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Whom Do US Consular Officers Perceive As “Immigrants”? How Cultural Habitus Stratifies Legal Mobility From Mainland China to the United States

Abstract: US immigration law requires consular officers in 157 countries to deny non-immigrant visas (NIVs) to foreigners if they lack strong socio-economic and social ties in their country of residence because of concerns such individuals will overstay their visas and immigrate. Based on an analysis of survey data I collected from 2,395 visa applicants exiting US consular bureaus in Beijing and Chengdu, I find that officers are as likely to grant visas to applicants who lack many indicators of socioeconomic status and strong social ties to their country of residence as those that possess those indicators, contrary to what US immigration law mandates them to do and previous literature suggests. Officers are consistently more likely to grant visas to those who tell surveyors they would immigrate if they had an opportunity and who possess cultural capital indicators of Western habitus, like education, travel experience, attending a foreign/selective school, and years working at their current job. Since officers possess these traits too, I argue officers find applicants with such habitus more relatable and will more likely grant them visas. This study contributes to knowledge about migrant/travel selectivity, government’s capacity to control migration, and inequality both between and within migrant-sending and migrant-receiving societies.

Introduction

Like most developed countries, the United States wants to welcome as many non-threatening foreign short-term visitors as it can, which it admits as “nonimmigrants”¹ but simultaneously also wants

¹ These “nonimmigrants” are various types of foreign visitors—students, tourists, businesspeople, cultural exchange visitors, and skilled workers—whom the government assumes will stay only for a limited amount of time.

to restrict permanent immigrants to a much smaller number. Consular officers implement this objective by deciding which applicants *truly* intend to return to their countries of origin before their visas expire. While US consulates may deny many applicants that plan to immigrate with a nonimmigrant visa (Visas and here after “visas”), they also have made many mistakes: nearly half of the approximately 10 million undocumented immigrants in the US entered legally on visas but did not return to their countries after their visas expired (Fazel-Zarandi, Feinstein, and Kaplan 2018). Conversely, due to the way officers must presume that everyone is an immigrant until they can prove otherwise, many officers may have an even greater tendency to deny visas to just as many or even more individuals who genuinely wish to make a short trip to the US but fail to convince the officer of this. This may greatly limit beneficial cultural, economic and political exchange between US residents and foreign nationals. Based on data about authorized and unauthorized entries from the Department of State (2019) and the Department of Homeland Security (2019), Figure 1 below illustrates how non-immigrant visas are highly consequential for human mobility, migrant-sending and migrant-receiving economies and national security. Between 2015 and 2018 the US government issued 17 times more non-immigrant visas (often valid for 10 years) than immigrant visas and 21 times more foreign nationals entered with non-immigrant visas than without inspection.

[Insert Figure 1 here]

The most common reason officers give for denying visas derives legally from section 214(b) of the Immigration and Nationality Act of 1952. This states that an officer cannot grant a visa to any applicant that the officer believes lacks sufficient “ties” to their country of residence. The standard visa denial slip officers issue only provides as examples of such “ties” a vague list of indicators of socio-economic status (SES hereafter) and social ties (ST hereafter) within the applicant’s country of residence.

2 Officers in interviews will sometimes say they are prohibited by law from providing more detailed

² Specifically, the denial slip states that “While nonimmigrant visa classifications each have their own unique requirements, one requirement shared by many of the nonimmigrant visa categories for the applicant to demonstrate that he/she *has a residence in a foreign country which he/she has no intention of abandoning*. Applicants usually meet this requirement *by demonstrating that they have strong ties overseas* that indicate that they will return to a

reasons for denying a specific applicant. As posited by the architects of the Immigration and Nationality Act of 1952, such “ties” to one’s country of origin are the most important factor associated with the likelihood that a foreign visitor will return to their country and not immigrate.

But what exactly do such “ties” consist of? As consular officers often insist in interviews, there are no “magic numbers”, “minimum thresholds,” or any single factor that determines eligibility for a visa, and they are often reluctant to get into specifics.³ Though many applicants will often ask officers on US Embassy’s public relation videos like “The Visa Hour” if there is some minimum amount of savings or a social tie that will alone suffice, officers repeatedly emphasize that they evaluate applicants holistically. Temporary visa officers of other governments will sometimes invoke negative concepts like “migratory risks” that are not defined in legal texts and that rely on pragmatic judgments (Alpes and Spire 2013). Others have suggested that bureaucrats simply use the law to present their prejudices and social judgments as legal criteria (Lovell 2006). However, if officers are faithfully issuing visas according to the law, one might hypothesize that an officer would judge that an individual that has relatively high/low SES and strong/weak ST in their country of residence is more likely to return to that country and therefore grant/deny a visa. This study examines how strongly various measurable indicators of such latent factors are associated with the likelihood with which applicants obtain visas. Since the US government says it cannot provide such administrative data, I systematically collected my own survey data to compare the traits of those that obtain visas to those that do not. I find that visa acquisition is not significantly associated with many indicators of SES (e.g. salary, wealth, occupational prestige) and ST (e.g. number of siblings, having a retired parent) but only with specific control variables and SES and ST indicators that all seem to also be indicators of cultural capital and which reflect a Western embodied cultural habitus (CH hereafter). Such indicators include having acquired visas for travel outside of Asia, years of

foreign country after a temporary visit to the United States. Such ties include *professional, work, school, family or social links to a foreign country*. You have not demonstrated that you have the ties that will compel you to return to your home country after your travel to the United States.” (Italics added)

³ As one visa officer suggested to me when I asked about why officers did not provide specific advice, the ability to be somewhat arbitrary and vague is itself a form of power.

formal education, attendance at a selective or foreign school, the number of years employed at one's current job, and having family members in the US—all traits frequently shared by officers. Therefore, I suggest that consular bureaus as institutions of remote international migration control (Zolberg 1999) stratify individuals' travel opportunities not according to factors that immigration law deems important, but instead according to how well an applicant can relate to the officer and establish rapport in a way that an officer finds familiar and relatable based on cultural homophily (McPherson, Smith-Lovin, and Cook 2001).

Past Research and the Study's Contributions To Existing Research Programs

Due to a lack of detailed data about non-migrants, social scientists have been limited in their ability to address three gaps in the literature. The first concerns how those legally entitled to transverse borders are different than those that do not—the selectivity question. Ethnographers, legal scholars and practicing lawyers have concluded from analyzing small samples of applicants that individual visa applicants who lack various conventional indicators of “ties” to their country of residence tend to be denied visas (Alpes and Spire 2014; Infantino 2017; Nafziger 1991; Satzewich 2015). These studies tend to conclude that officers end up being cogs in the wheel and are constrained by the bureaucratic or organizational habitus and norms of the consular institutions. However, these studies all emerge from first-hand observation of and interviews with a limited sample of visa officers and often reflect the views of government officials.

Demographers that have addressed the selectivity question often compare immigrants to entire populations of non-migrants in the country of migrant origin (Borjas 1989; Feliciano 2005, 2008; Hatton and Williamson 2005; Kapur 2010; Lustick 2011), rather than the typically small sub-population of the non-migrant population that aspires to travel abroad or takes steps to go there. Therefore, none precisely contrast those that succeed and those that fail in obtaining visas within the sub-population of those that wish to go abroad. This above selectivity research suggests that migrants— compared to non-migrants— are more likely to have formal education, a specific religious faith, parents with prestigious occupations, members of immediate family or friends overseas, a high-class rank, stable employment, a political perspective different from their government, and no children. Others suggest migrants tend to come from

particular regions known for undocumented out-migration (Chu 2010), be older (Carling 2004) or belong to an occupation that is undergoing some type of crisis and/or a lack of technology or infrastructure, which inhibits them from using their skills (Portes 1976). However, poverty, immigration restrictions, a lack of contact with migrant communities (Hatton and Williamson 2005), and the migration infrastructure (Xiang and Lindquist 2014) are all additional structural factors that constrain or facilitate travel opportunities. Notably, much selectivity literature focuses on actual immigrants rather than travelers, or how the government perceives self-selected travelers or those that claim not to be immigrants.

Cultural sociologists in contrast might suggest that the set of cultural dispositions (Lamont and Lareau 1988) may enable applicants to effectively relate to and persuade the immigration officer with words and body language that the applicant is not a potential permanent immigrant. Anthropologist Julie Chu (2010) for example finds that many Chinese applicants rehearse or simulate the interview with visa agents or American friends to ensure their speech, accent and body movements are sufficiently “American,” or even memorize and practice with scripted materials given to them by agents. Similarly, McKinnon (2009) notes how asylum applicants in US immigration courts must display conventions of good speech, narrative rationality and American embodied affect so the judge perceives them as rational, articulate and credible. Senior US diplomats note how consular officers can make “good” decisions about 90% of the time “as the applicant walks up to the window” (Kopp 2011). Race and ethnicity scholars have emphasized how “stereotype promise” (Lee and Zhou 2015) and “stereotype threat” (Steele and Aronson 1995) might privilege and disadvantage distinct groups of applicants depending on how hyper-selective or hypo-selective (Lee and Zhou 2015) decision-makers perceive them to be. Here I address whom officers perceive as a potential immigrant and who they do not, following recent research that tests what social traits are conjointly associated with individuals perceiving others to be worthy of a specific label (Flores and Schachter 2018).

Another gap in the literature concerns the state’s capacity to control migration in this area. As noted before, the government’s own data suggest that in general control is imperfect (Department of Homeland Security 2019). Past scholars have strived to better understand how and why state capacity to control

migration tend to focus mostly on those entering without inspection (Hollifield, Martin, and Orrenius 2014) rather than those that obey immigration law. Many scholars agree that immigration bureaucrats in imperfectly deciding who can enter often draw on mental heuristics, risk profiles, national stereotypes, and covert classificatory systems of perceived moral worth, national origins, and presumed social class (Alpes and Spire 2014; Gilboy 1991; Heyman 1995) to “typify” prospective migrants and travelers in terms of whether they are a likely national security threat, someone who is not very employable, may become dependent on government funds, and/or someone who is likely to overstay a temporary visa (Bouchard 2000; Infantino and Rea 2012; Satzewich 2015; Vega 2018). Some suggest this may lead officers to inaccurately process atypical cases and draw incorrect conclusions from erroneous assumptions, particularly when communicating across very different cultures or languages (Melloy 2006). Such standardized categories can “elicit routine responses,” a technique that increases if “work overload” causes an organization to employ—in the words of one former Immigration and Naturalization Service (INS) agent-ethnographer—“assembly line methods” (Weissinger 2017) to streamline and accelerate processing of applicants. Some ethnographers even argue that given the high number of applicants and huge time pressure, typifying applicants as a way to “fight against fraud” and “migratory risk” makes highly repetitive visa office work more efficient, less tedious and more emotionally bearable or even satisfying for officers, making officers feel more “professional” (Alpes and Spire 2014). When under intense pressure from supervisors, time constraints, and confronted with complicated cases, officers may lack time to reflect upon them thoughtfully, relying on an implicit (automatic), unconscious channel of thought, or what distinct dual processing models in social psychology have variably called the associative/impulsive/heuristic/central/intuitive process of thinking, which stands in contrast to a rule-based/reflective/analytic/peripheral/reasoning process. The latter requires more conscious effort, information and attention (Lizardo et al. 2016). Particularly when feeling burdened or overwhelmed, officers may fall back on the former and faster process based on gut-feelings, emotions and formed habits. They thereby may deny visas to many that would not overstay them (“false negatives”) and grant them to those that would (“false positives”).

Both in the US and Canada, studies suggest officers exercise more discretion when confronted with unfamiliar or atypical cases for which policy instructions are vague, ambiguous or inconsistent (Bouchard 2000). Those taking a more organizational perspective argue that consular officers are structurally constrained by competing organizational interests and a “bureaucratic habitus” that struggles to balance “migratory risks” from fraud and granting “derogations” to preserve the diplomatic and economic national interests of governments they represent (Alpes and Spire 2014; Satzewich 2015). Others suggest that bureaucrats’ decisions may differ based on their sex or race (Chávez 2016), and even their personal biography and career history (Ramji-Nogales, Schoenholtz, and Schrag 2007), with senior officers often following “the spirit of the law” and junior officers following “the letter of the law” (Carroll and Siegel 1998). Foreign service officers generally consider visa work to be among the least desirable of positions (Satzewich 2015). This may encourage officers to “take a too narrow or limited view of their functions and responsibilities” (Herz, 1983) and satisfice (Simon 1965) in terms of the quality of their service as much as they possibly can. All the above raises questions about how effectively consular officers implement immigration law the field of temporary visa issuance.

Finally, I address how visa acquisition relates to both mobility and inequality within and between migrant-sending and migrant-receiving societies. Recent research on the relationship between inequality and migration has mostly focused on how legal immigration status and unequal access to documents stratifies foreign non-citizens within migrant-receiving countries (Jasso 2011). Many scholars have already recognized that in the area of immigrant visas and residence permits (Jasso 2011; Rissing and Castilla 2014) citizenship (Hainmueller and Hiscox 2010), and labor certifications (Rissing and Castilla 2016), legal migratory opportunities are strongly associated to nationality, gender, and average income in countries of origin. However, opportunities for temporary mobility also in the long term provide individuals with opportunities for immigrating, altering the composition and stratification of both migrant-sending and migrant-receiving societies. With people increasingly living outside their country of birth, and international performances, educational programs, internships, and employment providing

many opportunities for upward socio-economic mobility, access to visas can also stratify life-chances within societies.

However, how much are these findings in the domestic context generalizable to the allocation of the only visas most foreigners can realistically acquire and need for legal entry? Scholars have found that at least for the countries in the top 50% of the global income per capita distribution, the lower the per capita income and the less political freedom in a given country, the fewer countries its nationals can visit without a visa (Czaika and De Haas 2013; Mau et al. 2015; Thomas 2019). But these studies focus on comparing visa requirements between nationalities and have not drilled down to the level of individuals within huge and heterogeneous migrant-origin societies. Furthermore, sociologists of education suggest that selectivity is often dynamic: as students receive greater opportunities, their aspirations for greater education, income and migratory opportunities rise (Feliciano and Lanuza 2016). The same may apply to aspiring migrants as well. Therefore, inequality may lead to cumulative advantage/disadvantage. In illustrating how those that migrate are different than those that wish to legally migrate but are denied the right to do so, this paper will also offer clues as to how future changes in the level of inequality within and between migrant-origin and migrant-destination societies may partly result from the greater mobility of some prospective non-immigrant travelers compared to others.

Research Question and Main Hypotheses

My original research question was what indicators of SES and ST are significantly associated with the chances of obtaining a visa, as mediated through additional control variables and interview-related variables. Yet the subset of SES and ST indicators that I found to be significantly associated with visa acquisition raised a puzzle of what they represent. Based on my knowledge of the literature on social stratification, international migration, and cultural sociology, I interpret all the significant factors to be indicators of cultural capital. These indicators become reflected in a third latent factor, a Westernized cultural habitus. Cultural habitus (hereafter CH), as formulated by Pierre Bourdieu (2013), is a system of dispositions. This includes durable and acquired schemes of perception, thought and action, and even future-oriented expectations and forms of communication and social interaction (Feliciano and Lanuza

2016). This is distinct from the classic sociological concept of socialization in that once an individual acquires a habitus, he/she “embodies” it and expends little conscious, intentional effort at expressing it even in spontaneous micro-interactions where one must improvise to respond to surprising questions or body language. Others perceive such dispositions authentically as part of who they are and what a person manifests in a pre-reflexive way, especially when facing challenging and stressful situations like a visa interview when one often falls back on symbolic interpretations and habitual responses to the behaviors of others. Such an embodied habitus sometimes emerges in part through conscious and disciplined self-cultivation, but more often it grows through cultural exposure, generally only changes over long periods of time, and is not so easily transferable. For example, a person in their presentation of self may authentically and credibly manifest CH accumulated from their formal education, attendance at an elite school, long-term employment at a stable job, and travel experience simply by their gestures and facial expressions. Under stressful situations and time pressure, visa applicants and officers may fall back on CH in respectively responding to and assessing what the other is thinking, in which case applicants may fail to display the CH expected of them by officers.

However, as readily apparent and intuitive as CH may be to an observer firsthand, with so many distinct measures of SES and ST, analytically distinguishing which are related to CH can be difficult. To clarify the relationship, Table 1 below distinguishes which of my control variables and indicators of SES and ST I hypothesize to be indicative of CH and which I do not. What distinguishes the variables [Insert Table 1]

that are CH-related from those that are not is that they are indicators of acquired and not easily transferable or fungible attributes of an individual. For example, being from a migrant-populated province like Fujian, having or coming from a family that has traveled throughout the world, and being self-confident are all habitual traits that one can only develop over time. But an applicant’s age, whether they used an agent, and how nervous one is at a given moment do not emerge out of CH. Similarly, SES-associated traits like years of formal education, having attended a selective school and knowledge of particular academic disciplines all indicate class-specific capital that may derive from pure economic

resources but take much time and conscious effort to acquire, and embody and express the self. In contrast, salary, wealth, having someone pay for your trip, and being an undocumented internal migrant in the context of China are much more fungible SES resources that one can easily transfer. Finally, social tie indicators like years at one's current job, number of family members and close kin in the US one cannot suddenly acquire without beginning to habitually change one's disposition and habits toward others. Other social tie indicators, like the number of siblings and having an aging parent or minor child is not going to necessarily lead one to a change in one's cultural disposition. Therefore, if CH matters, then some "ties" popularly thought to be associated with visa acquisition are likely to be more significant than others.

Such CH-related traits tend to be more noticeable in situations where differences in quality of some factor (e.g. education) are minimal (Lamont 2009), as is likely the case for a selective group that has enough economic resources to pay the visa fee and to travel to the US, but which may be unable to actually do so because they lack the cultural capital seen as deriving reliably from true economic resources. To ensure my interpretation of these variables as CH is not arbitrary, I run a Principle Component Analysis (PCA) of the 13 variables that I posit to be associated with CH. I find that all variables loaded positively onto the factor with the highest eigenvalue with uniqueness scores below 0.7, suggesting that this factor explains these variables well.

To put the importance of the variables that are related to CH and those that are not into starker relief, consider two applicants. Applicant A is a confident single male Tibetan sociology professor employed at a university in Mainland China during the past 10 years. He is applying for a visa to give a keynote conference speech at a university. He has traveled widely outside of Asia for conferences after completing his Ph. D at Peking University. He migrated to Beijing from Tibet. He has not been able to buy any house because like him his parents were professors who earned a modest salary and spent much of it traveling outside of Asia. He has two brothers in the US whom as US citizens have made him very acquainted with US culture. One of them is sponsoring him for an immigrant visa the US government should issue at the earliest 12 years from today. This figure is an applicant who may seem to have many

factors working against him such as a low salary, no assets, and having submitted an immigrant petition. But in fact, he has many traits that give him an enormous amount of the cultural capital and enable him to relate to the officer, like many years of education, a long-term career in academia, travel experience and a familiarity with American culture. The officer therefore grants him a visa. What the officer did not know is that he is keen on remaining in the US, even if he must overstay his visa, because his passport is almost expired and since the 2008 uprisings in Tibet the Chinese government has been issuing fewer passports to its ethnic minorities advocating for greater regional and religious autonomy.

Applicant B is a wealthy male Han Chinese manager of state-owned enterprise from Fujian with a junior high school education. His parents were also industrialists who recently passed away leaving him with five large properties. He has never traveled outside of China and has no interest in immigrating into the US as he knows no one there. Instead he has often dreamed of bringing his 5-year old daughter to Disneyland. He is one of a growing number of self-employed Chinese entrepreneurs who earn a high salary by manufacturing and exporting steel. He is astonished when the officer denies him.

These two examples illustrate how an applicant that is so rich in cultural capital indicators of CH may obtain a visa. Meanwhile, an applicant who is lacking a robust set of such indicators of CH will not obtain a visa. Due to the very selective way in which the Department of State has recruited its employees, a typical consular officer is a US citizen who is also college graduate, often from a US university with travel experience and a stable job—all traits with respect to which an officer may identify with an applicant who possesses a very Westernized CH.

Case Selection and Analytical Strategy

I focus on visa applicants at US Consular Bureaus in China for multiple reasons. First, though all developed countries have stringent requirements and criteria, most visa applicants and visa agents interviewed in the NS conclude that the US nonimmigrant visa is by far the most difficult nonimmigrant visa to obtain, and therefore represents an upper limit in terms of a formidable obstacle to international mobility. Second, everyone applying for a US visa (with few exceptions) must not only issue much personal information via an electronic application as an individual but also enter a US Consular Bureau

and be interviewed by a US visa officer, in contrast to most other migrant-receiving country governments (e.g. Canada) that now only interview those applicants whom they cannot decide easily whether or not to grant a visa. The interview offers a subtle, micro-interactional human component to the process of selection. Due to the exercise of discretion this may lead to some discrepancy into what Congress designed immigration law to accomplish and the results of consulates implementing it. As the former head of all US Consular Bureaus under Obama acknowledged to me, “we know the process is subjective.” Many legal scholars during the past 70 years have gone further in arguing that this judicially non-reviewable process is arbitrary (Rosenfeld 1955, Wildes 1989, Nafziger 1991), but I a priori hypothesized that the law for the most part fairly stratifies those denied and granted visas in terms of ST and SES, as both US immigration law and State Department representatives would suggest.

I chose to collect my own data from applicants in the People’s Republic of China (PRC) for multiple reasons. First, China represents about 20% of the world’s population and roughly 40% of the global population that must apply for a visa to lawfully enter US territory and so is consequential even if my findings are not fully generalizable to other contexts. Second, the Department of Homeland Security (2016) estimated that PRC citizens have the highest overstay rate after Canadians, Mexicans and Brazilians, and the highest overstay rate overall among F (degree-seeking student) and H1B (skilled-worker) visa holders. Most visa holders that overstay arrive on F visas, and in officers granted F visas to 15,107 Chinese citizens that by the end of 2017 overstayed. Most remain clandestine, with less than 1% of eligible undocumented Chinese citizens applying for forms of administrative relief like Deferred Action on Childhood Arrivals (DACA). Third, from 2006 until recently, both the share of all US visas granted to PRC citizens has surged, and the total number of visas granted to PRC citizens have more than doubled from 7% to 16% of the total. Fourth, China has historically been a major source of immigrants for the US and most developed countries, and an increasing number of Chinese citizens have developed strong familial and non-familial ties to US citizens during the past 30 years. Some suggest that the counterfactual possibility of even a minority of China’s approximately 1.3 billion citizens migrating to the US if the US did not require visas from them has over time muted critiques in US Congress of China’s

one-child policy as a human rights violation (Aleinikoff et al. 2016). Unsurprisingly, China also hosts many of the most productive US consulates in the world in terms of visa processing (US Department of State 2019). As the numbers of Chinese tourists, students, scholars, skilled professionals and businesspeople have an increasing amount of resources to go abroad and constitute an increasing percentage of those traveling and migrating that still require visas to do so, China is arguably one of the world's most consequential sites of visa processing.

Data and Methods:

A common approach that demographers take to studying populations is to rely on administrative data. However, data on visa applications is not accessible. It is classified as secret by the State Department and is protected by the Privacy Act. In any case, based on the information requested in the application form, it is more suited for administrative purposes and therefore does not contain much information about applicants of common interest to a social scientist. Another approach that most past scholars of visa processing have taken is to interview and observe how a small number of officers process cases (Infantino and Rea 2012; Satzewich 2015). As the ethnographic methodologists Jerolmack and Khan (2014) note however, all too often what people say is a poor predictor of what they actually do. This is particularly true for bureaucrats whose job it is to repeat official discourse that is easily accessible online. Although I interviewed officers ranging from the former head of the US consular bureau under Obama down to several interns, officers typically repeat the guidelines of the Foreign Service Manual. Like other immigration bureaucrats, officers are mostly focused on keeping up with processing an enormous amount of cases. Therefore, I decided instead to take a different approach from previous scholars of this field and assess through survey data collected directly from visa applicants what particular traits of applicants are most strongly associated with visa acquisition. I could then assess how much the “product” of officers’ decisions reflect or depart from the objective of US immigration law. Survey data about a much greater range of applicants’ traits that are not included in the visa application is potentially worthwhile, since a logistic regression of visa acquisition on only those traits the officer can observe

yields a pseudo-R square of only 22%.⁴ I theorize that the way the applicant presents the self and interacts with the officer reflect additional variables that I incorporate into my analysis and therefore can potentially explain more than what the officer can explicitly know about the applicant on paper.

To design my general survey questions, I built upon the previous literature by conducting feasibility studies in six different countries that have historically been major sources of immigrants in the US. Nationalities in most of these countries have historically had multi-year backlogs and wait times for immigrant visas that can run over ten years.⁵ As many such visa applicants have family in the US, many prospective immigrants might be tempted to acquire a visa and overstay it. Once I decided China was for practical reasons the most feasible site to collect data, during 2014 I conducted a preliminary three-month field survey of over 1,000 applicants between four consular bureaus in China.⁶ In the process of analyzing and coding this pilot data, I consulted with Chinese research assistants to rewrite questions to design a culturally and linguistically sensitive survey instrument that accurately measures diverse indicator of SES and ST and effectively solicits information like immigrant intent.

In this study, I only utilize data from the 2015-2017 wave of the Non-Migrant Survey (NS) I collected with this sharpened survey instrument. My primary data source was visa applicants exiting the US Consular Bureaus of Beijing (N=1537) and Chengdu (N=840) between June of 2015 and August of 2017. Since according to the Department of State with very few exceptions every US visa applicant must enter and exit the consulate to obtain an interview, I believe the non-response rate of the survey due to coverage frame error was extremely low for applicants at

⁴ A two-way analysis of variance and an accuracy score for a classifier run on my data split into training and testing sets yields similar results (results available upon request).

⁵ I conducted these Institutional Review Board-approved pilot studies over one year outside US consular bureaus in Dominican Republic, Haiti, India, Mexico, the Philippines and China. Due to suspicions and concerns from local police, security guards and consular security personnel that compelled me to sample further from the bureau's exit in most locations. Since this was not as much an issue in China, I decided that China was the most feasible location to efficiently carry out the survey, despite the relatively high cultural and language barrier which required me to take several years of classes in Chinese language and culture.

⁶ I excluded Guangzhou because this posts also processes immigrant visas and so sampling only VISA applicants presented more of a challenge for surveyors.

these two consulates and certainly lower than many household surveys. Each unit in the sample is an individual only included once in the survey, although those individuals may have applied one or more times before. I calculated that the overall average response rate was at about 71%, remarkably high. Consistent with prior survey methodology research (Tourangeau and Yan 2007), survey participants were less likely to answer certain questions—particularly those about age, income, and immigrant intent—than others. I might introduce bias if I simply deleted all those observations from my sample, since those that did not respond to my questions may be systematically different from those that do. To minimize this potential bias and to produce reliable estimates, I performed multiple imputation (MI) which statisticians suggest leads to lower bias than other forms of imputation (Little and Rubin 2019), particularly as in this case, I was using all many other related socio-economic and social tie variables in the MI equations that served as suitable auxiliary variables (e.g. occupational prestige, number of siblings) to impute the values.

A white American male surveyor did around 1600 interviews and both male and female Chinese surveyors did around 800 interviews. To ensure my results were not a significant artifact of positionality, I did sensitivity analyses of whether the responses to questions I hypothesized might change due to the race and sex of the surveyor. I found little statistically significant difference in responses (results available upon request).⁷ We did most interviews in Chinese, unless the applicant was a foreigner or insisted on practicing their English. When occasionally face-to-face interviews were not possible because the applicants were in a hurry, for example, to head home, I employed sequential mixed-mode approach of offering a minority of applicants the opportunity to answer my questions through web and telephone surveys and issued reminders

⁷ Regression analyses, Inter-Class Coefficients (ICC) and chi square tests yielded similar results (results available upon request).

about opportunities to do so (Dillman and Christian 2005; Hochstim 1967). Methodologists find this reduces non-response even if face-to-face mode yields the highest response rates of all and that mixed mode surveys produce comparably high quality data (Groves et al. 2011). Finally, an additional issue of my survey are item-level non-response error, which may potentially introduce bias if those not responding are different from those that are, making the sample less representative. However, survey methodologists (Grove 2006) find that across 30 studies the “response rate in itself only explains 11% of variation in different estimates of the nonresponse bias.” Groves et al. (2011) advise, “instead of focusing on the response rate solely, the researcher has to focus on whether response propensity and the survey variable are correlated” and “thinking causally about nonresponse mechanisms” or more specifically covariances between the response propensities of the subgroups and the survey variable. Therefore, to adjust for unit non-response, I re-weighted the sample with data from a probability sample of the two variables that I observed were most often highly correlated with non-response and that other survey methodologists commonly use to re-weight data (Groves et al. 2011): age and sex.

I then made my non-probability sample more representative I post-stratified my survey data with survey weights generated with joint-values of estimated age and sex data from a probability sample of each fifth applicant surveyors observed exiting the consulate. Such adjustments are the best possible remedy to the government’s refusal to provide the data and allow us to produce some estimates about this important process. Therefore, my findings—based upon a systematic analysis of a large sample adjusted to be representative of the population—methodologically complement the case-study based accounts by previous ethnographic studies, accounts of lawyers, and anecdotes of visa officers, applicants, and agents. ⁸

⁸ I use Stata 14 to apply my survey weights within the multiple imputation process because R’s packages for survey weighting and multiple imputation were not well integrated as in Stata and I wanted to address both of these issues.

Coding of Variables:

I choose to include variables based on both the literature about international migration, social stratification, bureaucratic behavior, American psychology, and Chinese culture and society. In my online appendix section A, I justify each variable I test below based on the literature.⁹ For my primary variable of interest, I code an applicant's expressed interest in immigrating according to their answer to the question, "If you had the opportunity to spend more than half of the rest of your life in the US, would you do so?"¹⁰ The term I use—"to move one's residence" (移居)—more accurately measures how Westerners think about immigration than the Chinese word "to immigrate" (移民), which strictly means to change one's nationality. I coded yes as 1, no as 0, and maybe as 0.5. I include a binary variable for whether the applicant has obtained a visa for travel outside of China but only within Asia, and another for whether the applicant has obtained a non-US visa for travel outside of Asia. As control variables, I include age as a continuous variable. I include binary variables for whether an applicant is male and whether they applied alone, had someone else pay for their trip, used a visa agent, or were pregnant, a foreigner, or registered to live in Fujian province—from which historically many undocumented migrants have come to the US. I also had a Chinese assistant code whether each interviewer's Mandarin is standard enough to be clearly understood and/or they speak English or not, but we found the standard-ness of Mandarin difficult to measure in a valid and reliable way, so I exclude it from the models.

As indicators of SES, I include continuous variables of 1) occupational prestige of current job¹¹, 2) monthly salary¹², 3) wealth¹³ and 4) years of education. Since a public policy professor in China and some research assistants suggested that SES is stratified by the employability of a person's discipline of study, I

⁹ This document is at <https://ucla.app.box.com/file/501267152718>. In a separate paper, I conducted a principal components analysis to see if I could possibly reduce the following variables into a single latent variable and build a structural equation model based on such latent variables and their indicators (results available upon request). However, the various indicators suggested most variables represent a distinct, weakly correlated, and complementary measures of SES and ST, so I include them all in my regressions.

¹⁰ This better reflects the definition of maintaining a green card, rather than naturalizing.

¹¹ I employ Treiman's Standard International Occupational Prestige (SIOP) score.

¹² I use salary because it is easier to measure than income which comes in many forms.

¹³ To measure wealth, I use a proxy measure of the real estate wealth of the applicant and his/her parents.

generated dummy variables for whether a university-educated applicant had studied a subject in the humanities, the social sciences, a professional discipline (e.g. medicine, law, journalism), a STEM field or business/economics. I found I could not measure other SES variables reliably.¹⁴ I include a dummy variable for whether the applicant ever attended one of the nine most selective higher education institutions in Mainland China or a foreign university,¹⁵ belonged to an ethnic group that has a lower income per capita than Han Chinese (Wu and Treiman 2004),¹⁶ was an undocumented internal migrant (registered by the government to live in a location different from than where they actually lived), and were satisfied with their salary. I logarithmically transform salary and wealth as these had a kurtosis above 10. When I ran a Principal Components Analysis (PCA) on the SES and ST variables the first factor has a much higher eigenvalue than the others (1.69 and 2.23 respectively), positive factor loadings on all variables, and uniqueness scores below 0.7, suggesting that the variables reflect their respective underlying hypothesized latent factors.

As indicators of social ties (ST), I have continuous indicator variables of an applicant's 1) number of years at their current job, 2) number of siblings, and 3) number of family members they have in the US, and binary variables for whether the applicant 1) is married, 2) has a child that is a minor, 3) has a parent that is retired, and 4) if any family member in the US can legally sponsor them for an family immigrant visa based on the current Visa Bulletin for immigrant visa eligibility.

Finally, although measuring micro-interactional aspects of the visa interview and traits of the visa officer based on reports by applicants is challenging, applicants themselves seemed to strongly think that

¹⁴ I designed a job-security and benefits variable based upon whether an applicant worked in different and increasingly secure economic sectors in China—self-employment, a private enterprise, a state-owned enterprise, a public service institution (e.g. hospital, university) or a government job— but this did not accurately measure the ordinal aspect of job security so I chose to exclude it. I also decided to exclude a measure for the quality of the local public services and amenities based on household registration (户口) because real estate agents and survey directors suggested it was not an accurate measure of household registration value.

¹⁵ I code this as 1 if the person attended a university outside the Mainland or a Mainland school included a league of select schools the PRC calls the “C9” or a foreign university.

¹⁶ I code this as 1 if the respondent belongs to the following disadvantaged ethnic groups shown by Wu and Treiman (2007) to be socio-economically disadvantaged: Uygher, Kazak, Hani, Yao, Dong, Li, Zhuang, Bouyei, Miao, Tibetan, Yi, Tujia, Dai, and Hui.

such aspects were important enough that I chose to include them. These include a measure of the applicant's self-confidence—based on their answer to the question “before you entered the consulate, with what probability did you think you would obtain the visa, 1 to 100%?”—and a self-reported measurement of their nervousness during the visa interview (0 to 10). I also include two binary variables for whether the officer was white and male.

[Table 2 here]

Results: Descriptive Statistics

Among all working adults in the NS that have applied for visas, 47% of the applicants obtained visas. Although 90% of applicants apply for B visas within the entire visa population, I purposely oversampled non-B visas to better understand differences between B visa applicants and non-B visa applicants. As a result, in my sample around 80% applied for B (tourist/business/visitor) visas, 11% for F (degree-seeking student) visas, 5% for J (exchange visitor) visas, and the remainder for rarer visas. Since as is common on surveys, a large percentage would not answer sensitive questions about age, wealth and salary, I list percentages for missing data of each variable. Additional descriptive statistics about the entire pool of applicants are in the Table 2 above, along with missing data statistics.

Results: Correlation Matrices

I have many variables in my model which may produce collinearity and cause regression coefficients to become unreliable. Therefore, I first inspect a complete correlation matrix. Whether I examine only cases with complete data, the multiply imputed data set, or pairwise correlations with Bonferroni adjustments, most variables are weakly correlated with each other at less than 0.3, relieving concerns about collinearity (full correlation matrix available upon request).¹⁷

Results: Multivariate Logistic Regression Coefficients

¹⁷ These include 1) age being correlated with being married, having a retired parent or minor child, occupational prestige, parent's age, the number of years at one's current job and these variables correlating with each other through age; 2) number of children and married, 3) parent's education and parent's occupational prestige, 4) public service institution and year of education.

[Table 3 here]

Full Sample of Visa Applicants Exiting Beijing and Chengdu Consular Bureaus

I first present the odds ratios (hereafter OR) results from logistically regressing visa acquisition on my hypothesized covariates for all cases in my multiply imputed, post-stratified, and reweighted data set. Regression results are in Table 4 and coefficient plots for unstandardized coefficients¹⁸ for each model are in Figures 1, 2, 3, and 4 (at the end of paper). In the plots the red dots represent unstandardized coefficients that are significant at the 95% confidence level, whereas the blue dots indicate non-significant coefficients. In Model 1, include only the control variables to gauge how strongly they are associated with the probability of obtaining a visa. I find that all of them are significantly associated with obtaining a visa except the applicant's age, whether they are a foreigner, pregnant, applying with others, or have obtained a visa for travel only somewhere within Asia. Unless otherwise noted, all significant findings are significant below a 0.05 p value. All else equal, an applicant using a visa agent, being a socially disadvantaged ethnic minority, or having a household registration in Fujian are respectively associated with significantly lower odds of obtaining a visa (respective ORs of 0.75, 0.59 and 0.21). These variables may potentially be associated with a lack of Western CH. Being male (rather than female) is associated with a lower odds of obtaining a visa (OR of 0.82), contrary to a popular folk hypothesis that it is harder for women to obtain a visa than men. All else equal, an applicant or his/her parent previously acquiring a non-US visa for travel outside Asia—a strong CH indicator—are respectively associated with a higher odds (respectively OR= 1.85 and OR=1.76) of obtaining a visa. Most surprising of all, all else equal, an applicant who says they will immigrate into the US if they had any chance is significantly associated with a much *higher odds* (OR=1.52) of them obtaining a visa than someone who has no interest in immigrating.

¹⁸ I do not use standardized coefficients in my plots (although they may be more comparable and recognizable as significant given the scale of my plots) because while you can standardize variables before or after Ordinary Least Squares regression, with logistic regression this will change what the coefficients mean nonlinearly because I am using a generalized linear model with the logged odds link.

[Insert Figures 1, 2, 3, 4 here]

In Model 2, I introduce my measures of socio-economic status (SES). Half of them are not statistically significant, including those that most applicants typically tend to believe are the most consequential but are not strongly related to CH, like an applicant's monthly salary and their overall wealth. Including SES-related variables causes using an agent to become insignificant. All else equal, each additional year of an applicant's formal education is significantly associated with a greater odds of obtaining a visa (OR=1.12). Having obtained a degree in a social science or a profession (relative to studying no discipline) is respectively associated with a higher odds of obtaining a visa (respective ORs of 3.97 and 1.72), whereas studying a subject in the humanities, a STEM subject, or business/economics does not significantly affect the chances of obtaining a visa. Attending one of China's most selective universities or a foreign university is associated a higher chance of obtaining a visa (OR=1.6). Being satisfied with one's salary is associated with significantly lower odds (OR=0.75) of obtaining a visa relative to someone who is unsatisfied, suggesting that the US government tends to admit visitors who are potentially more socio-economically motivated (if not necessarily willing) to immigrate, regardless of their salary. The greater the occupational prestige of an applicant parents, the higher chances the applicant has of obtaining a visa (OR=1.01). I find no evidence that the variables those officers, applicants and agents most frequently mention as determining whether one obtains a visa (e.g. occupational prestige, salary, wealth) matter at all, whereas those they rarely mention (e.g. former education and attending a selective school) do.

Model 3 adds social tie (ST) indicators. The coefficients for disadvantaged ethnicity, migrant status and male are no longer significant. The number of siblings in one's family and whether one has a retired and elderly parent to care for are not significantly associated with the odds that an applicant obtains a visa, but each additional year an applicant has worked at his current job (OR=1.03) raises their odds. Although officers often mention marriage as a tie, being married (rather than single) is insignificant. Also, contrary to what I hypothesized, each additional family member an applicant has in the US increases the chances of obtaining a visa (OR=1.44) perhaps because having close relations with people

in the US can cultivate CH. However, if the family member can sponsor the applicant for an immigrant visa, this significantly and substantively offsets this benefit ($OR=0.3$). Finally, having a child that less than 20 years old is associated with lower odds of obtaining a visa ($OR=0.68$), in part perhaps because many applicants have children studying in the US and officers might worry they may remain with their children.

In Model 4, I add visa interview-related variables. The only variable that is significantly associated with obtaining a visa is the applicant's level of confidence that they will obtain the visa before they entered ($OR=1.01$). Unless previously mentioned, all earlier variables mentioned as significant are still significant, including expressed interest in immigrating

In Model 5 (results available upon request), since about 31 participants in my sample were housewives I added the SES and ST variables for the years of education, salary, occupational prestige and years employed at current job of an applicant's spouse. However, none of these coefficients come up as significant.

In Model 6 (results available upon request), I added interaction terms to examine whether certain variables that many suspect to be moderating each other are in fact doing so. This includes two-way interactions between sex, age, being married, and being a parent of a minor. I also interact years of formal education and visa acquisition. However, the only interaction coefficient that is significant is that [Table 4 here]

between marriage and male ($OR=1.035$), indicating that being un-married mainly reduces the chances of male applicants, rather than female applicants. Together my results suggest variables that reflect cultural habitus is significantly associated with the odds of obtaining a visa.¹⁹

How Results Differ Between Those Applying For Low- and High-Conversion Visas

¹⁹ To further ensure that the variables are indicative of cultural habitus, I took the factor loadings for each variables from my prior PCA and substitute them with the variables they represent into my models and obtain similar results (results available upon request).

Of course, my findings above are based on all visa applicants in the NS. This includes many applicants of visas for study, exchange visits, and skilled work, who can both be a non-immigrant at the time of application even if it is likely they will in the future have an opportunity to immigrate and therefore may be granted a visa based on the “dual intent doctrine.” The dual intent doctrine allows applicants of most non-B visas the intention to immigrate at some time in the future while properly maintaining a nonimmigrant status in the present.

As such non-B visa applicants are different from most foreigners the embassy serves and who come to the US daily: the tourists, businesspeople and family visitors that apply for B visas. SES may be a more relevant proxy for employed adults than students, the unemployed, housewives and retirees, and applicants that are not Chinese citizens may be evaluated differently as they are not residing in their country of citizenship or origin. I therefore rerun all my models only on non-retired employed adult citizens of Mainland China aged 20 to 59 applying for B visas. Regression results are in Table 5. Coefficient plots of ORs for my first four models are in Figures 6-9.. My results differ in a few important ways that I describe below, but otherwise are roughly the same.

[Insert Figures 6-9 here]

Although B visas do not allow one to have the dual intent that applicants of other visas may offer, having a desire to immigrate into another country is significantly associated with an even higher odds of obtaining a visa than someone who has no such desire ($OR=1.66$) than in the full sample. Being a male rather than being female is still significantly associated with a lower odds of obtaining a visa ($OR=0.66$). Being satisfied with one’s salary, being a disadvantaged ethnic minority and whether one uses a visa agent are all no longer significantly associated with obtaining a visa. Finally, unsurprisingly, having obtained a non-US visa for travel outside of Asia ($OR=2.1$) or having a parent that has been outside of China ($OR=2.1$) increases one's chances of obtaining a B visa by even more than it does amongst applicants in general.

Model 2 suggests that all the CH-related variables are even more decisive in who obtains a visa amongst only B visa applicants than among all applicants. Having degrees in a social science (OR=5.44), a profession (OR=2.27) or a STEM (OR=1.71) discipline is associated with an even higher chance of obtaining a B visa than amongst all visa applicants, but having studied a subject in the humanities and business or economics is not significantly associated with obtaining a visa. In model 3, the penalty for having a US family member that can sponsor one for an immigrant visa is even more severe (OR=0.22) among B visa applicants compared to non-B visa applicants. In Models 4-6 I find no differences amongst B visa applicants in the coefficients of interview-related variables, spousal variables or interaction variables. However, including these interview-related variables does make the coefficients for the number of family members in the US to become insignificant. In sum, my results suggest that CH- related variables are even more consequential among those applying for B visas. Therefore, officers are even more likely to deny visas to B visa applicants who have no interest in immigrating, and vice versa.

Does Regional Context Matter?

As noted above, Beijing and Chengdu are arguably two of the most dissimilar regional contexts in which one can apply for a visa in China. However, I do not find many significant differences between the two locales in terms of who obtains a visa. In model 1, having an agent appears to be an even greater liability in Chengdu (OR=0.54) than in Beijing (OR=0.67). In model 2, if one attended a highly selective school, the odds of obtaining a visa is higher in Beijing (OR=1.61) than in Chengdu (OR=1.51). In model 4, each additional year of education in Chengdu (OR=1.17) is associated with a higher increase in the probability of obtaining a visa than in Beijing (OR=1.15). Having a non-US visa for travel outside of Asia is associated with a slightly greater increase in odds of obtaining a visa in Chengdu (OR=1.31) than in Beijing (OR=1.18). For now, I would conclude that any differences in outcomes between my results from the two consulates is due to differences in the composition of the local populations that apply at these two distinct locations, rather than differences in how the consulates operate.

Discussion, Limitations of Study, and Directions for Future Research

Throughout the world, visa applicants, agents, and sponsors often spend much time outside embassies, consulates, visa agencies, and elsewhere discussing why they were denied a visa. Until now, no researcher has systematically collected and analyzed such a large amount of data about non-immigrants visa applicants and systematically tested the multifarious ways in which those not granted visas differ from those that obtain them. My survey results suggest that many measures of SES and social ties do not greatly differ between those denied and granted visas in both the general visa applicant population in Mainland China and those applying specifically for B visas. But those indicators of SES and social ties that do matter—having obtained a non-US visa for travel outside of Asia, years of formal education, attendance at a selective school, years having worked at a current job, being registered to live in Fujian province, the number of family members an applicant has in the US and how self-confident they can obtain a visa—all seem to be indicators of cultural capital. Such indicators collectively manifest as a Western (and particularly American) cultural habitus. This habitus enables an applicant to effectively develop rapport with an officer during a short interview and strike them as someone who the officer believes would not immigrate since the officer will presume they are satisfied with life in their country of residence. The finding that officers are also more likely to grant visas to applicants who have an interest in immigrating and deny visas to those who have no such interest suggests that they are not executing immigration policy according to the law as designed by elected representatives in Congress.

Overall, my results contribute to multiple social science fields. They echo findings by previous cultural sociologists of upper-class culture (Lamont and Lareau 1988) that a Chinese visa applicant's disposition and presentation of self is rooted in a familiarity with American or Western culture. This seems to be more strongly associated with their legal opportunities to travel to the US than pure economic capital and social capital. Since those that have the financial resources to apply for a visa are already a highly selective group in Chinese society, my findings mirror those of Lauren Rivera (2012) in suggesting that consular officers—like employers at American elite companies—are more inclined to grant privileges to those that possess Westernized cultural habitus that would enable them to better adapt to US society. Within the visa interview ritual, an applicant possessing CH may also “match” the durable dispositions

and practices that constitute a “bureaucratic habitus” (Alpes and Spire 2014) of the officer. Therefore, the applicant may better spontaneously address and respond to the heuristic interpretations, suspicions and presumptions of a given officer who may take anything “abnormal” as a “red flag” of immigrant intent. Such applicants seem better at communicating to the officer in a way that addresses the officer’s concerns and overcome “the presumption of immigrant intent”—even if the applicant possesses it.

With regards to the field of race and ethnicity, Lee and Zhou’s (2015) discoveries that Asian immigrants often benefit socio-economically due to stereotype promise, inter-class and ethnic-based resources like language schools and tutoring centers, and are a “hyper-selective group” may all at first seem irrelevant in a context in which few inter-racial differences between applicants exist. Yet these all often favorably bolster and interact with the same traits that index CH and enable applicants to be able to present their self in a way that fulfills the fantasy of the mythical model-minority that perhaps officers—like many Americans—are habituated to project onto Asian immigrants. Therefore, applicants that can actively present themselves in this way may plausibly benefit more from the exercise of positive discrimination than those that cannot—again, regardless of actual immigrant intent.

Social psychology models of dual processing (Lizardo et al. 2016) when combined with my findings suggest that bureaucratic officers may undermine immigration law due to the high number of cases they must process daily and also their reliance on the automatic channel of thought rather than the reflective channel of thought. This suggests that other scholars also may want to more carefully assess how effectively bureaucrats in other government domains make decisions and how under intense time pressures they may rely on heuristics that may lead them to subvert proper enforcement of law far more than their more common concerns of fraudulent documents and lying.

Finally, sociologists of education have discovered that the aspirations of students rise as they achieve more in school. To the extent that some applicants have accrued cultural capital that congeals into a cultural habitus, this likely raises their migratory opportunities and in tandem their educational, migratory, and work expectations (Feliciano and Lanuza 2016), exacerbating inequality as those with such opportunities experience cumulative advantage and those without such opportunities experience

cumulative disadvantage. Having parents that invest in pre-immigration resources that cultivate such CH—whether through attending “international schools,” hiring English tutors, having Western friends, or gaining experiences in Western countries—may enable some applicants to more easily seize mobility and migratory opportunities than those with less access to such resources.

Regardless of the sample I draw upon, 12.5% of applicants that expressed interest in immigrating had significantly higher chances of obtaining a visa than those that have no interest in immigrating into the US. An additional 7.3% applicants responded maybe to this question. If you consider that visa applicants have been primed by agents, family and/or friends to answer “no” to such a question, that Chinese people are culturally inclined to communicate more indirectly than Americans, are often careful with their words in an authoritarian context, and that they were answering this question in response to student surveyors and not a visa officer *after* they had acquired or been denied a visa, then a “maybe” might be more likely interpreted as a yes than a no. Yet those that express an interest in immigrating into the US are still more likely to obtain a visa even if I convert all the “maybes” to “yes.” One might be inclined to suppose that those that obtained a visa might be more willing to disclose that they would immigrate if they had a chance than those denied a visa and believe that those denied a visa were lying. But even if this were the case the fact is that many who obtain a visa told surveyors they would to immigrate if they could.

For the millions of people around the world who spend large amounts of time and money strategizing and receiving “professional” advice on when an applicant is ready to apply for a visa, my null findings regarding many measures of SES and social ties that officers mention as indicative of ties to one’s country throw into doubt much conventional wisdom about what is associated with a visa acquisition: possessing more wealth, a high salary, having a more prestigious occupation, belonging to a privileged ethnic group, having an aging parent, or the number of one’s siblings. Of course financial assets and social connections likely matter for who applies for a visa in the first place, since visa fees and travel costs may deter those that are more socio-economically disadvantaged. But amongst those that have sufficient economic and social resources, many of those resources do not seem to matter much in

determining who obtains a visa. In some ways, such applicants officers allow to enter resemble those that survey research suggests societies of immigration would prefer to enter the country (Hainmueller and Hangartner 2013).. For example, officers grant visas to those that have high level of formal education. However, in other ways they do not as they do not necessarily possessing a high salary or much wealth

Theoretically, this study also has implications for long-standing sociological research programs. In terms of selectivity, the US Immigration and Nationality Act of 1952 and past research suggests that among those that can afford to apply for visas and plane tickets, those that can legally travel to the US are selective group not in terms of possessing pure financial or social capital but in terms of possessing cultural habitus. Though political scientists and legal scholars of migration have argued that the government is limited in its capacity to control migration flows because of migrants violating its immigration laws, at consulates I found it is not simply prospective travelers or immigrants that are undermining immigration law through fraud as officers are trained to fear. Instead officers tend to grant visas to applicants like them, thereby subverting the objective of immigration law. Scholars might therefore explore how CH affects governments' ability to accurately enforce immigration law in other domains.

Finally, with respect to stratification, US immigration policy may alter the structure of inequality both within and between societies by limiting geographic and socio-economic mobility and thereby stratifying population stocks and altering changes in society's composition according to CH. Those that possess CH may often cultivate it by converting economic and social capital to cultural capital, but the many wealthy and well-connected denied applicants in the NS suggest that this is not necessarily always the case. This may partly explain the large amount of time and money that many Chinese citizens spend striving to learn English, enter selective Chinese universities and foreign universities, befriending foreigners, and traveling. My results demonstrate that such achievements do augment their CH and with it their legal international mobility.

More practically, my results also have numerous pragmatic implications worth massive amounts of time and labor: The US Department of State might retrain its officers so that they stop issuing visas to

those that overstay them and perhaps more importantly, deny visas to those that would not and only benefit US society. However, although officers' decisions are not better than random, I would not yet conclude from this study that they are worse than random, or that consulates are better off using a random number generator to grant visas by lottery, even if this would greatly reduce costs for applicants or generate additional revenue for the government. The stakes for national security and the economy of the United States are great in this area.

My results have implications for other aspects of immigration law as well. For example, my results suggest that officers are just as likely to give visas to applicants with low salaries and wealth in real estate assets as those rich in such resources. In light of the government's recent effort to reinstate the public charge rule and exclude even green card holders from government support, visa officers' decisions are considerably increasing the costs of the government with respect to the number of immigration court cases and potential deportation orders for individuals who may overstay and lack sufficient economic resources to support themselves in the US. Due to the frequent conflict between different branches and agencies of the US government, this will likely lead to positive feedback loops that in other domains like control of unauthorized entries across the US-Mexico border have proven to have socially costly "unintended consequences" (Massey and Pren 2012).

Considering the stakes, such important implications point to the high value of follow up non-governmental studies would be worthwhile to confirm or disprove my findings. As I noted in my methods section, due to the importance of my research question to visa applicants, the tendency of some probability-sampled applicants to respond more than others, and the unavailability of population-level data, the most efficient survey design I could undertake was to re-weight my data with probability-sample data. Although this survey may be unique extension of past qualitative studies of this under-researched important institutional process, my inferences here only pertain to the populations applying at these two consulates during 2015-2017. In sum, my findings about the population of visa applicants at Beijing and Chengdu are based upon

unique high-quality dataset that is the most representative that exists and with extensively-developed survey questions that captures many variables of interest.

Future similar surveys of non-immigrant visa applicants both in China and elsewhere will show if my results hold over time, especially as overall visas, B visas and student visas issued to Chinese have respectively declined 45%, 40% and 30% as the trade war has intensified (Nikkei Asian Review 2019). Future research should also determine the external geographical validity of my findings with data from other locales and run multi-level models of applicants nested within consulates that are in turn nested within countries to estimate mixed effects.

My quantitative results do not clearly explain how CH functions. Ability to conduct ethnographic observations has been limited a scholars that succeeded in doing so in governments other than the US. If audio or video data of interviews becomes available, conversation analysis might be a new tool to gauge how successful applicants respond differently with officers than those denied visas. Declassified case files might also provide self-reports of how officers justified decisions, but these would likely include only information that the officer thought was worth noting down, so might not add much to observations of or interviews with officers. Like the survey method, no scholar should rely on any methods as a guaranteed source of the most accurate data; however, scholars should in the future approach this question with different techniques so we can build and synthesize a more robust collection of findings from an ensemble of methods. Finally, the ecological fallacy certainly warrants caution against using my results to advise individual applicants, even though my findings may be of some practical use to understand population trends (Schwartz 1994).

Even if visa officers do a poor job of enforcing the Immigration and Nationality Act in terms of who they permit and do not permit to temporarily enter the US, one might in the end simply interpret this phenomenon to be only a story about international human mobility and travel opportunity rather than

international migration or immigration. Yet control over who can and cannot even enter the country for a visit necessarily has implications for who ultimately decides to immigrate. Those who can enter the country are likely to be more able to access more opportunities to immigrate, whether that is just through acquiring further cultural, economic, and social capital related to a more fulfilling career, education, or a romantic relationship that later leads to immigration-through-marriage. As decades of migration scholars have found, the longer people remain in a migrant-destination society, the more their ties in that society increase and strengthen, and the more their ties to others in their origin-society weaken (Waldinger 2015). Therefore, they likely will become even more interested in staying than they might have been immediately after obtaining a non-immigrant visa. Importantly, this study shows how bureaucrats often may mis-perceive those that possess CH as “non-immigrants” who later overstay their visas and increase the undocumented population, and mis-perceive those who have no intentions of immigrating but lack CH as “immigrants,” denying them visas and eliminating their opportunity to visit and engage in mutually beneficial exchanges with US society.

TABLES

Table 1: Distinguishing Cultural Habitus-Related Variables from Non Cultural Habitus-Related

Types of Variables	Cultural-Habitus Related	Not Cultural Habitus-Related
Control	Fujian Stigma, applicant's and applicant's parent's geographic scope of non-US visas, applicant's self confidence, whether officer smiled	Sex, age, pregnant, others applied, married, use of agent, applicant's nervousness, willingness to immigrate, officer's race and sex, officer smiling
Socio-economic Status	Years of formal education, occupational prestige of applicant and parent, attendance at selective school, having studied specific subjects (professional disciplines, STEM, and social sciences), satisfied with salary	Salary, wealth, disadvantaged ethnicity, internal undocumented migrant, paid for trip
Social Ties	Years at current job, number of family members in the U.S., ability of family member to sponsor applicant for immigrant visa	Number of siblings, parent of child minor, child of aging parent

TABLE 2

MEANS, STANDARD DEVIATIONS, MAXIMA AND MINIMA OF CONTROL
VARIABLES AND INDEPENDENT VARIABLES FOR ALL US NONIMMIGRANT
VISA APPLICANTS AT BEIJING & CHENGDU CONSULAR BUREAU
2015-2017 NON-MIGRANT SURVEY (N=2397)

	% missing					
Binary Variables	cases	yes	no	maybe		
visa	0.0%	47.0%	53.0%			
female	0.0%	51.4%	48.6%			
married	0.5%	48.6%	51.4%			
disadvantaged ethnicity	0.8%	2.5%	97.5%			
foreigner	0.0%	0.8%	99.2%			
undocumented internal migrant	16.9%	27.0%	73.0%			
Fujian province	0.0%	1.2%	98.8%			
pregnant	0.0%	0.3%	99.7%			
agent	4.1%	34.3%	65.7%			
apply w/ others	1.0%	51.8%	48.2%			
other paid for trip	4.2%	39.0%	61.0%			
satisfied with salary	5.3%	50.9%	49.1%			
selective school	7.8%	11.0%	89.0%			
# of family in US	5.8%	17.30%	87.70%			
has retired parent	10.7%	41.30%	68.70%			
has child minor	2.0%	25.20%	74.80%			
male officer	4.4%	57%	43%			
white officer	6.1%	38.5%	61.5%			
officer smiled	5.8%	72.60%	26.40%			
immigrant intent	5.0%	12.5%	80.1%	7.3%		
Continuous Variables	Missing	Mean	SD	Min	Max	
age	2.1%	32.4	12.3	15	80	
monthly salary	11.2%	9	0.88	5	15.7	
occupational prestige	3.0%	33.5	27.6	0	78	
real estate wealth	14.3%	14	0.94	10.4	25	
years in job	7.9%	6.9	9.4	0	36	
# siblings	4.6%	0.6	1.06	0	8	
confidence	9.9%	83.10%	21.10%	20%	100%	
nervousness	4.4%	2.3	2.9	0	10	
Ordinal Categorical Variables	Obs					
Visa Type	0%	B	J	F	H1B	Other
		80%	5%	11%	2%	1%
geoscope of travel experience	6%	only inside China		only within Asia	outside Asia	

% in category		41%		28%		31%		
geoscope of parent's travel experience	10%	only inside China		only within Asia		outside Asia		
% in category		74%		13%		13%		
				state owned enterprise	public service institution	government	none	
economic sector	10%	self-employed	private company					
% in category		11%	28%	10%	11%	3%	37%	
education	0%	elementary	middle	high	vocational	bachelors	masters	Ph.D
% in category		0%	4%	30%	11%	37%	13%	6%
			social sciences	professional	STEM	business	none	
discipline	8%	humanities						
% in category		8%	2%	16%	18%	14%	42%	
				not sponsor eligible				
family tie strength	0%	no family tie	sponsor eligible					
% in category		89%	2%	9%				

TABLE 3

LOGISTIC REGRESSION OF VISA ACQUISITION ON CONTROLS, SES, ST, & INTERVIEW VARIABLES
BEIJING & CHENGDU CONSULATES (NON-MIGRANT SURVEY WAVES 2015-2017)

	Model 1		Model 2		Model 3		Model 4	
Variables	odds ratios	SE	odds ratios	SE	odds ratios	SE	odds ratios	SE
male	0.82*	0.07	0.802	0.076	0.82*	0.08	0.82*	0.081
age	1	0.004	1.01	0.005	1	0.01	0.99	0.01
disadvantaged ethnicity	0.59*	0.166	0.61	0.192	0.66	0.21	0.63	0.21
migrant	0.88*	0.09	0.882	0.1	0.91	0.1	0.93	0.11
fujian	0.208***	0.09	0.216**	0.1	0.21***	0.1	0.22**	0.11
foreigner	0.71	0.415	0.44	0.26	0.42	0.25	0.37	0.22
pregnant	0.81	0.66	0.7	0.76	0.66	0.69	0.69	0.92
applied with others	0.99	0.023	1.005	0.027	1	0.03	1.02	0.027
other paid trip agent	1.22	0.13	1.21	0.141	1.19	0.138	1.2	0.141
	0.753**	0.07	0.825	0.08	0.84	0.088	0.84	0.09
immigrant intent	1.52***	0.23	1.48*	0.22	1.42*	0.23	1.45*	0.24
visa for asia	1.18	0.13	1.17	0.14	1.21	0.14	1.18	0.15
visa for outside asia	1.85***	0.219	1.76***	0.219	1.8***	0.23	1.70***	0.22
occupation prestige			0.99	0.0029	0.994*	0.002	0.99	0
monthly salary			1.06	0.08	1.1	0.08	1.08	0.08
wealth real estate			1.002	0.06	1.01	0.1	1	0.07
satisfied w/ salary?			0.75**	0.1	0.72*	1.01	0.74*	0.11
education years			1.12***	0.024	1.13***	0.03	1.1***	0.03
selective school			1.6*	0.3	1.62***	0.101	1.64**	0.33
humanities			0.89	0.18	0.9	0.182	0.92	0.19
social science			3.97***	1.88	3.95***	1.88	3.96***	1.89
professions			1.72**	0.28	1.74**	0.29	1.78***	0.29
stem			1.37	0.22	1.37	0.23	1.37*	0.23
business			1.16	0.192	1.12	0.19	1.16	0.19
parent occupation prestige			1.01*	0.004	1.006*	0.004	0.992	0.004
parent education			1.013	0.0154	1.01	0.02	1.003	0.016
parent visa for asia	1.26	0.183	1.22	0.18	1.22	1.84	1.24	0.189
parent visa for outside asia	1.76**	0.29	1.53*	0.274	1.55***	0.28	1.497*	0.27
years at job					1.03**	0.008	1.02**	0.01

siblings					0.93	0.04	0.925	0.042
married					1.3	0.18	1.27	0.18
parent of minor					0.68***	0.09	0.68**	0.14
child of retired					1.08	0.13	1.09	0.123
number of family members in US					1.44***	0.2	1.43**	0.2
immigration visa sponsor-able					0.3***	0.126	0.3***	0.12
confidence							1.01***	0.002
nervous							1.01	0.02
officer white							1.13	0.123
officer male							1.09	0.0112
constant	1.07***	0.2	0.049***	0.04	0.055***	0.051	0.03***	0.016
F	5.7		6.13		5.67		5.6	
Prob>F	0		0		0		0	
N	2395		2395		2395		2395	

Notes: * p < 0.05, ** p < 0.01, *** p < .001 (two-tailed tests)

TABLE 4

**LOGISTIC REGRESSION OF VISA ACQUISITION ON CONTROLS, SES, ST, & INTERVIEW VARIABLES
WORKING TOURIST CHINESE ADULTS FROM BEIJING & CHENGDU CONSULATES (NS 2015-2017)**

	Model 1		Model 2		Model 3		Model 4	
Variables	odds ratio	SE	odds ratio	SE	ratio	SE	ratio	SE
male	0.66**	0.08	0.68**	0.083	0.685*	0.09	0.68***	0.09
age	1	0.01	1.02*	0.01	0.99	0.01	0.99	0.01
disadvantaged								
ethnicity	0.71	0.25	0.75	0.31	0.81	0.35	0.98	0.35
migrant	0.74*	0.1	0.78	0.11	0.8	0.12	0.81	0.12
fujian	0.19*	0.13	0.19*	0.14	0.246***	0.19	0.21*	0.16
pregnant	0.47	0.47	0.36	0.51	0.33	0.42	0.3	0.4
applied with others	0.98	0.03	0.98	0.04	0.97	0.04	0.97	0.04
agent	0.87	0.11	0.88	0.12	0.9	0.12	0.9	0.12
immigrant intent	1.66*	0.37	1.62*	0.38	1.62*	0.39	1.66*	0.39
visa for asia	1.4	0.26	1.2	0.19	1.23	0.19	1.2	0.19
visa for outside asia	2.1***	0.49	1.98***	0.32	2.06***	0.34	1.91***	0.19
other paid trip			1.05	0.17	1.06	0.17	1.06	0.17
occupation prestige			1.01	0.01	1.006*	0.005	1.01	0.01
monthly salary			1.1	0.1	1.23	0.104	1.12	0.11
wealth real estate			1.08	0.09	1.07	0.1	1.06	0.1
satisfied w/ salary?			0.89	0.15	0.87	0.15	0.89	0.15
education years			1.08***	0.035	1.08*	0.036	1.07*	0.04
selective school			1.69**	0.48	1.62*	0.48	1.78*	0.5
humanities			1.26	0.32	1.34	0.34	1.39	0.37
social science			5.44***	2.86	5.79***	3.03	5.77***	3.01
professions			2.27***	0.47	2.39***	0.5	2.42***	0.5
stem			1.71*	0.36	1.77***	0.38	1.77***	0.38
business			1.7	0.36	1.66*	0.35	1.74*	0.37
parent occupation								
prestige			1.01**	0.005	1.001*	0.005	1.01	0.005
parent education			0.98	0.02	0.98	0.02	0.97	0.02
parent visa for asia	1.4	0.26	1.3	0.25	1.31	0.26	1.3	0.26
parent visa for								
outside asia	2.1***	0.49	1.93*	0.5	1.98*	0.57	2*	0.56
years at job					1.023*	0.0102	1.02**	0.011
siblings					0.9	0.05	0.9	0.5

married					1.35	0.22	1.33	0.22
parent of minor					0.64***	0.1	0.64***	0.1
child of retired					1.25	0.19	1.28	0.199
number of family in US					1.47*	0.27	1.52	0.27
immigration visa sponsor-able					0.19***	0.1	0.2***	0.1
confidence							1.01***	0.003
nervous							1.05	0.03
officer white							1.09	0.16
officer male							1.12	0.147
constant	0.84	0.24	0.01***	0.02	0.023***	0.03	0.01***	0.01
F	5.98		4.99		4.6		4.32	
Prob>F	0		0		0		0	
N	1415		1415		1415		1415	

Notes: * $p < 0.05$, ** $p < 0.01$, *** $p < .001$ (two-tailed tests)

FIGURES

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