

[DISCUSSION DRAFT]

113TH CONGRESS
2^D SESSION

H. R. _____

To amend the Immigration and Nationality Act to make the EB-5 regional center program permanent, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. SCHOCK introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Immigration and Nationality Act to make the EB-5 regional center program permanent, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “_____ Act
5 of 2014”.

1 **SEC. 2. REMOVAL OF PER COUNTRY NUMERICAL CAPS ON**
2 **EMPLOYMENT VISAS.**

3 Section 202(a)(2) of the Immigration and Nationality
4 Act (8 U.S.C. 1152) is amended by striking “subsections
5 (a) and (b) of section 203” and inserting “subsection (a)
6 of section 203”.

7 **SEC. 3. REGIONAL CENTER PROGRAM MADE PERMANENT.**

8 Section 203(b)(5) of the Immigration and Nationality
9 Act (8 U.S.C. 1153(b)(5)) is amended by adding at the
10 end the following:

11 “(E) REGIONAL CENTER PROGRAM.—

12 “(i) SET ASIDE.—Not less than 3,000
13 of the visas made available under this
14 paragraph in each fiscal year shall be re-
15 served for qualified immigrants for a pro-
16 gram to implement the provisions of this
17 paragraph.

18 “(ii) IN GENERAL.—The program re-
19 ferred to in clause (i) shall involve a re-
20 gional center in the United States, des-
21 ignated by the Secretary of Homeland Se-
22 curity on the basis of a general proposal,
23 for the promotion of economic growth, in-
24 cluding increased export sales, improved
25 regional productivity, job creation, or in-
26 creased domestic capital investment. A re-

1 regional center shall have jurisdiction over a
2 limited geographic area, which shall be de-
3 scribed in the proposal and consistent with
4 the purpose of concentrating pooled invest-
5 ment in defined economic zones. The es-
6 tablishment of a regional center may be
7 based on general predictions, contained in
8 the proposal, concerning the kinds of com-
9 mercial enterprises that will receive capital
10 from aliens, the jobs that will be created
11 directly or indirectly as a result of such
12 capital investments, and the other positive
13 economic effects such capital investments
14 will have.

15 “(iii) RULE FOR DETERMINING COM-
16 PLIANCE WITH JOB CREATION REQUIRE-
17 MENTS.—For purposes of determining
18 compliance with subparagraph (A)(ii), and
19 notwithstanding the requirements of 8
20 CFR 204.6, the Secretary of Homeland
21 Security shall permit aliens admitted under
22 the program described in this subpara-
23 graph to establish reasonable methodolo-
24 gies for determining the number of jobs
25 created by the program, including such

1 jobs which are estimated to have been cre-
2 ated indirectly through revenues generated
3 from increased exports, improved regional
4 productivity, job creation, or increased do-
5 mestic capital investment resulting from
6 the program.”.

7 **SEC. 4. PRIORITY CONSIDERATION FOR REGIONAL CENTER**
8 **APPLICANTS.**

9 Section 204(a)(1)(H) of the Immigration and Nation-
10 ality Act (8 U.S.C. 1154(a)(1)(H)) is amended by adding
11 at the end the following: “In processing petitions under
12 this subparagraph, the Secretary of Homeland Security
13 may give priority to petitions filed by aliens seeking admis-
14 sion under the program described in section 203(b)(5)(E).
15 Notwithstanding section 203(e), immigrant visas made
16 available under section 203(b)(5) may be issued to such
17 aliens in an order that takes into account any priority ac-
18 corded under the preceding sentence.”.

19 **SEC. 5. CONFORMING AMENDMENT.**

20 Section 610 of Public Law 102-395 (8 U.S.C. 1153
21 note) is hereby repealed.