IMMIGRATION VOICE
CHANGE FOR FAIRNESS AND JUSTICE

For congressional offices
immigrationvoice.org/the-issue/

Immigration Voice asks Congress to end the per-country cap on employment-based green cards, so that qualified workers receive them in the order they applied, whatever their country of birth.

The change adds no green cards. For employment-based green cards, it removes the 7% limit by country of birth that makes some applicants wait decades for a green card that equally qualified applicants from other countries receive in a few years.

BILL STATUS

As of Nov 14, 2026, no stand-alone bill to end the per-country cap is pending in the 119th Congress (govinfo BILLSTATUS, 119th Congress). The last were the EAGLE Act of 2023 (S.3291) and its House companion, the Immigration Visa Efficiency and Security Act of 2023 (H.R.6542), in the 118th Congress.

Key facts

7%

Per-country cap[1]

The most that people born in any one country can receive of the family-sponsored and employment-based green cards available in a year.

None

New green cards the bill adds[2,3]

The bill changes the order in which existing green cards are issued.

35% vs 0.005%

Country comparison[1,4]

India and China together have about 35% of the world's population (UN, 2025 estimate); Iceland has about 0.005%. People born in each are held to the same 7% per-country limit.

179 years

Estimated wait for a new India-born EB-2 applicant[5]

An estimate by the National Foundation for American Policy (August 2026) for an India-born applicant whose EB-2 case is filed in January 2026 or later, if the law does not change.

About 1.26 million

People in the employment-based backlog[5,6]

Approved workers waiting in the first three employment-based categories in December 2025, plus their spouses and children.

389–15 and 365–65

House votes[7,8]

House passage in 2011 (H.R.3012) and 2019 (H.R.1044).

The solution

The bill IV supports changes how employment-based green cards are allocated. It does not change how many there are.

- **One line, in order of application**
- **No new green cards**
- **A phase-in**
- **Nurses and physical therapists**

Protections for American workers

The EAGLE Act of 2021 (H.R.3648, 117th Congress) would have added these protections. The EAGLE Act of 2023 (S.3291, 118th Congress) contained all of them.

- Jobs posted to Americans first
- A 50% limit
- No visitor visas as work visas
- No "H-1B only" jobs
- Wages on the record
- Whistleblower protection
- Audits and investigations
- Higher penalties
- Freedom to change jobs

Congressional offices: info@immigrationvoice.org, (202) 386-6250
Details, bill history and sources: immigrationvoice.org/the-issue/

1. 8 U.S.C. §1152(a)(2) (INA §202(a)(2)): per country levels for family-sponsored and employment-based immigrants, Legal Information Institute, Cornell Law School.
2. The Fairness Bill (immigrationvoice.org/the-fairness-bill/, archived copy), Immigration Voice, 2021-01-03.
3. The EAGLE Act: Myths vs Facts, Immigration Voice, 2021.
4. World Population Prospects 2024: total population by sex (CSV), United Nations, Department of Economic and Social Affairs, Population Division, July 2024.
5. Employment-Based Immigration Backlogs and Waiting Times (NFAP Policy Brief), National Foundation for American Policy, August 2026.
6. Number of Form I-140, I-360, I-526/E Approved Employment-Based Petitions Awaiting Visa Availability, by Preference Category and Country of Birth, as of June 2026, U.S. Citizenship and Immigration Services, June 2026.
7. Final vote results for Roll Call 860: H.R.3012, Fairness for High Skilled Immigrants Act, Office of the Clerk, U.S. House of Representatives, 2011-11-29.
8. Roll Call 437: H.R.1044, Fairness for High-Skilled Immigrants Act, Office of the Clerk, U.S. House of Representatives, 2019-07-10.

As of Nov 18, 2026. Immigration Voice is a 501(c)(4) organization. Contributions are not tax-deductible.