

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.

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## 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

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## 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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