US Government's EAGLE Act

Why in news?

Recently, the White House supported the US Congress pass a legislation whose aim is to eliminate the per-country quota on issuing green cards and the House of Representatives will soon vote on the EAGLE Act of 2022.

What is a Green card?

- Green card is officially known as a Permanent Resident Card.
- It is issued to immigrants, allows them to live and work in the United States on a permanent basis.
- The card serves as evidence that the holder has been accorded the privilege of residing permanently.

Benefits of having a green card

- Provides a pathway to citizenship
- Can sponsor immediate family members for the same card
- Provides easy access to US' social security system as also education assistance
- Travel to and from the country becomes much easier
- Can choose to live anywhere in the US
- More freedom in terms of career opportunities as one can apply for a wide variety of jobs
- Can also have some amount of engagement in the political process of the country

*Once issued, a Green Card is valid for **10 years**. A Green Card holder can apply for US citizenship after **5 years** of permanent residency.*

What is H.R. 3648, or the EAGLE Act of 2022?

- The Equal Access to Green Card for Legal Employment (EAGLE) Act or HR 3648 will allow US employers to hire immigrants on the basis of "merit, not their birthplace".
- **Existing law -** The limit of green card allotment annually depends on the country of birth of an immigrant, not their nationality.
- As per the law, any country is eligible for up to 7% of green cards per year.
- **Objectives**
  - To allow US employers to focus on hiring immigrants based on merit by eliminating the "**per country"** limitation on employment-based immigrant visas (green cards)
  - To improve the **H-1B specialty occupation visa** program by bolstering the

    - recruitment requirements and strengthening protections for US workers and boosting transparency
    - To resolve the major issue of the green card processing backlog
- **Features** - H.R. 3648 also includes important provisions to allow individuals who have been waiting in the immigrant visa backlog for 2 years to file their green card applications.
- The transition will take place over **9 years** so that no countries are excluded from receiving visas while the per-country caps are phased out.
- The bill will also increase the limit on family-based visas from 7 % to 15 %.
- **Impact** - This will reduce the impact of the limitiation on less-populated countries and ensure that eligible immigrants from these countries are not excluded.
- Although the applications could not be approved until a visa becomes available, this would provide employment based immigrants with additional flexibilities in changing employers or starting a business.

What will be the impact of the legislation on people from India?

> *According to the CATO report of 2020, in the United States, 75% of the employment-based backlog was made up by skilled Indian workers.*

- The existing law limits skilled citizens from large population countries like China and India from getting permanent residency in the US.
- Immigrants from these countries are forced to wait 20 to 30 times longer for lawful permanent residency status compared to countries with a smaller population.
- According to data released by the US Citizenship and Immigration Services (USCIS), nearly 370,000 Indians were awaiting visa availability, most of whom were in the professionals and skilled workers category.
- **Benefit to people from India -** It will benefit people from India seeking a permanent residence in the US as they will have to wait for shorter durations.
- The Cato Institute said that the bill would raise the average wage of an employment-based immigrant by 12%.
- Faster processing of the citizenship application will help immigrant workers to get protection from exploitation as they would not be completely dependent upon an employer for their legal stay.

What does it have for Americans?

- **Skepticism** - Several Americans said that this would encourage more foreigners to come to the US for residency.
- This would lead to low-wage and low-skilled workers getting Green Cards.
- **Clauses for protecting Americans** - Employers who hire foreign workers will have to advertise the jobs to American workers for at least 30 calendar days to ensure American workers can get the first crack.
- It also offers whistleblower protections for employees to report illegal employer behaviour to the US government.

- The Act will also make it illegal for jobs to be advertised as "only available to H-1B workers" to ensure that H-1B workers are not given a preference over American workers.

References

1. The Indian Express | The US Government's EAGLE Act
2. Business Standard | All you need to know about the new EAGLE Act

