



US Removes H1B Visa Country Cap: Big Win For India As More Indians Will Get H1B Now

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US Senate passes a bill, which will increase per-country employment visa and family-based visa caps.

These past couple of weeks have seen a lot of activities in favor of Indian citizens wanting to get a visa in the US.

Just yesterday, we reported a big step towards Indian H-1B visa holders by a US judge and their (H-1B visa holders) anticipated work scenario in the US.

Now, the US has unanimously passed a bill, referred to as 'S.386', or the 'Fairness for High-Skilled Immigrants Act', which eliminates per-country cap for employment-based immigrant visas, along with increasing the per-country cap for family based immigrant visas.

Both of these steps will prove to be extremely useful and in-favour for Indian citizens, as most of the aforementioned visa applicants constitute Indians.

Let's understand this bill in detail.

What Does the Bill Clearly State?

Under the Presidency of Senator Kevin Cramer, the US Senate passed the 'Fairness for High-Skilled Immigrants Act' bi-partisan bill by unanimous consent on Wednesday.

According to Senator Cramer, "The Fairness for High-Skilled Immigrants Act creates a more merit-based system that levels the playing field for high-skilled immigrants."

This bill increases the per-country cap on family-based immigrant visas from 7% of the total of such visas in a given year to 15%.

The bill also eliminates the 7% country cap for employment-based immigrant visas, a move which will prove of immense benefit to Indian IT professionals, ailing with massive backlogs on their visas in the US.

Sen Cramer, speaking about the bill, adds in his tweets, the thousands of hardworking immigrants who bridge the skill gap and whose legal status is jeopardy, due to arbitrary per-country caps.

How Will This Bill Help Indians?

Employment-based (EB) immigrant visas issued every year have an annual quota of 14,000 per year, which has remained unchanged.

There are 5 different categories of these EB visas, of which Indians scored about 16,999 visas under just 3 categories.

Republican Senator Mike Lee stated in July that the current backlog for an Indian citizen to get a green card is more than 195 years.

Recently, in a study reported by CATO Institute, EB green card backlogs from India has reached 7.41 lakh in April 2020, with an expected wait time of 84 years.

So, S.386 sets down rules for reserving a percentage of Eb-2 and EB-3 green cards for nationals not from Indian and China (as these two nationals have largest backlogs), so that these individuals can be prohibited from dominating allocations of green cards, once their country caps are reached.

This will help Indian nationals get a green card sooner and will lift the massive backlog too, against individuals from other countries who do not face any wait time at all.