

# Joe Biden is planning to increase H-1B visa limit, remove country quota for green cards

## Synopsis

H-1B visas, which expand the available pool of high skilled workers in the US, is a non-immigrant visa that allows companies to employ foreign workers in specialty occupations that require theoretical or technical expertise. The technology companies depend on it to hire tens of thousands of employees each year from countries like India and China.



**WASHINGTON:** US President-elect **Joe Biden** plans to increase the number of high-skilled visas, including the H-1B, and eliminate the limit on employment-based visas by country, both of which are expected to benefit tens of thousands of Indian professionals impacted by some immigration policies of the outgoing **Trump administration**.

With Kamala Harris as his deputy, Joe Biden is expected to reverse the move of the outgoing Trump administration to revoke work permits to the spouses of H-1B visas, which had adversely impacted a large number of Indian families in the US.

All these are part of a comprehensive immigration reform that the Biden administration plans to work on, either in one go or in separate pieces.

"High skilled temporary visas should not be used to disincentivise recruiting workers already in the US for in-demand occupations. An immigration system that crowds out high-skilled workers in favour of only entry level wages and skills threatens American innovation and competitiveness," according to a policy document issued by the Biden campaign.

"Biden will work with Congress to first reform temporary visas to establish a wage-based allocation process and establish enforcement mechanisms to ensure they are aligned with the labour market and not used to undermine wages. Then, Biden will support expanding the number of high-skilled visas and eliminating the limits on employment-based visas by country, which create unacceptably long backlogs," it said.

H-1B visas, which expand the available pool of high skilled workers in the United States, is a non-immigrant visa that allows American companies to employ foreign workers in speciality occupations that require theoretical or technical expertise. The technology companies depend on it to hire tens of thousands of employees each year from countries like India and China.

Employment-based visas, also known as **green cards**, allow migrants to gain lawful permanent residence in the US in order to engage in skilled work.

Noting that currently, the number of employment-based visas is capped at 140,000 each year, without the ability to be responsive to the state of the labour market or demands from domestic employers, the policy document said that as

president, Biden will work with Congress to increase the number of visas awarded for permanent, employment-based immigration — and promote mechanisms to temporarily reduce the number of visas during times of high US unemployment.

In June, Trump had suspended the H-1B visas along with other types of foreign work visas until the end of 2020 to protect American workers. In October, the Trump administration had announced new restrictions on the H-1B nonimmigrant visa programme, which it said is aimed at protecting American workers, restoring integrity and to better guarantee that H-1B petitions are approved only for qualified beneficiaries and petitioners.

According to the policy document, Biden will also exempt from any cap recent graduates of PhD programmes in STEM (science, technology, engineering and math) fields in the United States who are poised to make some of the most important contributions to the world economy.

“Biden believes that foreign graduates of a US doctoral programme should be given a green card with their degree and that losing these highly trained workers to foreign economies is a disservice to our own economic competitiveness,” it said.

The Biden administration plans to create a new visa category to allow cities and counties to petition for higher levels of immigrants to support their growth.

“The disparity in economic growth between US cities, and between rural communities and urban areas, is one of the great imbalances of today's economy. Some cities and many rural communities struggle with shrinking populations, an erosion of economic opportunity, and local businesses that face unique challenges.

“Others simply struggle to attract a productive workforce and innovative entrepreneurs. As president, Biden will support a programme to allow any county or municipal executive of a large or midsize county or city to petition for additional immigrant visas to support the region's economic development strategy, provided employers in those regions certify there are available jobs, and that there are no workers to fill them,” the policy document said.

The holders of these visas would be required to work and reside in the city or county that petitioned for them, and would be subject to the same certification protections as other employment-based immigrants, it argued.

According to the policy document, Biden believes that keeping families together and allowing eligible immigrants to join their American relatives on US soil is critically important, but the current system is poorly designed with per-country caps that prevent applications from being approved in a timely fashion.

That means approved applicants may wait decades to be reunited with their families, it said.

“As president, Biden will support family-based immigration by preserving family unification as a foundation of our immigration system; by allowing any approved applicant to receive a temporary non-immigrant visa until the permanent visa is processed; and by supporting legislation that treats the spouse and children of green card holders as the immediate relatives they are, exempting them from caps, and allowing parents to bring their minor children with them at the time they immigrate,” the policy paper said.

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## Six things Joe Biden will likely do on immigration



### **Biden and immigration policies**

When he enters the White House, Joe Biden will likely seek to reverse much of President Donald Trump's immigration legacy and push ahead with his own agenda. While some measures could be quickly rescinded, the multitude of Trump administration changes could take months or years to undo.

*Here is what to expect from Biden in six key immigration policy areas:*

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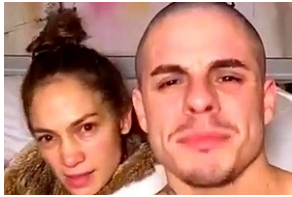
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