

# Categories of Migrants Recognized Under U.S. Law

## Immigrants (Lawful Permanent Residents)

**Visa Lottery Winners\*\***  
Cap: 55,000

### Family-Based Immigrants

**Immediate Relatives**  
Parents, spouses, minor children of U.S. citizens  
Unlimited (2015: 465,068)

**Family Preference Immigrants\***  
Floor: 226,000

**Family 1st**  
Unmarried adult children of citizens  
Cap: 23,400

**Family 2A**  
Spouses, minor children of LPRs  
Floor: 87,934  
Cap: 114,200

**Family 2B**  
Unmarried adult children of LPRs  
Cap: 26,266

**Family 3rd**  
Married adult children of citizens  
Cap: 23,400

**Family 4th**  
Siblings of adult citizens  
Cap: 65,000

\* A per-country limit applies to visas in these preference categories. For independent countries, the limit is 7% of the total number of preference visas available, while dependent areas are limited to 2% of total preference visas.  
\*\* The Nicaraguan Adjustment and Central American Relief Act of 1997 (NACARA) reallocates 5,000 visas annually from both the Visa Lottery and the Unskilled Worker category and makes them available to illegal aliens who qualify for amnesty under NACARA. Once the annual number of NACARA beneficiaries falls below a specified level, this reallocation will end.

## Humanitarian Immigrants and Amnestied Aliens

**Employment-Based Immigrants\***  
Cap: 140,000

**Priority Workers**  
Cap: 140,000

Aliens with Extraordinary Ability

Outstanding Professors and Researchers

Multinational Executives and Managers

**2nd Preference**  
Cap: 40,040

Professionals with Advanced Degrees

Aliens with Exceptional Ability

**3rd Preference\*\***  
Cap: 40,040

Skilled Workers

Professionals

Unskilled Workers  
Cap: 10,000

**4th Preference**  
Special Immigrants  
Cap: 9,940

**5th Preference**  
Investors  
Cap: 9,940

**Refugee Adjustments**  
Unlimited  
(2015: 118,431)

**Asylee Adjustments**  
Unlimited  
(2015: 33,564)

**Other Humanitarian**  
Unlimited

**Amnesty**  
NACARA, HRIFA  
Unlimited  
2015: 58

**Parole Adjustments**  
Unlimited  
2015: 23

**Cancellation of Removal**  
Cap: 4,000  
2015: 4,713

**Other**  
Unlimited  
2015: 22,880

**Entered Without Inspection**  
Estimated at around half of the total illegal alien population  
**First Offense: Misdemeanor**  
**Subsequent Offenses: Felonies**

## Illegal Aliens

### Temporary Guest Workers

#### Skilled Workers

**E: Treaty Traders/Investors**  
Authorized by international free trade agreements

**H-1B: Workers**  
Specialty occupations and fashion models  
Cap: 85,000. Exceptions to cap: Unlimited

**H-1C: Nurses**  
Coming to work in designated healthcare shortage areas  
Cap: 500

**L-1: Intracompany Transferees**  
Managers/specialized workers in multinational corporations  
Unlimited

#### Unskilled Workers

**H-2A: Temporary Agricultural Workers**  
Unlimited

**H-2B: Temporary or Seasonal Workers**  
Cap: 66,000

#### Other Workers

**H-3: Trainees or Special Education Exchange Visitors**  
Cap: 50

**O: Workers with Extraordinary Ability**  
Unlimited

**P: Athletes and Entertainers**  
Unlimited

**R: Religious Workers**  
Unlimited

**TN/TD NAFTA Professional Workers**  
Unlimited

**Visa Overstays**  
Estimated at around half of total illegal alien population  
**First and Subsequent Offenses: Civil**

## Temporary Entrants (Nonimmigrants)

**B-1: Short-Term Business Visitors and B-2: Tourists**

**Other Nonimmigrants**  
Unlimited

**A, G, NATO: Ambassadors, Diplomats, United Nations Officials**  
And other employees of foreign governments and international organizations, and servants and attendants of such employees

**C: Transiting Aliens**

**D: Aircraft and Vessel Crew**

**F: Students at Academic Institutions**

**H-4: Spouses and Unmarried Children of H-Visa Holders**

**I: Foreign Press Representatives**

**J, Q: Exchange Visitors**

**K: Fiancé(e)s of U.S. Citizens**

**M: Vocational Students**

**S: Witness/Informant in Criminal Proceedings**

### Humanitarian Entrants

Refugee/Asylee Admissions

Humanitarian Parolee

T, U: Victims of human trafficking and domestic violence

Temporary protected status beneficiaries

V: Spouses and minor children of LPRs on the visa waiting list for three or more years