

	Senate Bill S. 1501	Page on Bill	Proposed Bill	Page on Bill	House Bill H.R. 616	Page on Bill	H.R. 3370	Page on Bill	S. 2122	Page on Bill	SKILLS ACT (113th Congress)
Permanency?	September 30, 2020 (5 years)	p. 2	September 30, 2019 (4 years)		Permanent	p. 3-4	Permanent	p. 17	Permanent	p. 3	Permanent
Job Creation Methodology	Revised methodology (repeals in part section 610 of Public Law 102-395); 90% can be indirect; 10% must be direct; Can have credit of jobs from non-alien investors only for percentage of total jobs created that is equal to percentage of total investment, but cannot exceed 30%; No tenant occupancy allowed. Bureau of Economic Analysis (BEA) must accept methodology.	p. 4-7	90% can be indirect; 10% must be direct. An employee of the job-creating entity, and not the NCE, may be considered a direct job. DHS may request additional evidence such as W-2 forms. Bureau of Economic Analysis (BEA) must accept methodology. Includes provisions for relocated jobs, publicly available bonds, and construction jobs. Relocated jobs: permits tenant occupancy under certain circumstances determined by an economically and statistically valid methodology. Publicly Available Bonds: Explicitly prohibits alien investor capital for purchase of municipal bonds or other bonds. Construction jobs: the length of any full-time construction jobs that last less than 24 months may be aggregated to satisfy the job creation	p. 2-3	No change to existing law. "Reasonable methodologies" for determining jobs created indirectly through revenues generated from increased exports, improved regional productivity, or increased domestic capital investment.	p. 5	Methodology to be approved by DHS and Commerce; job creation outside the geographic boundary of the RC may be considered if the estimated job creation is supported by substantial evidence and is no more than 50% of estimated jobs.	p. 19-20	"Reasonable" methodologies for determining the number of jobs, including jobs created indirectly from: increased exports; improved regional productivity; or increased domestic capital investment resulting from the RC.	p. 5-6	Not addressed in legislation.
Amendment to Regional Center	Any changes, need to file an amendment, including sale or rental. Notice of proposed changes must be made public via USCIS website.	p. 7	Any changes, need to file an amendment, including sale or rental. Notice of proposed changes must be made public via USCIS website. Requires approval by the Secretary.	p. 3-4	Not addressed in legislation.		Not addressed in legislation.		Not addressed in legislation.		Not addressed in legislation.
Preapproval of NCE	Required, and will need the following for adjudication: 1) comprehensive business plan; 2) economic report; 3) SEC documents; 4) investment and offering documents, 5) including marketing materials; description of policies and procedures to confirm compliance with securities law; 6) certification that persons involved have complied with securities laws; 7) economic analysis for TEA/CSA.	p. 8-12	Required, and will need the following for adjudication: 1) comprehensive business plan; 2) economic report; 3) SEC documents; 4) investment and offering documents, 5) description of policies and procedures to confirm compliance with securities law; 6) certification that persons involved have complied with securities laws.	p. 4-5	Optional preapproval process included in legislation.	p. 5-6	Optional preapproval process included in legislation.	p. 20	Optional; preapproval eliminates the need to submit project documents with any I-526 petition.	p. 6-7	Not addressed in legislation.
Effect of Preapproval	Will be binding on subsequent petitions and afford deference unless there is evidence of "fraud, misrepresentation, criminal misuse, a threat to public safety or national security, a material change that affects the approved economic model, other evidence affecting program eligibility that was not disclosed during the approval process, or a material mistake of law or fact in the prior adjudication."	p. 12	Will be binding on subsequent petitions and afford deference unless there is evidence of "fraud, misrepresentation, criminal misuse, a threat to public safety or national security, a material change that affects the approved economic model, other evidence affecting program eligibility that was not disclosed during the approval process, or a material mistake of law or fact in the prior adjudication."	p. 5	Deference given.	p. 7	Deference given: legislation requires that the "Secretary make final decisions on all issues . . . other than those issues unique to an individual investor in the new commercial enterprise." Eliminates the need for repeated submission of project documents once preapproved.	p. 20-21	Deference given for both the I-526 and I-829 stages.	p.7-8	Not addressed in legislation.
Processing times	"On average": 120 days for I-924, 150 days for I-526, and 180 days for I-829. Fees may be adjusted to achieve these processing timeframes.	p. 67-68	Goal: 120 days for I-924, 150 days for I-526, and 180 days for I-829. Fees may be adjusted to achieve these processing timeframes.	p. 29	Adjudication within 180 days; if RFE, 30 days upon receipt of response	p. 7-8	Does not address or prescribe processing times. Preapproval process provided—see below.		Adjudications within 180 days. Requests for evidence shall be issued within 30 days of filing, and adjudication of RFEs shall be within 30 days after it is received.	p. 8-9	Not addressed in legislation.
Grounds for Denial or Revocation of Investor's Visa or Status	Secretary has unreviewable discretion to deny or revoke investor status at any point, including based on "fraud, misrepresentation, criminal misuse, or threats to public safety or national security." Secretary not required to disclose the basis for any determination.	p. 14	Secretary has unreviewable discretion to deny or revoke investor status at any point, including based on "fraud, misrepresentation, criminal misuse, or threats to public safety or national security." Judicial review is limited.	p. 16-17	Not addressed in legislation.		The Secretary "may" deny or revoke an investor's petition for classification as an immigrant investor or a petition to remove conditions based on participation that is "contrary to the national interest," "poses a threat to national security," or because the individual "seeks to engage in any criminal or civil violation of any law relating to fraud, deceit, misrepresentation, or criminal misuse."		Not addressed in legislation.		Not addressed in legislation.
Site visits	Mandatory site visits. "Secretary shall perform at least 1 site visit to each regional center associated commercial enterprise . . ."	P. 14	Mandatory site visits. At least one site visit to each NCE and JCE, at any time between filing the I-924 and the I-829	p. 5	Not addressed in legislation.		Requires site visits to be performed on a random basis of not less than 5% of all approved regional center capital investment projects per fiscal year.	p. 21	Not addressed in legislation.		Not addressed in legislation.

Premium processing	Premium processing option provided for Business Plan and project documents, and can also expedite site visit. Secretary will impose the fee.		Adding an additional \$1,000 premium fee, but not for expeditious processing. Expeditious processing fee will be set and adjudication will take 1/2 the time as proposed in the goal.	p. 30	Not addressed in legislation.		\$5,000 fee that can be adjusted per CPI. Premium processing option only available to petitions associated with preapproved investment offering. 60 days for adjudication.	p. 47-49	Not addressed in legislation.		Not addressed in legislation.	
Job Creation Counts in a TEA	If investment is in TEA, at least 50% of job creation must be in TEA/CSA. If it is below 50%, the total number of jobs created will be limited to the number at which 50% of the job creation occurs.	p. 15-16	Not addressed in legislation.		Not addressed in legislation.		Not addressed in legislation.		Not addressed in legislation.		Not addressed in legislation.	
Annual Statement	Each year, the RC must submit a statement certifying compliance, disclosing any litigation or bankruptcy, accounting of foreign investor money, evidence 100% of capital is committed, a detailed progress, accounting of direct jobs created/preserved, and description of all funds. Disclosure of whether there has been a material change.	p. 17-19	Each year, the RC must submit a statement certifying compliance, disclosing any litigation or bankruptcy, accounting of foreign investor money, evidence 100% of capital is committed, a detailed progress, accounting of direct jobs created/preserved, and description of all funds. Disclosure of whether there has been a material change. Requires RC to certify all statements are accurate after a due diligence investigation. Statement must be amended if the Director determines the statement to be deficient or if appropriate.	p. 6-7	Not included		Annual statement submitted to USCIS including: description of litigation or bankruptcy proceedings; accounting of all foreign investor money into the RC and projects; accounting of capital invested for each project; description of how capital is deployed per business plan; evidence the capital is 100% committed to the project; evidence progress is made to completion of the project; accounting of all the jobs counted (direct and indirect); fees collected from investors other than for the investment, including a description, entities that received the fees, and the purpose for the fees; and a statement certifying the accuracy.	p. 21-24	Not addressed in legislation.		Not addressed in legislation.	
Sanctions	The Director may implement graduated sanctions if there is a violation, including monetary, temporary suspension, and permanent bar.	p. 20-21	The Director may implement graduated sanctions if there is a violation, including monetary, temporary suspension, and permanent bar, and termination of RC.	p. 7	Not included		Authorized sanctions will be graduated, including fines, temporary suspension, a permanent bar from program participation, and termination of RC status.	p. 25-26	Not addressed in legislation.		Not addressed in legislation.	
Regional Center Operators- Bona Fides	Must have a clean record in general (criminal, civil) for 10 years.	p. 22-25	Must have a clean record in general (criminal, civil) for 10 years.	p. 8	Clean record for 5 years.	p. 8-10	Must have a clean record in general (criminal, civil) for 5 years.	p. 26-27	Must have a clean record in general (criminal, civil) for 5 years.	p. 10-14	Must not be an aggravated felon, inadmissible.	p. 45-46
Regional Center Principals	Must be U.S. national or LPR.	p. 26	Must be U.S. citizen or LPR.	p. 9	Not included		Must be U.S. citizen or LPR.	p. 29	Must be U.S. citizen or LPR.	p. 14-15	Not addressed in legislation.	
Foreign Government Ownership/ Administration	Not allowed for the operations and management of the RC.	p. 26	Not allowed. No foreign government entity may provide capital to, or be directly or indirectly associated with the ownership or administration of the RC, NCE, or JCE. No foreign person may be involved in the promotion of the RC, NCE, or JCE.	p. 9	Not included		Not allowed.	p. 29	Not allowed.	p. 15	Not addressed in legislation.	
Background checks on RC principals	Background checks required and Secretary is authorized. Includes fingerprinting as part of the background check.	p. 27	Background checks required and Secretary is authorized. Includes fingerprinting as part of the background check; effective as of date of enactment of Act.	p. 9	Secretary "shall perform such background checks as the Secretary in the Secretary's discretion considers appropriate." Attestation and fingerprints required of regional center principals.	p. 10	Secretary "shall" require attestations concerning criminal history, including submission of fingerprints to the FBI and shall perform criminal record and other background checks as the Secretary deems appropriate.	p. 29-30	Background checks required and Secretary is authorized. Includes fingerprinting as part of the background check.	p. 15	Background checks conducted by DHS.	p. 45-46
Termination of Regional Center	Secretary has unreviewable discretion to terminate regional center based on violations.	p. 28	Secretary may terminate any RC based on violations.	p. 9-10	Secretary authorized to terminate regional center and shall provide procedures for appeal.	p. 11	Secretary has unreviewable discretion to terminate or suspend the RC if it is found to have violated SEC rules and regulations, or fails to provide a certification related to SEC compliance; effective immediately. Secretary may terminate based on other enumerated violations such as fraud, misrepresentation etc.	p. 30-35	Secretary authorized to terminate regional center based on failure to provide attestations or engaged in fraud.	p. 15-16	DHS Secretary given unreviewable authority to suspend or terminate regional center.	47-48
Securities Attestations	Regional Center needs to certify compliance and has policies and procedures in place and must annually reissue such certification.	p. 29-30	Regional Center needs to certify compliance and has policies and procedures in place and must annually reissue such certification.	p. 10-11	Not addressed in legislation.		RC needs to certify that the RC, to the best knowledge of the applicant, and all parties to the RC are in compliance with securities laws. RC will be responsible to monitor and supervise all offers and sales of securities and to maintain the records. Annual certification.	p. 31-32	Regional Center needs to certify compliance and has policies and procedures in place and must annually reissue such certification. RC will be responsible to monitor and supervise all offers and sales of securities and to maintain the records. Annual certification.	p. 17-19	RC must certify compliance.	p. 46-47
Securities Attestations- remedies?	Can remedy if RC discovers there was noncompliance, need to describe the actions taken to remedy it and certify compliance.	p. 31-32	Can remedy if RC discovers there was noncompliance, need to describe the actions taken to remedy it and certify compliance.	p. 11	Not addressed in legislation.		Does not include.		Can remedy if RC discovers there was noncompliance, need to describe the actions taken to remedy it and certify compliance.	p. 19-20	Not addressed in legislation.	

Oversight	RC has burden to maintain all records of securities/sales for 5 years.	p. 32	RC has burden to maintain all records of securities/sales for 5 years.	p. 11	Not addressed in legislation.		RC has burden to maintain records, data, and information relating to the offers and sales of securities.	p. 32	RC has burden to maintain records, data, and information relating to the offers and sales of securities.	p. 20	Not addressed in legislation.
Effect of failure to provide securities certification	Suspension or termination.	p. 32-34	Secretary may suspend or terminate RC if there are violations or if the certification contains untrue statement of fact.	p. 11-12	Not addressed in legislation.		Suspension or termination (unreviewable discretion) for failure to provide certification, is enjoined in connection with offer, purchase, or sale of a security; subject to a final order of the SEC, or submitted a knowingly false certification.	p. 32-34	Suspension or termination (unreviewable discretion) for failure to provide certification, is enjoined in connection with offer, purchase, or sale of a security; subject to a final order of the SEC, or submitted a knowingly false certification.	p. 20-22	Regional center designation shall be revoked for SEC violations.
Delegation authority	Not addressed in legislation.		Not addressed in legislation.		Not addressed in legislation.		Secretary of Homeland Security may delegate to the Secretary of Commerce authority and responsibility to adopt rules, and determine whether job creation requirements have been met.	p. 36	Not addressed in legislation.		Not addressed in legislation.
EB-5 Integrity Fund	From Jan. 1, 2016, \$20,000 fee for RC to go fund audits, site visits, investigations outside the U.S., and generally combat fraud. Must be paid within 90 days.	p. 35-37	From Jan. 1, 2016, \$25,000 fee for RC to go fund audits, site visits, investigations outside the U.S., and generally combat fraud. If RC has less than 20 investors in preceding fiscal year, the fee is \$10,000. Must be paid within 90 days or risk termination.	p. 12-13	Not addressed in legislation.		Immigrant Entrepreneur Account created to administer the program.	p. 47-48	Not addressed in legislation.		Not addressed in legislation.
Promoters/ Agents	Must register or be barred, must have minimum qualifications. RC must have compliance and signed agreement with individual.	p. 38-39	Must register, have the minimum requirements, and have a permissible fee arrangement. RC must have compliance and signed agreement with individual.	p. 13-14	Not addressed in legislation.		Not addressed in legislation.		Not addressed in legislation.		Not addressed in legislation.
Source of Funds	Lays out specific guidelines. Gift restrictions- limited to family. Loan restrictions- must be secured by investor's assets and issued by reputable bank.	p. 40-43	Lays out specific guidelines, including needing to source funds associated with admin and other fees for the investment. Gift restrictions limited to family. Loan restrictions- must be secured by investor's assets and issued by reputable bank.	p. 14-15	Not addressed in legislation.		Not addressed in legislation.		Not addressed in legislation.		Not addressed in legislation.
Safe Harbor for Investor If Regional Center is terminated	CPR still goes on. No unlawful presence for 180 days, but CPR will be terminated in 6 months, unless the investor invests again and can have CPR removed 2 years after the investment.	p. 44-46	CPR still goes on. No unlawful presence for 180 days, but CPR will be terminated in 6 months, unless the investor invests again and can have CPR removed 2 years after the subsequent investment.	p. 15-16	Not addressed in legislation.		The legislation includes a safe harbor provision for investors who cannot meet the requirements under 203(b)(5) and 216A after two years and permits a two-year extension. This may be drafted in a way that an investor in a terminated regional center could obtain an extension.	p. 44	Not addressed in legislation.		Not addressed in legislation.
GAO Report	Must submit a report no later than December 31, 2018- economic benefits, USCIS compliance, records, SOF, and use of EB-5 integrity fund.	p. 48-50	Must submit a report no later than December 31, 2018- economic benefits, USCIS compliance, records, SOF, national security, fraud & abuse, records of sanctions, oversight of third party promoters, DHS employees & ethical standards/transparency, and use of EB-5 integrity fund.	p. 19	Not addressed in legislation.		Not included, but requires a report to the Committee on the Judiciary of the House and Senate, in addition to an Annual Site Visit and Biennial Report from DHS.	p. 45-47	Not included, but requires a report to the Committee on the Judiciary of the House and Senate detailing the percentage of completed and pending projects in all areas; whether Federal financial assistance is given; and whether market demands exceed visa allocation.	p. 24-25	Not addressed in legislation.
Inspector General Report	Must submit report no later than December 31, 2018- assessing vulnerabilities, threats.	p. 50- 51	Must submit report no later than December 31, 2018- assessing vulnerabilities, threats.	p. 19-20	Not addressed in legislation.		Not included, but requires a report to the Committee on the Judiciary of the House and Senate, in addition to an Annual Site Visit and Biennial Report	p. 45-47	Not included, but requires a report to the Committee on the Judiciary of the House and Senate detailing the percentage of completed and pending projects in all areas; whether Federal financial assistance is given; and whether market demands exceed visa allocation.	p. 24-25	Not addressed in legislation.
Site visit for Project	Secretary shall perform a site visit to JCE any time after an application for approval is filed.	p. 53	Secretary shall perform a site visit to NCE and JCE.	p. 21	Not addressed in legislation.		Performed on a random basis of not less than 5% of all approved regional center capital investment projects per fiscal year.	p. 21	Not addressed in legislation.		Not addressed in legislation.

TEA designation	5,000 visa set aside for TEA; valid for 2 years. Authority rests within DHS and not bound by Federal or State governmental or non-governmental entity.	p. 56-57; p. 62-63	4,000 set aside for TEA; 50 % for rural and 50% for high unemployment/high poverty areas. Authority rests within DHS and not bound by Federal or State governmental or non-governmental entity. A high unemployment TEA is defined as an area "consisting of a census tract or contiguous census tracts in which each census tract has an unemployment rate that is at least 150 percent of the national average unemployment rate." The bill provides that the census tract at 150 percent may be adjoined by a census tract or tracts with any unemployment level. The rule is effectively a two census tract rule, with one tract required to be at 150 percent of the national average. The alternative draft also provides a TEA designation to an area consisting of one or more high poverty census tracts (defined as a census tract with a 20 percent poverty rate and a median family income of "not more than 80 percent" of the state or metro area median income). A high poverty area may be located in an urban or rural area. Designations given for infrastructure or manufacturing projects and BRAC projects. TEAs valid for 2 years. DHS shall work with Defense to modify the definition of BRAC.	p. 23-24; 27	5,000 visas set aside; determined by State agency. DHS shall defer to State. Valid for 2 years.	p. 2-3	4,000 visas set aside for high unemployment areas; 2,000 for rural areas, and 2,000 for counties with a 20% or greater decrease in population since 1970, a state or federal economic development incentive program, or an area within the boundaries of a military installation closed under the BRAC law. TEA valid for 5 years.	p. 36-40	Not addressed in legislation.	TEA designation determined based upon Department of Labor determination of geographic boundary of high unemployment area. Secretary of Homeland Security has ultimate discretion to determine TEA for purposes of the program.	p. 42-43
High unemployment definition	High unemployment area for TEA purposes is limited to a single census tract with 150% of the national average unemployment rate.	p. 62	High unemployment area for TEA purposes is limited to a census tract or contiguous census tracts in which each census tract is at least 150% of the national average unemployment rate and which may include any census tract or tracts contiguous to one or more of the tracts that have the requisite unemployment rate.	p. 25-26	No change to existing law.		High unemployment area is defined as an area comprising of one or more contiguous census tracts within one Core Based Statistical Area with unemployment rate of at least 150% of national average.	p. 39-40	Not addressed in legislation.	TEA definition tightened to only include an area which has an unemployment rate of 150% and fits entirely within a geographical unit the Secretary of Labor has determined has an unemployment rate of 150%+	
Minimum Investment Amount	\$1,200,000 for non- TEAs, and \$800,000 for TEAs. Automatically adjusted every 5 years, or can be annual as well- based on CPI.	p. 57-58	\$1,200,000 for non- TEAs, and \$800,000 for TEAs., manufacturing, or infrastructure or BRAC. Automatically adjusted every 5 years, or can be annual as well- based on CPI.	p. 24-25	Not addressed in legislation.		\$1,000,000 for TEA, \$2,000,000 for non-TEA. Effective for first fiscal year that begins more than 6 months after date of enactment. Adjusted every 3 years per CPI.	p. 42-43	Not addressed in legislation.	Will be increased based on changes in CPI. Adjustments will take place on an annual basis.	p. 38-39
FTE definition	Position requiring at least 35 hours of service per week for 24-month period	p. 62	Position requiring at least 35 hours of service per week for 24-month period	p. 25	Not addressed in legislation.		Position requiring at least 35 hours per week, and expected to last for 2 years. May be satisfied on a full-time equivalent basis by calculating the number of full time employees that could have been employed if the reported number of hours worked by part-time employees had been worked by FTE.	p. 40-41	Not addressed in legislation.	Not addressed in legislation.	
I-526 Petition processing times	Not addressed in legislation.		Goal to complete adjudications within: 120 days for I-924; 150 days for I-526; and 180 days for I-829	p. 29	Adjudication within 180 days; if RFE, 30 days upon receipt of response	p. 11-12	Does not address		Not addressed in legislation.	Not addressed in legislation.	
Numerical Limits	Not addressed in legislation.		Not addressed in legislation.		Spouse and child eliminated from 10,000 numerical limitation, and eliminates per country quotas.	p. 13	If the visa numbers have been exhausted, an additional 10,000 may be made available for that fiscal year unless a joint resolution is enacted.		Spouse and child eliminated from 10,000 numerical limitation, and eliminates per country quotas.	p. 2-3	Per country limits are eliminated for employment-based categories. For family cases, the limit is raised from 7% to 15%.
Age-out children	If a petition is terminated, will still be considered a child if the parents file another petition in one year and the "child" does not marry. May only file one more.	p. 63-64	If a petition is terminated, will still be considered a child if the parents file another petition in one year and the "child" does not marry. May only file one more.	p. 27	If a petition is terminated, will still be considered a child if the parents file another petition in one year and the "child" does not marry. May only file one more.	p. 13-14	Does not address		If a petition is terminated, will still be considered a child if the parents file another petition in one year and the "child" does not marry. May only file one more.	p. 24-25	
Conditional Permanent Residence Extended	Not specifically addressed in legislation but there is some investor safe harbor if RC terminated.		If there is a delay in filing the petition (case-by-case), the second anniversary in which to remove conditions will be extended to no later than 30 days after the third anniversary to file the case.	p. 21	Not addressed in legislation.		If there is a delay in filing the petition (case-by-case), the second anniversary in which to remove conditions will be extended to the fourth anniversary	p. 44-45	Not addressed in legislation.	One year extension possible at Secretary's discretion if facts and circumstances warrant.	p. 40-41
Concurrent filing of I-526 and AOS	Allowed if there is a visa available.	p. 65	Allowed if there is a visa available.	p. 27	Allowed if there is a visa available	p. 15-16	Allowed if there is a visa available.	p. 47	Not addressed in legislation.	Not addressed in legislation.	
Order of filing	Cannot file I-526 without I-924 approval.	p. 66	Cannot file I-526 without I-924 approval.	p. 29	Not addressed in legislation.		Not addressed in legislation.		Not addressed in legislation.	Not addressed in legislation.	

<p>Transparency</p>	<p>No preferential treatment by any agency employee in relation to any individual connected with EB-5 program. Improper activities enumerated in the bill. All communications must be recorded between agency and Eb-5-associated individual and included in case file. Oral communications must be recorded electronically or with notes. Any information received from law enforcement or intelligence agencies, or from any whistleblower, shall be protected and included in record. Protect whistleblowers. DHS will establish an email account for inquiries, which will be an appropriate channel. USCIS will log all communications, identity of participants, and subject matter, and will make such log public under FOIA.</p> <p>General requirements for agency employees: shall act impartially and may not give preferential treatment to any organization or individual, including expediting or influencing cases, meeting or communicating with parties associated with the entities at their requests that is not available to others. Sanctions for violation include "written reprimand; suspension; demotion; or removal."</p>	<p>p. 69-77</p>	<p>No preferential treatment by any agency employee in relation to any individual connected with EB-5 program. Improper activities enumerated in the bill. All communications must be recorded between agency and Eb-5-associated individual and included in case file. Oral communications must be recorded electronically or with notes. Any information received from law enforcement or intelligence agencies, or from any whistleblower, shall be protected and included in record. Protect whistleblowers. DHS will establish an email account for inquiries, which will be an appropriate channel. USCIS will log all communications, identity of participants, and subject matter, and will make such log public under FOIA and FAQ.</p> <p>General requirements for agency employees: shall act impartially and may not give preferential treatment to any organization or individual, including expediting or influencing cases, meeting or communicating with parties associated with the entities at their requests that is not available to others. Sanctions for violation include "written reprimand; suspension; demotion; or removal."</p>	<p>p. 31-33</p>	<p>Not addressed in legislation.</p>	<p>Not addressed in legislation.</p>	<p>Not addressed in legislation.</p>	<p>Not addressed in legislation.</p>	
<p>Appellate Rights</p>	<p>Not addressed in legislation.</p>		<p>Judicial review- in most instances, no court shall have jurisdiction to review a denial or revocations due to a threat to national interest. USCIS may ask the AAO to conduct an administrative appellate review of any determination made in terms of the RC or the individual investor.</p>	<p>p. 16-18</p>	<p>Not addressed in legislation.</p>	<p>Not addressed in legislation.</p>	<p>Any persons subject to suspension or termination due to the discretion of DHS will be entitled to a hearing before an administrative law judge with all facts and documents. DHS has the burden to prove, by a preponderance of the evidence, that the suspension or termination was valid. The ALJ has final decision-making authority.</p>	<p>p. 9-10</p>	
<p>Effective Dates</p>			<p>Job creation and source of funds provisions, and minimum investment amount provisions will be in effect from petitions filed June 1, 2015 and after. However, if an exemplar for the project was approved prior June 1, 2015, it will not affect the I-526 petition. If the petition filed prior to date of enactment is deficient, they will have 180 days to supplement.</p>	<p>p. 18; 28</p>					
<p>Interview</p>	<p>Not addressed in legislation.</p>		<p>May be required for the investor</p>	<p>p. 22</p>					

Other definitions		<p>High Poverty Area: area consisting of a census tract or contiguous census tracts, each of which 1) has a poverty rate of at least 20%; 2) is not located within a metro area and has a median family income not more than 80% of statewide median family income; or 3) located within a metro area and has a median family income that is not more than 80% of the greater of the statewide median family income or metro area median family income.</p> <p>Infrastructure project: Capital investment project administered by a governmental entity contracting with an RC.</p> <p>Manufacturing project: Capital investment project with the purpose of improving, constructing, or operating a plant, factory, or mill to produce or assemble a product in the U.S.</p>									
--------------------------	--	--	--	--	--	--	--	--	--	--	--