



EB-5 Reform & Reauthorization Policy Platform

Enhance Program Integrity Measures

Improve program integrity, including through enhanced oversight and reporting requirements of Regional Centers that are not unduly burdensome, such as site visits funded by user fees.

Increased Visa Capacity

The better solution to visa allocation from a policy perspective is to increase visa capacity by not counting derivatives towards the annual visa cap and allow for advance parole of investors with approved I-526 petitions but no visa available yet. Doing so would enhance economic impact of EB-5 and address the backlog of investors currently waiting for visas to be available.

Targeted Employment Areas (TEAs)

IIUSA supports either of the following for a new definition for high-unemployment area: (1) aggregation of census tracts that are “contiguous and adjacent” to the project tract – as proposed by the U.S. Department of Homeland Security for regulatory reform in January 2017; or (2) tracts that meet 2/3 new market tax credit criteria. Furthermore, IIUSA supports the current definition of “rural” and adding “infrastructure” as an industry category that qualifies. These definitions borrow from both government and industry proposals that have broad consensus that makes for good policy. [A full interactive map detailing various TEA proposals can be found at IIUSA.org.](#)

Investment Levels & Visa Set Asides

IIUSA supports a meaningful and reasonable difference in TEA and non-TEA investment levels of \$200,000 and with phased implementation to minimize disruption to ongoing capital flows. Furthermore, IIUSA can support visa set asides as an additional incentive if properly implemented

Effective Dates

Program reforms should not apply retroactively to investors who filed an I-526 petition before the date of enactment. All new petitions filed after enactment would have to comply with new law; it is therefore not worth the harm caused by retroactive application of new rules to investors with I-526's filed and the projects invested into. Also, investors and Regional Centers should be given reasonable notice in the event of a change to the law in order to properly adjust business plans, offering documents, etc.

Job Creation Methodologies

Continue to allow economic impact models including indirect/induced job creation to count for EB-5 purposes (using the same econometric models that are generally accepted as economic policymaking tools by government, academia, and business).

Efficient & Transparent Processing

Staff commercially viable processing system at USCIS that addresses existing backlogs, is predictable and shortens the excessively long processing times for EB-5 related petitions and applications.

Extend EB-5 for 5+ years

In order to provide certainty to the EB-5 Regional Center Program, the reauthorization should be for a minimum of 5 years. An EB-5 project cycle typically lasts about 5 years to come full circle. Ultimately, after appropriate reforms, it would be appropriate to permanently authorize the EB-5 program.