

THE SKILLS VISA ACT (H.R. 2131)

GREEN CARDS: COMPARISON WITH CURRENT LAW

<u>PROVISION</u>	<u>CURRENT LAW</u>	<u>SKILLS VISA ACT - H.R. 2131</u>
<u>EMPLOYMENT BASED GREEN CARDS</u>		
EB-1 Priority Workers	<p>Foreign nationals with extraordinary ability in sciences, arts, education, business, or athletics</p> <p>Foreign nationals that are outstanding professors or researchers with at least three years' experience in teaching or research and who are recognized internationally</p> <p>Foreign nationals that are managers and executives subject to international transfer to the United States</p> <p><i>Annual quota: 41,030*</i> <i>Backlog: none</i></p>	No change.
EB-2 Professionals Holding Advanced Degrees	<p>Ph.D., Master's Degree, or at least 5 years of progressive post-baccalaureate experience. Also includes persons of exceptional ability in sciences, arts, or business</p> <p><i>Annual quota: 41,030</i> <i>Backlog: 5 years for China/India</i></p>	Annual quota raised by 15,000.
EB-3 Skilled Workers, Professionals, and Other	Skilled workers, professionals and other workers	Annual quota raised by 15,000.

Workers	<i>Annual quota: 41,030</i> <i>Backlog: 3-10 years, depending on country</i>	
EB-4 Certain Special Immigrants	Includes ministers, religious workers, current or former U.S. government workers, etc. <i>Annual quota: 10,930</i> <i>Backlog: none</i>	No change.
EB-5 Investors	Job creation/investor visas <i>Annual quota: 10,930</i> <i>Backlog: none</i>	No change.
EB-6: Aliens Holding Doctorate Degrees from U.S. Doctoral Institutions of Higher Education in STEM EB-7: Aliens Holding Masters Degrees in STEM	No category under current law.	Annual quota: 55,000 (unused from EB-6 will flow down to EB-7). Labor certifications are required for EB-6 and EB-7, unless subject to National Interest Waiver.
Entrepreneurs	No category under current law.	Annual quota: 10,000
Per Country Cap	No more than 7 percent of total number of green cards may be issued to natives of any one independent country in a fiscal year. Practical effect is lengthy wait times for Indian and Chinese workers.	Per country cap eliminated. Result will be to equalize wait times for all employment-based immigrants.
Total EB Green Card Numbers	Annual quota: 144,951 per year	Increase 95,000 per year Annual quota: 229,951

<u>FAMILY BASED GREEN CARDS</u>		
Immediate Relatives	<p>Spouse, minor children, and parents of U.S. citizens.</p> <p><i>Annual quota: none</i> <i>Backlog: none</i></p> <p><i>2012 statistics: 478,780 admissions</i></p> <ul style="list-style-type: none"> • 273,429 spouses • 124,230 parents • 81,121 children 	No change.
F-1 Adult children (21 years of age or older) of U.S. citizens.	<i>Annual quota: 23,400</i> <i>Backlog: 7 to 18 years</i>	No change.
F-2A Spouse and Minor Children of Lawful Permanent Residents	<i>Annual quota: 87,934</i> <i>Backlog: 4 years</i>	Annual quota raised by 25,000.
F-2B Unmarried Adult Children of Lawful Permanent Residents	<i>Annual quota: 26,266</i> <i>Backlog: 10 to 15 years</i>	No change.
F-3 Married Sons and Daughters of U.S. Citizens	<i>Annual quota: 23,400</i> <i>Backlog: 10 to 19 years</i>	No change.

F-4 Brothers and Sisters of Adult U.S. Citizens	<i>Annual quota: 65,000</i> <i>Current estimated backlog: 15 to 25 years</i>	Category to be phased out over period of 10 years.
Per Country Cap	No more than 7 percent of total number of green cards may be issued to natives of any one independent country in a fiscal year.	Per country cap raised from 7 percent to 15 percent of total number of green cards that may be issued to natives of any one independent country in a fiscal year.
Total FB Green Card Numbers	Approximately 680,000	First 10 years: increase of 25,000 per year After first 10 years: decrease of 40,000 per year
<u>DIVERSITY VISAS</u>		
Diversity Lottery	<i>Annual quota: 55,000 (5,000 set aside for NACARA)</i>	Diversity visa lottery eliminated.
<u>ASYLEES</u>		
Political Asylum	<i>No annual numerical limit.</i> <i>Actual Admissions: 45,086</i>	No change.
<u>REFUGEES</u>		
Refugee	<i>Annual quota: 70,000</i> <i>Actual admissions: 105,528</i>	No change.
<u>SUMMARY</u>		
Summary	2012 DHS Statistics: 680,799 Family Based Immigrants	First 10 years: • Increase 95,000 employment-based

	143,998 Employment Based Immigrants 40,320 Diversity Immigrants 150,614 Asylees/Refugees 15,142 Other categories <u>1,031,631 total green card admissions (estimates)</u>	<ul style="list-style-type: none"> • Increase 25,000 family based • Decrease 55,000 Diversity Visa • <u>Total estimated: increase 55,000 per year (approximately 1.1 million)</u> <p>After 10 years:</p> <ul style="list-style-type: none"> • Increase 95,000 employment-based • Decrease 40,000 family based • Decrease 55,000 Diversity Visa • <u>Total estimated increase: same as current law (approximately 1.03 million)</u>
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**All statistics from DHS Office of Immigration Statistics U.S. Legal Permanent Residents: 2012.*