

Summary of H.R.3012 – Fairness for High-Skilled Immigrants Act

Section 2 (a) through 2(d)

- **In Employment-Based Green Card category eliminates Per-Country Limitation** in making the system first-come-first-served (priority date based) to make a fair high skilled immigration system. This will help reduce backlogs and wait times for backlogged applicants (backlog dates back to 2002 in EB3 and 2007 in EB2). Full elimination of per-country limit will happen in phased manner as specified in Section 2(e) of the bill (see below).
- **In the Family-Based Green Card category increases Per-country limitation from 7% to 15%** to help reduce backlogs for family-based immigrant applicants.
- Effective date for legislation will be October 1, 2011 (FY2012)

Section 2(e) [Transition Rules]

- During FY 2012, 15% of annual allotment of 140,000 green cards will be reserved for countries other than countries with top two countries that are most severely backlog. Remaining 85% will be purely first-come-first-served based on priority date.
- During FY 2013, 10% of annual allotment of 140,000 green cards will be reserved for countries other than countries with top two countries that are most severely backlog. Remaining 90% will be purely first-come-first-served based on priority date.
- During FY 2014, 10% of annual allotment of 140,000 green cards will be reserved for countries other than countries with top two countries that are most severely backlog. Remaining 90% will be purely first-come-first-served based on priority date.
- For FY2015 and beyond, total elimination of per-country limits. All EB green cards allotted on purely first-come-first-serve (priority date) basis.
- For green cards **reserved** above during FY2012,2013 and 2014, no ROW country can get more than 25% of the reserved visas
- For green cards **not reserved** above during FY2012, 2013 and 2014, no country can get more than 70% of total annual green card quota of 140,000.