



## **‘You can be kicked out any time’: US immigrants’ lives upended by Covid**

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When Swaraj lost his job amid the recession last year, it triggered a ticking time bomb. Suddenly, he had to either find a different employer to sponsor his visa or return to India, throwing away the life he had built during half a decade in the United States.

“It’s not right,” said Swaraj, who asked the Guardian to only use his first name to protect his career. “If I lose my work status, I have to leave this country within 60 days. I felt like ... that’s not correct.”

Swaraj messaged contacts on LinkedIn, pored over applications and contacted to references. He tossed excess clothes in the recycling bin and sold his valuables – a television, sofa, bed – in case he had to move across the world during the crisis.

Then, he found a new position. But months later, his room in Madison, Wisconsin, was still empty enough to hear echoes, and he continued to sleep on an air mattress, too wary to invest in replacement furniture.

“This is not your home,” he said. “So you can be kicked out any time.”

Swaraj’s experience is far from a one-off. From data analysts and software consultants to project engineers and molecular biologists, many foreigners with advanced degrees and specialized knowledge have been losing their jobs in America amid the pandemic. And because they’re only able to live and work legally in the US thanks to their H-1B status – a coveted visa for skilled workers – routine layoffs that aren’t their fault have the potential to completely upend their lives.

“There’s a whole lot of uncertainty and anxiety associated with losing your job, no matter who you are. But when you’re an immigrant, that anxiety and uncertainty is definitely compounded,” said Jennifer Minear, president of the American Immigration Lawyers Association.

“Losing your job is a big deal, and if you’re an immigrant it also means losing your status, so it’s an even bigger deal,” she added.

As the economy foundered and millions of Americans struggled to make ends meet, the former president Donald Trump used immigrants as scapegoats, suspending H-1B visas through early 2021.

Officials also unveiled sweeping new rules around the visa program, creating even more hurdles for potential candidates and employers. Swaraj lost an offer soon after because the company that had hired him couldn’t comply.

“Today, I might feel secure,” he said. “Tomorrow, because of some political situation, things might just change overnight. And I just need to accept that fact.”

Already, H-1B holders live under precarious conditions where, when they lose employment, they’re only granted a 60-day grace period to find another qualifying role and re-up their visas.

Otherwise, they have few viable options – outside of leaving the country.

“Living in the United States without work authorization and trying to work off the books, under the table – that doesn’t tend to give you the standard of living that I think a lot of college-educated workers, wherever they’re from in the world, would want,” said Julia Gelatt, a senior policy analyst at the Migration Policy Institute.

A number of online posts about layoffs amid the economic downturn provides a glimpse into which foreign professionals have been impacted most over the last year. Many hold graduate degrees from American universities, and they often say they’re open to relocating anywhere in the US.

One engineer wrote that “what hurt the most” was being rejected by hiring managers “based on my visa status”. Another warned that she only had 20 days left before “packing everything along with my dreams”.

“It has been roughly 48 hours since I found out that my role at Victoria’s Secret was affected by the company-wide restructuring,” a design researcher wrote. “It is tough, defeating, and soul-crushing.”

The H-1B visa program is supposed to offer a temporary avenue for highly educated professionals to work in the US for up to three years, or possibly six.

But because the visas are privy to different caps than green cards, Indian and Chinese workers – who represent the lion’s share of H-1B petitions – get stuck in a long, byzantine queue for permanent residency.

“Recently backlogged Indian workers face an impossible wait of nine decades if they all could remain in the line,” according to a 2020 report by the Cato Institute. “More than 200,000

petitions filed for Indians could expire as a result of the workers dying of old age before they receive green cards.”

In the meantime, would-be immigrants stay legally by extending their temporary visas, despite the instability that represents. While they wait, they continue to make friends, start relationships, buy houses, join faith communities and have children.

“The more years that people spend in the United States, the deeper the roots they tend to put down,” Gelatt said. “It just becomes harder and harder to leave.”

Swaraj sometimes worries about what would happen if he marries his significant other, who is also on an H-1B visa, and they start a family together in the US. His memories from last year loom large, and for now, he’s trying to live as minimalist a life as possible.

But over the last five years, he’s already started to put down roots. Friends are more like family now, and when he scrambled to come up with a way to stay legally, colleagues went out of their way to help him.

“I guess that’s what I have gained in this country: people,” he said.

“If I was working alone, and if I had no friends, I had no connections, I would have not made it. Like, as simple as that.”