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Congress Extension of CONRAD State 30 Program, Non-minister
Special Immigrant Religious Workers, and EB-5 Regional Center
Immigrant Investor Programs.

President Obama signed a 10-week stopgap continuing resolution into law on September 29th, 2016 that included the extension of three visa authorizations. The extension of these visa programs will expire on December 9th, 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 visa program.

CONRAD State 30 Program

The CONRAD State 30 Program will expire on December 9th, 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 will cease processing CONRAD 30 waiver recommendations for J-1 physicians who entered or were granted J-1 status after December 8th, 2016. Applicants who entered or were granted J-1 status on or before December 8th, 2016, may still apply for a waiver.

Non-minister Special Immigrant Religious Workers (SR)

Authorization for the SR visa will expire on December 9th, 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 9th, 2016.

The validity of any SR visa issued, therefore, must be limited to December 8th, 2016, to coincide with the expiration of this classification. Consular Posts that have issued SR visas in recent months should make efforts to inform the recipients that they must travel by December 8th, 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 9th, 2016, Consular posts are advised to hold in abeyance any pending SR application.

The final action date for this category was listed as "Unavailable" in the Visa Bulletin, which announced the October Final Action Dates. The legislative action that has extended this category through December 9th, 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 15th, 2015 final action date.

EB-5 Regional Center Immigrant Investor Program

The EB-5 Regional Center Immigrant Investor program is set to expire on December 9th, 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 EB-5 Regional Center Investor visas must be issued by the close of business December 9th, 2016. The expiration date also applies to accompanying spouses and children. Beginning on December 10th, 2016, posts are advised to hold in abeyance any pending EB-5 Regional Center Investor immigrant investor applications. The employment creation immigrant investor programs for individuals not investing through a regional center remain valid.

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

Nachman Phulwani Zimovcak (NPZ) Law Group is an immigration law group with offices in New York, New Jersey, Indiana and with affiliated offices in Canada and in India. We assist our clients with all U.S. and Canadian immigration and nationality matters on a routine basis. For more information, or to speak to one of our immigration and nationality lawyers or attorneys, please feel free to e-mail us at info@visaserve.com or to call us at 201-670-0006 (x107).