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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 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 issued in FY2023 under each nonimmigrant category or the number of individuals obtaining LPR status in FY2023 under each immigrant category.

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 1. Nonimmigrant Visas, FY2023

Visa Category	Description	Initial Duration of Stay^a	Annual Numeric Limit	FY2023 Visa Issuances
A-1	Ambassador, public minister, career diplomat, or consul, and immediate family	Duration of assignment	None	9,448
A-2	Other foreign government official or employee, and immediate family	Duration of assignment	None	98,550
A-3	Attendant, servant, or personal employee of A-1/A-2, and immediate family	Up to three years	None	680
B-1	Visitor for business only	Six months to one year	None	29,286
B-2	Visitor for pleasure only	Six months to one year	None	8,085
B-1/B-2	Visitor for business and pleasure	Six months to one year	None	5,902,426
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	1,776,152
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	44,878
C-1	Person in transit	Up to 29 days	None	15,420
C-1/D	Combination transit/crew member	Up to 29 days	None	353,164
C-2	Person in transit to United Nations Headquarters	Up to 29 days	None	239
C-3	Foreign government official and immediate family, attendant, servant, or personal employee in transit	Up to 29 days	None	4,044
CW-1	Commonwealth of the Northern Mariana Islands (CNMI) transitional worker	Up to one year	For FY2023: 11,000	1,845
CW-2	Spouse or child of CW-1	Up to one year	None	464
D	Crew member	Up to 29 days	None	10,038
E-1	Treaty trader, spouse or child, or employee	Up to two years	None	5,806
E-2	Treaty investor, spouse or child, or employee	Up to two years	None	54,812
E-2C	CNMI treaty investor, spouse, or child	Up to two years	None	42
E-3	Australian specialty occupation professional	Up to two years	10,500	4,434
E-3D	Spouse or child of E-3	Up to two years	None	3,759
E-3R	Returning E-3	Up to two years	None	2,410

Visa Category	Description	Initial Duration of Stay ^a	Annual Numeric Limit	FY2023 Visa Issuances
F-1	Foreign student (academic or language training program)	Duration of study (limited to 12 months for secondary school students)	None	445,418
F-2	Spouse or child of F-1	Duration of study	None	26,844
G-1	Principal resident representative of recognized foreign member government to international organization, staff, and immediate family	Duration of assignment	None	4,935
G-2	Other representative of recognized foreign member government to international organization, staff, and immediate family	Duration of assignment	None	16,657
G-3	Representative of nonrecognized or nonmember foreign government to international organization, staff, and immediate family	Duration of assignment	None	375
G-4	International organization officer or employee, and immediate family	Duration of assignment	None	25,809
G-5	Attendant, servant, or personal employee of G-1 through G-4, and immediate family	Up to three years	None	200
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	265,777
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: 2,095 Singapore: 944
H-2A	Temporary worker—agricultural workers	Up to one year	None	310,676
H-2B ^b	Temporary worker—nonagricultural workers	Up to one year (up to three years in certain cases)	66,000	131,704
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	882

Visa Category	Description	Initial Duration of Stay ^a	Annual Numeric Limit	FY2023 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	186,748
I	Representative of foreign information media, spouse or child	Duration of employment	None	10,796
J-1	Cultural exchange visitor	Duration of program	None	316,693
J-2	Spouse or child of J-1	Duration of program	None	32,028
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	19,825
K-2	Child of K-1	Same as parent	None	3,178
K-3	Spouse of U.S. citizen awaiting lawful permanent resident visa	Up to two years	None	6
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	76,671
L-2	Spouse or child of L-1	Same as spouse/parent	None	83,277
M-1	Vocational student	Duration of study	None	6,052
M-2	Spouse or child of M-1	Same as spouse/parent	None	195
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	5
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	7,058
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	208
NATO-5	Experts employed in missions on behalf of NATO (other than NATO-4 officials), and their dependents	Tour of duty	None	80

Visa Category	Description	Initial Duration of Stay ^a	Annual Numeric Limit	FY2023 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	856
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	7
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	18,994
O-2	Person accompanying and assisting in the artistic or athletic performance by O-1	Up to three years	None	13,335
O-3	Spouse or child of O-1 or O-2	Up to three years	None	6,453
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	24,165
P-2	Artist or entertainer in a reciprocal exchange program and essential support	Up to one year	None	65
P-3	Artist or entertainer in a culturally unique program and essential support	Up to one year	None	8,806
P-4	Spouse or child of P-1, P-2, or P-3	Same as spouse/parent	None	1,994
Q-1	International cultural exchange program participant	Up to 15 months	None	1,677
R-1	Religious worker	Up to 30 months	None	5,330
R-2	Spouse or child of R-1	Up to 30 months	None	2,679
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	95
T-3	Child of T-1	Same as T-1	None	340
T-4	Parent of T-1 under age 21	Same as T-1	None	58

Visa Category	Description	Initial Duration of Stay ^a	Annual Numeric Limit	FY2023 Visa Issuances
T-5	Unmarried sibling under age 18 of T-1 under age 21	Same as T-1	None	50
T-6	Adult or minor child of T-2, T-3, T-4, or T-5	Same as T-1	None	11
TN	United States-Mexico-Canada Agreement (USMCA) professional	Up to three years	None	32,904
TD	Spouse or child of TN	Up to three years	None	17,600
U-1	Victim or informant of criminal activity	Up to four years; may adjust to LPR status if conditions are met.	10,000	225
U-2	Spouse of U-1	Same as U-1	None	216
U-3	Child of U-1	Same as U-1	None	1,306
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	24
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				10,438,327

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. §§101(a)(15), 1182, and 1184); and §214 of 8 C.F.R. FY2023 Visa Issuances: U.S. Department of State, *Report of the Visa Office 2023*, 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 make additional H-2B visas available (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, FY2023

LPR Category	Description	Annual Numeric Limit	FY2023 LPR Recipients^a
Employment-Based Preference Immigrants			
EB-1	Priority workers	40,040	57,140
EB-2	Professionals with advanced degrees or aliens of exceptional ability	40,040	55,790
EB-3	Skilled workers, professionals, and needed unskilled workers	40,040 ^b (including up to 10,000 for unskilled "other workers")	57,310
EB-4	Special immigrants (including religious workers, employees of the U.S. government abroad, and juvenile court dependents)	9,940 ^c (including up to 5,000 religious workers and up to 3,500 employees of the U.S. government abroad)	14,600
EB-5	Investors/employment creation	9,940	11,930
Family-Based Immigrants			
<i>Immediate Relatives</i>			
IR-1	Spouses of U.S. citizens	No annual limit	276,080
IR-2	Children of U.S. citizens (includes orphans and adoptees)	No annual limit	67,150
IR-3	Parents of U.S. citizens	No annual limit	208,350
<i>Family-Sponsored Preference Immigrants</i>			
F-1	Unmarried sons/daughters of U.S. citizens and their children	23,400	23,690
F-2	Spouses, children, and unmarried sons/daughters of LPRs	114,200	116,560
F-3	Married sons/daughters of U.S. citizens and their spouses and children	23,400	19,180
F-4	Brothers/sisters of U.S. citizens (age 21 or older) and their spouses and children	65,000	44,820
Diversity Immigrants	Individuals from countries that send relatively few immigrants to the United States	55,000 ^d	67,350
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	59,030
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	40,330
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	53,610
Total			1,172,910

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). FY2023 Recipients: U.S. Department of Homeland Security, *Yearbook of Immigration Statistics FY2023*, Table 6.

- a. Numbers are rounded to the nearest 10 by DHS and may not sum to total due to rounding. 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 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*. In FY2023, 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 FY2022. 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*.
- b. The INA limits EB-3 immigrant visas to 40,040 each year. Since FY2002, 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 FY2023, this reduction was approximately 167.
- c. The GRATEFUL Act (P.L. 118-31, §5104) provides for up to 3,500 visas to be made available within the EB-4 category to employees of the U.S. government abroad in FY2024, and 3,000 visas for every year thereafter. The act reduces the number of diversity immigrant visas by the number of such EB-4 visas so that the total number of immigrant visas issued does not exceed current statutory limits.
- 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 FY2023, this reduction was approximately 167.
- e. For more information on these categories, see CRS Report R42866, *Permanent Legal Immigration to the United States: Policy Overview*.

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