

National Foundation for American Policy

March 6, 2025

Contact: Stuart Anderson, 703-351-5042, press@nfap.com

New Research: H-1B Is The Most Restrictive Visa Category in U.S. Immigration System

Only 20% of New H-1B Applications Result in Approved Workers

Arlington, Va. – Only 20% of new H-1B applications result in approved workers, making the H-1B visa the most restrictive category in the U.S. immigration system, according to a [new report](#) from the National Foundation for American Policy (NFAP), a nonpartisan research organization based in Arlington, VA. H-1B visas are essential because they generally represent the only practical way for a high-skilled foreign national, including an international student, to work long term in the United States and have an opportunity to become an employment-based immigrant and a U.S. citizen. The initial H-B registration period for the FY 2026 H-1B cap begins March 7 and runs through March 24, 2025.

The study “H-1B Is The Most Restrictive Visa Category,” can be found at <https://nfap.com/>.

The finding contradicts assertions that the H-1B category is an easy source of labor. Even though some government officials and lawmakers favor new restrictions, the category is already highly restricted due to the numerical limit. It also carries with it significant fees, wage requirements and other obligations. The 85,000 annual limit, which employers have exhausted yearly for decades, prevents most applications for new high-skilled foreign nationals from being approved. While only 20% of new H-1B registrations gain approval, 72% of tourist visas and over 90% of most other work visas are approved. A foreign couple wanting to attend Mardi Gras is three times more likely to get a visa to the United States than an electrical engineer with a master’s degree can obtain H-1B status. A European teenager is four times more likely to get a visa to work at a summer amusement park than a graduate student is to receive H-1B status to work for a U.S. company on artificial intelligence.

In FY 2025, employers filed at least 423,028 eligible H-1B registrations, but U.S. Citizenship and Immigration Services could only allow 85,000 new foreign nationals to obtain H-1B status under the annual limit, an approval rate of only 20%. Over 300,000 eligible high-skilled individuals did not gain H-1B status to work in the United States in FY 2025 because of the annual limit passed by Congress. Because of the low annual ceiling and high demand, USCIS uses a random selection process that begins with registration in March to choose eligible H-1B professionals who can start employment in the upcoming fiscal year.

The Immigration Act of 1990 established a [65,000 annual limit](#) on new H-1B petitions. In 2004, Congress raised the H-1B yearly limit to 85,000 by exempting 20,000 individuals a year who earned a master’s degree or higher from a U.S. university. Despite that increase, the supply of new H-1B visas for companies has been exhausted for more than two decades (since FY 2004). (Congress exempted from the H-1B annual limit petitions by universities and nonprofit and government research institutes.)

The 85,000 annual limit on new H-1B petitions for high-skilled foreign nationals is low, equaling 0.05% of the U.S. labor force, and remains the leading immigration problem for most technology companies.

While only 20% of new H-1B applications turn into approved workers, 72% of people who applied for visitor visas for tourism or business (B1/B2) in FY 2024 got visas, and the State Department approved 89% of J-1 visas (exchange visitors, including researchers and summer workers) and 96% of H-2A agricultural worker visas.

The closest approval rate to H-1B was H-2B for seasonal nonagricultural workers, which also has an annual limit. In FY 2024, the H-2B visa allotment was 130,716 after adding 64,716 supplemental visas to the 66,000 annual limit. According to the Department of Labor, employers requested 301,881 positions through the Office of Foreign Labor Certification, a required step in the H-2B process, for an approval rate of 43%.

The analysis shows it is far easier to obtain any other type of major visa than an H-1B visa. The annual limit significantly impedes hiring foreign-born scientists and engineers. Without H-1B visas, relatively few high-skilled foreign nationals, including international students, could work in the United States.

Table 1
Most Difficult Visa To Obtain By Percentage Of New Applications Resulting In Approvals

Visa Category	Percentage of New Applications Resulting In Approvals
H-1B	20%
H-2B	43%
TN	57%
F-1	59%
B1/B2	72%
K-1	89%
J-1	89%
L-1B	90%
E-2	90%
O-1A	92%
H-2A	96%

Source: National Foundation for American Policy, U.S. Citizenship and Immigration Services, U.S. Department of State and U.S. Department of Labor.

About the National Foundation for American Policy

Established in 2003, the National Foundation for American Policy (NFAP) is a 501(c)(3) nonprofit, nonpartisan public policy research organization based in Arlington, Virginia focusing on trade, immigration and related issues. The Advisory Board members include Columbia University economist Jagdish Bhagwati, Ohio University economist Richard Vedder, Cornell Law School professor Stephen W. Yale-Loehr and former INS Commissioner James W. Ziglar. Over the past 24 months, NFAP’s research has been written about in the *Wall Street Journal*, the *New York Times*, the *Washington Post* and other major media outlets. The organization’s reports can be found at www.nfap.com. X.com: [@NFAPResearch](https://twitter.com/NFAPResearch)

1550 Wilson Blvd., Suite 700, Arlington, VA 22209
phone: (703) 351-5042 fax: (703) 351-9292 www.nfap.com