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SUMMARY

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Nonimmigrant and Immigrant Visa Categories: Data Brief

Congress has expressed interest in the visa categories under which foreign nationals may enter or be present in the United States.

This brief report provides the following information:

- a list of nonimmigrant (i.e., temporary) visa categories and lawful permanent resident (LPR) 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") for each nonimmigrant and LPR category, and
- the number of visas issued under each nonimmigrant category/number of individuals obtaining LPR status under each LPR category in FY2017.

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Introduction

Congress has expressed interest in the visa categories by which foreign nationals may enter or be present in the United States. 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 permanent immigration from temporary immigration. Permanent immigration occurs through family and employer-sponsored categories, the diversity immigrant visa lottery, and refugee and asylee admissions. 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]

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") for each nonimmigrant and LPR category, and
- the number of visas that were issued/individuals obtaining LPR status for each category in FY2017.

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

Table 1. Nonimmigrant Visas, FY2017

Visa Category	Description	Initial Duration of Stay[a]	Annual Numeric Limit	FY2017 Visa Issuances
A-1	Ambassador, public minister, career diplomat, or consul, and immediate family	Duration of assignment	None	10,033
A-2	Other foreign government official or employee, and immediate family	Duration of assignment	None	98,849
A-3	Attendant or personal employee of A-1/A-2, and immediate family	Up to three years	None	1,031
B-1	Visitor for business	Six months to one year	None	39,712

[1] The INA is Title 8 of the U.S. Code. For an overview of U.S. immigration policy, see CRS Report R45020, *A 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" refers to 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] Lawful permanent residents (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*.

Visa Category	Description	Initial Duration of Stay[a]	Annual Numeric Limit	FY2017 Visa Issuances
B-2	Visitor for pleasure	Six months to one year	None	42,037
B-1/B-2	Visitor for business and pleasure	Six months to one year	None	6,276,851
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	1,030,460
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	43,455
C-1	Alien in transit	Up to 29 days	None	11,061
C-1/D	Alien in transit/crew member	Up to 29 days	None	293,285
C-2	Alien in transit to United Nations Headquarters	Up to 29 days	None	12
C-3	Foreign government official and immediate family, attendant, or personal employee in transit	Up to 29 days	None	8,262
CW-1	Commonwealth of the Northern Marianas (CNMI) transitional worker	Up to one year	13,000 for FY2019	6,198
CW-2	Spouse or child of CW-1	Up to one year	None	648
D	Crew member	Up to 29 days	None	7,202
E-1	Treaty trader, spouse and child, and employee	Up to two years	None	7,063
E-2	Treaty investor, spouse and child, and employee	Up to two years	None	43,673
E-2C	CNMI treaty investor, spouse, and child	Up to two years	None	106
E-3	Australian specialty occupation professional	Up to two years	10,500	5,657
E-3D	Spouse or child of E-3	Up to two years	None	4,169
E-3R	Returning E-3	Up to two years	None	2,306
F-1	Foreign student (academic or language training program)	Duration of study (limited to 12 months for secondary school students)	None	393,573
F-2	Spouse or child of F-1	Duration of study	None	27,435
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	5,131

Visa Category	Description	Initial Duration of Stay[a]	Annual Numeric Limit	FY2017 Visa Issuances
G-2	Other representative of recognized foreign member government to international organization, staff, and immediate family	Duration of assignment	None	15,380
G-3	Representative of nonrecognized or nonmember foreign member government to international organization, staff, and immediate family	Duration of assignment	None	292
G-4	International organization officer or employee, and immediate family	Duration of assignment	None	23,930
G-5	Attendant or personal employee of G-1 through G-4, and immediate family	Up to three years	None	583
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	179,049
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: 632 Singapore: 759
H-2A	Temporary worker—agricultural workers	Up to one year	None	161,583
H-2B	Temporary worker—nonagricultural workers	Up to one year (up to three years in the case of a one-time event)	66,000 (DHS made 30,000 additional visas available for FY2019)	83,600
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	1,232
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	136,393
I	Representative of foreign information media, spouse and child	Duration of employment	None	14,126
J-1	Cultural exchange visitor	Duration of program	None	343,811
J-2	Spouse or child of J-1	Duration of program	None	39,354

Visa Category	Description	Initial Duration of Stay[a]	Annual Numeric Limit	FY2017 Visa Issuances
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	34,797
K-2	Child of K-1	Same as parent	None	5,388
K-3	Spouse of U.S. citizen awaiting lawful permanent resident visa	Up to two years	None	15
K-4	Child of K-3	Up to two years or until 21st birthday	None	8
L-1	Intracompany transferee (executive, managerial, and specialized knowledge 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	78,178
L-2	Spouse or child of L-1	Same as spouse/parent	None	85,254
M-1	Vocational student	Duration of study	None	9,587
M-2	Spouse or child of M-1	Same as spouse/parent	None	395
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	7
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	5,797
NATO-3	Official clerical staff accompanying a representative of a member state to NATO, and immediate family	Tour of duty	None	0
NATO-4	Officials of NATO (other than those classifiable as NATO-1), and immediate family	Tour of duty	None	214
NATO-5	Experts employed in missions on behalf of NATO (other than NATO-4 officials), and their dependents	Tour of duty	None	21
NATO-6	Civilian employees of a force entering in accordance with the provisions of NATO agreements or attached to NATO headquarters, and immediate family	Tour of duty	None	547

Visa Category	Description	Initial Duration of Stay[a]	Annual Numeric Limit	FY2017 Visa Issuances
NATO-7	Attendant 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	9
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	0
O-1	Person with extraordinary ability in the sciences, arts, education, business, or athletics	Up to three years	None	17,011
O-2	Person accompanying and assisting in the artistic or athletic performance by O-1	Up to three years	None	8,053
O-3	Spouse or child of O-1 or O-2	Up to three years	None	4,974
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	24,932
P-2	Artist or entertainer in a reciprocal exchange program and essential support	Up to one year	None	120
P-3	Artist or entertainer in a culturally unique program and essential support	Up to one year	None	9,745
P-4	Spouse or child of P-1, P-2, or P-3	Same as spouse/parent	None	1,399
Q-1	International cultural exchange program participant	Up to 15 months	None	1,935
R-1	Religious worker	Up to 30 months	None	4,492
R-2	Spouse or child of R-1	Up to 30 months	None	1,889
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 human trafficking	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	76
T-3	Child of T-1	Same as T-1	None	339
T-4	Parent of T-1	Same as T-1	None	17
T-5	Unmarried sibling under age 18 of T-1	Same as T-1	None	23
T-6	Adult or minor child of T-2, T-3, T-4, or T-5	Same as T-1	None	18

Visa Category	Description	Initial Duration of Stay[a]	Annual Numeric Limit	FY2017 Visa Issuances
TN	NAFTA professional	Up to three years	None	16,119
TD	Spouse or child of TN	Up to three years	None	9,612
U-1	Victim or informant of criminal activity	Up to four years; may adjust to LPR status if conditions are met.	10,000	129
U-2	Spouse of U-1	Same as U-1	None	122
U-3	Child of U-1	Same as U-1	None	1,226
U-4	Parent of U-1 under age 21	Same as U-1	None	40
U-5	Unmarried sibling under age 18 of U-1 under age 21	Same as U-1	None	40
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 21st birthday	None	0
V-3	Child of V-1 or V-2	Up to two years, or until 21st birthday	None	0
Total				**9,681,913**

Source: Visa Category, Description, Duration of Stay, and Annual Numeric Limit: §101(a)(15), §212, and §214 of the Immigration and Nationality Act; and §214 of 8 C.F.R. FY2017. Visa Issuances: U.S. Department of State, *Report of the Visa Office 2017*, Table XVI (B).

a. Some visas are renewable. For more information, see Appendix in CRS Report R45040, *Immigration: Nonimmigrant (Temporary) Admissions to the United States*.

Table 2. LPR Categories, FY2017

LPR Category	Description	Annual Numeric Limit	FY2017 LPR Recipients[a]
Employment-Based Preference Immigrants			
EB-1	Priority workers	40,040	41,060
EB-2	Professionals with advanced degrees or aliens of exceptional ability	40,040	39,331
EB-3	Skilled workers, professionals, and needed unskilled workers	40,040[b] (including up to 10,000 for unskilled "other workers")	38,083
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)	9,504
EB-5	Investors/employment creation	9,940	9,877
Family-Based Immigrants			
IR-1	Spouses of U.S. citizens	No annual limit	292,909
IR-2	Children of U.S. citizens (includes orphans and adoptees)	No annual limit	74,984

IR-3	Parents of U.S. citizens	No annual limit	148,610
F-1	Unmarried sons/daughters of U.S. citizens and their children	23,400	26,219
F-2	Spouses, children, and unmarried sons/daughters of LPRs	114,200	113,500
F-3	Married sons/daughters of U.S. citizens and their spouses and children	23,400	23,260
F-4	Brothers/sisters of U.S. citizens (age 21 or older) and their spouses and children	65,000	69,259
Diversity	Individuals from countries that send relatively few immigrants to the United States	50,000[c]	51,592
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	120,356
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	25,647
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]	23,780
Total			**1,127,167**

Source: LPR Category, Description, and Annual Numeric Limit: CRS summary of INA §§203(a), 203(b), and 204, (8 U.S.C. §§1153(a) 1153(b), and 1154) and *Presidential Determination No. 2019-01*, October 4, 2018. FY2017 Recipients: U.S. Department of Homeland Security, *Yearbook of Immigration Statistics FY2017*, 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 provides 40,040 EB-3 immigrant visas each year. However, beginning in FY2002 that annual ceiling has been reduced by up to 5,000 each year to accommodate adjustments made under the Nicaraguan and Central American Relief Act (NACARA, Title II of P.L. 105-100). The 5,000 offset is temporary, but it is unclear for how many years it will remain in effect to handle these adjustments of status.

c. The Immigration and Nationality Act provides 55,000 diversity immigrant visas each year. However, beginning in FY1999 that annual ceiling has been reduced by up to 5,000 each year to accommodate adjustments made under the Nicaraguan and Central American Relief Act (NACARA, Title II of P.L. 105-100). The 5,000 offset is temporary, but it is unclear for how many years it will remain in effect to handle these adjustments of status.

d. For more information on these categories, see CRS Report R42866, *Permanent Legal Immigration to the United States: Policy Overview*.

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