The US gets one step closer to a law that could help Indians get green cards faster

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US lawmakers have given skilled immigrants a reason to rejoice.

Yesterday (July 10), the US House of Representatives passed the Fairness for High-Skilled Immigrants Act of 2019 bill to eliminate the annual per-country cap on employment-based immigrant visas.

Currently, no more than 7% of all green cards can be issued to natives of one country in a fiscal year.

"Eliminating employment per country caps will create a first-come, first-served green card system, putting talent and skills first so we can meet the current and future workforce needs of this country," Virginia-based Society for Human Resource Management said in a statement after the bill was passed.

This is especially good news for Silicon Valley, where around seven in 10 workers are foreign-born. With the limit abolished, Indians, the largest cohort of the H-1B visa recipients with green card wait times ranging between a long 12 and an aggravating 150 years, stand to reap the biggest benefits.

However, before it can become a law, the bill must first pass the Republican-majority Senate and then be signed by president Donald Trump.

Introduced by Democrat Zoe Lofgren in February 2019, the bill also increases the maximum share of family-based immigrant visas that can be allotted to one country—from 7% to 15%. It also removes an offset that reduced the number of visas for Chinese applicants.

Pros and cons

Critics of the 7% limit say it does not account for different countries having different populations.

For instance, India's population is 2.5 times the European Union's. The former exhausts 100% of its green card allocations each year and has racked up a backlog of nearly half a million people while the latter only fills about 7% of the green cards available to it, David Bier of the Cato

Institute pointed out in December 2018. "…the quota for Iceland, which has a population of approximately 338,000 people, is the same as India, with a population of roughly 1.338 billion people," the US Chamber of Commerce said.

However, dissenters worry about one nationality—especially India—monopolising the green card numbers and compromising on diversity. Anti-immigration think tank Center for Immigration Studies (CIS) notes:

Under current rules, citizens of India are getting about 25% of all the professional employment green cards each year. If this bill becomes law, citizens of India will get more than 90% of the professional employment green cards, according to USCIS (United States Citizenship and Immigration Services)—for at least the next 10 years. Green cards would be unavailable to applicants from all other parts of the world (and many other occupations) for at least a decade.

One solution proposed by the CIS to remedy the green card queues and preserve diversity is to end dual intent for non-immigrant visas. "Force employers to choose upfront whether they are hiring an immigrant or a guest worker," the organisation said. "That way, foreign workers will know when they arrive, whether they will be able to stay or whether they will have to return home."