

# Ahead of Modi's US visit, Green Card eligibility norms eased. Here's how the new rules could help Indians

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Joe Biden administration in the US announced some key changes to the eligibility for the US Green Card which will benefit Indians who are seeking to build lives in the US. Image: Shutterstock

Prime Minister [Narendra Modi is on his way for an official US visit](#), from June 21 to 24. In the days before his arrival, the Joe Biden administration in the US announced some key changes to the eligibility for the US Green Card—it allows immigrants permanent residency in the country—which will benefit Indians who are seeking to build lives in the US.

## What is a Green Card?

A Green Card, officially called the Permanent Residence Card, allows immigrants to live and work in the US permanently. Immigrants can apply for a Green Card through various eligibility criteria, including those through family (immediate relatives or spouses of US citizens, for instance) and employment.

## What are the new Green Card eligibility norms?

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On June 14, the US Citizenship and Immigration Services (USCIS) relaxed certain Green Card eligibility criteria, releasing 'Guidance on Employment Authorization Documents Based on Compelling Circumstances'.

This document specifies that, among others, this will allow certain categories of people to request employment authorisation. Among others, this will benefit:

- Those who have been living in the US and had a disruptive event, including a sudden loss of job, that puts them in adverse circumstances
- Those who have an approved employment-base application and have been waiting for visa availability due to large numbers of applicants from a single country.

This move is expected to benefit a large number of Indians, especially those who work in the technology sector, who have either been laid off or have seen long wait times to receive their Green Cards.

The guidance states that the decision to issue the employment authorisation is at the agency's discretion. It is important that the applicant requesting employment authorisation submits detailed documentation proving the adverse circumstances.

For example, "a principal applicant with an approved immigrant visa petition in an oversubscribed visa category or chargeability area, who has lived in the United States for a significant amount of time, could submit evidence such as school or higher education enrolment records, mortgage records, or long-term lease records to support a potential finding of compelling circumstances," the USCIS website says.

So, if a candidate has been laid off, and because of the loss of job, is "forced to sell their home for a loss, pull their children out of school and relocate to their home country", it would be considered a 'compelling circumstance'.

## **What does this mean for Indians who are waiting for their Green Cards?**

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Every year, the US issues about 1,40,000 employment-based Green Cards and 2,26,000 family-sponsored Green Cards to immigrants. However, to encourage diversity, applicants from any one country can receive a maximum of 7 percent of those total Green Cards.

This causes applicants from India and China, which both have a large number of applicants every year, to endure long wait times and process delays.

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"We see the new norms as a very positive change, and the approach shows an important human side of the agency. The USCIS deals with the lives of immigrants and their families, and this policy takes into consideration the real-life struggles of immigrants in the

US,” says Suresh Rajan, executive chairman and founder, LCR Capital Partners, an investments and advisory firm specialising in immigrant investor programmes and supporting families who want to move for global opportunities. “This will significantly help people of Indian origin who have been on H-1B visas for years, and have been affected by the recent tech layoffs. It is a big relief for families, and shows that the agency is trying to help immigrants who have chosen the US to build their careers.”

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