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## Omnibus Spending Bill Signed; EB-5 Regional Center Program Reauthorized

**Legal Update**

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By Immigration Group

*This article was prepared with the assistance of ABIL, the Alliance of Business Immigration Lawyers, of which Loan Huynh, Fredrikson Immigration Department Chair, is a member.*

The Consolidated Appropriations Act, 2022, an omnibus spending bill passed by Congress and signed by President Biden, reauthorizes the EB-5 regional center program for five years, among other things. The bill includes some changes to the program. Selected highlights are below:

- The EB-5 regional center program is reauthorized until September 30, 2027.
  - For targeted employment areas (TEAs) or infrastructure projects, the investment will increase to \$800,000. For other projects, the required investment is \$1,050,000. Existing investors' petitions will be grandfathered under existing rules. TEA letters are valid for two years.
  - As long as an EB-5 petition is filed by September 30, 2026, U.S. Citizenship and Immigration Services (USCIS) must continue to process it even if the program lapses in the future.
  - Immigrant investor petitions can include concurrent adjustment of status filings.
  - Projects can be changed if a regional center or new commercial enterprise is terminated.
  - USCIS will audit regional centers at least every five years.
  - Third-party agent fees and involvement must be disclosed.

The bill also reauthorizes the Violence Against Women Act. It does not include visa recapture provisions.