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Nonimmigrant and Immigrant Visa Categories: Data Brief

Updated October 18, 2023

Congressional Research Service

<https://crsreports.congress.gov>

R45938

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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 nonimmigrant 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 immigrant 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 FY2022.

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*.

Table I. Nonimmigrant Visas, FY2022

Visa Category	Description	Initial Duration of Stay^a	Annual Numeric Limit	FY2022 Visa Issuances
A-1	Ambassador, public minister, career diplomat, or consul, and immediate family	Duration of assignment	None	9,395
A-2	Other foreign government official or employee, and immediate family	Duration of assignment	None	85,752
A-3	Attendant, servant, or personal employee of A-1/A-2, and immediate family	Up to three years	None	808
B-1	Visitor for business only	Six months to one year	None	21,943
B-2	Visitor for pleasure only	Six months to one year	None	5,905
B-1/B-2	Visitor for business and pleasure	Six months to one year	None	3,228,199
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	1,182,329
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	62,153
C-1	Person in transit	Up to 29 days	None	8,643
C-1/D	Combination transit/crew member	Up to 29 days	None	253,424
C-2	Person in transit to United Nations Headquarters	Up to 29 days	None	32
C-3	Foreign government official and immediate family, attendant, servant, or personal employee in transit	Up to 29 days	None	3,337
CW-1	Commonwealth of the Northern Mariana Islands (CNMI) transitional worker	Up to one year	For FY2022: 11,500 plus 3,000 for disaster recovery workers	1,041
CW-2	Spouse or child of CW-1	Up to one year	None	244
D	Crew member	Up to 29 days	None	7,381
E-1	Treaty trader, spouse and child, and employee	Up to two years	None	5,383
E-2	Treaty investor, spouse and child, and employee	Up to two years	None	45,878
E-2C	CNMI treaty investor, spouse, and child	Up to two years	None	34
E-3	Australian specialty occupation professional	Up to two years	10,500	4,731
E-3D	Spouse or child of E-3	Up to two years	None	3,292
E-3R	Returning E-3	Up to two years	None	2,631

Visa Category	Description	Initial Duration of Stay ^a	Annual Numeric Limit	FY2022 Visa Issuances
F-1	Foreign student (academic or language training program)	Duration of study (limited to 12 months for secondary school students)	None	411,131
F-2	Spouse or child of F-1	Duration of study	None	25,887
G-1	Principal resident representative of recognized foreign member government to international organization, staff, and immediate family	Duration of assignment	None	4,382
G-2	Other representative of recognized foreign member government to international organization, staff, and immediate family	Duration of assignment	None	13,092
G-3	Representative of nonrecognized or nonmember foreign government to international organization, staff, and immediate family	Duration of assignment	None	357
G-4	International organization officer or employee, and immediate family	Duration of assignment	None	19,944
G-5	Attendant, servant, or personal employee of G-1 through G-4, and immediate family	Up to three years	None	281
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/education employers are not counted against cap; DOD research & development: 100 at any time	206,002
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: 1,449 Singapore: 927
H-2A	Temporary worker—agricultural workers	Up to one year	None	298,336
H-2B ^b	Temporary worker—nonagricultural workers	Up to one year (up to three years in certain cases)	66,000	124,644
H-3	Temporary worker—trainee	Alien trainee: up to two years Special education exchange visitor program: up to 18 months	Alien trainee: none Special education exchange visitor program: 50	695

Visa Category	Description	Initial Duration of Stay ^a	Annual Numeric Limit	FY2022 Visa Issuances
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	137,246
I	Representative of foreign information media, spouse and child	Duration of employment	None	9,917
J-1	Cultural exchange visitor	Duration of program	None	284,486
J-2	Spouse or child of J-1	Duration of program	None	30,579
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	21,351
K-2	Child of K-1	Same as parent	None	3,441
K-3	Spouse of U.S. citizen awaiting lawful permanent resident visa	Up to two years	None	5
K-4	Child of K-3	Up to two years or until 21 st birthday	None	1
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	72,958
L-2	Spouse or child of L-1	Same as spouse/parent	None	78,448
M-1	Vocational student	Duration of study	None	5,271
M-2	Spouse or child of M-1	Same as spouse/parent	None	242
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	15
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	7,370
NATO-3	Official clerical staff accompanying a representative of a member state to NATO, and immediate family	Tour of duty	None	3
NATO-4	Officials of NATO (other than those classifiable as NATO-1), and immediate family	Tour of duty	None	163
NATO-5	Experts employed in missions on behalf of NATO (other than NATO-4 officials), and their dependents	Tour of duty	None	62

Visa Category	Description	Initial Duration of Stay ^a	Annual Numeric Limit	FY2022 Visa Issuances
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	863
NATO-7	Attendant, servant, or personal employee of NATO-1 through NATO-6, and immediate family	Up to three years	None	0
N-8	Parent of certain special immigrants (pertaining to international organizations)	Up to three years, as long as special immigrant remains a child	None	13
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	19,102
O-2	Person accompanying and assisting in the artistic or athletic performance by O-1	Up to three years	None	11,586
O-3	Spouse or child of O-1 or O-2	Up to three years	None	6,234
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	20,287
P-2	Artist or entertainer in a reciprocal exchange program and essential support	Up to one year	None	59
P-3	Artist or entertainer in a culturally unique program and essential support	Up to one year	None	5,294
P-4	Spouse or child of P-1, P-2, or P-3	Same as spouse/parent	None	1,717
Q-1	International cultural exchange program participant	Up to 15 months	None	1,057
R-1	Religious worker	Up to 30 months	None	4,098
R-2	Spouse or child of R-1	Up to 30 months	None	1,806
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
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	208

Visa Category	Description	Initial Duration of Stay ^a	Annual Numeric Limit	FY2022 Visa Issuances
T-4	Parent of T-1 under age 21	Same as T-1	None	27
T-5	Unmarried sibling under age 18 of T-1 under age 21	Same as T-1	None	18
T-6	Adult or minor child of T-2, T-3, T-4, or T-5	Same as T-1	None	21
TN	United States-Mexico-Canada Agreement (USMCA) professional	Up to three years	None	33,361
TD	Spouse or child of TN	Up to three years	None	16,575
U-1	Victim or informant of criminal activity	Up to four years; may adjust to LPR status if conditions are met.	10,000	178
U-2	Spouse of U-1	Same as U-1	None	114
U-3	Child of U-1	Same as U-1	None	1,191
U-4	Parent of U-1 under age 21	Same as U-1	None	18
U-5	Unmarried sibling under age 18 of U-1 under age 21	Same as U-1	None	40
V-1 ^c	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 ^c	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 ^c	Child of V-1 or V-2	Up to two years, or until 21 st birthday	None	0
Total				6,815,120

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. FY2022 Visa Issuances: U.S. Department of State, *Report of the Visa Office 2022*, 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*.
- b. In recent years, Congress has enacted provisions authorizing DHS to issue additional H-2B visas (above the cap) subject to specified conditions. For more information, see CRS Report R44306, *The H-2B Visa and the Statutory Cap*.
- c. No longer in use. Created in FY2001, V nonimmigrant visas allowed family members with pending immigrant visas to be in the United States with their LPR spouses and parents while waiting to complete the permanent immigration process. To be eligible for V visas, individuals must have had petitions for family preference immigrant visas filed on their behalf before December 21, 2000. No V visas have been issued since FY2007 because, by then, all such individuals were able to obtain LPR status.

Table 2. LPR Categories, FY2022

LPR Category	Description	Annual Numeric Limit	FY2022 LPR Recipients^a
Employment-Based Preference Immigrants			
EB-1	Priority workers	40,040	53,433
EB-2	Professionals with advanced degrees or aliens of exceptional ability	40,040	109,081
EB-3	Skilled workers, professionals, and needed unskilled workers	40,040 ^c (including up to 10,000 for unskilled “other workers”)	79,362
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)	20,526
EB-5	Investors/employment creation	9,940	7,882
Family-Based Immigrants			
<i>Immediate Relatives</i>			
IR-1	Spouses of U.S. citizens	No annual limit	238,632
IR-2	Children of U.S. citizens (includes orphans and adoptees)	No annual limit	57,131
IR-3	Parents of U.S. citizens	No annual limit	132,505
<i>Family-Sponsored Preference Immigrants</i>			
F-1	Unmarried sons/daughters of U.S. citizens and their children	23,400	17,763
F-2	Spouses, children, and unmarried sons/daughters of LPRs	114,200	89,856
F-3	Married sons/daughters of U.S. citizens and their spouses and children	23,400	17,449
F-4	Brothers/sisters of U.S. citizens (age 21 or older) and their spouses and children	65,000	40,973
Diversity Immigrants	Individuals from countries that send relatively few immigrants to the United States	55,000 ^d	43,233
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	29,423
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	53,659
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 ^e	27,441
Total			1,018,349

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). FY2022 Recipients: U.S. Department of Homeland Security, *Yearbook of Immigration Statistics FY2022*, Table 6.

- a. In general, instances 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 arrive in the United States and are counted by DHS as green card recipients. Such instances also result from the

- b. roll-downs of unused visa numbers from higher-priority categories. For more information, see Table I in CRS Report R42866, *Permanent Legal Immigration to the United States: Policy Overview*. In FY2022, employment-based LPR recipients were substantially higher than usual, because the COVID-19 pandemic prevented sizable numbers of family-sponsored preference immigrant visas from being used in FY2021. The INA contains provisions that permit such unused immigrant visa numbers to “fall across” and be used for employment-based immigrants in the following fiscal year. For more information, see “Exceptions to Numerical Limits and the Per-Country Ceiling” in CRS Report R47164, *U.S. Employment-Based Immigration Policy*.
- c. The INA limits EB-3 immigrant visas to 40,040 each year. From FY2002 through FY2019, that ceiling has been 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 FY2022, this reduction was approximately 150.
- d. The INA provides for 55,000 diversity immigrant visas each year. Since FY1999, that ceiling has been reduced by up to 5,000 each year to accommodate adjustments made under NACARA. For FY2022, this reduction was approximately 150.
- e. For more information on these categories, see CRS Report R42866, *Permanent Legal Immigration to the United States: Policy Overview*.

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