

US lawmakers take another shot at removing per-country cap of green cards

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June 2, 2021

A pair of Democratic and Republican US lawmakers on Wednesday re-introduced a bill in the House of Representatives that proposes to remove a per-country limit on employment-based green cards, which, has created a massive backlog of applicants, specially from India.

The 'Equal Access to Green Cards for Legal Employment Act 2021', also called the EAGLE Act, proposes the phasing out of a per-country limit of 7% on the roughly 1 million employment-based green cards issued annually, and raising the cap on family-based green cards from 7% to 15% of a total of about half a million.

The bill, which was introduced by Democrat Zoe Lofgren and Republican John Curtis, is similar to the one that passed the House of Representatives in July 2020 with overwhelming bipartisan support (365-65 votes). The Senate passed a similar bill with some amendments with unanimous consent in December.

But, the amended bill did not come up for a vote in the Democrat-led House; only a bill approved by both chambers of Congress go to president for enactment. Longtime observers and trackers of this legislative effort, which has been under way for years now, said they believe the Democrats probably did not want then president Donald Trump to get the credit for the bill.

Palestine's concerns were conveyed by foreign minister Riad Malki in a letter sent to his Indian counterpart S Jaishankar on May 30. (PHOTO: Palestine's Ministry of Foreign Affairs and Expatriates.)

Palestine expresses concern at India abstaining from crucial UNHRC vote

And, they added, some tech companies who are deeply invested in the future of the bill because they are frequent users of the green card programme, to attract foreign workers, who are recruited initially through the H-1B visa programme.

The 7% per-country limit, which was enacted by US Congress in 1990, has led over time to backlogs that were "unimaginable" at the time, said Representative Lofgren, who also heads the

House subcommittee on immigration and citizenship. She added, “The effect has been that countries with relatively small populations are allocated the same number of visas as a relatively large-population country. The result? A person from a large-population country with extraordinary qualifications who could contribute greatly to our economy and create jobs waits behind a person with lesser qualifications from a smaller country.”

Lofgren did not name any “large-population” country. But, applicants from India are the worst hit by the per-country cap. There are more than 300,000 people from India in the queue, according to latest data made available by US Citizenship and Immigration Services. But Immigration Voice, an advocacy group campaigning for the removal of the country cap, estimates the number to be much higher at 1.5 million.

The current waiting time for Indian applicants has been put at - a theoretical probability - at 150 years by the Cato Institute, a conservative-leaning think tank. “In effect, there is a ban on Indian immigrants from getting a green card,” said Aman Kapoor of Immigration Voice. “India immigrants applying for a green card today are looking at the wait time of 150 years. It means there is practically a ban on Indian immigrants to ever get a green card. And, Eagle Act makes the system equal where every immigrant from every country will wait the same amount of time instead of the current system which condemns and bans immigrants from India. And the Congress must swiftly pass the Eagle Act to lift the ban on immigrants from India.”