of the Visa Office 2021*, Table XV (B).

- a. Some visa categories allow for an extension of stay. For more information, see Appendix in CRS Report R45040, *Immigration: Nonimmigrant (Temporary) Admissions to the United States*.

Table 2. LPR Categories, FY2020

LPR Category	Description	Annual Numeric Limit	FY2020 LPR Recipients^a
Employment-Based Preference Immigrants			
EB-1	Priority workers	40,040	47,388
EB-2	Professionals with advanced degrees or aliens of exceptional ability	40,040	43,666
EB-3	Skilled workers, professionals, and needed unskilled workers	40,040 ^a (including up to 10,000 for unskilled "other workers")	43,218
EB-4	Special immigrants (including religious workers, employees of U.S. government abroad, and juvenile court dependents)	9,940 (including up to 5,000 religious workers)	10,704
EB-5	Investors/employment creation	9,940	3,983
Family-Based Immigrants			
IR-1	Spouses of U.S. citizens	No annual limit	195,718
IR-2	Children of U.S. citizens (includes orphans and adoptees)	No annual limit	37,379
IR-3	Parents of U.S. citizens	No annual limit	88,051
F-1	Unmarried sons/daughters of U.S. citizens and their children	23,400	11,383
F-2	Spouses, children, and unmarried sons/daughters of LPRs	114,200	51,701
F-3	Married sons/daughters of U.S. citizens and their spouses and children	23,400	13,930
F-4	Brothers/sisters of U.S. citizens (age 21 or older) and their spouses and children	65,000	44,546
Diversity	Individuals from countries that send relatively few immigrants to the United States	55,000 ^c	25,028
Refugees	Aliens admitted to the United States as refugees based on persecution claims who have been physically present in the United States for at least one year	No annual limit	44,404
Asylees	Aliens granted asylum based on persecution claims who have been physically present in the United States for at least one year	No annual limit	19,471
Other	Includes parolees, children born abroad to alien residents, certain Iraqis and Afghans employed by the U.S. government, cancellation of removal, victims of human trafficking, and victims of crime	Various limits ^d	26,792
Total			707,362

Source: LPR Category, Description, and Annual Numeric Limit: INA §§203(a), 203(b), and 204 (8 U.S.C. §§1153(a) 1153(b), and 1154). FY2020 Recipients: U.S. Department of Homeland Security, *Yearbook of Immigration Statistics FY2020*, Table 6.

- a. Categories in which the number of LPR recipients exceeds the statutory annual numeric limit are largely due to timing differences between when LPR status is officially granted, and when immigrants actually arrive in the United States and are counted by DHS as green card recipients. These differences also result from the roll-downs of unused visa numbers from higher-priority categories. For more information, see Table 1 in CRS Report R42866, *Permanent Legal Immigration to the United States: Policy Overview*.

- b. The Immigration and Nationality Act limits EB-3 immigrant visas to 40,040 each year. From FY2002 through FY2019, that ceiling was reduced by up to 5,000 each year to accommodate adjustments made under the Nicaraguan Adjustment and Central American Relief Act (NACARA, Title II of P.L. 105-100, as amended by P.L. 105-139, Section 1(e)). For FY2020, this reduction was limited to approximately 350.
- c. The Immigration and Nationality Act provides for 55,000 diversity immigrant visas each year. From FY1999 through FY2020, that annual ceiling was reduced by up to 5,000 each year to accommodate adjustments made under the Nicaraguan Adjustment and Central American Relief Act (NACARA, Title II of P.L. 105-100 as amended by P.L. 105-139, Section 1(e)). For FY2020, this reduction was limited to approximately 350, and for FY2021, this reduction was limited to approximately 150.
- d. For more information on these categories, see CRS Report R42866, *Permanent Legal Immigration to the United States: Policy Overview*.

Author Information

Jill H. Wilson
Analyst in Immigration Policy

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