



IMMIGRATION UPDATE - MARCH 14, 2022

Posted on March 14, 2022 by Cyrus Mehta

Headlines:

[Omnibus Spending Bill Signed; EB-5 Regional Center Program Reauthorized](#) –

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 and includes some changes.

[State Dept. Releases Info for Nationals of Ukraine, U.S. Citizens in Ukraine](#) –

The Department of State released information on March 11, 2022, for nationals of Ukraine to "further clarify visa options and outline alternatives to visas that Ukrainians may consider."

[State Dept. Holds Passport Acceptance Fairs](#) –

The Department of State announced that it will hold special passport acceptance fairs in March and April across the United States. Most of the events are for first-time applicants and children using Form DS-11 to apply.

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

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.

Details:

- "Investor Immigrants Greet Imminent Revival of the EB-5 Program," Forbes, Mar. 9, 2022, <https://www.forbes.com/sites/andyjsemotiuk/2022/03/09/investor-immigrants-greet-imminent-revival-of-the-eb-5-program/?sh=7223bbff7436>
- Consolidated Appropriations Act, 2022, Congress.gov, <https://www.congress.gov/bill/117th-congress/house-bill/2471?r=7&s=1>
- "Violence Against Women Act Renewed as Part of Omnibus Spending Package," The Hill, Mar. 9, 2022, <https://thehill.com/policy/finance/597473-violence-against-women-act-renewed-as-part-of-omnibus-spending-package>
- "Green Card Backlog Fix Dropped From Lawmakers' Budget Deal," Bloomberg Government, Mar. 9, 2022, <https://about.bgov.com/news/green-card-backlog-fix-in-doubt-as-lawmakers-prep-spending-deal/>
- "Biden Signs Spending Bill That Includes \$13.6 Billion in Ukraine Aid," CBS News, Mar. 11, 2022, <https://www.cbsnews.com/news/ukraine-aid-biden-signs-omnibus-bill/>

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State Dept. Releases Info for Nationals of Ukraine, U.S. Citizens in Ukraine

The Department of State (DOS) released information on March 11, 2022, for nationals of Ukraine to "further clarify visa options and outline alternatives to visas that Ukrainians may consider." DOS noted that "a visa is not a viable way to achieve refugee resettlement in the United States." DOS also recently released information for U.S. citizens in Ukraine. Highlights are below:

- Among other things, certain persons from Ukraine can travel to the United States without a pre-departure COVID-19 test until April 1, 2022, under a national interest exception.
- Humanitarian parole allows a person who may be inadmissible or otherwise ineligible for admission to be in the United States temporarily for urgent humanitarian reasons or significant public benefit. "It is not meant to replace a visa process," DOS said. Those wishing to apply should contact [USCIS](#).
- Almost all refugee cases in countries abroad are processed by local authorities or the United Nations Refugee Agency (UNHCR). "Ukrainians should not attempt to apply for visas in order to travel to the United States as refugees. Instead, they should contact local authorities or [UNHCR](#) for refugee processing," DOS said. [USAID](#) also has information for Ukrainian refugees.
- DOS said that the International Organization for Migration (IOM)'s Resettlement Support Center (RSC) Eurasia is continuing limited operations from Kyiv and from the sub-office in Chisinau, Moldova. At present, RSC Eurasia is not conducting any in-person activities or scheduling any departures from Kyiv. The sub-office in Chisinau can arrange departures for approved Ukrainian Lautenberg applicants who have completed all U.S. Refugee Admissions Program (USRAP) processing requirements and are physically outside of Ukraine, DOS said.
- U.S. citizens seeking to leave Ukraine can call 1-833-741-2777 (in the United States) or 1-606-260-4379 (from overseas) for immediate assistance. An online form is at <https://cacms.state.gov/s/crisis-intake>

Details:

- "Information for Nationals of Ukraine," Dept. of State, Mar. 11, 2022, <https://travel.state.gov/content/travel/en/News/visas-news/information-for-nationals-of-Ukraine.html>

- "Information for U.S. Citizens in Ukraine," which includes border-crossing advice, <https://bit.ly/3pG4mil>

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State Dept. Holds Passport Acceptance Fairs

The Department of State (DOS) announced on March 9, 2022, that it will hold special passport acceptance fairs in March and April across the United States. Most of the events are for first-time applicants and children using Form DS-11 to apply. Those eligible for renewal should renew by mail, DOS said.

Those applying for routine service can expect to receive a passport in 8 to 11 weeks, DOS said. Those who need their passports in the next 5 to 7 weeks can pay an additional \$60 fee to expedite processing. Acceptance facilities do not offer appointments for urgent travel in less than 5 weeks.

The March fairs will be held in various locations in California, Georgia, Florida, New Jersey, and Texas. The April fairs will be held in several locations in California. DOS said that new events are added weekly.

Details:

- "Special Passport Acceptance Fairs," Dept. of State, Mar. 9, 2022, <https://travel.state.gov/content/travel/en/News/passports/special-passport-acceptance-fairs.html>

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