

National Foundation for American Policy

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Contact: Kirsten Fedewa (703) 684-3339
Stuart Anderson (703) 351-5042

New Study Finds ‘Enormous’ Waits for Skilled Employment-Based and Family-Sponsored Legal Immigrants

Says Lengthy Waits Create Harm to U.S. Economy and Families Seeking Opportunity

WASHINGTON, D.C. – New research from the National Foundation for American Policy (NFAP), an Arlington, VA-based public policy group, shows that inadequate legal immigration quotas result in highly skilled immigrants waiting more than 5 years for “green cards,” while U.S. families sponsoring close relatives often wait from five to 22 years.

The study “Legal Immigrants: Waiting Forever” was co-authored by **Stuart Anderson**, **Executive Director of NFAP**, and **David Miller**, a research assistant at NFAP. (A complete copy of the report can be found at www.nfap.com.) NFAP will regularly update the data in this report in a new Index of Key Immigration Statistics on its website.

“Unfortunately, these long waits and disruptions have adverse consequences for our economy and U.S. global competitiveness – as well as on families suffering from long separations. Unless Congress acts, the day may come when promising international students and outstanding foreign-born scientists and engineers decide America is no longer the land of opportunity for them,” said report co-author **Stuart Anderson**.

At a news conference on Monday, Anderson offered specific praise for **U.S. Senator John Cornyn (R-Tex.)** for his leadership on the issues raised in the study.

“This report illustrates that legal immigrants who play by the rules experience significant hardships that harm families, businesses, and, ultimately, our economy,” said **Cornyn**, who chairs the U.S. Senate Judiciary’s Subcommittee on Immigration, Border Security and Citizenship. “I believe Congress can address these issues in a thoughtful yet decisive manner.”

Anderson said legislation introduced by **Cornyn** in the U.S. Senate would address the key problems the report cites on employment-based immigration. Legislation currently being debated on the Senate floor would increase family-sponsored and employment-based immigration quotas. Also speaking at the press event was **Aman Kapoor**, founder of Immigration Voice, a volunteer organization focused on the green card backlog for skilled immigrants; **Shilpa Ghodgaonkar**, whose husband has waited 4 years for an employment-based green card; and **Traci Hong**, Director, Immigration Program, Asian American Justice Center.

Innovation is being stifled, the report concludes. “In the past, after working in the United States for a number of years, enterprising individuals with fresh ideas were able to go off and start new firms and gain venture capital,” said **Anderson**. “But today, by imposing waits of five years or more for green cards, as well as long waits for H-1B visas, Congress is inadvertently delaying or preventing this cycle of innovative activity that has proved so valuable to America and Americans.” Indian and Chinese entrepreneurs have founded nearly one-third of Silicon Valley’s technology companies.

Among the findings of the study:

- Waits for green cards (permanent residence) in the Skilled Workers and Professionals category have worsened considerably in the past few years, with the current wait for a newly-sponsored high skill immigrant in this category exceeding five years.
- Siblings of U.S. citizens can expect to wait 11 to 12 years from today before immigrating to America (22 years from the Philippines). Unmarried adult children can anticipate waiting six years, but 13 years if from Mexico and 14 years from the Philippines.
- A spouse or minor child of a legal resident (green card holder) from Mexico has a seven year wait (a five year wait from other countries). A married child of a U.S. citizen must wait seven years to immigrate (11 and 15 years, respectively, if from Mexico or the Philippines).
- Congress has failed to increase the H-1B cap in recent years, leaving employers with no way to hire new skilled foreign nationals inside the United States for many months at a time. Since it can take five years or more for a U.S. employer to sponsor a skilled foreigner for permanent residence (green card), the availability of H-1B visas is important, otherwise skilled foreign nationals, particularly graduates of U.S. universities, could not work or remain in the United States.
- Government fees have piled up for employers hiring skilled foreign-born professionals. Government-imposed fees related to H-1B visas generally exceed \$3,000 for each individual hired in that status. U.S. companies have paid more than \$1 billion in H-1B fees since 1999.
- An application for a family-sponsored immigrant in the U.S. seeking to gain permanent residence through an "adjustment of status" (I-485) application takes nearly three years in New York (119 weeks), nearly a year and a half in Chicago (72 weeks), and more than a year in Miami (64 weeks) and Dallas (62 weeks).
- Naturalization can still take as long as 36 weeks in Dallas. However, compared to two years ago, naturalization times have improved in other major cities.
- To gain an interview for a visitor visa at a U.S. consulate, it currently takes 169 days in Mumbai (Bombay), India, 114 days in Calcutta, 70 days in Tel Aviv, 38 days in Manila, and 37 days in Caracas.

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About the National Foundation for American Policy

Started in 2003, NFAP is a non-profit, non-partisan organization dedicated to public policy research on trade, immigration and other issues of national importance. Its Advisory Board members include economist Jagdish Bhagwati (Columbia University); economist Richard Vedder (Ohio State University); former U.S. Rep. Guy Vander Jagt (MI); Cesar Conda, former Domestic Policy Advisor for Vice President Dick Cheney, and others.

About Stuart Anderson

Stuart Anderson, Executive Director of NFAP, served as Executive Associate Commissioner for Policy and Counselor to the Commissioner at the Immigration and Naturalization Service from August 2001 to January 2003. Prior to that, he served as a staff member of the U.S. Senate Immigration Subcommittee, for U.S. Senators Spencer Abraham (R-MI) and Sam Brownback (R-KS). He has published articles in the *Wall Street Journal*, *New York Times*, *Los Angeles Times*, and elsewhere.

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2111 Wilson Blvd., Suite 700, Arlington, VA 22201
phone: (703) 351- 5042 fax: (703) 351-9292 www.nfap.com