10 things to know about:
How the Legal U.S. Immigration System Works

Bipartisan Policy Center

The U.S. immigration system is a large and complex system that provides channels through which eligible foreign nationals can come to the country on a temporary or permanent basis for a variety of reasons.

1 **More than 20 temporary visa categories allow** non-immigrants to visit, work, or study in the United States for a specific length of time. The primary temporary visas include the following worker programs: H-1B specialty workers, H-2A seasonal agricultural workers, H-2B seasonal non-agricultural workers, L intercompany transferees, and O individuals with extraordinary ability or achievement.

2 **In order for a foreign national to live and work** permanently in the United States, they must qualify to attain legal permanent resident (LPR) status, which is commonly referred to as a "green card." In some cases, migrants who enter on a temporary visa can later adjust status to LPR status.

3 **LPR status can be acquired through one of four** main ways: family sponsorship, employment, refugee or asylum status, or the diversity visa lottery. For the most part, these categories are subject to annual statutory numerical limits. No more than 7 percent of family or employment green cards can be given to nationals of any single country in any year.

4 **The Immigration and Nationality Act sets** the number of green cards that can be allocated in each category. The official worldwide total is 675,000 green cards per year, but because the caps do not apply to some categories, about one million green cards are allocated each year.

5 **Some family relationships have an unlimited** number of green cards, but others are subject to limits. There is no limit on the number of "immediate relative" green cards, which go to spouses, unmarried children under 21, adopted children, and parents of U.S. citizens. By contrast, other "family-based" green cards are limited to 226,000 per year.

6 **Employment-based (EB) green cards are limited** to 140,000 per year. This cap includes both the principal worker and their immediate family members. The EB categories include: persons of extraordinary ability (EB1), professionals with advanced degrees (EB2), skilled workers (EB3), certain special immigrants (EB4), and immigrant investors (EB5). Only 5,000 green cards are available to lesser-skilled workers without a college degree.

7 **Most green cards each year are allocated** based on family relationships. For example, in 2013, 66 percent were family-sponsored while only 17 percent were employment-based.

8 **All LPRs have authorization to live and work** in the United States on a permanent basis. However, green card holders generally do not have the right to vote, run for federal office, or work for the federal government. They're also ineligible to receive certain government benefits during the first five years and can lose or abandon their status under certain circumstances or be deported if they commit serious crimes.

9 **LPRs can choose to apply for citizenship** after five years if they meet specific eligibility requirements regarding age, residency and physical presence, "good moral character," and knowledge of English and civics. According to the most recent estimates, the naturalization rate among all eligible LPRs is about 61 percent.

10 **In a global context, the United States** ranks first in family-based immigration and 17th in employment- based immigration among 23 developed nations in the Organisation for Economic Co-operation and Development.