

The Financial Times

US Congress warned on green card backlog

By Jenny Johnson in Washington

Published: May 22 2006 19:49 | Last updated: May 22 2006 19:49

Waits for skilled workers and professionals to obtain legal, permanent residence permits, or green cards, "have worsened considerably in the past few years" and now exceed five years on average, according to a report released on Monday.

"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 Stuart Anderson, executive director of the **National Foundation for American Policy**, who co-authored the report, Legal Immigrants: Waiting Forever.

The growing backlogs are a result of US quotas that limit the number of foreigners who can receive green cards each year, quotas that are broken down depending on nationality and the skills of the worker.

The report said that for family members sponsored by US citizens, the biggest category of potential green card applicants, "forward progress has stopped on waiting lists for the past year", making the wait anything from six to 22 years. Three million people are caught in the family immigration backlogs, according to the report.

The issue of delays for highly-skilled immigrants has been largely off the table in the midst of a contentious national debate over what do about illegal immigration, and whether to offer new, legal paths for lower-skilled workers through a guestworker programme.

Senator John Cornyn, a Texas Republican who opposes the current guestworker plan in the bill being debated in the Senate, said he had offered an amendment to the bill that would eliminate the quota for some highly-skilled workers educated in the US. He said economic competitiveness was at stake in the way in which the issue was handled.

Under his proposed amendment to the Senate immigration bill, any foreign student graduating from a US institution with a masters or PhD in essential fields would be exempt from annual visa limits.

The current cap for high-skills workers through specialty H-1B visas is 65,000 annually – a number that is generally reached mid-way through the calendar year. The Senate bill would increase that cap to 115,000, and automatically raise the new cap by 20 per cent a year.

The significant backlogs of green card applications for legal immigration may make other countries, such as Canada, Australia and Britain more attractive for skilled professionals, according to Tracy Hong of Immigrant Voice, a group set up by would-be immigrants who have been caught out because of the backlog.

Aman Kapoor, founder of the group, says the broken employment-based immigration system forces workers like him to live in a state of limbo. People working in the US who are waiting for their green cards, as he has done since October 2003, cannot change jobs or move up in position, thus restricting their opportunities, he says.

<http://www.nfap.net/researchactivities/studies/NFAPStudyLegalImmigrantsWaitingForever052206.pdf>