



H-1B visa: More than half of employment-based green cards go to family members of the work-visa holders

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About 56 percent of all work-visa green cards were given to the family members of foreign workers in 2015, according to a report by Cato Institute. The write-up illustrates that only 44 percent of the annual quota was left for the actual workers to obtain a green card.

The Institute said if the spouses and children of the foreign work-visa holders are considered in a separate classification, the country would be able to bring more foreign worker without increasing the annual quota. Or, it suggests, the dependents should be completely exempted from the employment-based green card quota.

“If family members were exempted from the quota or there was a separate green card category for them, an additional 76,711 highly skilled immigrant workers could have earned a green card in 2015 without increasing the quota,” the report said.

Furthermore, the article underscored that including dependents in the quota defeats the actual purpose of the work-visa program. “The family members of immigrant workers must use employment-based green cards despite the text of the actual statute and other evidence that strongly suggests that this was not Congress’ intent,” the article explicates. “Instead of a separate green card category for spouses and children, they get a green card that would otherwise go to a worker.” This happens, the article explained, as the US immigration system believes in the “family reunification” even in the employment-based visa classifications.

Regarding the country of residence of the employment-based green card beneficiaries in 2015, it said that about 85 percent of them were already legally residing in the US. “They were able to adjust their immigration status from another type of visa, like an H-1B or F visa, to an employment-based green card,” the report read.