

In The News

Akerman Partner Steven Polivy Quoted in *Law360* Article Discussing the Future of EB-5

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Economic Development and Incentives Practice Chair [Steven Polivy](#) discussed the potential future of EB-5 in an article for *Law360*. The program allows foreign investors to commit capital to a U.S. project or company and, provided the investment creates 10 American jobs per investor, the foreigner gets the principal back, a green card, green cards for dependents and a minimal return on the investment. It has seen a recent influx of deals following a California court ruling that reverted the minimum investment level from \$900,000 – a Trump-era change – back to the original \$500,000. The U.S. Department of Homeland Security has appealed the decision, but that hasn't stopped investors from jumping at the lower investment level in the meantime. Adding to the confusion, Congress failed to renew the Regional Center aspect of the program, making it more difficult to meet the job creation requirement.

“It’s really two parallel tracks,” Polivy said. “The judge’s order creates a window of opportunity. However, the thing that helps EB-5 the most is having stability.”

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