

Temporary Work Visa Holders in the United States, By the Numbers

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The Trump administration is expected to unveil an executive action in the near future that would significantly restrict temporary (“nonimmigrant”) work visa categories, potentially including:

- H-1B visas for skilled “specialty occupation” workers
- H-2B visas for nonagricultural seasonal workers
- H-4 visas for the spouses or children of H-1B and H-2B visa holders (among others)
- J-1 visas for exchange visitors
- J-2 visas for the spouses or children of J-1 visa holders
- L-1 visas for employees of multinational companies
- L-2 visas for the spouses or children of L-1 visa holders
- F visas for those international students staying in the United States after graduation to gain on-the-job training with a U.S. employer through the Optional Practical Training (OPT) program

While there are multiple public data sets available from the Department of Homeland Security (DHS) and the Department of State (DOS) relevant to these visa categories, they are unfortunately not sufficient to answer these basic questions with great precision:

- How many individuals enter the country each year, for the first time, using each of these visa categories?
- How many individuals are already in the United States at any given moment, having previously entered using each of these visa categories?

Our goal below is to synthesize the relevant data and clearly present what it can—and cannot—reveal about the number of individuals potentially impacted by work visa restrictions.

Who is arriving from abroad?

It is the job of the State Department to issue the visas that allow individuals abroad to travel to the United States for work and other purposes.

The State Department provides a simple tally of the number of visas issued each fiscal year, in each category (see Table 1). Unfortunately, these numbers do not reflect the actual number of people who *arrive* in the United States, nor do they reflect the actual number of *new* temporary workers arriving in the United States.

In some circumstances, an individual living abroad who is issued a visa may save that visa until the next fiscal year, or may not end up traveling to the United States at all. To make things more complicated, this visa issuance data also includes individuals living in the United States who travel abroad briefly and simply need a visa to return here.

For example, it would *not* be accurate to say that 188,123 H-1B visa holders newly arrived in the United States in Fiscal Year 2019—the real number could be higher or (more likely) significantly lower.

Table 1: Number of nonimmigrant visas issued abroad by State Dept.

<i>Visa Type</i>	<i>For Principal Workers or Dependents</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>
H-1B	Workers	172,748	180,057	179,049	179,660	188,123
H-2B	Workers	69,684	84,627	83,600	83,774	97,623
H-4	Dependents	124,484	131,051	136,393	130,814	125,999
J-1	Workers	374,829	380,120	383,165	382,219	391,561
J-2	Dependents	42,289	40,408	39,354	39,580	38,282
L-1	Workers	164,604	165,178	163,432	153,099	157,708
L-2	Dependents	86,067	85,872	85,254	78,711	80,720

The Department of Homeland Security provides separate data on how many people enter the United States at border crossings and ports of entry, but this includes multiple re-entries by individuals who may go back and forth more than once in a given year. Because this data can be so misleading, we do not present it here.

How many temporary workers are in the United States?

Tallying the number of temporary visa holders currently working in the United States is also surprisingly complicated. Most of the time, this process starts with a U.S. employer filing a petition with U.S. Citizenship and Immigration Services (USCIS) to sponsor a worker under a particular visa category. This petition is called Form I-129.

Table 2 includes the total number of I-129 petitions approved by USCIS each fiscal year. However, these numbers mix together workers who are currently abroad and

those who are already in the United States. Some of these petitions are for a worker filling a job for the first time, but others include extensions of a current job, reapplications for those changing jobs, or even just changing the location of a job. Some individuals may have more than one active petition at a time. Moreover, in the L-1 category, these numbers do not reflect the “blanket” petitions approved by USCIS that allow direct visa applications at consular posts abroad, without individual petition adjudication by USCIS. Therefore it is impossible to figure out, from this data alone, how many workers are actually in the United States.

The same is true for Form I-539, which is mostly used by spouses and children of primary workers to extend or change immigration status from one temporary category to another. This includes, but is by no means limited to, H-4 and L-2 visa holders.

Table 2: Total number of nonimmigrant forms approved by USCIS

<i>Form Type</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>
I-129					
H-1B only	288,501	357,195	373,342	334,945	389,362
H-2B only	5,144	5,992	5,860	5,883	7,358
L-1 only	33,454	34,058	35,680	29,533	29,335
I-539	146,340	207,866	180,899	187,913	--

(This chart was drawn from USCIS [I-129 data](#) and I-539 data found in the [All USCIS Application and Petition Form Types quarterly reports](#).)

How many people are using Optional Practical Training (OPT)?

Students who are on an F-1 visa have the opportunity to apply for the Optional Practical Training (OPT) program to stay in the United States after graduation. OPT allows for on-the-job training with a U.S. company in a relevant field for up to one year.

Those who participate in the [STEM OPT extension program](#) must have received a qualifying bachelor’s degree or higher in a science, technology, engineering, and math (STEM) field from an accredited U.S. institution of higher education. STEM OPT participants also receive training for one year in a relevant field under standard OPT, plus they are eligible for a 24-month extension after their first year is completed (for a total of three years). Immigration and Customs Enforcement (ICE) administers OPT approvals and its most recent data can be found in Tables 3a and 3b below.

Table 3a: Authorized employment start dates, by calendar year

	2015	2016	2017	2018
OPT	99,323	137,570	152,681	145,564
STEM OPT	27,493	41,782	64,481	69,650
Total SEVIS IDs w/ OPT	126,509	171,593	204,633	200,162

Table 3b: Employment authorizations issued, by calendar year

	2015	2016	2017	2018
Regular OPT + STEM OPT	159,298	190,683	218,998	208,065

(This chart was drawn from the ICE [Student and Exchange Visitor Program \(SEVP\) database](#).)

Table 3a shows, according to ICE, the total number of annual OPT and STEM OPT “authorizations with employment start dates during an indicated calendar year and a [sic] employer name.” This is presumably the number of individuals who are authorized to work in a given year *and* who actually end up going to work for a particular employer. (ICE provides no explanation as to why the numbers for OPT and STEM OPT do not add up to the totals listed in the third row above.)

Table 3b shows, according to ICE, the “number of students issued an EAD [employment authorization document] for OPT or STEM OPT.” This is presumably the number of individuals receiving a work permit in a given calendar year, whether or not they end up going to work for a particular employer. (ICE does not provide a breakdown between OPT and STEM OPT.)

How many J-1 visa holders are in the United States?

J-1 cultural exchange visas are managed by the State Department and used for short-term, often summer-long, work assignments in many different [categories](#), such as au pairs, professors, research scholars, and camp counselors. The State Department provides data on the number of J-1 program participants in the U.S. for 2016 through 2018 as seen below in Table 4.

Table 4: Number of J-1 program participants by calendar year

<i>Program</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>
Au Pair	19,233	20,353	20,678
Camp Counselor	22,991	24,868	24,919
Intern	25,202	26,075	26,112
Physician*	2,623	2,830	2,738
Professor and Research Scholar	37,445	36,363	35,627
Short-Term Scholar	19,928	19,730	18,885
Specialist	1,327	1,354	1,350
Summer Work Travel	101,054	104,921	104,512
Teacher	2,662	2,867	3,252
Trainee	10,751	10,885	10,857
<i>Total</i>	<i>243,216</i>	<i>250,246</i>	<i>246,192</i>

**The Physician category was renamed in 2018 and became the Alien Physician category.
(This data comes from the [DOS J-1 Facts and Figures site](#).)*

Because of the COVID-19 pandemic, as of early March all exchange visitor programs, including the ones listed above, were [paused until further notice](#). For the participants in summer programs, this means that they likely did not arrive in the U.S. before the pause was announced.

How much are H-1B workers paid?

The Trump administration's executive order may put restrictions on H-1B visa holders below a certain income threshold. Table 5 shows the number of H-1B workers who earn above the 75th percentile in each major occupational group, based on USCIS data; overall, 25 percent earned a salary of at least \$110,000 in fiscal year 2017. Unfortunately, USCIS has not yet published reports with more updated information.

Table 5: Annual compensation of all H-1B workers by occupation in FY 2017

<i>Occupations</i>	<i>Total Visa Holders Reported</i>	<i>75th Salary Percentile</i>	<i>Total at or Above 75th Percentile</i>
Computer-related occupations	254,590	109,000	63,648
Occupations in architecture, engineering, and surveying	29,210	113,000	7,303
Occupations in administrative specializations	20,544	115,000	5,136
Occupations in education	18,685	80,000	4,671
Occupations in medicine and health	14,883	198,000	3,721
Occupations in mathematics and physical sciences	6,869	115,000	1,717
Occupations in life sciences	5,054	81,000	1,264
Managers and officials not elsewhere classified	4,284	143,000	1,071
Miscellaneous professional, technical, and managerial occupations	3,635	145,000	909
Occupations in social sciences	2,993	120,000	748
Occupations in art	1,982	88,000	496
Occupations in law and jurisprudence	947	188,000	237
Occupations in writing	345	84,000	86
Miscellaneous	265	69,000	66
Occupations in museum, library, and archival sciences	139	97,000	35
Occupations in entertainment and recreation	104	69,000	26
Occupations in religion and theology	61	66,000	15
Sale promotion occupations	7	78,000	2
Occupations unknown	1,075	100,000	269
<i>Total</i>	<i>365,672</i>	<i>110,000</i>	<i>91,418</i>

(This chart is drawn from USCIS' report, [Characteristics of H-1B Specialty Occupation Workers](#).)

How many H-4 visa holders are working in the United States?

Skilled workers with H-1B visas are authorized to work in the United States, but their spouses (who have “H-4” visas) do not receive work permits solely by virtue of being a dependent of a primary worker. In 2015, a new regulation made it possible for these spouses to apply for a work permit, during the typically years-long wait for their families to obtain permanent residency after receiving an approved green card petition. Most of these H-4 workers are [Indian, female, and highly educated](#).

Based on the [most recent data](#) provided by USCIS, a total of 120,514 H-4 visa holders successfully applied for a new work permit between May 26, 2015 (the effective date

of the new regulation) and March 29, 2019. Not all of these individuals are necessarily employed at present, however.

Other estimates

DHS provides an annual estimate of the number of nonimmigrants residing in the United States, and its [most recent estimate](#) applies to Fiscal Year 2016:

Table 6: Number of nonimmigrants residing in the U.S. in FY 2016

<i>Type of nonimmigrant</i>	<i>Number of residents</i>
Temporary workers and trainees	1,100,000
Students	870,000
Exchange visitors	240,000

(Data drawn from DHS' [March 2018 Population Estimates report](#).)

While these estimates are no doubt reliable, they are not fine-grained enough to help with the present task of estimating the impact of restricting a particular visa category. DHS includes a wide range of categories in “temporary workers” (including but not limited to H-1B, H-2B, H-4, L-1, and L-2), but not individuals with work permits under the Optional Practical Training program, who are lumped together with all other “students” on F-1 visas. “Exchange visitors” includes all J-1 and J-2 visa holders, with no distinction among the very different exchange programs (au pairs, summer workers, medical professionals, etc.).

Because of the difficulty in obtaining accurate statistics from government agencies, there are relatively few studies that attempt to provide an educated guess of how many temporary work visa holders are in the United States. The Economic Policy Institute (EPI) published one such study, summarized in Table 7 below.

Table 7: Estimated number of temporary foreign workers in the U.S. in FY 2013

<i>Visa Category</i>	<i>Total number of workers</i>
H-2A	74,859
H-2B	94,919
H-1B	460,749
J-1	215,866
J-2	8,243
L-1	311,257
L-2	38,952
O-1/O-2	29,894
F-1 (OPT)	139,155
TN	50,000
<i>EPI Total</i>	<i>1,423,894</i>

(Chart gleaned from EPI's 2017 report, [Temporary Foreign Workers by the Numbers.](#))

With the caveat that EPI tends to be a vocal critic of temporary work visas, its methodology in this study is not unreasonable. A great deal has changed in immigration policy since 2013, however, so it is important to note that the numbers above likely do not reflect the reality today.

Conclusion

As outlined above, the Department of Homeland Security and the State Department do not provide sufficiently detailed data to determine precisely how many people would be affected by new restrictions on various temporary work visa programs. Depending on the details of the Trump administration's anticipated executive actions, however, the number of people directly affected could be in the hundreds of thousands.

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Appendix A - Relevant reports

Cato Institute

- [The facts about the L-1 visa program](#) - June 2020
- [Facts about the summer work and travel program](#) - May 2020
- [The facts about Optional Practical Training \(OPT\) for foreign students](#) - May 2020
- [100% of H-1B employers pay market wages - 78% pay more](#) - May 2020
- [Research provides no basis for pandemic travel bans](#) - April 2020
- [H-2A visas for agriculture: The complex process for farmers to hire agricultural guest workers](#) - March 2020
- [Temporary protected status and immigration to the United States](#) - January 2019
- [The political impact of immigration: Evidence from the United States](#) - September 2018
- [The association between immigration and labor market outcomes in the United States](#) - January 2016

National Foundation for American Policy

- [H-1B denial rates and numerical limits as indicators of current restrictions](#) - May 2020
- [The impact of H-1B visa holders on the U.S. workforce](#) - May 2020
- [State Department immigrant and temporary visa declines and refusals in FY2019](#) - March 2020
- [H-1B approved petitions and denial rates for FY 2019](#) - February 2020
- [The impact of Administration policies on immigration levels and labor force growth](#) - February 2020
- [International students, STEM OPT, and the U.S. STEM workforce](#) - March 2019
- [H-1B visas by the numbers: 2017-18](#) - April 2018
- [International students and STEM OPT](#) - October 2017

Niskanen Center

- [Ten policy briefs to better understand the U.S. immigration system](#) - September 2019
- [Optional Practical Training \(OPT\) and international students after graduation](#) - March 2019
- [Niskanen immigration policy brief: H-2A temporary agricultural worker visas](#) - January 2018
- [Niskanen immigration policy brief: CONRAD 30 J-1 visa waiver program](#) - July 2017
- [Immigration reform catalog: 20 changes to improve U.S. immigration policy](#) - May 2017
- [Research paper: The legislative history of state-based guest worker programs](#) - May 2017
- [Niskanen report: Americans favor new immigrant workers](#) - June 2015
- [H-1Bs don't replace U.S. workers: Employment rises in top H-1B fields as H-1Bs enter](#) - April 2015

Pew Research Center

- [Americans' immigration policy priorities: Divisions between - and within - the two parties](#) - November 2019
- [Far more immigration cases are being prosecuted criminally under Trump Administration](#) - September 2019
- [Facts on U.S. immigrants, 2017](#) - June 2019
- [Key facts about U.S. immigration policies and proposed changes](#) - May 2019
- [Majority of Americans continue to say immigrants strengthen the U.S.](#) - January 2019
- [Majority of U.S. public supports high-skilled immigration](#) - January 2019
- [Number of foreign college graduates staying in U.S. to work climbed again in 2017, but growth has slowed](#) - July 2018
- [Number of foreign college students staying and working in U.S. after graduation surges](#) - May 2018
- [New foreign student enrollment at U.S. colleges and universities doubled since Great Recession](#) - November 2017
- [Salaries have risen for high-skilled foreign workers in U.S. on H-1B visas](#) - August 2017
- [Key facts about the U.S. H-1B visa program](#) - April 2017

Summary of economic benefits of L-1, H-1B, OPT and H-4

- [Business community letter](#) with links to economic studies and statistics – May 2020