

Preliminary Injunction Granted for EB-5 Regional Center Reauthorization in Behring Regional Center LLC v. Mayorkas et al

Judge Vince Chhabria approved Behring Regional Center's request for a preliminary injunction against USCIS. It ends Regional Centers' "deauthorized" status.

LOS ANGELES, CALIFORNIA, UNITED STATES, June 28, 2022

/EINPresswire.com/ -- Judge Vince Chhabria approved Behring Regional Center's request for a preliminary injunction against USCIS. This decision exempts ALL EB-5 regional centers from being affected by how USCIS interprets the EB-5 Reform and Integrity Act of 2022.



This ruling ends the Regional Centers' "unauthorized" status but the decision did not specify any changes or direction on how to move forward. Most likely, the further direction will result from negotiations with the government to reach a settlement.

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This is a huge victory for the EB-5 sector. We will continue to monitor this and are pleased that the EB-5 Regional Centers in our portfolio do not have to be redesignated at this time.”

Vivek Tandon, Founder of EB5 BRICS

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Background:

The EB-5 Integrity and Reform Act of 2022, part of an omnibus spending measure for FY 2022, increased the minimum investment criteria to \$800,000 for targeted investment regions and \$1,050,000 for conventional investments. However, as part of the Act, all previously

designated EB-5 Regional Centers under the original program would need to “redesignate” under the new law.

Behring Regional Center sued the Department of Homeland Security on April 22, 2022 (Case 3:22-cv-02487-VC), requesting an injunction to prevent the requirement for redesignation. A hearing was held on May 10, 2022, in the federal court for the Northern District of California to consider a preliminary injunction or temporary restraining order (TRO) against this requirement.

After requesting additional documentation from both the plaintiff and the defendant, the judge, the Honorable Vince Chhabria planned to issue a decision in "early June". A second hearing was held on June 2, 2022.

Source: Behring Regional Center LLC v. Mayorkas et al; Behring Regional Center LLC v. Mayorkas et al, Docket No. 3:22-cv-02487 (N.D. Cal. Apr 22, 2022), [Court Docket](#)

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help clients achieve their goals of investment-based immigration to the United States. If you'd like to meet and discuss EB-5 immigration and EB-5 investments including Current Direct EB-5 opportunities and Regional Center EB-5 Projects (subject to program reauthorization), fill out the form.

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