

## 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

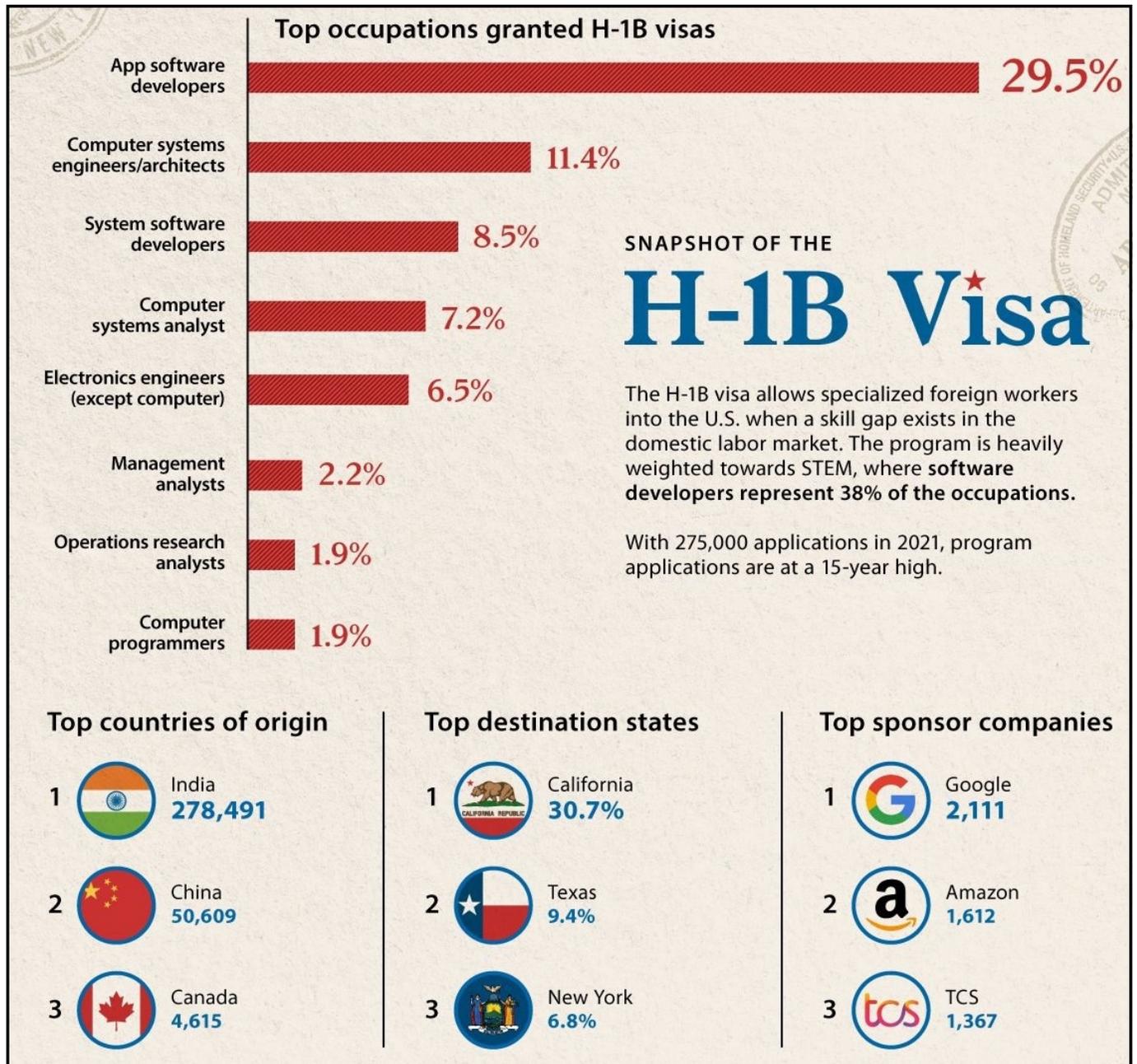
◦ To resolve the major issue of the green card processing backlog

- **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 limitation 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](#)

