### Categories of Migrants Recognized Under U.S. Law

**Immigrants (Lawful Permanent Residents)**

- **Visa Lottery Winners**
  - cap = 50,000
- **Humanitarian Immigrants & Amnestied Aliens**
  - Refugee Adjustments
  - Asylee Adjustments
  - Other Humanitarian
- **Immediate Relatives**
  - parents, spouses, minor children of U.S. citizens
  - unlimited; 2005=436,231
- **Family Preference Immigrants**
  - Floor = 226,000
  - 1st Preference
    - unmarried adult children of citizens
    - cap = 23,400
  - 2A – spoures, minor children of LPRs
    - floor/cap = 87,934/114,000
  - 2B – unmarried adult children of LPRs
    - cap = 26,266
  - 3rd Preference
    - married adult children of citizens
    - cap = 23,400
    - additional siblings: cap = 20,000
  - 4th Preference
    - siblings of U.S. citizens
    - cap = 65,000
  - 5th Preference
    - workers (professionals, nonprofessionals)
    - cap = 20,000
  - Other Preference
    - skilled workers
    - cap = 20,000
  - Other
    - cap = 50,000

**Employment-Based Immigrants**

- **Priority Workers**
  - cap = 40,000
- **Professionals w/ Adv. Degrees**
- **Aliens w/ Extraordinary Ability**
- **Multinational Executives & Managers**
- **Professionals w/ Adv. Degrees**
- **Aliens of Exceptional Ability**
- **Skilled Workers**
- **Unskilled Workers**
  - cap = 5,000

**Family-Based Immigrants**

- **Immediate Relatives**
- **Family Preference Immigrants**
  - Floor = 226,000
  - 1st Preference
    - unmarried adult children of citizens
    - cap = 23,400
  - 2A – spoures, minor children of LPRs
    - floor/cap = 87,934/114,000
  - 2B – unmarried adult children of LPRs
    - cap = 26,266
  - 3rd Preference
    - married adult children of citizens
    - cap = 23,400
    - additional siblings: cap = 20,000
  - 4th Preference
    - siblings of U.S. citizens
    - cap = 65,000
  - 5th Preference
    - workers (professionals, nonprofessionals)
    - cap = 20,000
  - Other Preference
    - skilled workers
    - cap = 20,000
  - Other
    - cap = 50,000

**Illegal Aliens**

- **Refugee Adjustments**
- **Asylee Adjustments**
- **Other Humanitarian**
- **Cancellation of Removal**
  - cap = 4,000
- **Amerasians**
  - unlimited
- **Other**
  - unlimited

**Humanitarian Immigrants & Amnestied Aliens**

- **Amnesty**
  - NACARA, HRIFA, IRCA
  - unlimited
- **Cancellation of Removal**
  - cap = 4,000
- **Amerasians**
  - unlimited
- **Other**
  - unlimited

**Temporary Guests**

- **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 corps
  - unlimited
- **H-2A Temporary Agricultural Workers**
  - unlimited
- **H-2B Temporary or Seasonal Workers**
  - cap = 66,000
- **H-2A Temporary Agricultural Workers**
  - unlimited
- **H-2B Temporary or Seasonal Workers**
  - cap = 66,000
- **H-2A Temporary Agricultural Workers**
  - unlimited
- **H-2B Temporary or Seasonal Workers**
  - cap = 66,000
- **Other Workers**
  - unlimited
- **Workers with Extraordinary Ability**
  - in sciences, arts, education, business, athletics
  - unlimited
- **Athletes & Entertainers**
  - unlimited
- **Religious Workers**
  - unlimited

**Tourists & Short-Term Business Visitors**

- **Treaty Traders, Treaty 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 corps
  - unlimited
- **H-2A Temporary Agricultural Workers**
  - unlimited
- **H-2B Temporary or Seasonal Workers**
  - cap = 66,000
- **H-2A Temporary Agricultural Workers**
  - unlimited
- **H-2B Temporary or Seasonal Workers**
  - cap = 66,000
- **Other Workers**
  - unlimited
- **Workers with Extraordinary Ability**
  - in sciences, arts, education, business, athletics
  - unlimited
- **Athletes & Entertainers**
  - unlimited
- **Religious Workers**
  - unlimited

**Other Nonimmigrants**

- **Ambassadors, Diplomats, United Nations Officials**
  - and other employees of foreign governments and international organizations, and servants and attendants of such employees
- **Aircraft and Vessel Crew**
- **Students at Academic Institutions**
- **Foreign Press Representatives**
- **Exchange Visitors**
- **Fianc(e)s of US Citizens**
- **Vocational Students**
- **Witness/Informant in Criminal Proceeding**
- **Refugee/asylee admissions**
- **Humanitarian parolees**
- ** Victims of human trafficking and domestic violence**
- **Temporary Protected Status beneficiaries**
- **Spouses & minor children of LPRs on the visa waiting list for three or more years**

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* A per-country limit applies to visas in these preference categories. For independent countries the limit is seven percent of the total number of preference visas available, while dependent areas are limited to two percent 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 NACARA applications fall below a specified level, this reallocation will end.
The Average Annual Legal Immigration Level During:

The Colonial Era (1607-1775): 3,500
The Nation Building Era (1776-1819): 6,500
The Era of Continental Expansion (1820-1879): 162,000
The Great Wave (1880-1924): 584,000
The Rise of the Middle Class (1925-1964): 178,000
The Civil Rights Era (1965-1989): 507,000

The Average Annual Legal Immigration Level Since The Immigration Act Of 1990:

1,000,000