

# U.S. Immigration Timeline

Attitudes and laws around U.S. immigration have vacillated between welcoming and restrictive since the country's beginning.

The United States has long been considered a nation of immigrants. Attitudes toward new immigrants by those who came before have vacillated between welcoming and exclusionary over the years.

Thousands of years before Europeans began crossing the vast Atlantic by ship and settling en masse, the first immigrants arrived in North America and the land that would later become the United States. They were Native American ancestors who crossed a narrow spit of land connecting Asia to North America some 20,000 years ago, during the last Ice Age.

By the early 1600s, communities of European immigrants dotted the Eastern seaboard, including the Spanish in Florida, the British in New England and Virginia, the Dutch in New York, and the Swedes in Delaware. Some, including the Pilgrims and Puritans, came for religious freedom. Many sought greater economic opportunities. Still others, including hundreds of thousands of enslaved Africans, arrived in America against their will.

Below are the events that have shaped the turbulent history of immigration in the United States since its birth.

## White People of 'Good Character' Granted Citizenship

**January 1776:** [Thomas Paine](#) publishes a pamphlet, "Common Sense," that argues for American independence. Most colonists consider themselves Britons, but Paine makes the case for a new American. "Europe, and not England, is the parent country of America. This new world hath been the asylum for the persecuted lovers of civil and religious liberty from every part of Europe," he writes.

**March 1790:** Congress passes the first law about who should be granted U.S. citizenship. The Naturalization Act of 1790 allows any free white person of "good character," who has been living in the United States for two years or longer to apply for citizenship. Without citizenship, nonwhite residents are denied basic constitutional protections, including the right to vote, own property, or testify in court.

**August 1790:** The first U.S. census takes place. The English are the largest ethnic group among the 3.9 million people counted, though nearly one in five Americans are of African heritage.

## Irish Immigrant Wave

**1815:** Peace is re-established between the United States and Britain after the [War of 1812](#). Immigration from Western Europe turns from a trickle into a gush, which causes a shift in the

demographics of the United States. This first major wave of immigration lasts until the Civil War.

Between 1820 and 1860, the Irish—many of them Catholic—account for an estimated one-third of all immigrants to the United States. Some 5 million German immigrants also come to the U.S., many of them making their way to the Midwest to buy farms or settle in cities including Milwaukee, St. Louis and Cincinnati.

**1819:** Many of newcomers arrive sick or dying from their long journey across the Atlantic in cramped conditions. The immigrants overwhelm major port cities, including New York, Boston, Philadelphia and Charleston. In response, the United States passes the Steerage Act of 1819 requiring better conditions on ships arriving to the country. The Act also calls for ship captains to submit demographic information on passengers, creating the first federal records on the ethnic composition of immigrants to the United States.

**1849:** America's first anti-immigrant political party, the [Know-Nothing Party](#) forms, as a backlash to the increasing number of German and Irish immigrants settling in the United States.

**1875:** Following the [Civil War](#), some states passed their own immigration laws. In 1875 the Supreme Court declares that it's the responsibility of the federal government to make and enforce immigration laws.

## Chinese Exclusion Act

**1880:** As America begins a rapid period of industrialization and urbanization, a second immigration boom begins. Between 1880 and 1920, more than 20 million immigrants arrive. The majority are from Southern, Eastern and Central Europe, including 4 million Italians and 2 million Jews. Many of them settle in major U.S. cities and work in factories.

**1882:** The [Chinese Exclusion Act](#) passes, which bars Chinese immigrants from entering the U.S. Beginning in the 1850s, a steady flow of Chinese workers had immigrated to America.

They worked in the gold mines, and garment factories, built railroads, and took agricultural jobs. Anti-Chinese sentiment grew as Chinese laborers became successful in America. Although Chinese immigrants make up only 0.002 percent of the United States population, white workers blame them for low wages.

The 1882 Act is the first in American history to place broad restrictions on certain immigrant groups.

**1891:** The Immigration Act of 1891 further excludes who can enter the United States, barring the immigration of polygamists, people convicted of certain crimes, and the sick or diseased. The Act also created a federal office of immigration to coordinate immigration enforcement and a corps of immigration inspectors stationed at principle ports of entry.

## **Ellis Island Opens**

**January 1892:** [Ellis Island](#), the United States' first immigration station, opens in New York Harbor. The first immigrant processed is Annie Moore, a teenager from County Cork in Ireland. More than 12 million [immigrants would enter](#) the United States through Ellis Island between 1892 and 1954.

**1907:** U.S. immigration peaks, with 1.3 million people entering the country through Ellis Island alone.

**February 1907:** Amid prejudices in California that an influx of Japanese workers would cost white workers farming jobs and depress wages, the United States and Japan sign the Gentlemen's Agreement. Japan agrees to limit Japanese emigration to the United States to certain categories of business and professional men. In return, [President Theodore Roosevelt](#) urges San Francisco to end the segregation of Japanese students from white students in San Francisco schools.

**1910:** An estimated three-quarters of New York City's population consists of new immigrants and first-generation Americans.

## **New Restrictions at Start of WWI**

**1917:** Xenophobia reaches new highs on the eve of American involvement in [World War I](#). The Immigration Act of 1917 establishes a literacy requirement for immigrants entering the country and halts immigration from most Asian countries.

**May 1924:** The [Immigration Act of 1924](#) limits the number of immigrants allowed into the United States yearly through nationality quotas. Under the new quota system, the United States issues immigration visas to 2 percent of the total number of people of each nationality in the United States at the 1890 census. The law favors immigration from Northern and Western European countries. Just three countries, Great Britain, Ireland and Germany account for 70 percent of all available visas. Immigration from Southern, Central and Eastern Europe was limited. The Act completely excludes immigrants from Asia, aside from the Philippines, then an American colony.

**1924:** In the wake of the numerical limits established by the 1924 law, illegal immigration to the United States increases. The [U.S. Border Patrol](#) is established to crack down on illegal immigrants crossing the Mexican and Canadian borders into the United States. Many of these early border crossers were Chinese and other Asian immigrants, who had been barred from entering legally.

## Mexicans Fill Labor Shortages During WWII

**1942:** Labor shortages during [World War II](#) prompt the United States and Mexico to form the [Bracero Program](#), which allows Mexican agricultural workers to enter the United States temporarily. The program lasts until 1964.

**1948:** The United States passes the nation's first refugee and resettlement law to deal with the influx of Europeans seeking permanent residence in the United States after World War II.

**1952:** The [McCarran-Walter Act](#) formally ends the exclusion of Asian immigrants to the United States.

**1956-1957:** The United States admits roughly 38,000 immigrants from Hungary after a failed uprising against the Soviets. They were among the first Cold War refugees. The United States would admit over 3 million refugees during the [Cold War](#).

**1960-1962:** Roughly 14,000 unaccompanied children flee [Fidel Castro](#)'s Cuba and come to the United States as part of a secret, anti-Communism program called Operation Peter Pan.

## Quota System Ends

**1965:** The Immigration and Nationality Act overhauls the American immigration system. The Act ends the national origin quotas enacted in the 1920s which favored some racial and ethnic groups over others.

The quota system is replaced with a seven-category preference system emphasizing family reunification and skilled immigrants. Upon signing the new bill, President [Lyndon B. Johnson](#), called the old immigration system “un-American,” and said the new bill would correct a “cruel and enduring wrong in the conduct of the American Nation.”

Over the next five years, immigration from war-torn regions of Asia, including [Vietnam](#) and [Cambodia](#), would more than quadruple. Family reunification became a driving force in U.S. immigration.

**April-October 1980:** During the [Mariel boatlift](#), roughly 125,000 Cuban refugees make a dangerous sea crossing in overcrowded boats to arrive on the Florida shore seeking political asylum.

## Amnesty to Illegal Immigrants

**1986:** President [Ronald Reagan](#) signs into law the Simpson-Mazzoli Act, which grants amnesty to more than 3 million immigrants living illegally in the United States.

**2001:** U.S. Senators Dick Durbin (D-Ill.) and Orrin Hatch (R-Utah) propose the first Development, Relief and Education of Alien Minors (DREAM) Act, which would provide a pathway to legal status for Dreamers, undocumented immigrants brought to the United States illegally by their parents as children. The bill—and subsequent iterations of it—don't pass.

**2012:** President [Barack Obama](#) signs Deferred Action for Childhood Arrivals (DACA) which temporarily shields some Dreamers from deportation, but doesn't provide a path to citizenship.

**2017:** President [Donald Trump](#) issues two executive orders—both titled “Protecting the Nation from Foreign Terrorist Entry into the United States”—aimed at curtailing travel and immigration from six majority Muslim countries (Chad, Iran, Libya, Syria, Yemen, Somalia) as well as North Korea and Venezuela. Both of these travel bans are challenged in state and federal courts.

**2018:** In April 2018, the travel restrictions on Chad are lifted. In June 2018, the U.S. Supreme Court uphold a third version of the ban on the remaining seven countries.

### Sources:

Immigration Timeline, The [Statue of Liberty-Ellis Island Foundation](#).

LBJ on Immigration, [LBJ Presidential Library](#).

The Nation's Immigration Laws, 1920 to Today, [Pew Research Center](#).

## **FACT SHEET:**

# **President Biden Sends Immigration Bill to Congress as Part of His Commitment to Modernize our Immigration System**

*The U.S. Citizenship Act of 2021 establishes a new system to responsibly manage and secure our border, keep our families and communities safe, and better manage migration across the Hemisphere*

President Biden is sending a bill to Congress on day one to restore humanity and American values to our immigration system. The bill provides hardworking people who enrich our communities every day and who have lived here for years, in some cases for decades, an opportunity to earn citizenship. The legislation modernizes our immigration system, and prioritizes keeping families together, growing our economy, responsibly managing the border with smart investments, addressing the root causes of migration from Central America, and ensuring that the United States remains a refuge for those fleeing persecution. The bill will stimulate our economy while ensuring that every worker is protected. The bill creates an earned path to citizenship for our immigrant neighbors, colleagues, parishioners, community leaders, friends, and loved ones—including Dreamers and the essential workers who have risked their lives to serve and protect American communities.

The U.S. Citizenship Act will:

### **PROVIDE PATHWAYS TO CITIZENSHIP & STRENGTHEN LABOR PROTECTIONS**

- Create an earned roadmap to citizenship for undocumented individuals.**  
The bill allows undocumented individuals to apply for temporary legal status, with the ability to apply for green cards after five years if they pass criminal and national security background checks and pay their taxes. Dreamers, TPS holders, and immigrant farmworkers who meet specific requirements are eligible for green cards immediately under the legislation. After three years, all green card holders who pass additional background checks and demonstrate knowledge of English and U.S. civics can apply to become citizens. Applicants must be physically present in the United States on or before January 1, 2021. The Secretary of the Department of Homeland Security (DHS) may waive the presence requirement for those deported on or after January 20, 2017 who were physically present for at least three years prior to removal for family unity and other humanitarian purposes. Lastly, the bill further recognizes America as a nation of immigrants by changing the word “alien” to “noncitizen” in our immigration laws.

- **Keep families together.** The bill reforms the family-based immigration system by clearing backlogs, recapturing unused visas, eliminating lengthy wait times, and increasing per-country visa caps. It also eliminates the so-called “3 and 10-year bars,” and other provisions that keep families apart. The bill further supports families by more explicitly including permanent partnerships and eliminating discrimination facing LGBTQ+ families. It also provides protections for orphans, widows, children, and Filipino veterans who fought alongside the United States in World War II. Lastly, the bill allows immigrants with approved family-sponsorship petitions to join family in the United States on a temporary basis while they wait for green cards to become available.
- **Embrace diversity.** The bill includes the NO BAN Act that prohibits discrimination based on religion and limits presidential authority to issue future bans. The bill also increases Diversity Visas to 80,000 from 55,000.
- **Promote immigrant and refugee integration and citizenship.** The bill provides new funding to state and local governments, private organizations, educational institutions, community-based organizations, and not-for-profit organizations to expand programs to promote integration and inclusion, increase English-language instruction, and provide assistance to individuals seeking to become citizens.
- **Grow our economy.** This bill clears employment-based visa backlogs, recaptures unused visas, reduces lengthy wait times, and eliminates per-country visa caps. The bill makes it easier for graduates of U.S. universities with advanced STEM degrees to stay in the United States; improves access to green cards for workers in lower-wage sectors; and eliminates other unnecessary hurdles for employment-based green cards. The bill provides dependents of H-1B visa holders work authorization, and children are prevented from “aging out” of the system. The bill also creates a pilot program to stimulate regional economic development, gives DHS the authority to adjust green cards based on macroeconomic conditions, and incentivizes higher wages for non-immigrant, high-skilled visas to prevent unfair competition with American workers.
- **Protect workers from exploitation and improve the employment verification process.** The bill requires that DHS and the Department of Labor establish a commission involving labor, employer, and civil rights organizations to make recommendations for improving the employment verification process. Workers who suffer serious labor violations and cooperate with worker protection agencies will be granted greater access to U visa relief. The bill protects workers who are victims of workplace retaliation from deportation in order to allow labor agencies to interview these workers. It also protects migrant and seasonal workers, and increases penalties for employers who violate labor laws.

## **PRIORITIZE SMART BORDER CONTROLS**

- **Supplement existing border resources with technology and infrastructure.** The legislation builds on record budget allocations for immigration enforcement by authorizing additional funding for the Secretary of DHS to develop and implement a plan to deploy technology to expedite screening and enhance the ability to identify narcotics and other contraband at every land, air, and sea port of entry. This includes high-throughput scanning technologies to ensure that all commercial and passenger vehicles and freight rail traffic entering the United States at land ports of entry and rail-border crossings along the border undergo pre-primary scanning. It also authorizes and provides funding for plans to improve infrastructure at ports of entry to enhance the ability to process asylum seekers and detect, interdict, disrupt and prevent narcotics from entering the United States. It authorizes the DHS Secretary to develop and implement a strategy to manage and secure the southern border between ports of entry that focuses on flexible solutions and technologies that expand the ability to detect illicit activity, evaluate the effectiveness of border security operations, and be easily relocated and broken out by Border Patrol Sector. To protect privacy, the DHS Inspector General is authorized to conduct oversight to ensure that employed technology effectively serves legitimate agency purposes.
- **Manage the border and protect border communities.** The bill provides funding for training and continuing education to promote agent and officer safety and professionalism. It also creates a Border Community Stakeholder Advisory Committee, provides more special agents at the DHS Office of Professional Responsibility to investigate criminal and administrative misconduct, and requires the issuance of department-wide policies governing the use of force. The bill directs the Government Accountability Office (GAO) to study the impact of DHS's authority to waive environmental and state and federal laws to expedite the construction of barriers and roads near U.S. borders and provides for additional rescue beacons to prevent needless deaths along the border. The bill authorizes and provides funding for DHS, in coordination with the Department of Health and Human Services (HHS) and nongovernmental experts, to develop guidelines and protocols for standards of care for individuals, families, and children in CBP custody.
- **Crack down on criminal organizations.** The bill enhances the ability to prosecute individuals involved in smuggling and trafficking networks who are responsible for the exploitation of migrants. It also expands investigations, intelligence collection and analysis pursuant to the Foreign Narcotics Kingpin Designation Act to increase sanctions against foreign narcotics traffickers, their organizations and networks. The bill also requires the Federal Bureau of Investigation (FBI), Drug Enforcement Agency (DEA) and DHS, in coordination with the Secretary of State, to improve and expand transnational anti-gang task forces in Central America.

## **ADDRESS ROOT CAUSES OF MIGRATION**

- **Start from the source.** The bill codifies and funds the President's \$4 billion four-year inter-agency plan to address the underlying causes of migration in the region, including by increasing assistance to El Salvador, Guatemala, and Honduras, conditioned on their ability to reduce the endemic corruption, violence, and poverty that causes people to flee their home countries. It also creates safe and legal channels for people to seek protection, including by establishing Designated Processing Centers throughout Central America to register and process displaced persons for refugee resettlement and other lawful migration avenues—either to the United States or other partner countries. The bill also re-institutes the Central American Minors program to reunite children with U.S. relatives and creates a Central American Family Reunification Parole Program to more quickly unite families with approved family sponsorship petitions.
- **Improve the immigration courts and protect vulnerable individuals.** The bill expands family case management programs, reduces immigration court backlogs, expands training for immigration judges, and improves technology for immigration courts. The bill also restores fairness and balance to our immigration system by providing judges and adjudicators with discretion to review cases and grant relief to deserving individuals. Funding is authorized for legal orientation programs and counsel for children, vulnerable individuals, and others when necessary to ensure the fair and efficient resolution of their claims. The bill also provides funding for school districts educating unaccompanied children, while clarifying sponsor responsibilities for such children.
- **Support asylum seekers and other vulnerable populations.** The bill eliminates the one-year deadline for filing asylum claims and provides funding to reduce asylum application backlogs. It also increases protections for U visa, T visa, and VAWA applicants, including by raising the cap on U visas from 10,000 to 30,000. The bill also expands protections for foreign nationals assisting U.S. troops.

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## **U.S. Legal Immigration: Family Reunification vs Skills-Based Points Systems**

Written by [Mary Margaret K. Hesse](#) Category: [Immigration & Migration](#) 3 years ago

### **U.S. Legal Immigration: Family Reunification vs Skills-Based Points Systems**

At first glance, a transition from the U.S. family-based immigration system to a points-based merit system such as that of Canada or Australia appears to be a reasonable course of action. It seems logical that the U.S. would want to attract and accept the highest skilled immigrants possible. The RAISE (Reforming American Immigration for Strong Employment) Act, introduced in the U.S. Senate in 2017, seeks to enact just such a change in policy. Among other provisions seeking to reduce legal immigration to the United States, the bill aims to focus family-based paths to legal immigration on spouses and minor children (ending sponsorship of adult children and siblings) and establish a skills-based points system. The introduction of this bill has precipitated lively debate regarding the merits of both systems. While the fate of this bill is unknown, a discussion of family reunification (aka “chain migration”) versus skills-based migration is germane to future immigration policy debates and merits exploration. The issues involved are complex. While most agree that refinements to the current system are necessary, it is not clear that a change to a skills-based system would necessarily be in the best interest of the United States.

#### **U.S. Family Reunification Immigration**

In 2016, just over two thirds of legal permanent residents were admitted to the U.S. based on family ties. Of those, 70% were immediate relatives of a U.S. citizen (spouse, minor child, or parent). Only 14% of immigrants were admitted to the U.S. based on employment (the U.S. also admits temporary workers based on employment on non-immigrant visas).

The U.S family-based immigration system does not require applicants to have a minimum educational background or particular skills. Thus critics suggest that these immigrants are not prepared to contribute to the U.S. economy and constitute a drain on social services. In fact, studies suggest that family-based immigrants fill employment needs in the economy in the long-term more effectively than skills-based immigrants. Proponents argue that family-based immigrants benefit from the emotional, physical, social, and economic assistance of their sponsors and therefore are better positioned to find work and contribute economically in their new country than immigrants who arrive without family networks. Proponents also argue that immigrants admitted through family ties who would not be eligible through skill-based programs provide much-needed labor to growing sectors of the U.S. economy such as elder care. Although immigrants admitted to the U.S. via family reunification may not possess the specialized skills of employment-based immigrants, family-based immigration provides new arrivals with support they need to integrate more quickly and become productive long-term workers in sectors of the U.S economy that need their labor.

#### **Canadian Skills-Based Immigration**

Canada’s immigration system includes a merit-based points system. The Federal Skilled Worker Program admits immigrants based on metrics such as education, skills, age, language ability, and

work experience. The idea is that highly skilled immigrants admitted according to a merit-based system will fill labor needs in Canada. The skills-based system also helps to bolster the Canadian public's support for the country's high immigration levels.

There is often a disconnect, however, between why immigrants are brought to the country and how their skills are used once they arrive. Immigrants who lack Canadian experience and professional networks are often unable to find employment that matches their skills and qualifications. Many certifications from foreign countries do not easily transfer and immigrants often lack knowledge of local markets and practices, leading to underemployment. Only one quarter of immigrants in Canada are working in areas they trained in, compared with 65% of Canadian citizens. More than half of foreign-trained doctors are not practicing medicine in Canada, for example, and college-educated immigrants in Canada earn only high school-level wages on average. To combat these difficulties, Canada spends approximately \$1 billion annually to provide immigrant integration programs that include language training, employment information, and job training.

## Conclusion

While in theory a preference for highly skilled immigrants over lower-skilled family members may seem the obvious choice, the reality is more nuanced. The concept of an ideal immigrant on paper may not correspond with the country's long-term labor needs. Difficulties highly skilled immigrants have integrating into a new society without family support may be more significant than anticipated. Identifying skills-based immigrants who are equipped to contribute to dynamic economies in both the long and short terms can be a challenge. Economies such as the U.S. also rely on less specialized workers, such as those who are willing and able to work in elder care. There are both positive and negative aspects of systems that primarily favor family reunification as well as those that include a merit-based points system. The key to having an informed discussion of the topic, and developing thoughtful policy, is recognizing the complexity of the issue and giving due consideration to nuances that might not be initially obvious.

## Resources – for additional information, please see:

- <https://fas.org/sgp/crs/homesec/R43145.pdf>
- <https://www.pbs.org/newshour/economy/analysis-u-s-benefit-merit-based-immigration-system>
- <http://triec.ca/about-us/focus-on-immigrant-employment/>
- <https://www.macleans.ca/politics/canadas-merit-based-immigration-system-is-no-magic-bullet/>
- <https://www.newyorker.com/news/news-desk/the-fantasy-of-trumps-skills-based-immigration-proposal>
- Do Immigrants Screened for Skills do Better Than Family Reunification Immigrants?  
Author(s): Guillermmina Jasso and Mark R. Rosenzweig. Source: The International Migration Review, Vol. 29, No. 1, 1995.
- [https://www.cotton.senate.gov/files/documents/170802\\_New\\_RAISE\\_Act\\_Bill\\_Text.pdf](https://www.cotton.senate.gov/files/documents/170802_New_RAISE_Act_Bill_Text.pdf)
- <https://www.migrationpolicy.org/news/raise-act-dramatic-change-family-immigration-less-so-employment-based-system>



## How the United States Immigration System Works

U.S. immigration law is complex, and there is much confusion as to how it works. Immigration law in the United States has been built upon the following principles: the reunification of families, admitting immigrants with skills that are valuable to the U.S. economy, protecting refugees, and promoting diversity. This fact sheet provides basic information about how the U.S. legal immigration system is designed and functions.

The body of law governing current immigration policy is called The Immigration and Nationality Act (INA).

The INA allows the United States to grant up to 675,000 permanent immigrant visas each year across various visa categories. On top of those 675,000 visas, the INA sets no limit on the annual admission of U.S. citizens' spouses, parents, and children under the age of 21.<sup>1</sup> In addition, each year the president is required to consult with Congress and set an annual number of refugees to be admitted to the United States through the U.S. Refugee Resettlement Process.<sup>2</sup>

Once a person obtains an immigrant visa and comes to the United States, they become a lawful permanent resident (LPR). In some circumstances, noncitizens already inside the United States can obtain LPR status through a process known as "adjustment of status."

Lawful permanent residents are foreign nationals who are permitted to work and live lawfully and permanently in the United States. LPRs are eligible to apply for nearly all jobs (i.e., jobs not legitimately restricted to U.S. citizens) and can remain in the country permanently, even if they are unemployed. After residing in the United States for five years (or three years in some circumstances), LPRs are eligible to apply for U.S. citizenship. It is impossible to apply for citizenship through the normal process without first becoming an LPR.

Each year the United States also admits a variety of noncitizens on a temporary basis. Such "non-immigrant" visas are granted to everyone from tourists to foreign students to temporary workers permitted to remain in the U.S. for years. While certain employment-based visas are subject to annual caps, other non-immigrant visas (including tourist and student visas) have no numerical limits and can be granted to anyone who satisfies the criteria for obtaining the visa.

### I. Family-Based Immigration

Family unification is an important principle governing immigration policy. The family-based immigration category allows U.S. citizens and LPRs to bring certain family members to the United States. Family-based immigrants are admitted either as immediate relatives of U.S. citizens or through the family preference system.

Prospective immigrants under the immediate relatives' category must meet standard eligibility criteria, and

petitioners must meet certain age and financial requirements.<sup>3</sup> Immediate relatives are:

- spouses of U.S. citizens;
- unmarried minor children of U.S. citizens (under 21 years old);<sup>4</sup> and
- parents of U.S. citizens (petitioner must be at least 21 years old to petition for a parent).

A limited number of visas are available every year under the family preference system, but prospective immigrants must meet standard eligibility criteria, and petitioners must meet certain age and financial requirements.<sup>5</sup> The preference system includes:

- adult children (married and unmarried) and brothers and sisters of U.S. citizens (petitioner must be at least 21 years old to petition for a sibling), and
- spouses and unmarried children (minor and adult) of LPRs.

In order to balance the overall number of immigrants arriving based on family relationships, Congress established a complicated system for calculating the available number of family preference visas for any given year. The number is determined by starting with 480,000 (the maximum number in principle allocated for all family-based immigrants) and then subtracting the number of immediate relative visas issued during the previous year and the number of aliens “paroled” into the U.S. during the previous year.<sup>6</sup> Any unused employment preference immigrant numbers from the preceding year are then added to this sum to establish the number of visas that remain for allocation through the preference system.<sup>7</sup> However, by law, the number of family-based visas allocated through the preference system may not be lower than 226,000.<sup>8</sup> The number of immediate relatives often exceeds 250,000 in a given year and triggers the 226,000 minimum for preference visas. As a result, the total number of family-based visas often exceeds 480,000.<sup>9</sup> In Fiscal Year (FY) 2017, family-based immigrants comprised 66 percent of all new LPRs in the United States.<sup>10</sup>

The family-based immigration system is summarized in Table 1.

**Table 1: Family-Based Immigration System**

Category	U.S. Sponsor	Relationship	Numerical Limit
Immediate Relatives	U.S. Citizen adults	Spouses, unmarried minor children, and parents	Unlimited
<b>Preference allocation</b>			
1	U.S. citizen	Unmarried adult children	23,400*
2A	LPR	Spouses and minor children	87,900
2B	LPR	Unmarried adult children	26,300

3	U.S. citizen	Married adult children	23,400**
4	U.S. citizen	Brothers and Sisters	65,000***
* Plus any unused visas from the 4th preference.			
** Plus any unused visas from 1st and 2nd preference.			
***Plus any unused visas from all other family-based preferences.			
Worldwide level of family preference allocation: 480,000 minus visas issued to immediate relatives and parolees, plus unused employment-visas from previous fiscal year. Floor for preference categories: 226,000.			
Source: William A. Kandel, U.S. Family-Based Immigration Policy, (CRS Report No. R43145) (Washington, DC: Congressional Research Service, 2018), <a href="https://fas.org/sgp/crs/homesec/R43145.pdf">https://fas.org/sgp/crs/homesec/R43145.pdf</a>			

In order to be admitted through the family-based immigration system, a U.S. citizen or LPR sponsor must petition for an individual relative, establish the legitimacy of the relationship, meet minimum income requirements, and sign an affidavit of support stating that the sponsor will be financially responsible for the family member(s) upon arrival in the United States or adjustment to LPR status within the United States.<sup>11</sup> The individual relative also must meet certain eligibility requirements that include submitting to a medical exam and obtaining required vaccinations, an analysis of any immigration or criminal history, as well as demonstrating that they will not become primarily dependent on the government for subsistence.

The spouses and children who accompany or follow the principal immigrant (the one sponsored by the U.S. citizen or LPR under the family-preference category) are referred to as derivative immigrants. Derivative immigrants also count toward the numerical cap for the categories in the table above. That means that many of the visa slots allotted for members of these categories are often actually used by the spouses and children of the members. For example, in FY 2017, 65,649 people were admitted in the category “brothers and sisters” of U.S. citizens, but only 22,611 of them were actual brothers or sisters of U.S. citizens. The rest were spouses (15,648) and children (27,390) of the siblings of U.S. citizens.<sup>12</sup>

## II. Employment-Based Immigration

The United States provides various ways for immigrants with valuable skills to come to the country on either a temporary or a permanent basis.

### Temporary Visa Classifications

Temporary employment-based visa classifications permit employers to hire and petition for foreign nationals for specific jobs for limited periods. Most temporary workers must work for the employer that petitioned for them and have limited ability to change jobs.<sup>13</sup> There are more than 20 types of visas for temporary nonimmigrant workers. These include L-1 visas for intracompany transfers; various P visas for athletes, entertainers, and skilled performers; R-1 visas for religious workers; various A visas for diplomatic employees; O-1 visas for workers of extraordinary ability; and various H visas for both highly-skilled and lesser-skilled workers. The visa classifications vary in terms of their eligibility requirements, duration, whether they permit workers to bring dependents, and other factors. In most cases, they must leave the United States if their status expires or if their employment is terminated. It may be possible, depending on the type of job and the foreign national's qualifications, for an employer to sponsor the worker for permanent employment. A foreign national does not

have to be working for the employer in order to be sponsored. However, depending on the permanent immigration category sought and the foreign national's current nonimmigrant category, the foreign national may be able to complete the steps to become an LPR while continuing to live and work in the United States.

## **Permanent Immigration**

The overall numerical limit for permanent employment-based immigrants is 140,000 per year.<sup>14</sup> This number includes the immigrants plus their eligible spouses and minor unmarried children, meaning the actual number of employment-based immigrants is less than 140,000 each year. The 140,000 visas are divided into five preference categories, detailed in Table 2. For some categories, the sponsor must first test the U.S. labor market under terms and conditions established by the Department of Labor, and the Secretary of Labor must certify that the petitioner's application met certain requirements before the sponsor may file a petition with USCIS. For some categories, the sponsor's first step is to file a petition with USCIS or the foreign national may self-petition. The final step is the foreign national's application for an immigrant visa at a U.S. Embassy or Consulate abroad or an application to adjust status to LPR if in lawful status in the United States. For consular processing, the immigrant visa application cannot be filed until after USCIS approves the immigrant petition. For adjustment of status, the time to file the application depends on whether a visa number is considered to be immediately available.<sup>15</sup>

**Table 2: Permanent Employment-Based Preference System**

Preference Category	Eligibility	Yearly Numerical Limit
1	“Persons of extraordinary ability” in the arts, science, education, business, or athletics; outstanding professors and researchers, multinational executives and managers.	40,040*
2	Members of the professions holding advanced degrees, or persons of exceptional ability in the arts, science, or business.	40,040**
3	Skilled workers with at least two years of training or experience, professionals with college degrees, or “other” workers for unskilled labor that is not temporary or seasonal.	40,040*** “Other” unskilled laborers restricted to 5,000
4	Certain “special immigrants” including religious workers, employees of U.S. foreign service	9,940

	posts, former U.S. government employees and other classes of foreign nationals.	
5	Persons who will invest \$500,000 to \$1 million in a job-creating enterprise that employs at least 10 full time U.S. workers. For petitions filed on or after 11/21/2019 the investment amounts increase to \$900,000 to \$1.8 million, with future increases at specified intervals. <sup>16</sup>	9,940
*Plus any unused visas from the 4 <sup>th</sup> and 5 <sup>th</sup> preferences.		
**Plus any unused visas from the 1 <sup>st</sup> preference.		
***Plus any unused visas from the 1 <sup>st</sup> and 2 <sup>nd</sup> preferences.		
Worldwide level of employment-based immigrants: 140,000 for principal applicants and their dependents.		
Source: U.S. Dep't of Homeland Security, Office of Immigration Statistics, <i>Annual Flow Report: Lawful Permanent Residents: August 2018</i> , 2018, p. 10, <a href="https://www.dhs.gov/sites/default/files/publications/Lawful_Permanent_Residents_2017.pdf">https://www.dhs.gov/sites/default/files/publications/Lawful_Permanent_Residents_2017.pdf</a>		

In FY 2017, immigrants admitted through the employment preferences made up 12 percent of all new LPRs in the United States.<sup>17</sup>

### III. Per-Country Ceilings

In addition to the numerical limits placed upon the various immigration preferences, the INA also places a limit on how many immigrants can come to the United States from any one country. Currently, no group of permanent immigrants (family-based and employment-based) from a single country can exceed seven percent of the total number of people immigrating to the United States in a single fiscal year.<sup>18</sup> This is not a quota to ensure that certain nationalities make up seven percent of immigrants, but rather a limit that is set to prevent any immigrant group from dominating immigration patterns to the United States.

### IV. Refugees and Asylees

#### Protection of Refugees, Asylees, and other Vulnerable Populations

There are several categories of legal admission available to people who are fleeing persecution or are unable to return to their homeland due to life-threatening or extraordinary conditions.

**Refugees** are admitted to the United States based upon an inability to return to their home countries because of a “well-founded fear of persecution” due to their race, membership in a particular social group, political opinion, religion, or national origin.<sup>19</sup> Refugees apply for admission from outside of the United States, generally from a “transition country” that is outside their home country. The admission of refugees turns on numerous

factors, such as the degree of risk they face, membership in a group that is of special concern to the United States (designated yearly by the president and Congress), and whether or not they have family members in the United States.

Each year, the president, in consultation with Congress, determines the numerical ceiling for refugee admissions.<sup>20</sup> The total limit is broken down into limits for each region of the world as well. After September 11, 2001, the number of refugees admitted into the United States fell drastically. After the Bush administration put new security checks in place, annual refugee admissions returned to their previous levels and rose during the Obama administration. In the Trump administration, the refugee ceiling has sharply fallen, from 110,000 in 2017 to 45,000 in 2018 and 30,000 in 2019. Since 2017, actual admissions of refugees have also fallen well below 50 percent of the actual annual ceiling.<sup>21</sup> At 22,491, 2018 had the lowest number of admitted refugees since the system was created in 1980.<sup>22</sup> On September 26, 2019, the president set the annual cap on refugees for fiscal year 2020 at just 18,000, the lowest level ever.<sup>23</sup>

Of the 30,000 admissions determined by the president for 2019, the regional allocations are shown in Table 3 below.

**Table 3: Presidential Determination on Refugee Admissions, FY 2019**

Africa	11,000
East Asia	4,000
Europe and Central Asia	3,000
Latin America/Caribbean	3,000
Near East/South Asia	9,000
Unallocated Reserve	n/a
<b>TOTAL</b>	<b>30,000</b>

Source: *Refugee Admissions and Resettlement Policy*, (Washington, DC: Congressional Research Service, December 18, 2018), <https://fas.org/sgp/crs/misc/RL31269.pdf>

**Asylum** is available to persons already in the United States who are seeking protection based on the same five protected grounds upon which refugees rely.<sup>24</sup> They may apply at a port of entry at the time they seek admission or within one year of arriving in the United States. There is no limit on the number of individuals who may be granted asylum each year, nor are there specific categories for determining who may seek asylum. In FY 2017, 26,568 individuals were granted asylum.<sup>25</sup>

Refugees and asylees are eligible to become LPRs one year after admission to the United States as a refugee or one year after receiving asylum.<sup>26</sup>

## V. The Diversity Visa Program

The Diversity Visa lottery was created by the Immigration Act of 1990 as a dedicated channel for immigrants from countries with low rates of immigration to the United States. Each year, 55,000 visas are allocated randomly to

nationals from countries that have sent fewer than 50,000 immigrants to the United States in the previous five years.<sup>27</sup> Of the 55,000, up to 5,000 are made available for use under the Nicaraguan Adjustment and Central American Relief Act program, created in 1997 to provide relief to certain asylum seekers who applied for asylum before a specific date. This results in a reduction of the actual annual limit to 50,000. Beginning in 2020, DOS expects most of the 5,000 visas to be restored to the Diversity Visa program. Although originally intended to favor immigration from Ireland (during the first three years of the program at least 40 percent of the visas were exclusively allocated to Irish immigrants), the Diversity Visa program has become one of the only avenues for individuals from certain regions in the world to secure a green card.

To be eligible for a diversity visa, an immigrant must have a high-school education (or its equivalent) or have, within the past five years, a minimum of two years working in a profession requiring at least two years of training or experience. Spouses and minor unmarried children of the principal applicant may also enter as derivatives.<sup>28</sup> A computer-generated random lottery drawing chooses selectees for diversity visas. The visas are distributed among six geographic regions with a greater number of visas going to regions with lower rates of immigration, and with no visas going to nationals of countries sending more than 50,000 immigrants to the United States over the last five years.

People from eligible countries in different continents may register for the lottery. However, because these visas are distributed on a regional basis, the program especially benefits Africans and Eastern Europeans.

## VI. Other Forms of Humanitarian Relief

**Temporary Protected Status (TPS)** is granted to people who are in the United States but cannot return to their home country because of “natural disaster,” “extraordinary temporary conditions,” or “ongoing armed conflict.”<sup>29</sup> TPS is granted to a country for six, twelve, or eighteen months and can be extended beyond that if unsafe conditions in the country persist. TPS does not necessarily lead to LPR status or confer any other immigration status.

**Deferred Enforced Departure (DED)** provides protection from deportation for individuals whose home countries are unstable, therefore making return dangerous.<sup>30</sup> Unlike TPS, which is authorized by statute, DED is at the discretion of the executive branch. DED does not necessarily lead to LPR status or confer any other immigration status.

**Deferred Action for Childhood Arrivals (DACA)** is a program established in 2012 which permits certain individuals who were brought to the United States under the age of 16 and who had resided continuously in the United States since June 15, 2007, to remain in the United States and work lawfully for at least two years, so long as they have no significant criminal record and have graduated high school or college or received a degree equivalent.<sup>31</sup> It does not confer any path to permanent legal status and requires renewal every two years. In 2017, the Trump administration ended DACA, but due to a court order, individuals who had DACA before the program was ended are still permitted to renew their work authorization and protection from deportation.

Certain individuals may be allowed to enter the U.S. through **parole**, even though they may not meet the

definition of a refugee and may not be eligible to immigrate through other channels. Parolees may be admitted temporarily for urgent humanitarian reasons or significant public benefit.<sup>32</sup>

## VII. U.S. Citizenship

In order to qualify for U.S. citizenship through naturalization, an individual must have had LPR status (a green card) for at least five years (or three years if he or she obtained the green card through a U.S.-citizen spouse or through the Violence Against Women Act, VAWA). There are other exceptions including, but not limited to, members of the U.S. military who serve in a time of war or declared hostilities.<sup>33</sup> Applicants for U.S. citizenship must be at least 18 years old, demonstrate continuous residency, demonstrate “good moral character,” pass English and U.S. history and civics exams (with certain exceptions), and pay an application fee, among other requirements.<sup>34</sup>

## Endnotes

<sup>1</sup> This number results from adding the family-based annual limit, the employment-based annual limit, and the diversity program annual limit; also see Ruth Ellen Wasem, *U.S. Immigration Policy on Permanent Admissions* (CRS Report No. RL32235) (Washington, DC: Congressional Research Service, 2010), p. 3, <https://www.fas.org/sgp/crs/homesec/RL32235.pdf>.

<sup>2</sup> American Immigration Council, *An Overview of U.S. Refugee Law and Policy* (Washington, DC: June 18, 2019), <https://www.americanimmigrationcouncil.org/research/overview-us-refugee-law-and-policy>.

<sup>3</sup> INA §212(a) and INA §212(a)(4). Also see William A. Kandel, *U.S. Family-Based Immigration Policy* (Washington, DC: Congressional Research Service, February 9, 2018), p. 7, <https://fas.org/sgp/crs/homesec/R43145.pdf>.

<sup>4</sup> Visa numbers are also available for children adopted by U.S. citizens. See U.S. Department of State, “Intercountry Adoption,” accessed October 7, 2019, <https://travel.state.gov/content/adoptionsabroad/en.html>.

<sup>5</sup> Ibid.

<sup>6</sup> INA §201(c).

<sup>7</sup> Ruth Ellen Wasem, *U.S. Immigration Policy on Permanent Admissions* (Washington, DC: Congressional Research Service, March 13, 2012), p. 3, <https://www.fas.org/sgp/crs/homesec/RL32235.pdf>.

<sup>8</sup> INA §201(c)(1)(B)(ii).

<sup>9</sup> Ruth Ellen Wasem, *U.S. Immigration Policy on Permanent Admissions* (Washington, DC: Congressional Research Service, March 13, 2012), p. 3, <https://www.fas.org/sgp/crs/homesec/RL32235.pdf>.

<sup>10</sup> Katherine Witsman, *Annual Flow Report: Lawful Permanent Residents*, U.S. Department of Homeland Security Office of Immigration Statistics, August 2018, p. 5, [https://www.dhs.gov/sites/default/files/publications/Lawful\\_Permanent\\_Residents\\_2017.pdf](https://www.dhs.gov/sites/default/files/publications/Lawful_Permanent_Residents_2017.pdf).

<sup>11</sup> An affidavit of support is a document an individual must sign to accept financial responsibility for another person who is coming to the U.S. to live permanently. Sponsors of the affidavit of support must be at least 18 years old, be a U.S. citizen or lawful permanent resident, and reside in the U.S. and provide evidence showing that their annual income is no less than 125% of the federal poverty level. See USCIS, “Affidavit of Support,” <https://www.uscis.gov/green-card/green-card-processes-and-procedures/affidavit-support>.

<sup>12</sup> U.S. Department of Homeland Security, “Table 7. Persons Obtaining Lawful Permanent Resident Status by Type and Detailed Class of Admission: Fiscal Year 2017,” *Yearbook of Immigration Statistics 2017*, Last updated October 2, 2018, accessed February 28, 2019, <https://www.dhs.gov/immigration-statistics/yearbook/2017/table7>.

<sup>13</sup> Some nonimmigrant visa classifications permit foreign workers to work in the United States without an employer having first filed a petition on the foreign worker's behalf. These include such nonimmigrant classifications as E-1, E-2, E-3, and TN. USCIS, "Temporary (Nonimmigrant) Workers," accessed March 5, 2019, <https://www.uscis.gov/working-united-states/temporary-nonimmigrant-workers>.

<sup>14</sup> INA §201(d); U.S. Department of State, "Employment-Based Immigrant Visa," accessed February 28, 2019, <https://travel.state.gov/content/visas/en/immigrate/employment.html>.

<sup>15</sup> Whether a visa is immediately available is determined by the foreign national's "priority date." When labor certification is required, the foreign national's "priority date" is the date that the sponsor filed the application with DOL. But the "priority date" does not "attach," as to the foreign national's ability to receive an immigrant visa number, unless DOL issues the labor certification and USCIS approves the immigrant petition. If no labor certification is required, the "priority date" is the date USCIS accepted the immigrant petition for filing, but USCIS petition approval is required for the date to "attach." If the "priority date" that would attach upon agency approval is current when the immigrant petition is being filed, then the foreign national, and derivatives if applicable, in lawful status in the United States, may file their adjustment applications at that time. If the annual and per country limits result in too few visas available for the demand, then a backlog occurs and the "priority date" gives the foreign national a place in the backlog queue. When the "priority date" is reached, then the foreign national (and derivatives, if applicable) may file an application to adjust status if lawfully in the United States and the immigrant petition is pending or has been approved. If the immigrant petition is not approved (or in some situations, was not approvable when filed), then the priority date will not "attach" and USCIS also will deny the adjustment applications.

<sup>16</sup> 84 Fed. Reg. 35750, 35808 (July 24, 2019) (to be codified at 8 C.F.R. § 204.6(f)(1)-(3)). The regulations also specify how the increases are to be calculated and when. *Id.*

<sup>17</sup> Katherine Witsman, *Annual Flow Report: Lawful Permanent Residents*, U.S. Department of Homeland Security Office of Immigration Statistics, August 2018, p. 4, [https://www.dhs.gov/sites/default/files/publications/Lawful\\_Permanent\\_Residents\\_2017.pdf](https://www.dhs.gov/sites/default/files/publications/Lawful_Permanent_Residents_2017.pdf).

<sup>18</sup> INA §202(a)(2). There are exceptions to this limit, mainly in the area of family-based immigration. For example, 75% of the second family preference immigrants are exempt from the per-country limit. See William A. Kandel, *U.S. Family-Based Immigration Policy* (Washington, DC: Congressional Research Service, February 9, 2018), <https://fas.org/sgp/crs/homesec/R43145.pdf>.

<sup>19</sup> 8 U.S.C. §§1101 *et seq.* P.L. 96-212, March 17, 1980. This definition conforms with the definition used in the United Nations Convention and Protocol relating to the status of refugees.

<sup>20</sup> INA §207(a).

<sup>21</sup> Andorra Bruno, *Refugee Admissions and Resettlement Policy* (Washington, DC: Congressional Research Service, December 18, 2018), p. 2, <https://fas.org/sgp/crs/misc/RL31269.pdf>.

<sup>22</sup> *Ibid.* at p. 5.

<sup>23</sup> Priscilla Alvarez, CNN, *US sets a refugee cap of 18,000 for next year -- a new historic low*, <https://www.cnn.com/2019/09/26/politics/refugee-cap-historic-low/index.html>.

<sup>24</sup> INA §208.

<sup>25</sup> U.S. Citizenship and Immigration Services, "Table 16. Individuals Granted Asylum Affirmatively or Defensively: Fiscal Years 1990 to 2017," accessed August 22, 2019, <https://www.dhs.gov/immigration-statistics/yearbook/2017/table16>.

<sup>26</sup> INA §209(a). Asylees may apply for LPR status after one year, but are not required to do so. There are no numerical limitations on refugee or asylee adjustments of status.

<sup>27</sup> INA §203(c).

<sup>28</sup> U.S. Department of State, Bureau of Consulate Affairs, "Diversity Visa Program: Confirm Your Qualifications," accessed March 5, 2019, <https://travel.state.gov/content/travel/en/us-visas/immigrate/diversity-visa-program-entry/diversity-visa-if-you-are-selected/diversity-visa-confirm-your-qualifications.html>.

<sup>29</sup> INA §244.

<sup>30</sup> U.S. Citizenship and Immigration Services, “Delayed Enforced Departure,” updated March 30, 2018, <https://www.uscis.gov/humanitarian/temporary-protected-status/deferred-enforced-departure>.

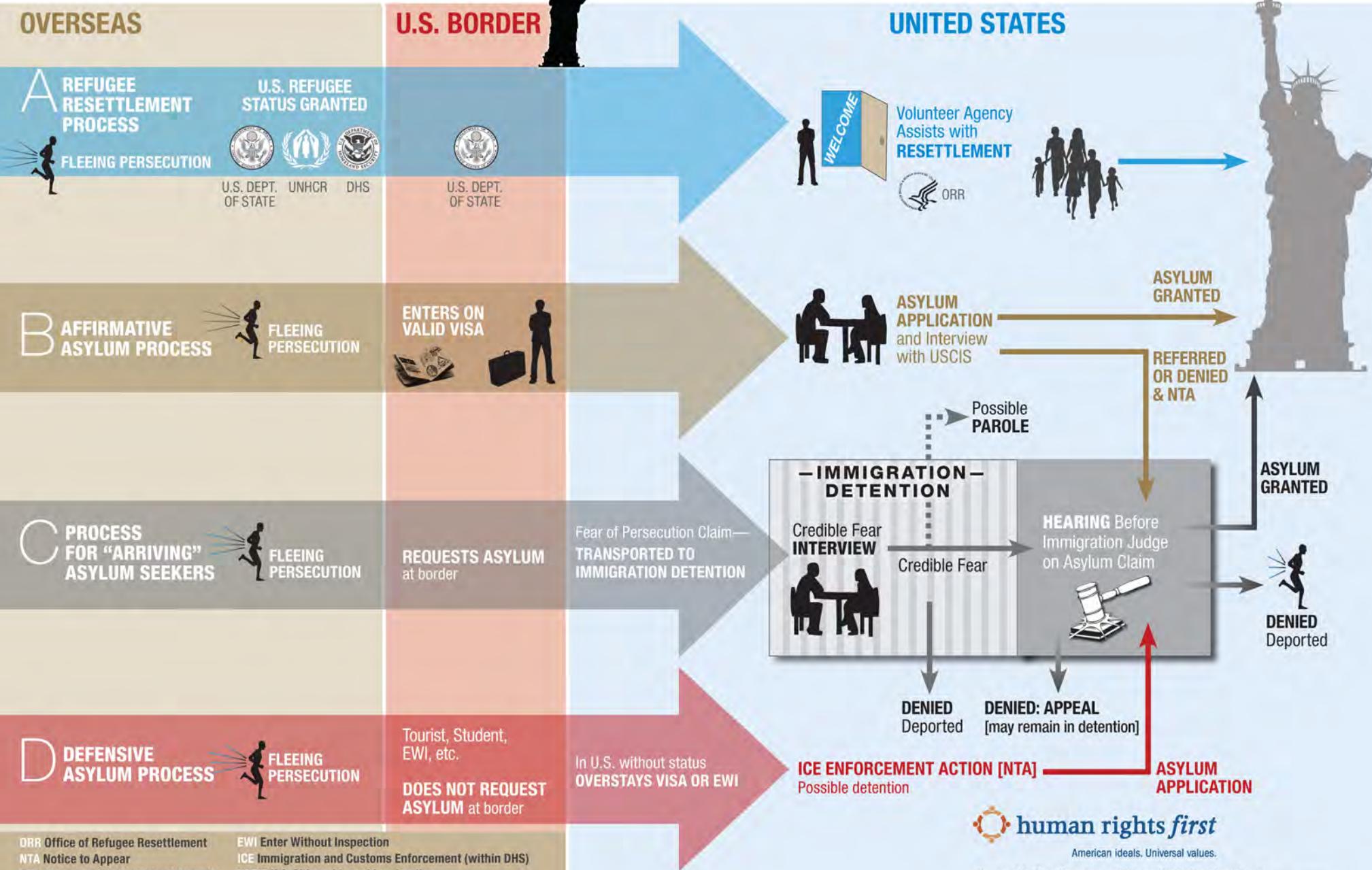
<sup>31</sup> U.S. Citizenship and Immigration Services, “Consideration of Deferred Action for Childhood Arrivals,” accessed April 26, 2019, <https://www.uscis.gov/archive/consideration-deferred-action-childhood-arrivals-daca>.

<sup>32</sup> U.S. Citizenship and Immigration Services, “Humanitarian Parole,” updated December 15, 2017, <https://www.uscis.gov/humanitarian/humanitarian-parole>.

<sup>33</sup> INA §319.

<sup>34</sup> William A. Kandel, *U.S. Naturalization Policy* (Washington, DC: Congressional Research Service, January 16, 2014), p. 4-7, <https://fas.org/sgp/crs/misc/R43366.pdf>.

# How Refugees Get to the U.S.



**ORR** Office of Refugee Resettlement  
**NTA** Notice to Appear  
**DHS** Department of Homeland Security  
**UNHCR** UN Refugee Agency

**EWI** Enter Without Inspection  
**ICE** Immigration and Customs Enforcement (within DHS)  
**USCIS** U.S. Citizenship and Immigration Services (within DHS)

human rights first

American ideals. Universal values.

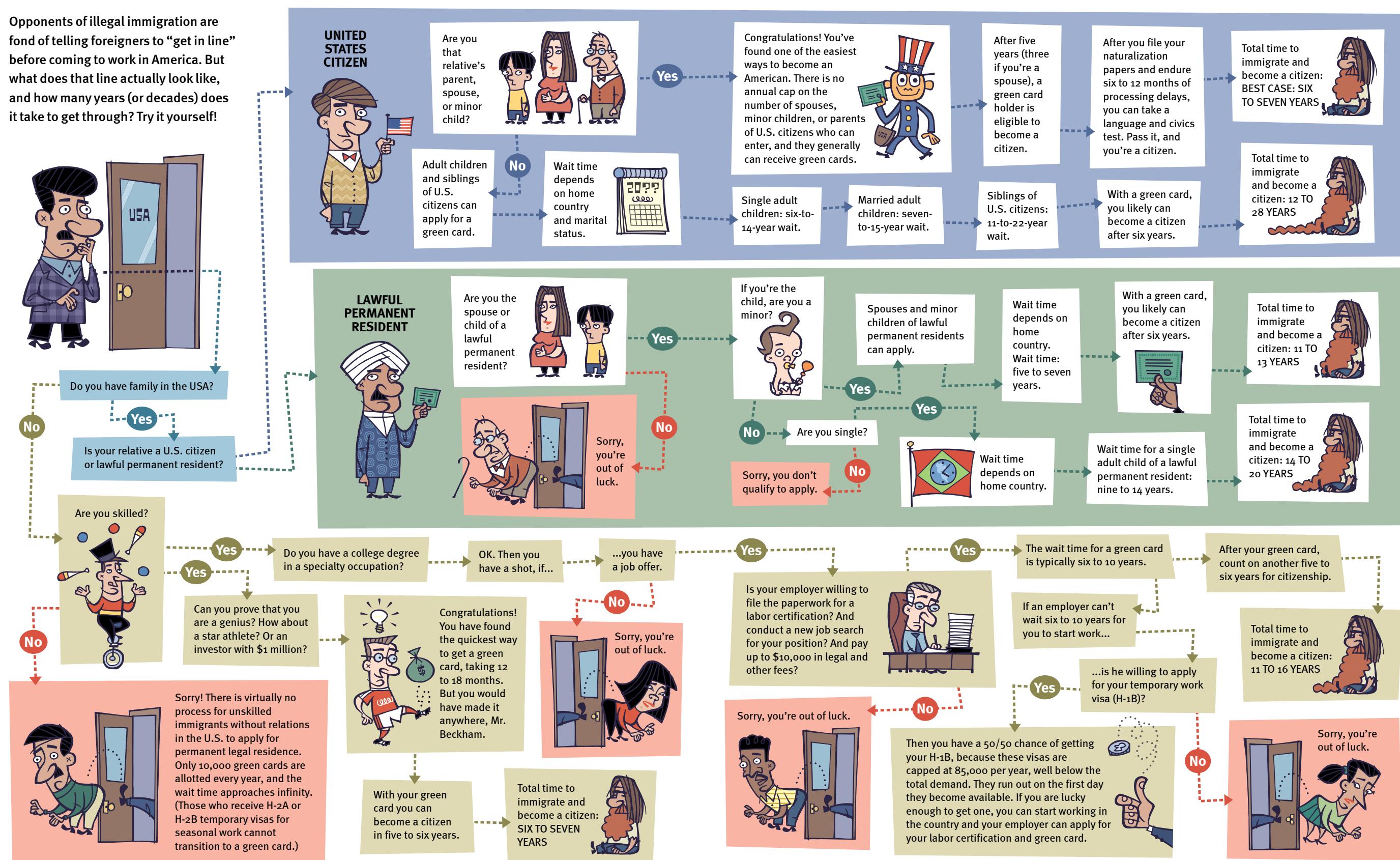
*Designed by Ryan Dunsmuir and Human Rights First, based on an original design by Will Coley and Jesuit Refugee Service/USA (February 2010)*

# What Part of Legal Immigration Don't You Understand?

Mike Flynn and Shikha Dalmia

Illustrated by Terry Colon

Opponents of illegal immigration are fond of telling foreigners to "get in line" before coming to work in America. But what does that line actually look like, and how many years (or decades) does it take to get through? Try it yourself!



(Flynn is director of government affairs and Dalmia is a senior policy analyst at Reason Foundation. This chart was developed by Reason Foundation in collaboration with the National Foundation for American Policy.)

**FY 2016-2020**

# **2020 USCIS Statistical Annual Report**



# About U.S. Citizenship and Immigration Services

U.S. Citizenship and Immigration Services (USCIS) administers the nation's lawful immigration system. We manage a broad range of programs through which we process millions of immigration and naturalization benefit requests each year. We are responsible for:

## Adjudicating Benefit Petitions, Applications and Requests

- *Citizenship and Lawful Permanent Residence:* Individuals who wish to reside permanently in the United States or who wish to become U.S. citizens through naturalization submit their applications to USCIS.
- *Family-based immigration:* We manage the process that allows lawful permanent residents and U.S. citizens to bring certain qualifying relatives to live and work in the United States.
- *Employment-based nonimmigrant and immigrant petitions:* We manage the process that allows individuals from other countries to lawfully work in the United States. Some of these opportunities are temporary (such as cultural exchange programs) and some provide a path to lawful permanent residence.
- *Humanitarian programs:* USCIS administers a number of humanitarian programs and upholds U.S. law and international obligations. These include programs for asylum seekers, refugees, those eligible for temporary protected status, and victims of criminal activity or human trafficking.
- *Other services:* USCIS handles requests for the Deferred Action for Childhood Arrivals (DACA) program, for individuals who seek to change or extend status in the United States as well as for those who need to replace their green card, among other services for immigrants and nonimmigrants.

## Managing the E-Verify System

We administer E-Verify, a tool that helps ensure a legal work force by allowing participating employers to confirm online whether their new employees are eligible to work in the United States. We also administer the Systematic Alien Verification for Entitlements (SAVE) program that assists federal, state, local and tribal benefit-administering agencies confirm eligibility for public benefits and licenses by providing citizenship and immigration status information to them.

## Deterring, Detecting, and Addressing Vulnerabilities

We determine whether individuals or organizations requesting benefits pose a threat to national security, public safety, or the integrity of the nation's immigration system. Our work includes administratively

### FY 2020 Snapshot

7.7 Million Receipts

19,000 Employees and Contractors

\$4.8 billion budget, 96% supported by fees

625,400 new citizens welcomed

439,000 granted lawful permanent residence

2 million employment authorization applications processed

11 million Contact Center calls received

37 million new hires verified for eligibility to work in the United States

investigating immigration benefit fraud and identifying and addressing internal risks and vulnerabilities.

### **Promoting the Assimilation of Lawful Immigrants into American Society**

We promote prospective citizens' assimilation into American civic life by awarding grants to organizations that provide education programs designed to increase lawful immigrants' knowledge of English, U.S. history and civics.

### **Responding to Public Inquiries**

Through our Contact Center and responding to Freedom of Information Act requests, we respond to millions of inquiries about the legal U.S. immigration system to applicants and other stakeholders.

#### **The COVID-19 Pandemic and USCIS**

USCIS, like all of America impacted by the COVID-19 pandemic, faced significant challenges in FY 2020. Because of the pandemic, USCIS temporarily closed offices to in-person services and implemented social distancing practices. During this time, USCIS received fewer petitions, applications, and requests for benefits a reduction, which, as a fee funded agency, significantly impacted our financial outlook for the year.

To protect our employees and immigration benefit applicants, all of the field offices in the Field Operations Directorate (FOD)—the offices that conduct interviews for naturalization and lawful permanent residence—as well as the Refugee, Asylum and International Operations (RAIO) directorate's asylum offices were closed to the public from March 18 through June 3 of 2020, nearly halting all in-person services. Despite these officer closures, RAIO continued to provide humanitarian and significant public benefit parole working with consular posts overseas, even where all other services were cancelled, due to the compelling humanitarian nature of the parole and significant public benefit parole requests. Further, all Application Support Centers (ASC) were closed from March 18 through July 12 of 2020, pausing biometrics capture for applications that require biometrics. The Service Center Operations (SCOPS) directorate, which is not open to the public, continued operations but faced challenges associated with completing work that could not be conducted at home, such as accepting direct filings, mailroom activities, and file movement. Once offices reopened, USCIS adjusted its operations for naturalization oaths and other in-person services such as interviews in order to comply with social distancing guidelines.

In addition to the office closures, delayed biometrics capture, and social distancing guidelines, USCIS experienced a steep decline in immigration benefit receipts, which significantly affected revenue. During the office closures, incoming receipts were 32 percent lower when compared to the same time period in FY 2019. The volume of receipts recovered to near pre-pandemic levels with USCIS receiving about 12 percent fewer receipts than projected by the end of FY 2020.

The impact of the pandemic on the various forms that USCIS receives and processes can be seen in each section of this report. For example, although naturalization ceremonies were mostly absent during the spring, USCIS staff prioritized naturalization ceremonies upon the reopening of the field offices in June and, by August, were able to naturalize almost all applicants whose applications had already been approved and were awaiting an oath ceremony since office closures in March. USCIS also processed a record number of Forms I-539 (Application to Extend/Change Nonimmigrant Status), I-129 (Petition for Nonimmigrant Worker), and I-130 (Petition for Alien Relative) in FY 2020.

Finally, the loss in revenue due to the reduced number of receipts forced cost-cutting measures across the agency. The number of contracts for services such as printing employment authorization documents and associated contract staff were cut and USCIS prepared for a potential furlough of federal staff for several months during the second half of FY 2020, which was ultimately averted.

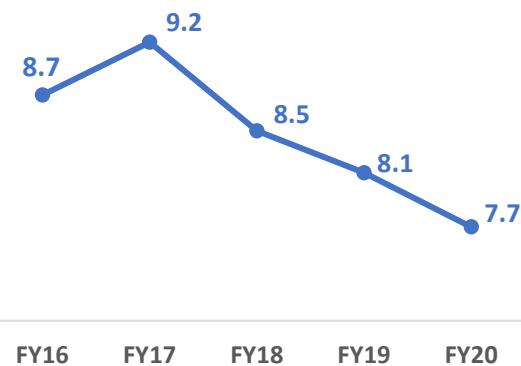
## Overview

### USCIS received 7.7 million Applications, Petitions and Requests and completed more than 7.6 million

USCIS received about 7.7 million applications, petitions, and requests for benefits in fiscal year (FY) 2020, the lowest number of receipts in the last five years. This decrease was driven in large part by a significant decrease in receipts during the beginning of the COVID-19 pandemic in the spring of 2020, when USCIS closed field offices to the public.

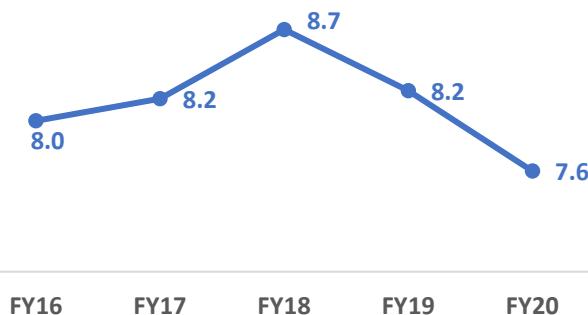
During the office closures, incoming receipts were 32 percent lower compared to the same time period in FY 2019. By the end of FY 2020, USCIS received about 5 percent fewer receipts than in FY 2019. Although receipts decreased in some of the most frequently submitted form types, others such as the N-400 (Application for Naturalization) and I-129 (Petition for Nonimmigrant Worker) increased slightly from FY 2019.

**Applications, Petitions and Requests Received in FY 2020 (in millions)**



USCIS completed 7.6 million applications, petitions and requests in FY 2020, also the lowest in the past five years. Completions include both approved and denied petitions, applications and requests. The number of completions in FY 2020 also decreased significantly during the spring of 2020 when USCIS closed field offices to the public. However, USCIS focused efforts on completing specific form types during and after the closures.

**Applications, Petitions and Requests Completed in FY 2020 (in millions)**



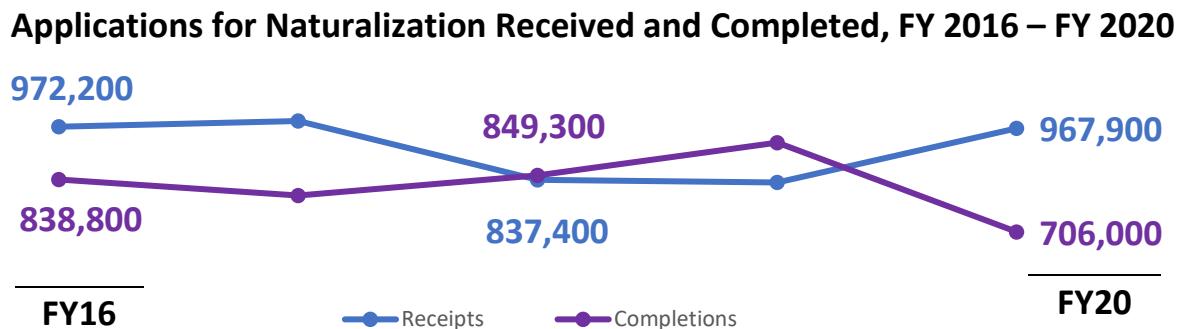
In particular, USCIS completed more I-129 (Petition for Nonimmigrant Worker) petitions in FY2020 than in FY2019. In addition, while USCIS offices were closed to the public, prioritization was placed on processing other benefit types that do not require an in-person interview. As a result, USCIS processed more I-130 (Petition for Alien Relative) petitions this year than in FY 2019. Once USCIS offices re-opened to the public, USCIS focused on holding naturalization ceremonies for those awaiting the oath of allegiance and rescheduling naturalization interviews according to social distancing guidelines.

## Citizenship and Lawful Permanent Residence (LPR)

### USCIS Received more Applications for Naturalization in FY 2020 than FY 2019

USCIS received almost 968,000 applications for naturalization ([N-400](#)) in FY 2020, 137,000 more than USCIS received in FY 2019. The increase in receipts for the N-400 may be due to the proposed fee increase announced in the Federal Register in FY 2020 as well as the election. Prior to the start of the COVID-19 pandemic, USCIS received on average, about 80,000 citizenship applications each month in FY 2020. This number dropped significantly during the first few months, April through June, of the COVID-19 pandemic. However, the number of applications returned to around pre-pandemic levels during the last few months of fiscal year 2020.

USCIS completed about 706,000 applications for naturalization in FY 2020, 225,800 fewer than in FY 2019 and the lowest in the last five years. This decrease can be attributed to the closure of USCIS offices and in-person services in the beginning of the COVID-19 pandemic. Of those completed, USCIS naturalized 625,400 new citizens in FY 2020.



Following the re-opening of USCIS offices to in-person services in June 2020, USCIS adjusted its operations by instituting drive-through oath ceremonies and conducting video interviews where the applicant appears in person at a USCIS office, but the officer conducts the interview via video teleconferencing technology from another room. In a matter of months following the reopening of USCIS offices to in-person services, USCIS completed the more than 110,000 pending naturalization oaths that were put on hold due to the COVID-19 pandemic.

#### Military Naturalizations

In response to the terrorist attacks on September 11, 2001, the president issued Executive Order 13269 on July 3, 2002 which triggered immediate naturalization eligibility for qualifying service members. Since 2002, USCIS has naturalized more than 139,000 members of the U.S. military both at home and abroad; naturalization ceremonies have taken place in more than 30 countries from Albania to the United Arab Emirates. In the last five years (FY2016-FY2020), USCIS has naturalized almost 30,000 service members. In FY2020, USCIS naturalized more than 4,500 service members about the same number of service members as the previous year.

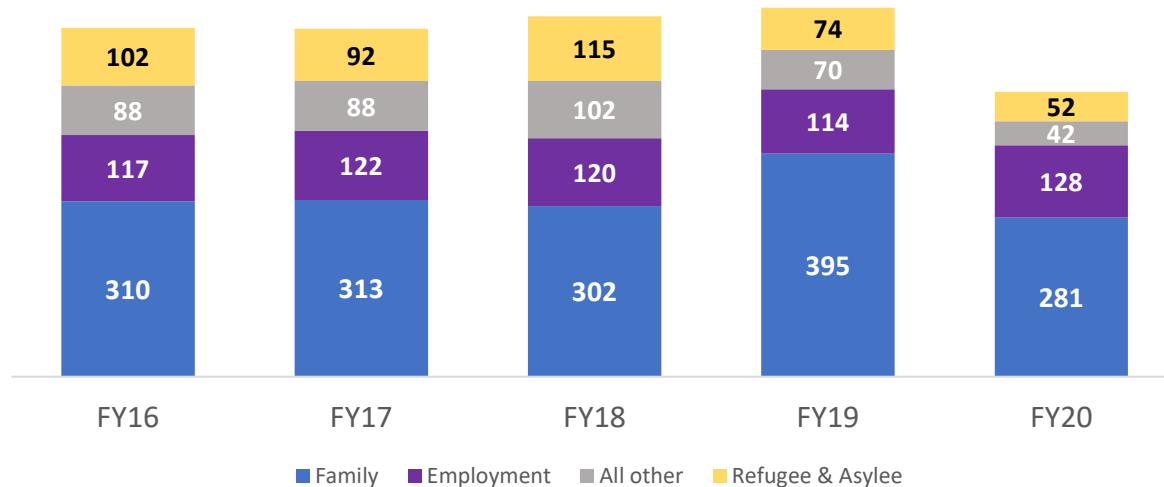
## In FY 2020, USCIS Received 519,700 Applications for Lawful Permanent Resident (LPR) Status – a decrease of 5% from FY 2019

In FY 2020, USCIS received about 5 percent fewer applications to become a lawful permanent resident (LPR) ([I-485, Application to Register Permanent Residence or Adjust Status](#)) than last year (519,700 down from 548,900 in FY 2019).

USCIS completed about 23% fewer LPR applications in FY 2020 compared to FY 2019. In FY 2020, USCIS completed a total of 504,200 LPR applications – the fewest total completions in the last five years. Many LPR applications require an in-person interview and with USCIS office closures in March through June 2020 as well as the implementation of social distancing guidelines after reopening, in-person services were limited. As a result, the number of LPR applications USCIS completed was reduced.

The only LPR sub-type that USCIS completed more applications for in FY 2020 compared to the previous years is employment. In FY 2020, USCIS adjudicated 128,200 applications for employment-based LPR status, compared to 113,700 in FY 2019, about a 13 percent increase.

### Applications for Lawful Permanent Resident Status Completed, FY 2016 – FY 2020 (in thousands)



Notes: Applications may have been filed in previous fiscal years.

### Liberian Refugee Immigration Fairness (LRIF)

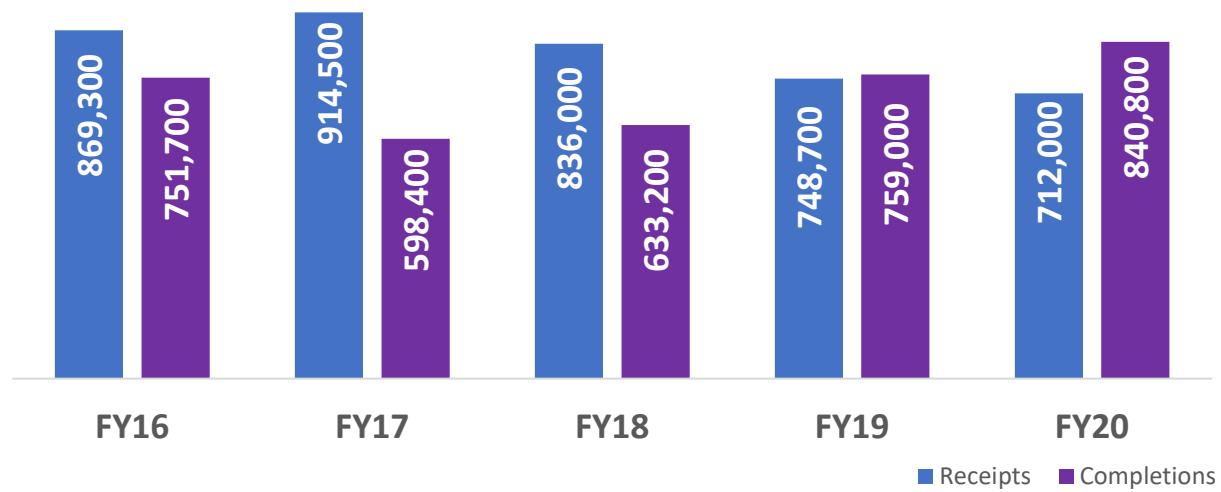
In December 2019, Congress enacted the National Defense Authorization Act for FY 2020 which included the [Liberian Refugee Immigration Fairness](#) (LRIF) provision. LRIF provides an opportunity for certain Liberian nationals and their dependents who meet eligibility requirements to obtain lawful permanent resident (LPR) status. As initially enacted, the filing deadline for LRIF applications was December 20, 2020. Congress later extended the filing deadline for LRIF applications to December 20, 2021. USCIS received over 2,000 applications in FY 2020. Relatively few applications were completed during the fiscal year due to the nine-month processing time. Additional information on this program will be reported in FY 2021.

## Family-based Immigration

### USCIS Completed more Petitions for Alien Relatives in FY 2020 than any of the Previous Four Years

USCIS received fewer Petitions for Alien Relative (Form [I-130](#)) petitions in FY 2020 than in any of the previous four years (712,000). However, USCIS adjudicated 81,800 more I-130 petitions in FY 2020 than in the previous year; further, USCIS staff completed the largest number of Form I-130 petitions (840,800) in FY 2020 than in any of the four previous years. Over the last few years, and in FY 2020 in particular, USCIS dedicated additional staff to processing Form I-130 petitions to keep up with increased demand in immigrant preference categories which allows certain eligible family members to apply for lawful permanent resident status or for admission as a lawful permanent resident.

#### Petitions for Alien Relatives (Form I-130) Received and Completed, FY 2016 – FY 2020

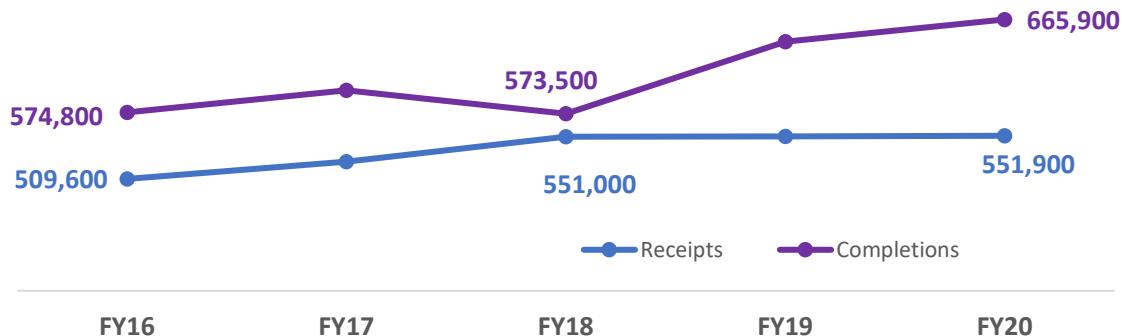


## Nonimmigrant Workers and Employment-based Immigration

### USCIS Completed more I-129 Petitions in FY 2020 than in any of the Previous Four Years

USCIS received about the same number of [Form I-129](#), Petition for a Nonimmigrant Worker petitions in FY 2020 as the last few years (551,900). Although the number of receipts remained constant in FY 2020, USCIS adjudicated more I-129 petitions (665,900) in FY 2020 than in the previous four years. Completions are higher than receipts in all years due to the number of secondary actions (which are considered a completion), such as revocations. In FY 2020, for example, USCIS processed about 80,000 revocations; a revocation may occur if the petitioner requests to withdraw the petition after approval. The Form I-129 petition is used for employers and employees seeking H-1B, H-2A, H-2B, L, O, and P visas, among others.

### I-129 Petitions Received and Completed, FY 2016 – FY 2020



H-1B nonimmigrant worker petitions comprise the largest share of I-129 petitions USCIS receives each year. In FY 2020, H-1B petitions comprised more than 75 percent of all I-129 petitions received, roughly the same as the previous four years. Like H-1B petitions, other I-129 nonimmigrant petition receipts in FY 2020 remained consistent with previous years, as did completions. A notable exception is the P classification: in FY 2020, USCIS received 8,700 P nonimmigrant petitions, about a third fewer than FY 2019 (13,100). This decrease is likely due to closures associated with the COVID-19 pandemic given that the P nonimmigrant classification is for certain athletes, artists, and entertainers, among others.

### I-129 Petitions Completed by Type, FY 2020



In response to the COVID-19 pandemic, USCIS provided [flexibilities](#) to certain nonimmigrant workers, such as (1) allowing eligible physicians to maintain status even if temporarily unable to work full-time due to the pandemic, and (2) changing certain H-2A and H-2B requirements for essential workers already present in the United States with a valid H-2A and H-2B nonimmigrant status to assist in increasing food security and stabilizing the U.S. food supply chain.

In FY 2019, USCIS also issued a final rule establishing a registration system requiring prospective petitioners seeking to file H-1B cap-subject petitions, including those that may be eligible for the advanced degree exemption, to first electronically register with USCIS during a

designated registration period.<sup>1</sup> By regulation, unless the registration requirement is suspended by USCIS, only those prospective petitioners whose registrations are selected will be eligible to file an H-1B cap-subject petition. The electronic registration system is designed to streamline the H-1B cap selection process by reducing paperwork and data exchange and provide an overall time and cost savings to the public.

In FY 2020, USCIS implemented the agency's [first electronic registration requirement](#) for FY 2021 H-1B cap-subject petitions. The initial H-1B cap petition registration period began on March 1, 2020. Starting on that date, USCIS required prospective petitioners seeking to file H-1B cap-subject petitions, including those for beneficiaries eligible for the advanced degree exemption, to first register electronically with USCIS and pay the associated (\$10) registration fee, and have that registration selected, before being eligible to properly file an H-1B cap-subject petition for the FY 2021 H-1B numerical allocations. USCIS closed the initial registration period on March 20, 2020. After the initial registration period closed, USCIS conducted a selection process, and petitioners with selected registrations were notified of their eligibility to file an FY 2021 H-1B cap-subject petition. USCIS received nearly 275,000 H-1B registrations online in FY 2020.

### **EB-5 Program and the I-526 Immigrant Petition by Alien Investor**

In FY 2020, USCIS received 4,400 petitions from immigrant investors and their families (spouses and unmarried children under 21), about the same number as FY 2019. In FY 2020, USCIS completed 3,400 Form I-526 petitions – almost 28% less than the number of FY 2019 completions.

Under the EB-5 Immigrant Investor Program, investors are eligible to apply for a Green Card if they (1) make the necessary investment in a commercial enterprise in the United States; and (2) plan to create or preserve 10 permanent full-time jobs for qualified U.S. workers. In FY 2020, a new DHS rule went into effect, which made changes to the EB-5 program including increasing the required minimum investment amounts to account for inflation, providing priority date retention to certain EB-5 investors, and reforming certain targeted employment area (TEA) designations.

## **Humanitarian Programs**

USCIS administers several humanitarian-based immigration programs, including those for refugees, asylees, victims of trafficking and crime, as well as those seeking Temporary Protected Status and parole for humanitarian and significant public benefit reasons. Limits exist on the number of refugees who may be admitted to the United States per year; the annual refugee ceiling is set by the president in consultation with Congress. As such, the number of interviews conducted annually by USCIS refugee officers fluctuates based on the annual ceiling.

There are two processes for applying for asylum in the United States. Affirmative asylum, administered by USCIS using [Form I-589](#), Application for Asylum and for Withholding of Removal, is generally for asylum seekers who are not in removal proceedings; defensive asylum is generally for individuals who are in removal proceedings and request asylum while in

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<sup>1</sup> See 8 CFR 214.2(h)(8)(iii).

immigration court through the Executive Office for Immigration Review (EOIR) at the Department of Justice.

In addition to adjudicating affirmative asylum applications, USCIS also conducts credible fear and reasonable fear screenings (Forms I-870 and I-899) and Migrant Protection Protocols (MPP) *non-refoulement* assessments.<sup>2</sup> who indicate an intention to apply for asylum, a fear of persecution or torture, or a fear of return to their home country are screened to determine whether there is a significant possibility that the individual could establish eligibility for asylum or withholding of removal or a significant possibility he or she is eligible for protection under the regulations implementing the Convention Against Torture. If this standard is met, individuals are referred to immigration court, at which point they may apply for asylum and withholding of removal. Reasonable fear screenings apply to individuals who are in administrative removal proceedings due to an aggravated felony conviction or who are subject to a reinstated order of removal and express a fear of return. Individuals who establish a reasonable possibility of persecution or torture upon return to their home country are referred to an immigration court where they may apply for withholding or deferral of removal.<sup>3</sup> In MPP, citizens and nationals of countries other than Mexico who arrive in the United States by land from Mexico may be returned to Mexico while their U.S. removal proceedings are pending. Individuals who are potentially subject to MPP or who are subject to MPP who express a fear of persecution or torture in Mexico are referred to USCIS for an MPP *non-refoulement* assessment interview. Individuals who establish that they are more likely than not to face persecution or torture in Mexico are not processed for or are removed from MPP.

## USCIS Received 92,800 Applications for Affirmative Asylum, the fewest in the Last Five Years

### Applications for Affirmative Asylum (I-589) Received and Completed FY 2016 - FY 2020



In FY 2020, USCIS received approximately 92,800 applications for asylum (Form I-589) and completed over 56,000 applications. The number of I-589 applications received is the lowest in the last five years (FY 2016 – FY 2020). The number of asylum applications completed in FY 2020 (56,000) is the lowest number in the last three years (FY 2018 – FY 2020).

The reduced number of affirmative asylum applications filed may be due in part to travel restrictions and the COVID-19 pandemic. Affirmative asylum completions were impacted in FY 2020 due to COVID-19 and social distancing guidelines. To protect USCIS employees and immigration

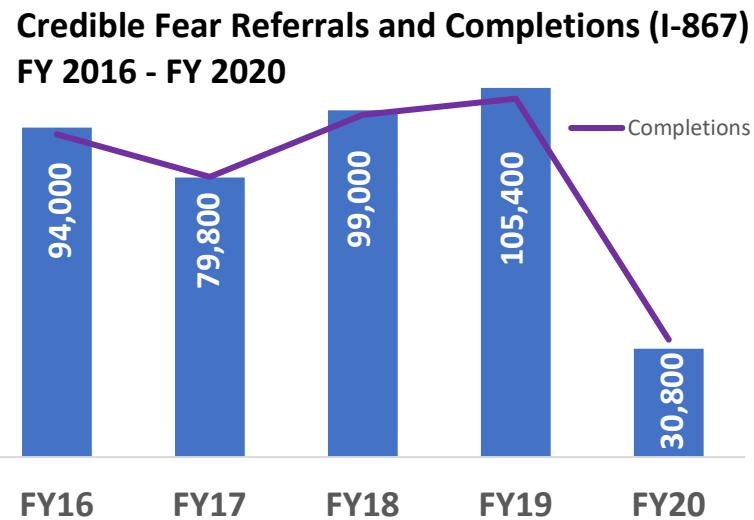
<sup>2</sup> In addition to these programs, USCIS also adjudicates suspension of deportation or cancellation of removal under the Nicaraguan Adjustment and Central American Relief Act (NACARA 203) and conducts threshold and fear assessments for individuals who appear to be amenable to a Safe Third Country or Asylum Cooperative Agreement. These caseloads are not addressed in this report.

<sup>3</sup> This description of the credible fear screening process generally applies to FY 2020.

benefit applicants, all of the USCIS field and asylum offices were closed to the public from March 18 through June 3, 2020. Asylum offices reopened to the public in phases starting June 4, 2020 during which time asylum offices instituted in-office video conferencing interviews to comply with health, safety and proper social distancing guidelines. Although USCIS completed fewer cases in FY 2020, USCIS completed thousands of video interviews and achieved its FY 2020 application for asylum and for withholding of removal (I-589) case completions goals.

## Credible Fear Referrals fell by 71% compared to Last Year

The number of credible fear referrals received by USCIS decreased dramatically in FY 2020 by 71% from FY 2019 levels from 105,400 to 30,800. Likewise, the number of screenings completed by USCIS officers also fell in FY 2020 from a high in FY 2019 of 102,300 to 33,600 in FY 2020. Similarly, the number of reasonable fear referrals received fell in FY 2020 to 8,700 (down from 11,100 in FY 2019); USCIS officers completed 7,500 reasonable fear cases, down from 11,800 in FY 2020. In addition, USCIS received more than 12,350 referrals for MPP *non-refoulement* assessments from the southwest border.<sup>4</sup> The reduced number of credible and reasonable fear referrals is due in large part to the travel and border restrictions put in place at the U.S. southern border during the COVID-19 pandemic.



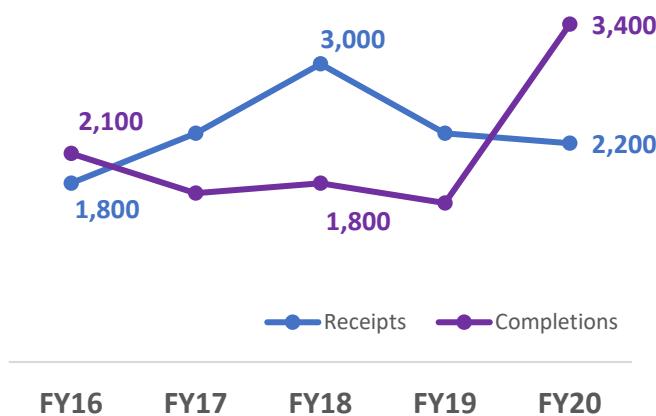
## USCIS Received 1,500 Requests for Humanitarian or Significant Public Benefit Parole, the fewest in the Last Five Years

Individuals who are outside of the United States may request parole into the United States based on urgent humanitarian or significant public benefit reasons by filing a [Form I-131, Application for Travel Document](#). Parole allows an individual, who may be inadmissible or otherwise ineligible for admission into the United States, to be paroled into the United States for a temporary period. Parole ends on the date the parole period expires or when the beneficiary departs the United States or acquires an immigration status, whichever occurs first.

<sup>4</sup> Public statistics regarding MPP *non-refoulement* assessments are available through Customs and Border Protection at <https://www.cbp.gov/newsroom/stats/migrant-protection-protocols-fy-2020>.

## USCIS more than Doubled the Number of Completed T Visa Applications in FY 2020

### Applications for T Nonimmigrant Status (I-914) Received and Completed, FY 2016 - FY 2020



T nonimmigrant status (commonly referred to as the T visa, [Form I-914](#), Application for T Nonimmigrant Status) provides a temporary immigration benefit to eligible trafficking victims for up to four years. A principal T visa applicant may apply for derivative T nonimmigrant status for qualifying family members. By statute, no more than 5,000 principal T visas may be granted in any fiscal year (derivative family members are not subject to the annual cap). The T visa cap has not been reached since the implementation of the T visa program.

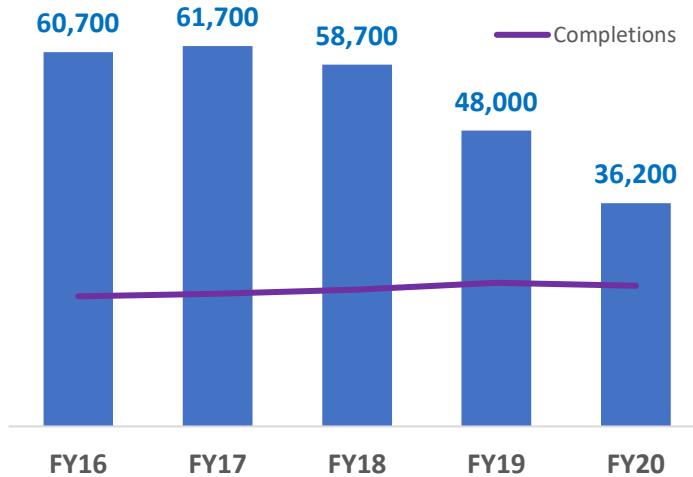
In FY 2020, USCIS received 2,200 T visa applications (this includes both principal applicants and family members), among the lowest number of applications in the last five years. However, USCIS completed the highest number of applications in FY 2020 (3,400) than in any of the past five years –

more than double FY 2019 completions of 1,600. This increase in completions is due to an increase in the number of staff processing T visa applications.

## In FY 2020, USCIS Received the fewest Number of U Visa Petitions of the Last Five Years

U nonimmigrant status ([Form I-918](#), Petition for U Nonimmigrant Status) provides a temporary immigration benefit to certain victims of qualifying crimes who assist law enforcement in the detection, investigation, or prosecution of those crimes. Derivative U nonimmigrant status is available to certain family members of principal U nonimmigrants. By statute, no more than 10,000 individuals may be provided principal U nonimmigrant status in any fiscal year (derivative family members are not subject to the annual cap).

### Petitions for U Nonimmigrant Status (I-918)



The number of U visa petitions submitted to USCIS has decreased over the last few years; in FY 2020, 36,200 petitions were received, the lowest in the last five years. The number of completions in FY 2020 was about the same as the previous four years (22,800).

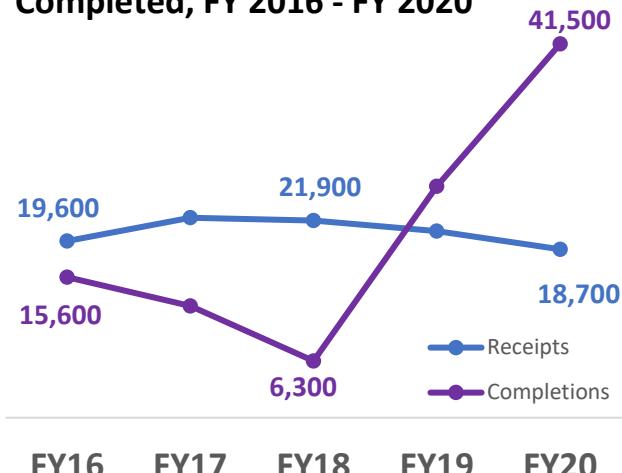
## **USCIS Completed 14,200 Temporary Protected Status (TPS) Applications in FY 2020**

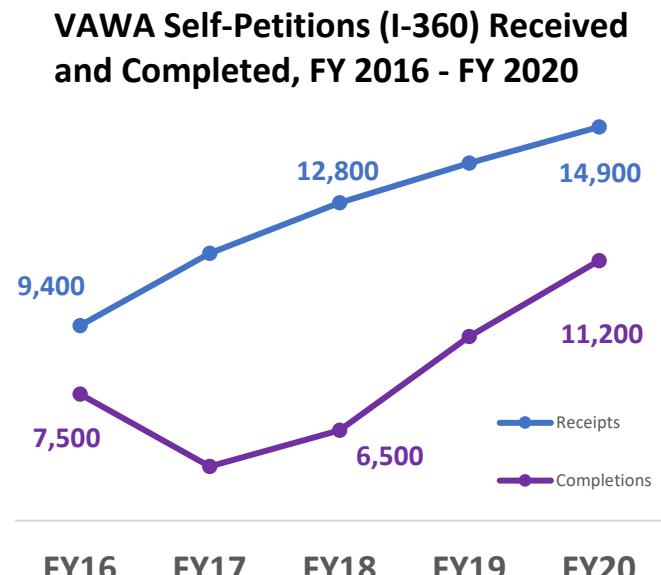
Temporary Protected Status (TPS) is another humanitarian program that offers a temporary status to nationals of certain countries. The Secretary of Homeland Security may designate a foreign country for TPS due to conditions in the country that temporarily prevent the country's nationals from returning safely, or in certain circumstances, where the country is unable to handle the return of its nationals adequately. The designation is only valid for a specific period of time and is either renewed or terminated by the Secretary. Those eligible for TPS file [Form I-821](#), Application for Temporary Protected Status; TPS beneficiaries must apply to renew their TPS status, while citizens of some countries designated in earlier years are not required by USCIS to submit a re-registration application according to the regular schedule. Because of the fluctuations in when TPS beneficiaries are eligible to reregister, the number of receipts and completions also fluctuates. In FY 2020, USCIS received 13,600 TPS applications and completed 14,200. By comparison, USCIS received 314,600 TPS applications in FY 2018 and completed 304,400; USCIS received 5,600 TPS applications and completed 37,100 in FY 2019.

## **USCIS Completed the Highest Number of Special Immigrant Juvenile (SIJ) and Violence Against Women Act (VAWA) Petitions in FY 2020 than any of the Previous Four Years**

Certain alien juveniles who have the protection of a juvenile court because of abuse, abandonment, or neglect by a parent, may be eligible for the Special Immigrant Juvenile (SIJ) classification ([Form I-360, Petition for Amerasian, Widow\(er\), or Special Immigrant](#)). Those approved for an SIJ benefit may later qualify for lawful permanent residence. Additionally, certain family members of an abusive U.S. citizen or lawful permanent resident may be eligible for the Violence Against Women Act (VAWA) classification ([Form I-360](#)). Those with an approved VAWA self-petition may be eligible to apply for lawful permanent residence.

**SIJ Petitions (I-360) Received and Completed, FY 2016 - FY 2020**



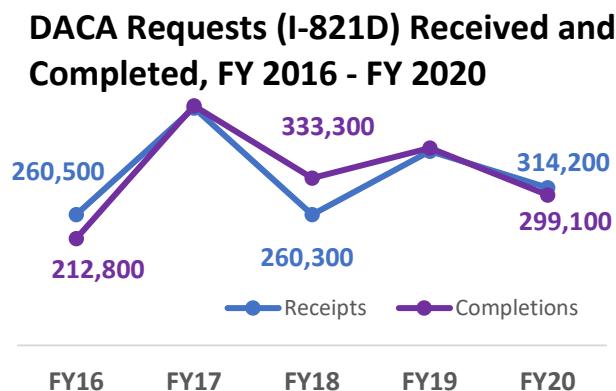


the T visa, the increase in the number of completed VAWA self-petitions in FY 2020 is due to an increase in staff dedicated to processing VAWA self-petitions.

## Other Services

USCIS provides services for nonimmigrants and other aliens living inside and outside of the United States. These services include the processing of requests for the Deferred Action for Childhood Arrivals (DACA) policy, extension of stay and change of status requests, the renewal or replacement of green cards for lawful permanent residents, and issuance of travel documents that permit aliens to enter and/or reenter the United States lawfully from abroad (known as parole).

### The Number of Deferred Action for Childhood Arrivals (DACA) Requests and Completions Decreased in FY 2020



The number of SIJ petitions USCIS received in FY 2020 (18,700) was about the same as the previous four years. The number of VAWA self-petitions has steadily increased over the last five years; USCIS received 13,900 in FY 2019 compared to 14,900 in FY 2020.

The number of completed petitions and self-petitions, however, increased in FY 2020 for both SIJ petitions and VAWA self-petitions. The number of SIJ completions in FY 2020 (41,500) was 61% more than those completed in FY 2019 (25,700) and the highest in the last five years. Similarly, the number of VAWA completions in FY 2020 (11,200) was the highest in the last five years. The increase in completions for SIJ petitions in FY 2020 is primarily due to the resolution of a class-action lawsuit. Like

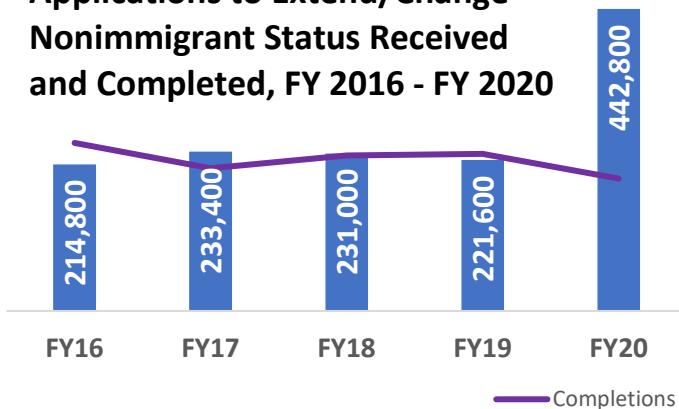
the T visa, the increase in the number of completed VAWA self-petitions in FY 2020 is due to an increase in staff dedicated to processing VAWA self-petitions.

Certain individuals may request deferred action under the Deferred Action for Childhood Arrivals (DACA) policy (Form [I-821D](#)). As required by court order, USCIS resumed accepting and processing initial DACA requests, as well as DACA renewal applications. In FY 2020, the number of requests received for DACA decreased to about 314,200 compared with 386,500 in FY 2019. The number of DACA requests USCIS completed also decreased from 393,200 in FY 2019 to 299,100 in FY 2020.

## Extension of Stay and Change of Status Applications Increased Dramatically in FY 2020

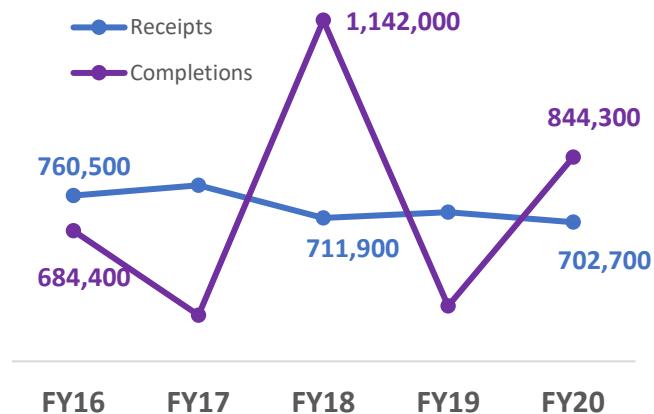
The number of extensions of stay/change of status applications ([I-539, Application to Extend/Change Nonimmigrant Status](#)) received by USCIS increased substantially during the start of the COVID-19 pandemic, rising to record monthly numbers March through June, before leveling off at the end of the fiscal year. By the end of FY 2020, receipts for extensions and change of status requests nearly doubled FY 2019 receipts – 221,600 in FY 2019 compared to 442,800 in FY 2020.

### Applications to Extend/Change Nonimmigrant Status Received and Completed, FY 2016 - FY 2020



## In FY 2020, Completions of Applications to Replace Permanent Resident Card Increased 62% from Last Year

### Applications to Replace a Permanent Resident Card Received and Completed, FY 2016 - FY 2020



Applications for a Permanent Resident Card replacement ([Form I-90, Application to Replace Permanent Resident Card](#)) dipped slightly during the start of the COVID-19 pandemic, but ended with a total of 702,700 applications in FY 2020, only slightly less than most recent years. Comparatively, completions of Form I-90 applications increased through the middle of FY 2020 and were 62% higher than FY 2019 completions. USCIS completed a total of 844,300 Form I-90 applications in FY 2020.

The changes in the number of completions over the years is the result of operational changes including adoption of streamlined

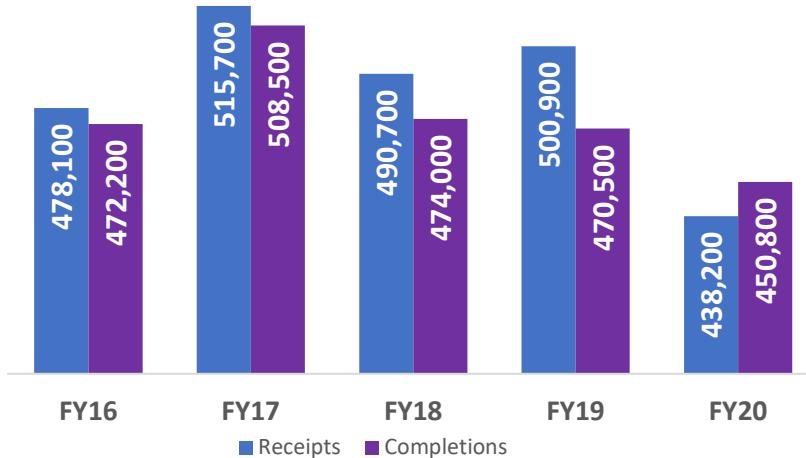
processing as well as the increase and decrease of staff dedicated to processing Form I-90 applications.

## USCIS Received Fewer Applications for Travel Document and Parole in FY 2020 compared to FY 2019

The number of travel document ([Form I-131](#), Application for Travel Document) applications, including those for advance parole, decreased throughout much of fiscal 2020, ending the year with 438,200 applications – a decrease of about 60,000 applications compared to FY 2019. The

lower number of applications is likely due to the border and travel restrictions put in place in response to the COVID-19 pandemic. USCIS completed slightly fewer travel document applications in FY 2020 (450,800) than FY 2019 (470,500). Form I-131 travel document applications include those requested by refugees, requests for advance parole including DACA recipients, and those who received parole in place.

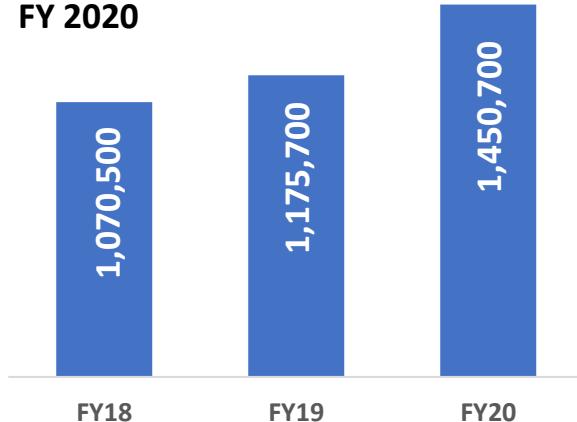
### Applications for Travel Document and Parole Received and Completed, FY 2016 - FY 2020



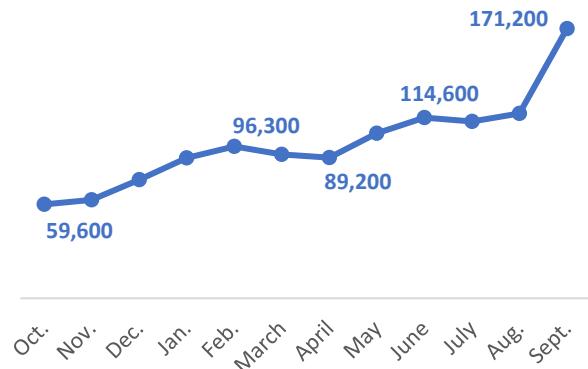
## Online Filing Increased by More Than 20% in FY 2020

In FY 2020, 1,450,700 applications and petitions were filed online, a more than 20% increase compared to FY 2019. While the number of applications and petitions filed online have steadily increased over the last several years, online filings peaked during the COVID-19 pandemic despite a decrease in the number of immigrant visa filings over this period.

### USCIS Online Filings, FY 2018 - FY 2020



### USCIS Online Monthly Filing, FY 2020 (excludes immigrant fees filed online)



In addition to online filing of petitions, applications and requests, USCIS collects some immigrant filing fees online.<sup>5</sup> Over the years, USCIS has made other applications and requests available for [online filing](#).

In the last two years the Form I-539, Application to Extend/Change Nonimmigrant status, Form I-130, Petition for A lien Relative, Form N-600, Application for Certificate of Citizenship, and Form N-600K, Application for Citizenship and Issuance of Certificate became available for online filing.

## USCIS Programs and Initiatives

### Citizenship and Applicant Information Services

The Office of Citizenship and Applicant Information Services helps the public learn about U.S. citizenship and assists applicants with a variety of resources and tools, including the USCIS Contact Center, and the Citizenship and Assimilation Grant Program.

#### [USCIS Contact Center and Digital Services](#)

The USCIS Contact Center responds to questions by phone, email, live chat, and written correspondence. Individuals can receive assistance in locating information on the USCIS website, in both English and Spanish, using the virtual assistant, Emma. Additionally, in FY 2020, the number of myUSCIS sessions reached almost 41 million compared with 35 million in FY 2019. This is a 17% increase since FY 2019 and a 37% increase since FY 2018. In FY 2020, there were 119 million sessions for Case Status Online which helps users understand the status of their request, application or petition and 178 million sessions for USCIS.gov.

#### [Citizenship and Assimilation Grant Program](#)

USCIS provides instruction and training on citizenship rights and responsibilities and administers the Citizenship and Assimilation Grant program. In September 2020, USCIS awarded \$10 million in grants to 39 organizations to help prepare lawful permanent residents for naturalization. These grants consisted of two separate funding opportunities – a grant for citizenship instruction and naturalization application assistance, and another grant for assimilation services to assist refugees and asylees launched in July 2018.

#### [Freedom of Information Act](#)

The USCIS centralized Freedom of Information Act (FOIA) office receives, tracks, and processes all USCIS FOIA requests to ensure transparency within the agency. Requests can include decision papers, memoranda, databases, audio and video recordings, publications, webpages, telephone logs and email messages. In FY 2019 USCIS stood up [FIRST](#), the federal government's first fully electronic FOIA/Privacy Act request and delivery system that allows users to submit and track FOIA requests and receive documents digitally. In FY 2020, more than 74,560

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<sup>5</sup> Those immigrating to the United States as a lawful permanent resident must pay the USCIS Immigrant Fee online, with some [exemptions](#). This fee is used to process the immigrant visa packet processing and green card production.

electronic responses were delivered to individuals with online accounts, a 187 percent increase over the more than 26,000 electronic responses delivered in FY 2019.

### **Employment Verification**

E-Verify is a web-based system that allows enrolled employers to confirm the eligibility of their employees to work in the United States. E-Verify employers confirm the identity and employment eligibility of newly hired employees by electronically matching information provided by employees on the Form I-9, Employment Eligibility Verification, against records available to the Social Security Administration and the Department of Homeland Security. In FY 2020, more than 966,000 employers were enrolled in the program, representing more than 3 million hiring sites creating almost 37 million E-Verify cases.

### **SAVE**

The Systematic Alien Verification for Entitlements (SAVE) program assists federal, state, local, and tribal benefit and licensing-administering agencies to confirm the citizenship and immigration status of benefit applicants so only those entitled to benefits receive them. As of September 30, 2020, SAVE had 1,194 agencies enrolled and processed over 19.1 million cases.

### **Fraud Detection and National Security**

The Fraud Detection and National Security (FDNS) Directorate's primary mission is to determine whether individuals or organizations filing for immigration benefits pose a threat to national security, public safety, or the integrity of the nation's legal immigration system. FDNS officers investigate and document national security or fraud concerns identified during the processing of immigration benefit applications and petitions. They also perform checks of USCIS databases and public information, as well as other administrative inquiries, to verify information provided on, and in support of, applications and petitions. In FY 2020, USCIS personnel completed more than 4,300 site visits as part of the Targeted Site Visit and Verification Program. The primary background screening system for USCIS (known as ATLAS) processed more than 58 million screenings, through law enforcement and other federal databases, generating more than 15,500 automated potential fraud, public safety and national security cases requiring further investigation by USCIS officers. FDNS continued leveraging open source and publicly available social media information to investigate potential fraud, national security and public safety concerns with more than 9,700 checks completed in FY 2020.

## **About USCIS Data**

The data in this report covers fiscal years 2016 through 2020; note the federal fiscal year is October 1<sup>st</sup> through September 30<sup>th</sup>. All data are rounded to the nearest hundred. Some figures in this report may differ from previously published numbers as some previous reports relied on other data sources, were compiled at different times, or use different definitions for completions. For this report, completions include all outcomes such as approvals, denials, and revocations, among others. Applications, petitions, or requests completed during the year may have been received in a previous fiscal year. Receipts are based on the date received in a USCIS lockbox or mailroom. Processing times vary across forms.

USCIS data have some inherent limitations. Data inaccuracies may result for various reasons such as during the data entry process, either by USCIS staff when entering data or by applicants themselves when filling out forms. Information is limited to data provided on immigration forms, with only certain information entered into our databases. Given the transactional nature of USCIS work, the status of some applications can change leading to changes in the underlying statistics. Statistics can also vary depending on the time period used for calculations. Generally, an adjudication of an application or petition may happen weeks or months after it was initially received. This means that statistics of completed cases, such as approvals and denials, may be for petitions or applications submitted months (or sometimes years) earlier. For additional information on USCIS data and data limitations, please see the "[Understanding Our Data](#)" section of the USCIS website.

This report's analysis was performed by the Performance Analysis and External Reporting (PAER) Division of the Office of Performance and Quality at USCIS. More reports and data can be found on our [reports and studies](#) webpage.

# Appendix A

**Data Table 1: Receipts and Completions by Form, FY 2016 – FY 2020**

	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
<b>Total Receipts and Completions</b>					
Receipts	8,745,000	9,154,000	8,468,000	8,145,000	7,725,000
Completions	7,978,000	8,150,000	8,691,000	8,212,000	7,585,000
<b>Form N-400, Application for Naturalization</b>					
Receipts	972,200	986,500	837,400	831,000	967,900
Completions	838,800	798,200	849,300	931,800	706,000
<b>Form I-485, Application to Register Permanent Residence or Adjust Status</b>					
Receipts - Total	663,200	732,600	655,400	548,900	519,700
Family	338,000	365,700	334,200	333,700	300,200
Employment	128,900	139,600	132,700	102,000	99,100
Refugee & Asylee	102,100	110,700	109,700	68,100	69,000
All other	94,300	116,700	78,800	45,100	51,400
Completions - Total	617,600	615,500	638,000	652,900	504,200
Family	310,300	313,000	301,700	395,000	281,400
Employment	117,300	121,800	120,100	113,700	128,200
Refugee & Asylee	88,100	88,300	101,600	69,800	42,400
All other	101,900	92,400	114,600	74,300	52,200
<b>Form I-130, Petition for Alien Relative</b>					
Receipts	869,300	914,500	836,000	748,700	712,000
Completions	751,700	598,400	633,200	759,000	840,800
<b>Form I-129, Petition for a Nonimmigrant Worker <sup>1</sup></b>					
Receipts - Total	509,600	526,400	551,000	551,200	551,900
H-1B	398,800	403,100	418,600	420,500	427,200
H-2A	10,200	11,600	13,400	15,500	17,000
H-2B	6,500	6,100	6,100	7,500	5,400
L-1	41,800	42,800	41,300	41,200	40,000
O	23,900	24,300	25,200	26,500	22,300
P	12,200	11,700	12,300	13,100	8,500
R	8,200	8,400	8,500	8,900	7,300
TN	6,900	7,500	8,200	7,100	13,100
All Other	1,100	10,900	17,400	10,900	11,100
Completions - Total	574,800	596,600	573,500	644,100	665,900
H-1B	443,700	460,100	444,600	510,400	547,800
H-2A	10,300	11,600	13,400	15,600	15,900
H-2B	6,600	6,300	6,100	7,500	5,300
L-1	41,500	45,700	39,600	42,400	35,900
O	24,300	26,400	25,400	26,200	23,000
P	12,500	12,600	12,400	12,900	9,000
R	8,700	10,700	9,100	8,400	7,200

	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
TN	7,600	7,700	8,400	7,400	9,600
All Other	19,600	15,500	14,500	13,300	12,300
<b>Form I-526, Immigrant Petition by Alien Investor</b>					
Receipts	14,100	12,200	6,400	4,200	4,400
Completions	9,400	12,200	15,500	4,700	3,400
<b>Form I-924, Application for Regional Center Designation Under the Immigrant Investor Program</b>					
Receipts	440	280	120	80	30
Completions	340	490	720	200	320
<b>Form I-589, Application for Asylum and for Withholding of Removal <sup>2</sup></b>					
Receipts	115,000	141,700	106,100	96,000	92,800
Completions	31,400	51,000	82,000	78,600	56,000
<b>Form I-870, Record of Determination/Credible Fear Worksheet</b>					
Referrals	94,000	79,800	99,000	105,400	30,800
Completions	92,100	80,000	97,700	102,300	33,600
<b>Form I-899, Record of Determination/Reasonable Fear Worksheet</b>					
Referrals	9,600	10,300	11,100	11,100	8,700
Completions	9,500	10,000	11,000	11,800	7,500
<b>Form I-914, Application for T Nonimmigrant Status and Supplement A, Application for Family Member of T-1 Recipient</b>					
Receipts	1,800	2,300	3,000	2,300	2,200
Completions	2,100	1,700	1,800	1,600	3,400
<b>Form I-918, Petition for U Nonimmigrant Status and Supplement A, Petition for Qualifying Family Member of U-1 Recipient</b>					
Receipts	60,700	61,700	58,700	48,000	36,200
Completions	21,100	21,500	22,200	23,300	22,800
<b>Form I-821, Application for Temporary Protected Status</b>					
Receipts	304,300	61,600	314,600	5,600	13,600
Completions	195,300	171,800	304,400	37,100	14,200
<b>Form I-360, Petition for Amerasian, Widow(er), or Special Immigrant <sup>3</sup></b>					
Receipts (SIJ)	19,600	22,200	21,900	20,700	18,700
Completions (SIJ)	15,600	12,400	6,300	25,700	41,500
Receipts (VAWA)	9,400	11,400	12,800	13,900	14,900
Completions (VAWA)	7,500	5,500	6,500	9,100	11,200
<b>Form I-821D, Consideration for Deferred Action for Childhood Arrivals (DACA)</b>					
Receipts	260,500	472,800	260,300	386,500	314,200
Completions	212,800	476,900	333,300	393,200	299,100
<b>Form I-539, Application to Extend/Change Nonimmigrant Status</b>					
Receipts	214,800	233,400	231,000	221,600	442,800
Completions	246,400	209,300	228,200	230,300	194,100
<b>Form I-90, Application to Replace Permanent Resident Card</b>					
Receipts	760,500	783,000	711,900	724,600	702,700

	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020
Completions	684,400	500,500	1,142,000	520,600	844,300
<b>Form I-131, Application for Travel Document</b>					
Receipts - Total	478,100	515,700	490,700	500,900	438,200
Refugee Travel Document	88,200	82,700	84,300	90,400	64,600
Advance Parole Document	358,000	412,300	404,500	403,100	364,200
Parole in Place Document	10,900	6,400	1,900	7,400	9,200
DACA Travel Document	21,000	14,300	0	0	200
Completions – Total	472,200	508,500	474,000	470,500	450,800
Refugee Travel Document	79,600	102,100	81,000	88,800	64,700
Advance Parole Document	365,200	375,500	387,000	375,000	379,800
Parole in Place Document	9,600	14,800	6,000	6,700	6,300
DACA Travel Document	17,800	16,100	0	0	0

**Reference(s):**

<sup>1</sup> Data represent the number of petitions only; some petitions, such as H-2 and H-2B petitions, may include multiple beneficiaries. The I-129 petition types shown will not sum to the total due to rounding. These data may differ from other published reports due to different definitions of completions; in this report we include revocations in the completion category.

<sup>2</sup> Data are for affirmatively filed I-589 asylum applications and do not include defensive asylum claims before a DOJ EOIR immigration court.

<sup>3</sup>The Form I-360 may be submitted for different classifications. Special Immigrant Juveniles (SIJ) refers to foreign children in the United States who have been abused, abandoned, or neglected. VAWA refers to those who self-petition as a spouse of an abusive U.S. citizen or lawful permanent resident, self-petition as a child of an abusive U.S. citizen or lawful permanent resident, and those who self-petition as a parent of an abusive U.S. citizen son or daughter.

**Note(s):**

- 1) Some applications, petitions, or requests completed may have been received in prior year(s).
- 2) Counts may not sum to totals due to rounding.
- 3) Counts may differ from those reported in other available reports due to system updates and post-adjudicative outcomes.

**Source(s):**

Department of Homeland Security, U.S. Citizenship and Immigration Services, Office of Performance and Quality

**Data Table 2: USCIS Online Filings, FY 2018 – FY 2020 and by Month for FY 2020**

	<b>Forms Filed Online</b>	<b>Immigrant Fees Filed Online</b>	<b>Total Online Filings</b>
FY 2018	553,700	516,700	1,070,500
FY 2019	701,100	474,500	1,175,700
<b>FY 2020</b>	<b>1,183,500</b>	<b>267,200</b>	<b>1,450,700</b>
October 2019	59,600	38,300	97,900
November 2019	62,500	38,600	101,100
December 2019	75,300	40,700	116,000
January 2020	89,000	40,600	129,600
February 2020	96,300	37,600	133,900
March 2020	91,400	23,800	115,200
April 2020	89,200	1,400	90,600
May 2020	104,800	7,400	112,200
June 2020	114,600	5,900	120,500
July 2020	112,300	12,200	124,500
August 2020	117,400	7,900	125,300
September 2020	171,200	5,800	177,000

**Note(s):**

- 1) The federal fiscal year is from October 1<sup>st</sup> through September 30<sup>th</sup>.
- 2) Counts may not sum to the total due to rounding.
- 3) Forms included in the “forms filed online” column include: Form I-90, Form N-400, Form N-336, Form N-565, Form I-539, Form I-130, Form N-600, Form N-600K and Immigrant Fees. Those immigrating to the United States as a lawful permanent resident must pay the USCIS Immigrant Fee online, with some exemptions. This fee is used to process the immigrant visa packet processing and green card production.

**Source(s):**

Department of Homeland Security, U.S. Citizenship and Immigration Services, Office of Performance and Quality