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Study: Work visas being denied at a higher rate

By Alan Gomez

Foreigners trying to get into the U.S. through specialized work visas are being denied at a higher rate, increasing nearly five-fold in the past six years, according to a report set to be released Wednesday.

Petitions by U.S.-based companies to transfer their foreign-based employees with "specialized knowledge" into the U.S. were denied 34% of the time in 2013. That compares with a 7% denial rate in 2007, according to [a new report](#) from the **National Foundation for American Policy**.

From 2012 to 2013, the number of the specialized visas, known as L-1B visas, approved by the federal government fell from 14,180 to 11,944. At the same time, denials increased from 6,068 to 6,242. The visas allow workers to stay in the country for up to five years.

Stuart Anderson, executive director of the foundation, said it's hard to understand why the denials have gone up so dramatically. But he said the increase lines up with the beginning of the country's recession, meaning officials within the government may have been trying to slow down the flow of workers into the U.S.

"Some people may have had the impression that by keeping companies from transferring in employees that that somehow was going to promote American jobs," Anderson said. "But I don't think there's any evidence that that's helpful to the economy or to help employ Americans."

But others point to the overall number of business visas granted each year and say the government is actually doing very little to stem the flow of foreign workers during a period of high unemployment for American workers.

Steven Camarota, director of research for the Center for Immigration Studies, a group that supports lower levels of legal and illegal immigration, said more people are entering the country each year on L-1 visas, a broader category that allows for managers and other employees of international companies to enter the U.S.

In 2003, 298,000 foreigners were admitted to the U.S. under that visa. By 2012, that number had increased to nearly 500,000.

"This is a clear indication that getting them is not very hard," he said. "Rather, more and more companies are trying to take advantage of the program at a time of record rates of joblessness and stagnate wages for U.S.-born workers and legal immigrants already here."

Betsy Lawrence of the American Immigration Lawyers Association said their attorneys are growing increasingly frustrated by denials that are impossible to understand. She said the number of requests for additional evidence (USCIS officials requested additional information on 46% of petitions in 2013, according to the report) compounded by the denials has led to an unpredictable climate for business owners working increasingly overseas.

"A lot of businesses, they have projects that they need to get off the ground or contracts that they need to fulfill," Lawrence said. "When there are significant delays in adjudication of these requests, it affects them greatly. There's a lot of uncertainty in the process and that's very frustrating."