

INTERNATIONAL STUDENTS IN CANADA AND THE UNITED STATES

EXECUTIVE SUMMARY

Highly skilled foreign nationals, including international students, have been choosing Canada over America because it is difficult to gain H-1B status or permanent residence in the United States, and easy to work in temporary status and acquire permanent residence in Canada, according to a National Foundation for American Policy (NFAP) analysis. More favorable immigration policies are a significant factor in Canada attracting international students, particularly students from India.

Canada has no annual limit on high-skilled temporary visas and processes most cases within two weeks. In the United States, gaining H-1B temporary status after graduating from a university has grown increasingly challenging, with most applicants in the annual H-1B lottery rejected, causing many students to leave the country. After graduation, an international student in Canada may gain permanent residence within a few years. In the United States, the per-country limit and low annual limit on employment-based green cards mean highly educated people from India could wait decades to obtain permanent residence. The Trump administration made obtaining H-1B status more difficult and openly discussed imposing new restrictions or eliminating Optional Practical Training for students, which, data indicate, may have discouraged international students from attending U.S. universities.

The research analyzes international student enrollment at U.S. and Canadian universities using multiple sources.

Among the findings in the research:

- The number of Indians immigrating to Canada has more than quadrupled since 2013. Between 2013 and 2023, Indians immigrating to Canada rose from 32,828 to 139,715, an increase of 326%. The rise in Indian students attending Canadian universities fueled the immigration growth.
- International students attending Canadian universities increased from 62,223 in 2000 to 400,521 in 2021, rising by 544%. (The year 2000 refers to the 2000-01 academic year, and 2021 refers to the 2021-22 academic year.) International students have been crucial to Canadian universities. Since 2000, 45% of the growth in enrollment at Canadian universities is due to international students.
- International student enrollment from 2016 through 2019 dropped by 5.6% at U.S. universities, even though it increased by 51.6% at Canadian universities during the same period. Between 2016 and 2019, the number of Indian international students enrolled in U.S. universities declined by 13% but increased by 182% at Canadian universities.

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- In January 2024, the Canadian government announced a two-year cap on new international student permits. The limit does not affect students in master's degree and Ph.D. programs. Along with the new restrictions, the federal government will make it easier for students in graduate programs to work by extending work permits for as long as three years after graduation.
- The surge in Indian students has propelled much of the rise in international students coming to Canada. The number of Indians attending Canadian universities has increased by over 5,000% in the last two decades. Indian enrollment at Canadian universities rose from 2,181 in 2000 to 128,928 in 2021, an increase of 126,747 or 5,811%. The rise in Indian students accounts for 37% of the increased enrollment in international students attending Canadian universities between 2000 and 2021. A diplomatic spat will likely reduce visa issuance to Indian students in the short term.
- Over the past two decades, the number of international students in the United States has also increased, although at a lower rate than the rise in Canada. Between 2000 and 2021, the number of international students enrolled in U.S. universities rose from 526,809 to 763,760, an increase of 236,951 or 45%, compared to the over 500% rise in international students at Canadian universities during the same period.
- In January 2015, Canada adopted the [Express Entry program](#) and favored high-skilled professionals who had experience in Canada as international students or working in temporary status. In June 2017, the Canadian government launched its Global Skills Strategy “to encourage foreign investment in Canada, incentivize companies to open offices in Canada, and attract top foreign talent.”
- The difference between Canada and the United States in attracting Indian students is most pronounced pre-pandemic, particularly during the Trump years. Between 2016 and 2019, the number of Indian international students enrolled in U.S. universities declined by 17,184 or 13%, from 129,135 to 111,951. At Canadian universities, the number of Indian international students increased by 75,936 or 182%, from 41,724 to 177,660 between 2016 and 2019.
- Highly skilled Indians can expect to wait potentially decades for employment-based immigrant visas, typically working for years in H-1B temporary status. More than 1.2 million Indians, including dependents, are waiting in the first, second and third employment-based green card categories, according to a National Foundation for American Policy analysis of [USCIS data](#). The low annual limit of 140,000 employment-based green cards, which includes dependents, and the per-country limit, which affects nationals of countries with

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large populations, have created the long wait times for Indians. Congress has not changed the limits since 1990.

- The pandemic skewed enrollment figures in the United States, but Indian student numbers may have recovered to an extent, with an Indian student enrollment of 130,994 in 2021, similar to 129,135 in 2016. Indian student enrollment in 2022 at U.S. universities (excluding OPT) was 199,861, likely bolstered by lagging enrollment during the Covid-10 pandemic. The average annual level of fall enrollment among Indian students when combining 2020, 2021 and 2022 was 141,612, which was 29,661 or 26% higher than in the fall of 2019.
- Indian graduate students at U.S. universities declined by 28% in computer science (computer and information sciences) and by 35% in engineering between the 2016-17 and 2019-20 academic years.
- Indian graduate students in engineering and computer science continued to decline in 2020, according to a Department of Homeland Security special tabulation of the Student and Exchange Visitor Information System (SEVIS) published by the National Science Foundation. Data on graduate student subject areas were unavailable for 2021. In 2022, Indian student graduate-level enrollment in engineering was 33,820, below the 39,470 level of 2016 but much higher than the levels in 2019 (25,470) and 2020 (18,390).
- “Canada is benefiting from a diversion of young Indian tech workers from U.S. destinations, largely because of the challenges of obtaining and renewing H-1B visas and finding a reliable route to U.S. permanent residence,” said Peter Rekai, founder of the Toronto-based immigration law firm Rekai LLP. “The Indian influx to Canada has much to do with doors closing in the United States.” In July 2023, [Canada's program](#) to lure H-1B visa holders to the country attracted enough applications that it reached the 10,000 limit in less than 48 hours.
- Stagnating U.S. enrollment of international students from China should worry educators and policymakers concerned about the competitiveness of American companies since Chinese students are a vital source of university and employment talent. “Under a new program called Qiming, the government pays signing bonuses of \$420,000 to \$700,000 for top researchers, according to a December 2023 [NFAP study](#). “Some Chinese scientists and engineers have left China for political and economic reasons but are not choosing the United States.”
- The level of Chinese international students in U.S. graduate-level engineering programs was flat between the fall of 2016 and the fall of 2019 and, unlike Indians, declined in 2022. Chinese graduate students in

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computer science increased between 2016 and 2019 but fell between 2019 and 2022, while Indian graduate students more than doubled. Additional data will provide a clearer picture of Chinese student trends.

U.S. immigration law remains less attractive than Canada's for international students who wish to work after graduation. That has affected the choices made by international students. The gap between the United States and other countries in attracting international students could grow larger if U.S. immigration policy becomes more restrictive.

THE BOOM IN INTERNATIONAL STUDENTS ATTENDING CANADIAN UNIVERSITIES

International students attending Canadian universities increased from 62,223 in 2000 to 400,521 in 2021, rising by 544%. International students have been crucial to Canadian universities. Since 2000, 45% of the growth in enrollment at Canadian universities is due to international students.¹

Table 1
International Student Enrollment at Canadian Universities

Academic Year	International Students Enrolled at Canadian Universities	Total Postsecondary Student Enrollment at Canadian Universities
2000 / 2001	62,223	1,440,168
2001 / 2002	69,531	1,502,001
2002 / 2003	79,089	1,562,643
2003 / 2004	92,592	1,655,376
2004 / 2005	97,947	1,681,152
2005 / 2006	107,322	1,722,120
2006 / 2007	109,197	1,743,942
2007 / 2008	114,858	1,777,812
2008 / 2009	124,077	1,815,456
2009 / 2010	135,576	1,906,281
2010 / 2011	142,173	1,964,640
2011 / 2012	158,142	1,998,225
2012 / 2013	174,270	2,024,493
2013 / 2014	199,116	2,053,005
2014 / 2015	217,449	2,049,528
2015 / 2016	228,972	2,053,746
2016 / 2017	256,563	2,076,105
2017 / 2018	296,559	2,116,545
2018 / 2019	342,009	2,156,100
2019 / 2020	389,103	2,183,793
2020 / 2021	373,599	2,171,646
2021 / 2022	400,521	2,196,468

Source: National Foundation for American Policy, Statistics Canada, Table: 37-10-0086-01.

¹ Statistics Canada, Table: 37-10-0086-01: Postsecondary enrolments, by status of student in Canada, country of citizenship and gender. <https://www150.statcan.gc.ca/t1/tbl1/en/cv.action?pid=3710008601>. Comparing fall 2000 and 2021, 338,298 of the 756,300 rise in postsecondary student enrollment at Canadian universities is from international students. Universities include colleges and universities.

Table 2
International Student Enrollment at Canadian Universities

Students at Canadian Universities	2000	2021	Increase in International Students from 2000 to 2021
International Students	62,223	400,521	+338,298 (+544%)

Source: National Foundation for American Policy, Statistics Canada, Table: 37-10-0086-01. The year 2000 refers to the 2000-01 academic year, and 2021 refers to the 2021-22 academic year.

International students are considered vital to Canadian universities. “A 2022 Ontario Auditor General’s report [found](#) that from 2017 to 2021, international students went from making up 13% of enrolment to 17% of enrolment at the province’s universities,” reported *The Hub*. “During this same period, international students went from paying 29% of all tuition paid to universities to a staggering 45%.”²

In January 2024, the Canadian government announced a two-year cap on new international student permits. The limit does not affect students in master’s degree and Ph.D. programs.

Housing problems in some areas and concerns about the bona fides of several schools admitting international students prompted the changes. According to officials, the government aims to limit students primarily at small private colleges that may be attracting international students, charging high tuition and awarding potentially worthless degrees. However, the CBC reported that most of the growth in international students in recent years has occurred at public universities.³ Federal authorities will shift responsibility to Canadian provinces to allocate spots and work within a lower cap. “In addition to the cap, the federal government will also require international students applying for a permit to provide an attestation letter from a province or territory,” according to the CBC.⁴

Along with the new restrictions, the federal government will make it easier for students in graduate programs to work. “Graduates of master’s and other short graduate-level programs will be eligible to apply for a PGWP [Post-Graduation Work Permit] valid for up to three years,” according to Fragomen. “Currently, these permits are issued with a validity commensurate with the length of the study program.”⁵

² <https://thehub.ca/2024-01-22/are-international-students-saving-canadian-universities-from-bankruptcy/>.

³ <https://www.cbc.ca/news/canada/toronto/international-student-study-permits-data-1.7125827>.

⁴ <https://www.cbc.ca/news/politics/miller-cap-international-students-1.7090779>.

⁵ <https://www.fragomen.com/insights/canada-significant-temporary-cap-introduced-for-international-students-and-new-guidelines-for-the-post-graduation-work-permit-program.html>.

THE RISE IN INTERNATIONAL STUDENTS FROM INDIA

The surge in students from India has propelled much of the rise in international students coming to Canada. The number of Indians attending Canadian universities has increased by over 5,000% in the last two decades. Indian enrollment at Canadian universities rose from 2,181 in 2000 to 128,928 in 2021, an increase of 126,747 or 5,811%. The rise in Indian students accounts for 37% of the increased enrollment in international students attending Canadian universities between 2000 and 2021.

Table 3
Indian International Student Enrollment at Canadian Universities

Students at Canadian Universities	2000	2021	Increase in Indian International Students from 2000 to 2021
Indian International Students	2,181	128,928	+126,747 (+5,811%)

Source: National Foundation for American Policy, Statistics Canada, Table: 37-10-0086-01.

The increase in Indian students will cease, at least temporarily, due to an Indian-Canadian diplomatic dispute affecting visa services. [“Our relationship with India](#) has really halved our ability to process a lot of applications from India,” according to Immigration Minister Marc Miller.⁶

“In October, Canada was forced to pull 41 diplomats, or two-thirds of its staff, out of India on orders from New Delhi,” reported the *Globe and Mail*. “In addition, the dispute has prompted Indian students to seek to study in other countries, a spokeswoman for the minister said. Those factors led to an 86% drop in study permits issued to Indians in the fourth quarter of last year from the previous quarter.”⁷

⁶ <https://www.theglobeandmail.com/politics/article-study-permits-to-students-from-india-drop-due-to-dispute-marc-miller/>.

⁷ Ibid.

Table 4
Indian International Student Enrollment at Canadian Universities: 2000 to 2021

Academic Year	Indian International Students Enrollment at Canadian Universities
2000-01	2,181
2001-02	2,124
2002-03	2,547
2003-04	3,636
2004-05	3,819
2005-06	4,239
2006-07	4,275
2007-08	4,524
2008-09	5,055
2009-10	6,381
2010-11	9,927
2011-12	12,876
2012-13	14,883
2013-14	17,979
2014-15	20,814
2015-16	29,487
2016-17	41,724
2017-18	66,159
2018-19	96,363
2019-20	117,660
2020-21	117,018
2021-22	128,928

Source: National Foundation for American Policy, Statistics Canada, Table: 37-10-0086-01.

THE INCREASE IN INDIAN IMMIGRATION TO CANADA

The number of Indians immigrating to Canada has more than quadrupled since 2013. Between 2013 and 2023, Indians immigrating to Canada rose from 32,828 to 139,715, an increase of 326%. The rise in Indian students attending Canadian universities fueled the increase. Canadian immigration policies making it easier to work and become permanent residents have attracted many Indians, particularly when compared to more restrictive U.S. policy, analysis shows.⁸

⁸ <https://nfap.com/studies/nfap-exec-dir-testimony-before-the-house-immigration-and-citizenship-subcommittee-on-u-s-and-canadian-immigration-policy/>.

Table 5
Indian Immigration to Canada: 2013 to 2023

Year	Indian Immigrants to Canada
2023	139,715
2022	118,245
2021	127,935
2020	42,870
2019	85,585
2018	69,975
2017	51,590
2016	39,710
2015	39,340
2014	38,364
2013	32,828

Source: Immigration, Refugees and Citizenship Canada, National Foundation for American Policy.

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Over the past two decades, the number of international students enrolling in the United States has also increased, although much less than the percentage rise in Canada. Between 2000 and 2021, the number of international students enrolled in U.S. universities rose from 526,809 to 763,760, an increase of 236,951 or 45%, compared to the over 500% rise in international students at Canadian universities during the same period.⁹

International students enrolled at U.S. universities rose nearly 95,000 or 12% between 2021 and 2022. The magnitude of the increase may be due to lagging enrollment during the Covid-19 pandemic. The 858,395 international students enrolled in the 2022-23 academic year were similar to the 851,957 enrolled in 2019-2020. This excludes students on Optional Practical Training (OPT).¹⁰ International student enrollment at U.S. universities during the pandemic declined to 710,210 in 2020-21 and 763,760 in 2021-22. That means students who might have intended to enroll in the fall of 2020 instead were forced to wait until 2021 or 2022, inflating international student enrollment numbers in 2022.¹¹

⁹ Institute of International Education. (2023). "International Student and U.S. Higher Education Enrollment, 1948/49 - 2023/23" Open Doors Report on International Educational Exchange. <https://opendoorsdata.org/>.

¹⁰ Ibid.

¹¹ Ibid.

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The number of Indian students enrolled at U.S. universities rose from 54,664 in 2000 to 130,994 in 2021, an increase of 76,330 or 140%. While that represents a significant increase, it is much lower than the rise of 126,747 or 5,811% at Canadian universities during the same period. The number of Indians enrolled in post-secondary education in Canada has quadrupled since 2000.¹²

The difference between Canada and the United States in attracting Indian students was most pronounced pre-pandemic, particularly during the Trump years. Between 2016 and 2019, the number of Indian international students enrolled in U.S. universities declined by 17,184 or 13%, from 129,135 to 111,951.

At Canadian universities, the number of Indian international students increased by 75,936 or 182%, from 41,724 to 177,660 between 2016 and 2019.

The pandemic skewed enrollment figures in the United States, but it appears Indian student numbers have recovered to an extent, with 130,994 Indian student enrollment in 2021-22, similar to 129,135 in 2016-17. Indian student enrollment in 2022-2023 at U.S. universities (excluding OPT) was 199,861, likely bolstered by lagging enrollment during the Covid-10 pandemic. The average annual level of fall enrollment among Indian students when combining 2020, 2021 and 2022 was 141,612, which was 29,661 or 26% higher than in the fall of 2019.

A SIGNIFICANT DROP IN INDIAN GRADUATE STUDENTS TO U.S.: 2016-2020

The number of international students from India enrolled in graduate-level engineering and computer science at U.S. universities declined by 32% between 2016 and 2019, according to an analysis of DHS SEVIS data by the National Foundation for American Policy.¹³ The evidence indicates many Indian students have been choosing Canada over the United States as the place to study and make their careers. More restrictive immigration and international student policies under the Trump administration and the difficulty of obtaining green cards in the United States were significant factors. To place the decline in context, as recently as the 2016-17 academic year, 67% of international graduate students in computer science at U.S. universities came from India.

¹² <http://data.uis.unesco.org/>. Extracted 1/24/2024.

¹³ National Foundation for American Policy, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, special tabulations of the Student and Exchange Visitor Information System (SEVIS) database. The data reflect fall enrollment in a given year and include students with “active” status as of November 15 of that year.

Table 6
Indian Students in U.S. Graduate-Level Programs

INDIAN STUDENTS GRADUATE-LEVEL	2016-17 Academic Year	2017-18 Academic Year	2018-19 Academic Year	2019-20 Academic Year	Decline 2016-17 to 2019-20
Computer Science	47,430	36,200	36,350	33,940	-13,490 (-28%)
Engineering	39,470	32,110	28,600	25,470	-14,000 (-35%)
TOTAL	86,900	68,310	64,950	59,410	-27,490 (-32%)

Source: National Foundation for American Policy, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, special tabulations of the Student and Exchange Visitor Information System (SEVIS) database. The data reflect fall enrollment in a given year and include students with “active” status as of November 15 of that year.

The decline of Indian graduate students at U.S. universities was 28% in computer science (computer and information sciences) and 35% in engineering between 2016 and 2019.¹⁴

Indian graduate students in engineering and computer science continued to decline in 2020, according to a Department of Homeland Security special tabulation of the Student and Exchange Visitor Information System (SEVIS) published by the National Science Foundation. Data were unavailable for 2021. In 2022, Indian student graduate-level enrollment in engineering was 33,820, below the 39,470 level of 2016 but much higher than the levels in 2019-20 (25,470) and 2020-21 (18,390) at U.S. universities.

Table 7
Engineering – Graduate-Level: International Students at U.S. Universities, 2016-17 to 2022-23

Country of Origin	2016-17	2017-18	2018-19	2019-20	2020-21	2022-23
All Countries	96,330	88,960	86,070	81,550	65,450	86,390
India	39,470	32,110	28,600	25,470	18,390	33,820
China	30,840	30,840	31,450	30,470	24,290	24,700
Iran	5,020	4,910	4,540	4,040	3,230	3,600
South Korea	2,450	2,360	2,290	2,220	2,040	2,230
Saudi Arabia	1,930	1,750	1,680	1,610	1,350	1,050
Taiwan	1,840	1,870	1,910	1,920	1,560	2,160
Bangladesh	1,810	1,930	2,220	2,440	2,330	3,280

Source: National Foundation for American Policy, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, special tabulations of the Student and Exchange Visitor Information System (SEVIS) database. The data reflect fall enrollment in a given year and include students with “active” status as of November 15 of that year.

¹⁴ Ibid.

Table 8
Computer Science – Graduate-Level: International Students at U.S. Universities, 2016-17 to 2022-23

Country of Origin	2016-17	2017-18	2018-19	2019-20	2020-21	2022-23
All Countries	70,630	61,460	64,580	63,760	50,870	108,200
India	47,430	36,200	36,350	33,940	25,630	74,780
China	13,110	14,680	16,990	18,350	14,780	18,320
Saudi Arabia	1,480	1,270	1,050	870	750	630
Iran	970	1,010	990	920	760	800
Nepal	930	850	730	630	630	1,240
Taiwan	750	930	1,120	1,140	940	1,080
Bangladesh	650	670	780	890	820	1,860
South Korea	630	650	720	810	730	910

Source: National Foundation for American Policy, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, special tabulations of the Student and Exchange Visitor Information System (SEVIS) database. The data reflect fall enrollment in a given year and include students with “active” status as of November 15 of that year.

Fall 2022 showed an unprecedented increase in Indian students at the graduate level. Indian graduate enrollment in computer and information sciences (renamed from computer science) rose to 74,780 in the fall of 2022, more than double the level of 33,940 in the fall of 2019. This significant increase was likely the result of processing delays or student enrollment choices during the Covid-19 pandemic in 2020 and 2021. Improved perceptions of U.S. immigration policies following the end of the Trump administration in January 2021 also might have caused more Indians to attend graduate school in the United States. Data for additional years will provide a clearer picture.

ANALYSIS

International student enrollment dropped at U.S. universities from 2016 through 2019, even though it increased significantly in Canada. Between 2016 and 2019, the number of Indian international students enrolled in U.S. universities declined by 13% but increased by 182% at Canadian universities.

More favorable immigration policies are likely a key factor in Canada attracting international students, particularly from India. In January 2015, Canada adopted the [Express Entry program](#) and favored high-skilled professionals who had experience in Canada as international students or working in temporary status. In June 2017, the Canadian government launched its Global Skills Strategy “to encourage foreign investment in Canada, incentivize companies to open offices in Canada, and attract top foreign talent.”¹⁵

¹⁵ https://www.canada.ca/en/immigration-refugees-citizenship/news/2017/06/government_of_canadalaunchestheglobalskillsstrategy.html.

Table 9
International Student Enrollment at U.S. Universities: 1979 to 2022

Academic Year	Enrolled International Students	Academic Year	Enrolled International Students
1979/80***	283,503	2001/02	560,251
1980/81	308,432	2002/03	558,530
1981/82	323,419	2003/04	543,169
1982/83	333,365	2004/05	532,040
1983/84	335,494	2005/06	526,670
1984/85	337,803	2006/07	541,324
1985/86	339,627	2007/08	567,039
1986/87	344,879	2008/09	605,015
1987/88	351,387	2009/10	623,119
1988/89	359,334	2010/11	647,246
1989/90	379,139	2011/12	679,338
1990/91	398,759	2012/13	724,725
1991/92	411,355	2013/14	780,055
1992/93	427,608	2014/15	854,639
1993/94	438,319	2015/16	896,341
1994/95	439,427	2016/17	903,127
1995/96	438,337	2017/18	891,330
1996/97	439,859	2018/19	872,214
1997/98	464,698	2019/20	851,957
1998/99	474,091	2020/21	710,210
1999/00	489,866	2021/22	763,760
2000/01	526,809	2022/23	858,395

Source: Institute of International Education. (2023). "International Student and U.S. Higher Education Enrollment, 1948/49 - 2023/23" Open Doors Report on International Educational Exchange. Retrieved from <https://opendoorsdata.org/>. ***Refugees were counted from 1975/76 to 1990/91.

While international student enrollment at U.S. universities, including Indians, rose substantially in the fall of 2022, a large portion of that increase could be attributed to the impact of lower or lagging enrollment in the fall of 2020 and 2021 due to the Covid-19 pandemic. Students may also have viewed the United States as more welcoming after the end of the Trump administration and its immigration policies in January 2021.

The long waits for employment-based green cards may discourage Indians from studying in the United States or at least encourage many Indians to pursue careers in Canada. Indians in H-1B status in America can often expect waits for employment-based immigrant visas to last potentially decades.

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More than 1.2 million Indians, including dependents, are waiting in the first, second and third employment-based green card categories, according to a National Foundation for American Policy analysis of [USCIS data](#). The data reflect approved I-140 immigrant petitions as of November 2, 2023.¹⁶ NFAP analyzed the data and calculated the dependents to arrive at an estimated backlog in the [top three employment-based immigration categories](#) (excluding “other workers”).

“The waits create personal turmoil for individuals and families, affecting America’s [ability to attract and retain talent](#),” according to a recent *Forbes* article.¹⁷

The long wait times for employment-based immigrants are because, in 1990, Congress set the annual limit for employment-based green cards at 140,000, including dependents, a level insufficient today for a large, technology-based economy. Congress also retained a per-country limit of 7%, which creates a much longer green card waiting time for highly skilled professionals from India, China and the Philippines due to larger populations.

Table 10
Indians In Employment-Based Green Card Backlog (Estimated)

Employment-Based Category	Principals	Dependents (Est.)	Total
1st Preference (EB-1)	51,249	92,248	143,497
2nd Preference (EB-2)	419,392	419,392	838,784
3rd Preference (EB-3)	138,581	138,581	277,162
Total	609,222	650,221	1,259,443

Source: USCIS, National Foundation for American Policy. Dependents for EB-2 and EB-3 are estimated with a 1:1 ratio of principals to dependents based on average for FY 2021 and FY 2022 in DHS *Yearbook of Immigration Statistics*. Dependents for EB-1 ratio are estimated with ratio of 1:1.8 principals to dependents based on average for FY 2021 and FY 2022 in DHS *Yearbook of Immigration Statistics*. USCIS data as of November 2, 2023.

According to USCIS, as of November 2, 2023, there were 419,392 principals in the employment-based second preference, also known as EB-2. NFAP estimates an additional 419,392 dependents for a total of 838,784 Indians in the second preference backlog. EB-2 includes professionals holding an advanced degree and persons with exceptional ability in the sciences, arts or business.¹⁸

¹⁶ See also Stuart Anderson, “More Than 1 Million Indians Waiting For High-Skilled Immigrant Visas,” *Forbes*, April 14, 2024.

¹⁷ *Ibid.*

¹⁸ *Ibid.*

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According to USCIS, 138,581 principals are in the employment-based third preference, also known as EB-3. NFAP estimates an additional 138,581 dependents for a total of 277,162 Indians in the third preference backlog. EB-3 includes skilled workers and “members of the professions whose jobs require at least a baccalaureate degree.” (Unskilled or “Other Workers” in the third preference are not included in the analysis.)¹⁹

According to the National Foundation for American Policy’s analysis of USCIS data, there are 1,259,443 Indians in the top three employment-based immigration categories as of November 2, 2023.

USCIS states its data do not “identify or exclude multiple petitions by the same petitioner or beneficiary.” However, NFAP based its estimates of dependents on the ratio of employment visa principals to dependents in FY 2021 and FY 2022 for all countries of origin, taking the average of the two years.²⁰ That could underestimate dependents for Indians because their long waits in the backlog mean they would be older than other employment-based immigrants and more likely to have spouses and multiple children.

Without new legislation, the green card backlog will continue to increase. In 2020, the [Congressional Research Service \(CRS\)](#) estimated the backlog for Indians in the top three employment-based green card categories would reach 2,195,795 individuals by FY 2030 and take 195 years to eliminate the backlog.

In 2022, Senator Charles Grassley (R-IA) blocked the passage of an immigration measure as part of the CHIPS and Science Act that would have ended the long waits for many employment-based immigrants. The measure, which passed the House of Representatives, would have exempted from annual green card limits and backlogs foreign nationals with a Ph.D. in STEM fields and those with a master’s degree “in a critical industry.”

Canada has no annual limit on high-skilled temporary visas and processes most within two weeks. In the United States, gaining H-1B temporary status after graduating has grown increasingly challenging, and many students must leave the country even if they want to stay. The Trump administration made obtaining H-1B status more difficult and openly discussed new restrictions or eliminating Optional Practical Training for students.

“Canada is benefiting from a diversion of young Indian tech workers from U.S. destinations, largely because of the challenges of obtaining and renewing H-1B visas and finding a reliable route to U.S. permanent residence,” said

¹⁹ Ibid.

²⁰ If FY 2021 and FY 2022 are less representative of principal to dependent ratios, it could affect the estimate. Note that the numbers from USCIS are as of November 2, 2023, which likely means several additional months of applicants were not counted in the USCIS data.

International Students in Canada and the United States

Peter Rekai, founder of the Toronto-based immigration law firm Rekai LLP. “The Indian influx to Canada has much to do with doors closing in the United States.”²¹

Stagnating U.S. enrollment of international students from China should worry educators and policymakers concerned about the competitiveness of American companies. Chinese students are a key source of talent in the United States. “Under a new program called Qiming, the government pays signing bonuses of \$420,000 to \$700,000 for top researchers, according to a December 2023 [NFAP study](#). “Some Chinese scientists and engineers have left China for political and economic reasons but are not choosing the United States.”²²

The level of Chinese international students in U.S. graduate-level engineering programs was flat between the fall of 2016 and the fall of 2019 and, unlike Indians, declined in 2022. Chinese graduate students in computer science increased between 2016 and 2019 but fell between 2019 and 2022, while Indian graduate students more than doubled. Additional data will provide a clearer picture of Chinese student trends.

The U.S. government denies visas to students from China in STEM fields if, at some point, they studied at a university considered to have a link to the Chinese military, even if there is no evidence of the individual student presenting a security risk. In addition, Florida has enacted legislation that prevents many Chinese visa holders from owning property or potentially being employed by Florida universities.

U.S. immigration law remains less attractive than Canada’s for international students who wish to work after graduation. If U.S. immigration policy becomes more restrictive, the gap between the United States and other countries in attracting international students could grow larger.

²¹ Stuart Anderson, “Indian Immigration To Canada Has Tripled Since 2013,” *Forbes*, March 6, 2023.

²² Stuart Anderson, *U.S. Immigration Policy and the Competition with China*, NFAP Policy Brief, National Foundation for American Policy, December 2023.

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. Advisory Board members include Columbia University economist Jagdish Bhagwati, Cornell Law School professor Stephen W. Yale-Loehr, Ohio University economist Richard Vedder and former INS Commissioner James 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.
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