National Foundation for American Policy

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New Research Points to Waits of 12 to 20 Years for Green Cards for Many Skilled Immigrants

Low Quotas for Employment-Based Immigrants and the Per Country Limits on Skilled Immigrants are Chief Reasons for Long Waits

Arlington, Va. – Data released recently by U.S. Citizenship and Immigration Services paint a future of continued long waits for green cards for employment-based immigrants, particularly those from India, concludes a new study released today by the National Foundation for American Policy (NFAP), an Arlington, Va.-based policy research group. The NFAP analysis estimates a wait of 12 years or more for Indians filing today for employment-based immigrant visas, and similar waits for those who have started the process recently. For Indian professionals sponsored today in the 3rd preference the wait time could be as long as 20 years, although such long potential waits would likely encourage individuals over time to abandon their applications or discourage filings in the first place.

The study, "Employment-Based Green Card Projections Point to Decade-Long Waits," relies on government data, independent analysis and consultation with government officials. The estimates in the study were formulated by examining recent use of H-1B visas, analyzing cut-off dates in the State Department Visa Bulletin and tabulating data on annual green card use by skilled immigrants.

The study can be found on the NFAP website at www.nfap.com.

In the past, scientists, engineers and others from India have represented half of the skilled professionals that U.S. companies have sponsored for employment. If wait times of this magnitude persist, companies and foreign-born professionals say this will cause many skilled people to leave the country and seek better long-term opportunities elsewhere. Given the pace of technological change and the relatively short window of opportunity to build careers, expecting skilled professionals to remain in holding patterns for 12 to 20 years is unrealistic. It can be difficult for waiting professionals to change employers or even to take a new position with an existing company because such actions could affect a pending green card application.

Skilled individuals born in India whose U.S. employers file for them today, or who have filed recently, are unlikely to receive employment-based green cards before the year 2022 or, in some cases, potentially even 2029. To put this in perspective, children today in kindergarten may graduate from college by the time Indians who file new applications for an employment-based immigrant visa would receive a green card.

"One conclusion of the research is that without action by Congress America is likely to continue losing talented individuals," said NFAP Executive Director Stuart Anderson. Among the policy recommendations addressed in the study is for Congress to raise or exempt individuals from current employment-based immigrant quotas and eliminate the per country limit for employer-sponsored immigrants. Anderson and others who follow immigration policy have concluded that many skilled foreign nationals may be unable or unwilling to endure extraordinarily long waits to become lawful permanent residents in the United States given options available in their home nations or other countries.

Congress has not raised the statutory level for employment-based green card quotas since 1990. Although legislative support exists for providing more green cards for skilled immigrants, any attempt to liberalize employment-based green card quotas has been tied to efforts to pass comprehensive immigration reform legislation, efforts that failed in 2006 and 2007 and were not attempted in 2008 or 2009. Skilled immigrants have been an important source of innovation in science and engineering in the United States, as well as entrepreneurs.

About the National Foundation for American Policy

Established in the Fall 2003, the National Foundation for American Policy (NFAP) is a 501(c)(3) non-profit, non-partisan public policy research organization based in Arlington, Virginia focusing on trade, immigration and related issues. The Advisory Board members include Columbia University economist Jagdish Bhagwati, Ohio University economist Richard Vedder and other prominent individuals. Over the past 24 months, NFAP's research has been written about in the *Wall Street Journal*, the *New York Times*, the *Washington Post*, and other major media outlets. The organization's reports can be found at www.nfap.com.

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