

Immigration Reform Bill (Part 1): Proposed Changes To Employment Green Card Categories

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This month, the United States Senate will begin consideration of new immigration reform legislation. In this and the following four articles, we will discuss certain highlights of changes being proposed in immigration law that will, if passed by both houses of Congress and signed by the President, directly affect foreign physicians (and, in some cases, their family members) seeking to [study](#), work, and possibly reside permanently in the United States.

New Proposed Exemptions To Annual Green Card Limits

The new immigration reform bill proposes to exempt certain of the following green card categories from the annual numerical limits on [employment](#)-based immigrants:

- derivative beneficiaries of employment-based immigrants;
- aliens of extraordinary ability in the sciences, arts, education, business or athletics;
- outstanding professors and researchers;
- multinational executives and managers;
- doctoral degree holders in any field;
- certain physicians

These exemptions alone could eliminate the current 5 to 7 year green card waiting period for Indian and Chinese physicians.

The bill then allocates 40 percent of the worldwide level of employment-based visas to:

1. members of the professions holding advanced degrees or their equivalent whose services are sought in the sciences, arts, professions, or business by an employer in the United States (including certain aliens with foreign [medical degrees](#)), and
2. aliens who have earned a master's degree or higher in a field of science, technology, engineering or mathematics from an accredited U.S. institution of higher education and have an offer of employment in a related field and the qualifying degree was earned in the five years immediately before the petition was filed.

In our next article we will discuss the proposed Merit Based Visa program.

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If you're a foreign medical graduate who wishes to practice medicine anywhere in the United States, the Badmus Law Firm can help you navigate the often complicated immigration process. You are invited to [contact us](#) at (469) 916-7900 or at immigration@badmuslaw.com.