



S. 1234, The Backlog Elimination, Legal Immigration, and Employment Visa Enhancement (BELIEVE) Act

Merit-based immigration to the United States plays a critical role in the American economy, particularly in the health care and technology sectors. However, many high-skilled immigrants – including physicians, health care workers and professionals in the science, technology, engineering and mathematics fields – currently face a decades-long wait for a green card.¹

Sen. Paul’s proposal reforms the employment-based immigration system in order to:

1. Eliminate the green card backlog for high-skilled immigrants

The Paul proposal fully eliminates the green card backlog within 5-7 years by:

- Increasing the total number of employment-based green cards available each year from 140,000 to 270,000. These increases are achieved by doubling the number of visas available for the EB-1, EB-2, EB-3, and EB-5 preferences.
- Eliminating the 7% per-country cap
- Exempting spouses and children of merit-based immigrants from counting against the worldwide limitation on the number of employment-based visas

2. Alleviate concerns about health care workforce shortages

The Paul proposal addresses the potential for future shortages of nurses² and other health care workers by:

- Exempting health care workers in Department of Labor-designated shortage occupations (Schedule A Group I³) from counting against the worldwide limitation on employment-based visas
- Exempting spouses and children of these health care workers from counting against the worldwide limitation on employment-based visas

3. Provide protections for spouses and “legal Dreamers”

- Exempts children of E, H, and L visa holders from counting against worldwide immigration limitations
- Allows spouses and children of E, H, and L visa holders to pursue employment
- Allows those lawfully present to submit an application immediately for adjustment of status at the time their immigrant petition is approved (versus when a visa becomes available)

¹ [Lawmakers Propose Eliminating National Caps on Work-Based Green Cards](#), Society for Human Resource Management, March 8, 2019.

² [Letter: AHA opposes amendment that would prevent much-needed nurses from entering U.S.](#), American Hospital Association, October 19, 2018.

³ [Permanent Labor Certification Details](#), subsection on “Schedule A Occupations,” U.S. Department of Labor Employment and Training Administration, accessed April 30, 2019.