



# US immigration super-fee for green cards announced

Daniel Waldron

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**According to a section of the Biden Reconciliation Bill, released by the US House Judiciary Committee, those caught up in the decades-long wait to secure a US green card could jump the queue by paying a ‘super-fee’. However, the Bill makes no mention of plans to abolish country caps for US green cards or increase the annual quota of H1B visas.**

The Bill will allow many people affected by country caps to bypass the restrictions by paying a \$5,000 fee when filing a final adjustment of status application in order to secure a green card. The Bill has been widely welcomed.

The US makes 140,000 green cards available every year for employment-based visa applicants. However, there is a 7% cap per country, a policy which poses significant challenges for many foreign nationals, especially India, China and the Philippines.

## **84- year green card wait time**

According to a recent study published by David J Bier, an Immigration Policy Analyst at the CATO Institute – a think tank based in Washington – the average wait time for a US green card is now 84 years.

Posting on Twitter about the new Bill, Bier said: “Employment-based applicants can adjust if they have waited two years from their priority date. This is almost like abolishing the employment-based caps for adjustment applicants who can pay \$5,000. Awesome!”

For many Indians facing backlogs, they could also be eligible under the essential worker provision, which offers an easier pathway because it doesn't require employer sponsorship or payment of the \$5,000 fee. However, a \$1,500 fee could apply.

Under current **US immigration** rules, essential workers qualify for a green card based on a consistent income in an essential job between January 31, 2020 and August 24, 2021.

The essential worker list is quite extensive and includes professions within IT, healthcare, food and agriculture and the transport industry.

### **Dreamers and legal immigrants**

Meanwhile, the Budget Reconciliation Bill could see legal status granted to millions of undocumented people in the US, otherwise known as 'Dreamers'.

While the Bill does not propose structural changes to the legal US immigration system, it's likely that it will pave the way for more individuals to gain **permanent residency in the US** than the existing 1986 Immigration Reform and Control Act, providing relief for many families, highly skilled immigrants and US employers.

It's understood that the Bill will recapture a minimum of 226,000 immigrant visas in family and employment-based categories that went unused between Fiscal Year (FY) 1992 and FY 2021, according to a report published by Forbes.

Meanwhile, green cards for **Diversity Visa** winners who were unable to travel to the United States amid the Trump administration's Muslim ban or COVID-19 policies and delays, will be protected.

Based on the current green card backlog, and supported by numerous calculations and estimates, the number of people who could be caught up in the green card backlog in employment-based **US visa categories** could exceed 2 million by 2030.

### **Improve lives**

The Bill has been described as one that will ‘improve the lives of many individuals and families’, while increasing the competitiveness of US companies and universities.