

TRUMP IMMIGRATION POLICY: LEGAL IMMIGRATION

EXECUTIVE SUMMARY

Based on the immigration policies enacted during the Trump administration, if Donald Trump is elected president in November 2024, he will restrict legal immigration, including green cards and refugee admissions. Despite the demand for labor and the aging U.S. population, one can expect a significant effort by Trump administration officials to reduce legal immigration to the lowest levels possible under the law. A Democratic victory in the November election would likely lead to continuing policies that returned legal immigration to pre-Trump levels.

Among the findings in the research:

- The Trump administration used presidential authority and administrative methods to reduce legal immigration. In FY 2016, 1,183,505 people immigrated (i.e., received permanent residence) to the United States. If the FY 2016 legal immigration level had continued during the four years of the Trump administration, approximately 770,000 more individuals would have immigrated legally to the United States. The annual level of legal immigration declined by 13% (or 151,740) between FY 2016 and FY 2019 and 40% (or 476,143) between FY 2016 and FY 2020. That decline continued in FY 2021, almost four months of which took place during the Trump administration. Temporary visa holder admissions also declined during the Trump administration.
- The Trump administration reduced legal immigration by imposing new public charge requirements via State Department consular officers, banning the entry of individuals from certain majority-Muslim countries and decreasing refugee admissions to historically low levels.
- Covid-19 affected admissions in the second half of FY 2020 (which ended September 30, 2020), but the Trump administration lowered legal immigration further by blocking almost all admissions into the United States. In April 2020, Donald Trump used his authority under section 212(f) of the Immigration and Nationality to issue a [proclamation](#) to prevent the entry of nearly all categories of immigrants, including employment-based. No other president had used the 212(f) authority in this manner. In June 2020, a second [proclamation](#) suspended the entry of H-1B, L-1 and other temporary visa holders.
- In October 2019, Donald Trump used section 212(f) of the INA to issue an executive order barring immigrants from the United States without proof of health insurance or the means to purchase it, aiming to reduce legal immigration. If the order had stayed in effect, it could have blocked an estimated 40% of annual legal immigrants to the United States. A proposed “public charge” rule, which also was largely blocked by legal action, aimed to reduce immigration by a significant amount. The Biden administration issued its own public charge rule.

Trump Immigration Policy: Legal Immigration

- The Trump administration endorsed the RAISE Act and a bill that failed in the Senate. Both bills aimed at eliminating several immigration categories and reducing annual levels of legal immigration by up to 50%.
- Economists found that the lower number of immigrants and temporary visa holders admitted during the Trump administration, combined with the impact of Covid-19, caused significant economic harm to the U.S. economy. University of North Florida Professor Madeline Zavodny found that slower growth in the working-age foreign-born population between 2016 and 2022 “reduced U.S. real GDP growth by an estimate of up to 1.3 percentage points in 2022,” according to an NFAP [study](#). “U.S. real GDP would have risen by up to an estimated 3.2 percentage points in 2022 if the working-age foreign-born population had continued to grow at the same rate it did during the first half of the 2010s.” Instead, U.S. real GDP rose by only 1.9 percentage points in 2022.¹ Zavodny found if America had more immigrants and temporary visa holders in recent years, it would likely have boosted economic growth. Preventing a shortfall of workers also helps to control inflation by increasing supply.
- The Biden administration’s policies returned legal immigration in FY 2022 close to the FY 2016 level by restoring processing, eliminating administrative obstacles and increasing refugee admissions. Economists have credited the increase in foreign-born workers in recent years with improvements in the U.S. economy. That increase in foreign-born workers has included those who entered without authorization. “With this recent immigration wave, the foreign-born labor force has recovered completely from the pandemic drop, even exceeding what would have been expected absent the pandemic,” according to an analysis published by the Federal Reserve Bank of Dallas.

The immigration policies the Trump administration enacted signal the types of policies one can expect should Donald Trump be elected president in November 2024. A Democratic administration would likely continue policies like those of the past four years. A new Trump administration may enact harsher immigration policies than during its first term, including an effort at mass deportation. Trump officials in a second term can be expected to reduce legal immigration through all means at their disposal.

¹ Madeline Zavodny, *The Importance of Growth in the Foreign-Born Population to Economic Growth*, NFAP Policy Brief, National Foundation for American Policy, March 2024.

LEGAL IMMIGRATION DECLINED UNDER TRUMP

The Trump administration used presidential authority and administrative methods to reduce legal immigration. In FY 2016, 1,183,505 people immigrated (i.e., received permanent residence) to the United States. If the FY 2016 level had continued during the four years of the Trump administration, approximately 770,000 more individuals would have immigrated legally to the United States.² That likely understates the drop since legal immigration levels had increased for three straight years when Donald Trump took office. The annual level of legal immigration declined by 13% (or 151,740) between FY 2016 and FY 2019 and 40% (or 476,143) between FY 2016 and FY 2020. That decline continued in FY 2021, almost four months of which took place during the Trump administration. Temporary visa holder admissions also declined during the Trump administration. Policy changes, including a significant decrease in refugee admissions and processing, affected immigration levels throughout FY 2021 and into FY 2022.

Table 1
U.S. Legal Immigration Levels: FY 2016 to FY 2021

Persons Obtaining Lawful Permanent Residence	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021
Immediate Relatives of U.S. Citizens	566,706	516,508	478,961	505,765	321,148	385,396
Refugees (including Cuban Adjustment Act)	120,216	120,356	155,734	80,908	44,404	35,847
Asylees	37,209	25,647	30,175	26,003	19,471	20,550
Family-Sponsored Preferences	238,087	232,238	216,563	204,139	121,560	65,690
Employment-Based Preferences	137,893	137,855	138,171	139,458	148,959	193,338
Diversity	49,865	51,592	45,350	43,463	25,028	15,145
Rest of Legal Immigration System	33,529	42,971	31,657	32,029	26,792	24,036
OVERALL LEVEL OF LEGAL IMMIGRATION	1,183,505	1,127,167	1,096,611	1,031,765	707,362	740,002

Source: Department of Homeland Security, National Foundation for American Policy.

Covid-19 and Presidential Proclamations: Covid-19 affected admissions in the second half of FY 2020 (which ended September 30, 2020), but the Trump administration worsened the situation by blocking almost all admissions into the United States. In April 2020, Donald Trump used his authority under section 212(f) of the Immigration and Nationality to issue a [proclamation](#) to prevent the entry of nearly all categories of immigrants, including employment-based. No other president had used the 212(f) authority in this manner. In June 2020, a second [proclamation](#) suspended the entry of H-1B, L-1 and other temporary visa holders. The Trump administration could have tried to

² NFAP analysis of *DHS Yearbook of Immigration Statistics* for FY 2016 through FY 2021. Nearly 300,000 more people would have legally immigrated between FY 2017 and FY 2019 if the FY 2016 legal immigration level had been maintained.

Trump Immigration Policy: Legal Immigration

adapt to Covid-19 and continue the entry of workers and family members. Instead, it tightened processes and blocked entry beyond health concerns by claiming an economic need to prevent immigrants and temporary visa holders from coming to the United States.

A Decline in Immediate Relatives: “Immediate Relatives” is an uncapped category that allows U.S. citizens to sponsor spouses, children (below age 21) and parents without numerical limits. The Trump administration reduced the admission of Immediate Relatives through administrative and executive actions. One method involved ordering State Department consular officers, in effect, to enforce a public charge standard proposed but not yet implemented by the Department of Homeland Security. A National Foundation for American Policy [analysis](#) of State Department data found a change in “public charge” in the Foreign Affairs Manual, made in January 2018, was likely responsible for the 7% decline in the Immediate Relatives category between FY 2017 and FY 2018 and a decline of 10,122 or 29% in the number of K-1 Fiancé(e) of U.S. Citizen visas issued between FY 2017 and FY 2018. Due to a lawsuit, the DHS public charge rule was not in effect long. The Biden administration enacted a public charge rule that it called “humane and fair.”³

The Trump administration’s travel ban—some called it the “Muslim ban”—resulted in the number of Immediate Relatives of U.S. citizens from the five majority-Muslim countries (Yemen, Iran, Libya, Somalia and Syria) declining by 69% between FY 2016 and FY 2018, according to a National Foundation for American Policy analysis. Compared to FY 2016, 10,544 fewer spouses, children and parents of U.S. citizens from these five countries were admitted to America in FY 2018 after the ban went into effect. The number of Immediate Relatives of U.S. citizens from Yemen declined by 85%, from 8,407 in FY 2016 to 1,271 in FY 2018. Between FY 2016 and FY 2018, the Immediate Relatives of U.S. Citizens fell by 45% from Iran, by 49% from Libya, by 57% from Somalia, and by 53% from Syria.⁴

The story was similar for Americans attempting to sponsor an adult child or sibling or a lawful permanent resident sponsoring a spouse, child or unmarried adult child from the five countries. Between FY 2016 and FY 2018, immigrants in family-sponsored preference categories decreased by 3,703, or 91%, from Yemen, 72% from Iran, 35% from Libya, 37% from Somalia and 62% from Syria.

Diversity Visas: The April 2020 presidential proclamation that blocked most immigrants from entering the United States included Diversity visas. The proclamation and processing issues led to only 25,028 Diversity Visas issued in FY 2020, well below the typical 50,000 to 55,000, according to [State Department statistics](#). The lower number of

³ <https://www.dhs.gov/news/2022/09/08/dhs-publishes-fair-and-humane-public-charge-rule>.

⁴ Stuart Anderson, “Travel Ban Directed Against U.S. Citizens, Not Foreign Countries,” *Forbes*, January 23, 2020.

Trump Immigration Policy: Legal Immigration

Diversity Visa immigrants continued in 2021. Diversity Visa admissions also were lower than usual during the Trump administration in FY 2018 and FY 2019 (45,350 and 43,463).

Refugees: The Trump administration decreased annual refugee ceilings and admitted refugees at historically low levels. Trump officials asserted the need for enhanced screening, which caused significant delays. The resettlement process was disrupted to such an extent that it took years to recover. An [NFAP policy brief](#) explained how refugees were already vetted more than any people admitted into the United States.⁵ The lower refugee admissions did not show up immediately in immigration statistics. That's because refugees file for permanent residence a year after entry, which means many already arrived before the new Trump refugee policies took effect.

The Trump administration's policies exerted a significant effect on refugee admissions. George Mason University economics professor Michael Clemens, in a study for the Center for Global Development, concluded, "Today there are roughly 295,000 refugees 'missing' from the U.S. population due to the 86% reduction in refugee resettlement starting in 2017—those who would be present now if refugee admissions during 2017–2021 had stayed at their 2016 levels."⁶

According to Clemens, "These missing refugees cost the overall U.S. economy over \$9.1 billion each year (\$30,962 per missing refugee per year, on average) and cost public coffers at all levels of government over \$2.0 billion each year (\$6,844 per missing refugee per year, on average). . . . Relative to 2019 levels, a 10 percent reduction in refugee resettlement to the United States likely causes a loss to the American economy of more than \$1.4 billion, and a loss to public coffers (federal, state, and local) of more than \$310 million, cumulatively over the subsequent five years."⁷

NEGATIVE ECONOMIC IMPACT OF LOWER IMMIGRATION LEVELS

Economists found that the lower number of immigrants and temporary visa holders admitted during the Trump administration and the impact of Covid-19 caused significant economic harm to the U.S. economy. University of North Florida Professor Madeline Zavodny found that slower growth in the working-age foreign-born population between 2016 and 2022 "reduced U.S. real GDP growth by an estimate of up to 1.3 percentage points in 2022," according to an NFAP [study](#). "U.S. real GDP would have risen by up to an estimated 3.2 percentage points in 2022 if the working-age foreign-born population had continued to grow at the same rate it did during the first half of the

⁵ Elizabeth Neumann, *Refugees and Security Vetting*, NFAP Policy Brief, National Foundation, January 2022.

⁶ Michael Clemens, *The Economic and Fiscal Effects on the United States from Reduced Numbers of Refugees and Asylum Seekers*, Center for Global Development, Working Paper 610, March 2022.

⁷ *Ibid.*

Trump Immigration Policy: Legal Immigration

2010s.” Instead, U.S. real GDP rose by only 1.9 percentage points in 2022.⁸ Zavodny found if America had more immigrants and temporary visa holders in recent years, it would likely have boosted economic growth.

Significant evidence has emerged that the shortfall of workers also contributed to inflation. The increase in workers following the end of the Trump administration’s policies and the Covid-19 pandemic helped the economic recovery. “Immigrants are driving the U.S. economic boom,” [wrote](#) the *Washington Post*’s Catherine Rampell in April 2024. “That is: The United States has escaped recession, hiring growth has exceeded expectation, and inflation has cooled faster than predicted—all largely because [immigration](#) has boosted the size of the [U.S. labor force](#). Don’t just take my word for it; ask the [Federal Reserve chair](#) or [Wall Street economists](#).”⁹

Immigrants help control inflation by expanding the labor supply. “Increasing our ability to produce by increasing the supply of labor is the least painful way to control inflation,” according to Mark Regets, a labor economist and a senior fellow at the National Foundation for American Policy. George Mason University Professor Justin Gest writes in the *Wall Street Journal*, “Our discovery of the link between migration and inflation highlights the way that immigrants also help labor markets be more responsive to local changes in demand and supply.”¹⁰

TRUMP HEALTH INSURANCE MANDATE AND PUBLIC CHARGE RULE

In October 2019, Donald Trump used section 212(f) of the INA to issue an executive order barring immigrants from the United States without proof of health insurance or the means to purchase it.¹¹ The professed concern over immigrant health care costs were a pretext to find an effective way to bar as many immigrants as possible from the United States. Due to legal actions and injunctions, the executive order was not in effect for long.¹² However, close to 400,000 immigrants a year (nearly 40% of the annual total) could have been denied entry each year under the mandate, according to an estimate from the Migration Policy Institute.¹³ The Biden administration reversed Trump’s executive order. Without Congress changing the law, the executive order could have significantly reduced the annual level of immigration to the United States. It is reasonable to assume the health insurance mandate will return should Donald Trump be elected president in November 2024.

⁸ Madeline Zavodny, *The Importance of Growth in the Foreign-Born Population to Economic Growth*, NFAP Policy Brief, National Foundation for American Policy, March 2024.

⁹ Catherine Rampell, “You don’t want immigrants? Then tell grandma she can never retire,” *Washington Post*, April 23, 2024.

¹⁰ Stuart Anderson, “Immigrants Raise Wages And Boost Employment Of U.S.-Born Workers,” *Forbes*, May 1, 2024.

¹¹ <https://www.federalregister.gov/documents/2019/10/09/2019-22225/suspension-of-entry-of-immigrants-who-will-financially-burden-the-united-states-healthcare-system-in>. The executive order read that an immigrant would be barred from America “Unless the alien will be covered by approved health insurance, as defined in subsection (b) of this section, within 30 days of the alien’s entry into the United States, or unless the alien possesses the financial resources to pay for reasonably foreseeable medical costs.”

¹² <https://innovationlawlab.org/cases/doe-v-trump/>.

¹³ <https://www.migrationpolicy.org/news/health-insurance-test-green-card-applicants-could-sharply-cut-future-us-legal-immigration>.

Trump Immigration Policy: Legal Immigration

The Trump administration also published a “public charge” rule that would have significantly reduced legal immigration to the United States by raising income and resource requirements for immigrants well beyond current law. Like the health insurance mandate, the public charge rule was not in effect for long due to legal action and injunctions, although it had an impact on admissions due to instructions issued to the State Department.¹⁴ The Biden administration’s actions eliminated the Trump rule and published its own public charge rule.

THE RAISE ACT AND SENATE ACTION TO REDUCE LEGAL IMMIGRATION

In 2017, Donald Trump endorsed the RAISE Act, a bill that would reduce legal immigration by approximately 50%. Trump aides later accused White House adviser Stephen Miller of concealing the bill’s reduction in immigration from Trump and other White House staff, according to the book *Border Wars*.¹⁵ In 2018, the Trump administration supported a Senate bill that would have cut immigration levels almost in half and eliminated most family immigration categories and Diversity Visas. In April 2020, Donald Trump used his authority under section 212(f) of the Immigration and Nationality to issue a [proclamation](#) to prevent the entry of nearly all categories of immigrants, including employment-based. The proclamation was similar to the legislation but time-limited since it was an executive action.

THE BIDEN ADMINISTRATION AND LEGAL IMMIGRATION

The Biden administration returned legal immigration in FY 2022 close to the FY 2016 level by restoring processing, eliminating administrative obstacles and increasing refugee admissions. As of August 2024, refugee admissions were on pace to reach 90,000 in FY 2024, well above the level of new refugee arrivals during the Trump administration.¹⁶ The full impact of these changes will likely be reflected more in the FY 2023 and FY 2024 numbers. The Biden administration introduced innovations to the refugee program, including private sponsorship. To address illegal immigration, Biden officials started a humanitarian parole program for Venezuelans in September 2022 and expanded it to include Cubans, Haitians and Nicaraguans in January 2023. The program paroles into the United States up to 30,000 people a year from each of the countries and makes them eligible for work authorization.¹⁷

Economists have credited the increase in foreign-born workers in recent years with improvements in the U.S. economy. That increase in foreign-born workers has included those who entered without authorization. “With this recent immigration wave, the foreign-born labor force has recovered completely from the pandemic drop, even exceeding what would have been expected absent the pandemic,” according to an analysis published by the

¹⁴ <https://www.ilrc.org/resources/public-charge-timeline>.

¹⁵ Stuart Anderson, “Trump Unlikely To Pass Immigration Law To Admit All College Grads,” *Forbes*, June 23, 2024.

¹⁶ <https://www.wrapsnet.org/admissions-and-arrivals/>; National Immigration Forum.

¹⁷ The program was suspended in August 2024. Maria Sacchetti, “Homeland Security Dept. pauses Biden parole program for four countries,” *Washington Post*, August 2, 2024.

Trump Immigration Policy: Legal Immigration

Federal Reserve Bank of Dallas. “The foreign-born labor force reached February 2020 levels in November 2021, and surpassed trend growth in August 2022, according to the Current Population Survey.”¹⁸

CONCLUSION

The immigration policies the Trump administration enacted signal the types of policies one can expect should Donald Trump be elected president in November 2024. However, labor market and demographic conditions have made reductions in immigration more problematic for the U.S. economy. “If immigration normalizes, it will return to rates that are insufficient to sustain the type of economic growth the U.S. is accustomed to. The nation is in a sort of demographic autumn, and winter is coming,” according to the economists in the Dallas Fed analysis. “The retirement of the baby boomers and overall aging of the workforce, as well as low and falling birth rates mean population growth will become entirely dependent on immigration by 2040, as deaths of U.S.-born will outpace births.”¹⁹

A Democratic administration will likely continue policies like those of the past four years. A new Trump administration may enact harsher immigration policies than during its first term and will almost certainly take multiple actions to reduce legal immigration to the United States.²⁰

¹⁸ Pia M. Orrenius, Ana Pranger, Madeline Zavodny and Isabel Dhillon, “Unprecedented U.S. immigration surge boosts job growth, output,” Dallas Fed Economics, July 2, 2024.

¹⁹ Dallas Fed Economics, July 2, 2024.

²⁰ Stuart Anderson, “Revelations Show Trump Immigration Policy Was Supposed To Be Harsher,” *Forbes*, June 23, 2022. In a book, “former Education Secretary Betsy DeVos revealed a plan by Stephen Miller to identify children at school for deportation under the pretext of checking for gang members.” Also, “In FY 2020, the U.S. Army had approximately 480,000 soldiers, according to the [Center for Strategic and International Studies](#). According to former Secretary of Defense Mark Esper, Stephen Miller wanted to put more than half of the U.S. Army (or its equivalent) on the U.S.-Mexico border—and had taken steps to make it happen.”

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.
Twitter: [@NFAPResearch](https://twitter.com/NFAPResearch)