

National Foundation for American Policy

March 10, 2020

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

New Research: Visa Refusals on Public Charge Grounds Skyrocketed for Immigrants in FY 2019

State Department Data Show Immigrant Visas Decline for Spouses, Children and Parents of U.S. Citizens

Arlington, Va. – Due to Trump administration policies, the number of immigrant visas issued at State Department posts declined by 25% between FY 2016 and FY 2019, according to a National Foundation for American Policy (NFAP) [analysis](#) of new government [data](#). Most of the decline came from consular officers issuing fewer immigrant visas (for permanent residence) in the Immediate Relatives of U.S. Citizens category (spouses, children and parents of American citizens), which declined by 41% between FY 2016 and FY 2019. The number of spouses, children and parents from Mexico, China, the Dominican Republic and Pakistan sponsored by American citizens declined by approximately 50% from FY 2016 to FY 2019.

The report, “State Department Immigrant and Temporary Visa Declines and Refusals in FY 2019,” can be found at <https://nfap.com/>.

“Policy direction from the White House has helped make U.S. consular officers the tip of the spear in the administration’s efforts to reduce legal immigration to the United States,” said NFAP Executive Director Stuart Anderson, who served as executive associate commissioner for policy and planning and counselor to the Commissioner of the INS in the George W. Bush administration.

The new State Department data indicate the public charge rule is likely to have a significant impact on the admission of legal immigrants. Following a change in public charge in the Foreign Affairs Manual in January 2018, the number of potential immigrants refused visas on public charge grounds increased by 1,846% (or nearly 20,000 refusals) between FY 2016 and FY 2019. The Department of Homeland Security’s public charge regulation, which the Supreme Court allowed to go into effect while litigation on the rule continues, goes much further than the change in the Foreign Affairs Manual. It allows a consular officer or immigration adjudicator to deny permanent residence to anyone they predict might use certain benefits for 12 months within a future 36-month period and establishes de facto income thresholds.

Reducing the number of immigrants and temporary visa holders admitted to the United States has been an administration goal since Donald Trump became president. The March 6, 2017, presidential memorandum on “[heightened screening and vetting of applications for visas](#)” bears much of the responsibility for the decline in visa issuance. The presidential memorandum stated, “I direct the Secretary of State, the Attorney General, the Secretary of Homeland Security . . . to rigorously enforce all existing grounds of inadmissibility and to ensure subsequent compliance with related laws after admission.” The Buy American and Hire American [executive order](#) and the “travel ban” against primarily Muslim-majority countries have been a factor as well.

These and related policies have contributed to an increase of over 600,000 cases in the backlog of pending cases for family-sponsored I-130 petitions at U.S. Citizenship and Immigration Services. Filing an I-130 petition with USCIS is the first stage in the process of sponsoring a family member

in the Immediate Relatives of U.S. Citizens category or in one of the family preference categories. USCIS adjudicators have also denied more I-130 petitions. Many family immigration cases may not be reaching U.S. consular officers.

Overall, State Department consular officers have played a key role in the Trump administration's efforts to reduce legal immigration. Trump administration policies, without any change in the law by Congress, are projected to reduce the annual level of legal immigration to the United States by 30% or more, resulting in 350,000 fewer legal immigrants receiving permanent residence each year compared to the FY 2016 level of 1,183,505, according to a [February 2020 NFAP analysis](#). NFAP projects in the long term that the average annual U.S. labor force growth, a key component of economic growth, will be between 35% and 59% lower in America as a result of Trump administration immigration policies, if the policies remain in place.

Among the key findings in this analysis:

- Between FY 2016 and FY 2019, immigrant visas issued by the State Department declined by 25%, from 617,752 in FY 2016 to 462,422 in FY 2019.
- From FY 2016 and FY 2019, temporary (nonimmigrant) visas issued by the State Department fell by 16%, from 10,381,491 in FY 2016 to 8,742,068 in FY 2019.
- The number of people in the Immediate Relatives of U.S. Citizens category issued immigrant visas declined by 41% between FY 2016 and FY 2019, from 315,352 in FY 2016 to 186,584 in FY 2019. The largest declines were for the spouses, children and parents of U.S. citizens from Mexico (a drop of 30,335 or 48%), the Dominican Republic (a decline of 12,618 or 51%), China (a reduction of 8,511 or 48%), Haiti (a drop of 7,205 or 71%), the Philippines (a decline of 6,003 or 38%) and India (a drop of 5,748 or 39%).
- The number of visa refusals (ineligibility findings) for immigrants on public charge grounds went from 1,076 in FY 2016 to 20,941 in FY 2019, an increase of 19,865 or 1,846%.
- The total number of ineligibility findings for immigrants increased from 363,724 in FY 2016 to 433,137 in FY 2019, an increase of 69,413 or 19%.
- The total number of ineligibility findings for temporary (nonimmigrant) visas increased from 3,683,812 in FY 2016 to 3,804,717 in FY 2019, an increase of 120,905 or 3%.
- The number of determinations of visa ineligibility based on 221(g) grounds ("Application does not comply with provisions of the INA [Immigration and Nationality Act] or regulations issued pursuant thereto") increased for immigrants from 287,802 in FY 2016 to 334,542 in FY 2019, a rise of 16% or 46,740. The total number of ineligibility findings for temporary (nonimmigrant) visas based on 221(g) grounds increased from 805,668 in FY 2016 to 916,626 in FY 2019, an increase of 14% or 110,958. 221(g) is an increasingly common grounds of refusal used to request more evidence or place a case in "administrative processing," which could delay a case for an extended period.
- B1/B2 Visas for Business and Tourism declined from 6,881,797 in FY 2016 to 5,297,439 in FY 2019, a drop of 1,584,358 or 23%.
- F-1 visas for international students fell from 471,728 issued in FY 2016 to 364,204 in FY 2019, a decline of 23% or 107,524.

Table 1
Visas Issued to Immigrants and Temporary Visa Holders: FY 2016 to FY 2019

	FY 2016	FY 2019	Decline FY 2016 to FY 2019
Immigrant Visas Issued	617,752	462,422	-155,330 (-25%)
Temporary (Nonimmigrant) Visas Issued	10,381,491	8,742,068	-1,639,423 (-16%)

Source: U.S. Department of State, National Foundation for American Policy.

Table 2
Visas Issued to Immediate Relatives of U.S. Citizens: FY 2016 to FY 2019

	FY 2016	FY 2019	Decline FY 2016 to FY 2019
Immediate Relatives	315,352	186,584	-128,768 (-41%)

Source: U.S. Department of State, National Foundation for American Policy.

Table 3
Top 10 Largest Declines by Country for Visas Issued to Immediate Relatives of U.S. Citizens: FY 2016 to FY 2019

COUNTRY	FY 2016	FY 2019	Decline FY 2016 to FY2019
Mexico	63,764	33,429	-30,335 (-48%)
Dominican Republic	24,869	12,251	-12,618 (-51%)
China	17,807	9,296	-8,511 (-48%)
Haiti	10,217	3,012	-7,205 (-71%)
Philippines	15,875	9,872	-6,003 (-38%)
India	14,815	9,067	-5,748 (-39%)
Yemen	8,447	2,808	-5,639 (-67%)
Jamaica	9,629	4,773	-4,856 (-50%)
Vietnam	12,083	7,835	-4,248 (-35%)
Pakistan	7,440	3,726	-3,714 (-50%)

Source: U.S. Department of State, National Foundation for American Policy. Report of the Visa Office 2019, Table XII: Immediate Relative Visas Issued at Foreign Service Posts (by Applicant's Area of Birth), Fiscal Years 2010-2019.

Table 4
Visa Refusals (Ineligibility Findings) for Immigrants on Public Charge Grounds:
FY 2016 to FY 2019

	FY 2016	FY 2017	FY 2018	FY 2019	Increase FY 2016 to FY 2019
Ineligibility Findings for Immigrants on Public Charge Grounds	1,076	3,237	13,450	20,941	+19,865 (+1,846%)

Source: U.S. Department of State, National Foundation for American Policy. The number of ineligibility findings on public charge grounds overcome were FY 2016: 912, FY 2017: 2,016, FY 2018: 7,932, FY 2019: 9,622. Ineligibility findings are not necessarily overcome in the same fiscal year a finding was issued.

About the National Foundation for American Policy

Established in 2003, the National Foundation for American Policy (NFAP) is a 501(c)(3) non-profit, non-partisan 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. Twitter: [@NFAPResearch](https://twitter.com/NFAPResearch)

2111 Wilson Blvd., Suite 700, Arlington, VA 22201
 phone: (703) 351-5042 fax: (703) 351-9292 www.nfap.com