

UNCLASSIFIED 16 STATE 109718

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SUBJECT: Extension of Conrad State 30 Program, Non-minister Special Immigrant Religious Workers, and EB-5 Regional Center Immigrant Investor Program Authorities

1. Summary. President Obama signed a 10-week stopgap continuing resolution into law on September 29, 2016 that included the extension of three visa authorizations. The extension of these visa programs will expire on December 9, 2016. The three visa programs are the Conrad State 30 Program, the non-minister special immigrant religious work program (SR visa), and the EB-5 Regional Center Immigrant Investor program. End summary.

### **Conrad State 30 Program**

2. The Conrad State 30 Program will expire on December 9, 2016. The Conrad 30 program, allows medical doctors on J-1 visas to apply for a waiver of the two-year home residence requirement (INA Section 212(e)) upon completion of the J-1 exchange visitor program. The program addresses the shortage of qualified doctors in medically underserved areas. The Visa Office's Waiver Review Division (CA/VO/DO/W) will cease processing Conrad 30 waiver recommendations for J-1 physicians who entered or were granted J-1 status after December 8, 2016. Applicants who entered or were granted J-1 status on or before December 8, 2016, may still apply for a waiver.

### **Non-minister Special Immigrant Religious Workers**

3. Authorization for the SR visa will expire on December 9, 2016. The SR visa category is for professional and non-professional workers within religious vocation or occupation categories other than the vocation of a minister. Note that this expiration relates to immigrant visa recipients and their accompanying spouses and children only, and does not affect any nonimmigrant categories such as R-1 visas. Individuals seeking SR visa status are required to have applied for such status and be admitted into the United States prior to December 9, 2016. The validity of any SR visa issued, therefore, must be limited to December 8, 2016, to coincide with the expiration of this classification. Posts that have issued SR visas in recent months should make efforts to inform the recipients that they must travel by December 8, 2016. Posts that issue SR visas in December should inform the individual of the expiration date and necessity of traveling before the expiration date. If the visa holder is not admitted into the United States before the program expires, replacement visas cannot be issued. Beginning on December 9, 2016, posts are advised to hold in abeyance any pending SR application.

4. The final action date for this category was listed as "Unavailable" in both the ALDAC cable, and Visa Bulletin, which announced the October Final Action Dates. The legislative action that has extended this category through December 9, 2016 will allow the Final Action Date to immediately become "Current" for October for all countries except El Salvador, Guatemala, and Honduras, which will be subject to a June 15, 2015 final action date.

## **EB-5 Regional Center Immigrant Investor Program**

5. The EB-5 Regional Center Immigrant Investor program (visa categories R51 and I51) is set to expire on December 9, 2016. This EB-5 immigrant investor program sets aside up to 3,000 immigrant visas annually for aliens who make qualifying investments in commercial enterprise through “regional centers” in the United States. In order to ensure validity, all R51 and I51 visas must be issued by close of business December 9, 2016. The expiration date also applies to accompanying spouses and children. Beginning on December 10, 2016, posts are advised to hold in abeyance any pending R51 and I51 immigrant investor applications. The employment creation immigrant investor programs for individuals not investing through a regional center, visa symbols T51 and C51, remain valid.

6. The Final Action Date for the I5 and R5 categories were listed as “Unavailable” in both the ALDAC cable, and Visa Bulletin which announced the October Final Action Dates. The legislative action which has extended these categories through December 9, 2016 will allow the Final Action Date to immediately become “Current” for October for all countries except China. China-mainland born I5 and R5 applicants will be subject to a February 22, 2014 Final Action Date.

7. VO will continue to provide guidance as the appropriations process continues.