



House Passes Zoe Lofgren's Bipartisan Green Card Bill

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"The Fairness for High-Skilled Immigrants Act" introduced by Congresswoman Zoe Lofgren (D-San Jose) recently passed in the House of Representatives with bipartisan support. The total number of green cards issued will not change, but the bill—should it clear the Senate and get signed into law—will nix per-country limits on employment visas and increase the per-country quota on family-based visas from 7 percent to 15 percent.

"We are looking at what people can bring to the country," Lofgren tells San Jose Inside. "That's one of the principles of the United States. It's not about where you came from."

The waiting time for legal immigrants applying for family-sponsored and employment-based visas have doubled since the per-country quota went into effect in 1991. There were 5 million people in the applicant backlog for green cards in 2018.

All told, 657,000 immigrants would die without a green card if they waited indefinitely, according to a Cato Institute analysis.

"Right now, this is an untenable situation for a large country like India," Lofgren says. "There is the same number of visa for Iceland as well as India. That's crazy."

Indian immigrants will get the majority of employment green cards when the applicant backlogs is cleared after around 10 years. And critics have swiftly denounced the bill. "For the next 10 years, more than 90 percent of the employment-based green card will go to citizens of one country," director of policy studies for the Center for Immigration Studies Jessica Vaguan says. "Employers would lose access to a global pool of talent."

Vaughan believes that companies that have long abused the H1B visa system will simply hire more workers on H1B visas, paying them low wages to replace green card holders. "It doesn't fundamentally reform either the H1B or green card system," Vaughan says. "If we adopted a system that would give green cards to truly the most qualified, then we wouldn't need a per-country cap at all."

Lofgren acknowledges that this bill is no silver bullet to solving an intractably broken visa system, but calls it an important stepping stone. She says she plans to reintroduce a startup bill to

grant green cards for entrepreneurs. “Let’s say you have a PhD in computer science from Stanford but you were born in England,” she says. “There is no way for you to get a visa to start your business here. So you will have to start your business in England or Canada. That is not in the United States interest.”

Lofgren is also working with the House of Representatives to grant green cards for people graduating from the top research universities in the United States. “If the graduate students or postdocs are born in another country, there is no vehicle for them to stay here,” she says. “I want to look into that, that’s very much in America’s interest.”