



## JUST THE FACTS: TODAY'S GREEN CARD SYSTEM AND BACKLOGS

As policymakers discuss changes to the green card system, including introducing a [merit- or points-based system](#), it is important to discern fact from fiction regarding how today's green card system works, why there are long backlogs, and the impact on timing to permanently immigrate to the United States.

### Today's Green Card System Does Not Provide Enough Supply to Meet Demand

Key Green Card Numbers	Number of Green Cards Available Annually	Approximate Number of Green Cards in the Backlogs
Employment-Based Green Cards	<b>140,000</b> for employees and dependents	Over <b>500,000</b> <sup>1</sup>
Family-Based Green Cards	<b>226,000</b> for those subject to numerical caps <sup>2</sup>	<b>4 Million</b> <sup>3</sup>

Employment-based and family-based green card backlogs mean that some applicants must wait in line for decades. Because of per-country limits, individuals from populous countries with high demand are particularly disadvantaged. Below are some examples of current wait times:

- **Up to 11 years:** Time Chinese and Indian skilled workers have waited for green cards<sup>4</sup>
- **Up to 21 years:** Time adult children of legal permanent residents have waited for green cards<sup>5</sup>
- **Up to 23 years:** Time siblings of U.S. citizens have been waiting for green cards<sup>6</sup>

<sup>1</sup> This estimate is based on internal USCIS estimates prior to Fiscal Year 2012, filing numbers for immigrant petitions since Fiscal Year 2012 and the limit of 140,000 employment-based green cards annually.

<sup>2</sup> Immediate relatives of U.S. citizens (spouses, unmarried children under 21, and parents of citizens 21 years of age or older) are not subject to numerical caps.

<sup>3</sup> Department of State, Annual Report of Immigrant Visa Applicants in the Family-sponsored and Employment-based preferences Registered at the National Visa Center as of November 1, 2017

<sup>4</sup> Department of State Visa Bulletin, February 2018

<sup>5</sup> Id

<sup>6</sup> Id

## Myths About the Current Green Card System

The current system is not based on merit. **FALSE**

Employment-based green card numbers are prioritized as follows:

- First preference: Foreign nationals with extraordinary ability; professors and researchers; certain multinational managers and executives
- Second preference: Professionals with advanced degrees or exceptional ability
- Third preference: Skilled workers, professionals, and unskilled workers
- Fourth preference: Certain special immigrants<sup>7</sup>
- Fifth preference: Immigrant investors

Family-based green card numbers are prioritized as follows:

- Immediate relatives of U.S. citizens (spouses, unmarried children under 21, and parents of citizens 21 years of age or older) account for 44 percent of all green cards issued annually (no numerical limits)<sup>8</sup>
- First preference: Unmarried sons and daughters of U.S. citizens
- Second preference: Spouses and children, and unmarried sons and daughters of permanent residents
- Third preference: Married sons and daughters of U.S. citizens
- Fourth preference: Brothers and sisters of adult U.S. citizens

Aunts, uncles, cousins or other extended family **cannot** be sponsored for green cards.

The process of becoming a legal permanent resident and/or citizen is fast and guaranteed. **FALSE**

Below are some scenarios based on today's backlogs.<sup>9</sup> These processing times assume that the foreign nationals are ultimately approved for green cards; denials are always a possibility after a long wait.

- **35 years**: Legal permanent resident sponsors Filipino spouse who in turn sponsors a sibling: A qualified spouse would take nearly 2 years to get a green card and another 5 years to become a citizen. It would then take a qualified sibling over 23 years to get a green card and another 5 years to become a citizen.
- **35 years**: Employer sponsors a skilled worker from India who in turn sponsors a sibling: A qualified skilled worker sponsored over 11 years ago would just be getting a green card today and it would take another 5 years to become a citizen. It would then take the sibling over 14 years to get a green card and another 5 years to become a citizen.

As Congress debates changes to the green card system, every effort must be made to ensure employers continue to have the ability to select their own workforce and enough numbers must be provided to clear the green card backlogs and provide for future flows.

For more information, please visit [www.cfgi.org](http://www.cfgi.org).

<sup>7</sup> Religious Workers, Special Immigrant Juveniles, Broadcasters, G-4 International Organization or NATO-6 Employees and Their Family Members, International Employees of the U.S. Government Abroad, Armed Forces Members, Panama Canal Zone Employees, Certain Physicians, Afghan and Iraqi Translators, Afghan and Iraqi Nationals Who Have Provided Faith Service in Support of U.S. Operations

<sup>8</sup> 2015 Yearbook of Immigration Statistics, Office of Immigration Statistics, Department of Homeland Security, December 2016

<sup>9</sup> Based on Department of State Visa Bulletin February 2018