

116TH CONGRESS
1ST SESSION

H. R. 2173

To amend the Immigration and Nationality Act to reserve EB–5 visas each fiscal year for investors in new commercial enterprises in areas with respect to which a major disaster has been declared by the President.

IN THE HOUSE OF REPRESENTATIVES

APRIL 9, 2019

Miss GONZÁLEZ-COLÓN of Puerto Rico (for herself and Mr. LAMALFA) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Immigration and Nationality Act to reserve EB–5 visas each fiscal year for investors in new commercial enterprises in areas with respect to which a major disaster has been declared by the President.

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. RESERVATION OF EB–5 VISAS FOR INVESTORS**
4 **IN DISASTER AREAS.**

5 Section 203(b)(5) of the Immigration and Nationality
6 Act (8 U.S.C. 1153(b)(5)) is amended—

7 (1) by redesignating subparagraphs (C) and
8 (D) as subparagraphs (D) and (E), respectively; and

1 (2) by inserting after subparagraph (B) the fol-
2 lowing:

3 “(C) SET-ASIDE FOR MAJOR DISASTER
4 AREAS.—

5 “(i) IN GENERAL.—Of the visas made
6 available under this paragraph for each fis-
7 cal year, the number required under clause
8 (ii) shall be reserved for qualified immi-
9 grants who invest in a new commercial en-
10 terprise described in subparagraph (A)
11 which will create employment in an area
12 with respect to which a major disaster has
13 been declared by the President under sec-
14 tion 401 of the Robert T. Stafford Dis-
15 aster Relief and Emergency Assistance Act
16 (42 U.S.C. 5170).

17 “(ii) NUMBER OF RESERVED VISAS.—

18 “(I) IN GENERAL.—In the case
19 of each area with respect to which one
20 or multiple major disasters have been
21 declared by the President under sec-
22 tion 401 of the Robert T. Stafford
23 Disaster Relief and Emergency Assist-
24 ance Act (42 U.S.C. 5170) in a single
25 fiscal year, the Secretary of State and

1 the Secretary of Homeland Security
2 shall coordinate so as to ensure that
3 100 visas are reserved under this sub-
4 paragraph for the area for—

5 “(aa) the fiscal year in
6 which the declaration or declara-
7 tions occur and the two suc-
8 ceeding fiscal years; or

9 “(bb) the 3 fiscal years fol-
10 lowing the fiscal year in which
11 the declaration or declarations
12 occur.

13 “(II) TIMING.—The decision
14 whether to implement subclause (I)
15 according to item (aa) or (bb) shall be
16 made jointly by the Secretary of State
17 and the Secretary of Homeland Secu-
18 rity based upon the number of visas
19 already made available under this
20 paragraph on the date on which the
21 declaration (or the first of multiple
22 declarations) occurs and other factors
23 deemed appropriate by such secre-
24 taries.”.

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