



January 2016

Immigrant Investor Program (EB-5 Regional Center Program) Extended in Congressional Omnibus Appropriations

Prior to adjournment, the U.S. Congress passed an Omnibus \$1.1 trillion year-end spending bill which was signed into law by President Obama on Dec. 18, 2015. (P.L. 114-113).

Included in the Omnibus measure was a “clean” 10-month extension of the EB-5 Regional Center program—meaning no programmatic changes to the existing program, such as minimum investment amounts, definitions for Targeted Employment Areas, or other reforms during the duration of the extension. All I-924, I-526, and I-829 petitions will continue to be accepted, processed, and adjudicated as normal, until a new EB-5 bill is passed, or until the program’s extension or sunset on Sept. 30, 2016.

In the first session of the 114th Congress, six bills¹ seeking to reauthorize and reform the EB-5 program have been introduced in both the House and the Senate, all proposing different measures for reform and improvement. When the EB-5 program was due to expire on Sept. 30, 2015, it was temporarily extended through a temporary government funding bill, a “continuing resolution,” until Dec. 11, 2015, and further extended under a second Continuing Resolution until Dec. 22.

¹ Legislation relating to the EB-5 Program introduced during the first session of the 114th Congress:

- > H.R. 616, [American Entrepreneurship and Investment Act of 2015](#)
- > H.R. 3370, [Entrepreneurial Businesses Creating Jobs Act of 2015 or the EB-JOBS Act of 2015](#)
- > S. 1501, [American Job Creation and Investment Promotion Reform Act of 2015](#)
- > S. 2115, [Targeted Employment Areas Improvement Act](#)
- > S. 2122, [Invest in Our Communities Act](#)
- > S. 2415, [EB-5 Integrity Act of 2015](#)

While there was significant Congressional interest and activity on EB-5, it became clear in waning days of the Congressional session that certain points of discussion needed further analysis, negotiation, comment, and study. Given the press of time, the Congress decided to enact an extension of the current EB-5 program, thus allowing additional time to consider reforms and reauthorization of the program.

For more information on H.R. 2029, the Consolidated Appropriation Act, please see [here](#). The EB-5 extension language can be found on page 285, Sec. 575.

For more information on the EB-5 Regional Center Program or other Immigration matters, please visit Greenberg Traurig's [EB-5 Insights Blog](#).

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