

Reversal Frustrates Green-Card Applicants

By MIRIAM JORDAN

The government's surprise offer, then abrupt reversal, of an opportunity for thousands of skilled foreign workers to obtain permanent residency in the U.S. highlights the problems of the overtaxed immigration system and the frenzy that results from a chance to apply for a green card.

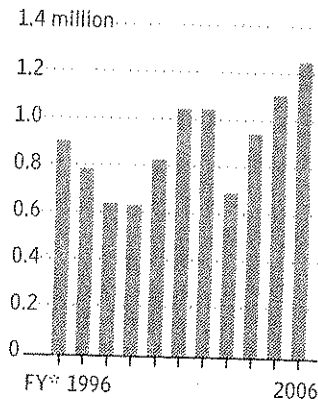
The scramble has put tens of thousands of workers and their families in limbo after many of them and their employers spent thousands of dollars in hopes of securing permanent residency. It may result in a class-action lawsuit against the government by frustrated applicants.

The problem began June 12 when the government seemed to open the door for thousands of foreign workers and their families to end the long wait to apply for a green card. That is when the State Department published a Visa Bulletin, which is a monthly notice closely watched by immigration attorneys and their clients because it determines who is eligible to file a green-card application the next month. The June bulletin announced that practically all skilled foreign workers who had been previously deemed eligible for

Green-Card Limbo

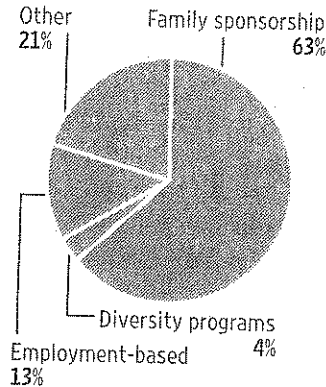
Quotas for permanent-residency status can keep high-skilled workers waiting years

Green-card recipients

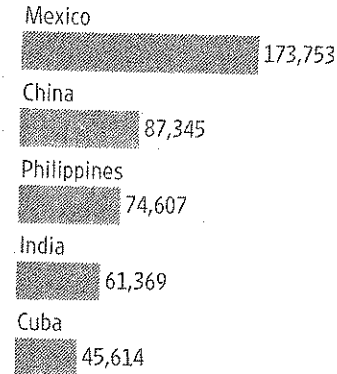


*Ends Sept. 30; †Numbers don't add to 100 due to rounding

Reasons for receiving green cards, 2006†



Number of card winners by origin country, 2006



Source: Department of Homeland Security

an employer-sponsored visa could now take the final step of applying for a green card.

By law, the U.S. can issue about 140,000 employment-based green cards each year. Last year, the government fell short by about 10,000, despite the long waiting list; leftover visas cannot be rolled over to the next year. The June announcement aimed to prevent the visa slot from going to waste, according to a State Department spokeswoman.

The announcement was greeted with a mix of jubilation and panic by thousands of engineers, lab scientists and other high-skilled foreigners who had waited years for their

place in line. Working ahead of a July 2 date for filing the application, intending immigrants rushed to gather documents, complete paperwork and obtain medical exams. Many of their dependents boarded planes for the U.S. to meet a requirement that all family members be present at the time of filing.

"The bulletin created a land rush among legal immigrants desperate to finalize their green-card applications," said Steve Miller, a Seattle-based immigration attorney.

Then, on July 2, the State Department issued an "update" that reversed the previous bulletin. It stated, effective immediately, there would be no further authorizations for employment-based cases. The U.S. Citizenship and Immigration Services, which processes the applications, said it would instead simply process existing applications to meet this year's quota. "We already had sufficient applications pending without new applicants..." a spokesman said.

Mike Aytes, head of domestic operations for the USCIS, said all 147,141 employment-based green cards have now been issued for the year.