

EB5 Program

Opportunity for Foreigner to get Permanent Residency using EB5 Program.

History:

EB-5 Visa for Immigrant Investors is a United States Visa created by the Immigration Act of 1990 and oversight of this program is done under the auspices of the United States Citizenship and Immigration Services (USCIS). The EB-5 Regional Center Investment Program was created in 1993.

Benefit of the Program:

- * Direct route to permanent residency in the United States for Investor, his/her spouse and any children under the age of 21.
- * Freedom for Investor to live, work and retire anywhere in the United States.
- * Investor and his/her children may attend college or university at U.S. resident costs.
- * Investor and immediate family may travel to and from the United States without a visa.
- * Route to U.S. citizenship for Investor and immediate family after five years of permanent residency.
- Ability for Investor to sponsor green cards for family members.
- * Investor receives all benefits of U.S. permanent residency status, including ability to develop and run his/her own business.

EB-5VISA

- * Permanent residence (Green Cards) obtained through investment
- * Requires the creation of 10 jobs per investor
- * Requires the actual investment of \$500,000 or \$1,000,000 - based on location (and relationship to unemployment numbers)
- * Passive or Active Investment
- * Long Term Investment of at least 3 to 5 years
- * Appealing to wealthy foreign nationals
- * Covers investor, spouse, and unmarried children under 21
- * Usage Increasing
- * USCIS is working on ways to improve the review and approval process

EB-5 Visa Usage

Fiscal Year	Total EB5 Visas Issued
FY2011 Q1 & Q2	2,129 *
FY2010	1,885
FY2009	4,218
FY2008	1,360
FY2007	806
FY2006	744

* Preliminary Estimate of FY2011, O1 & Q2 Visas Issued, Data from USCIS (US Citizenship and Immigration Service) in June 30, 2011 Presentation
USCIS issues 55% more EB-5 visa (4,218) in FY2009 than in FY2010. Most believed that this 2009 spike occurred because USCIS expedited EB-5 visa processing.

For FY10 of 1,885 EB-5 Visas were issued, in these top 10 countries:

- People's Republic of China (772 or 40.9%)
- Republic of South Korea (295 or 15.6%)
- Great Britain/Northern Ireland (135 or 7.1%)
- Taiwan (94 or 5%)
- India (62 or 3.3%)
- Iran (55 or 2.9%)
- Mexico (50 or 2.6%)
- Canada (45 or 2.4%)
- Russia (41 or 2.2%)
- South Africa (34 or 1.8%)

Visa Processing:

- * I-526 : Source of Fund & Actual Investment, Business Plan
- * Application for Green Card
- * I-829: After 2 years, job creation

TWO WAYS FOR EB-5 programs:

A- Direct Investment:

- * Equity, control, 10 actual jobs created per investor,
- * Limitations: plan consistency, deal structuring, single entity

B- Regional Center: (202 regional center as of Nov. 15, 2011)

- * Indirect job creation, - most valuable tool
- * Pre-cleared Business Model
- * Potential Capital Access
- * Limited Partnership or Similar Structure
- * Form Your Own or Use an Existing
- * 3 Main Principal for Investors
 - Obtain Green Card
 - Preservation of Capital
 - Return on Investment (Distant third)

What is the U.S. EB-5 Investor Immigration Program?

The EB-5 is permits foreign national to receive conditional resident status in the United States in exchange for making a capital investment in the U.S. that will benefit the economy. Each investment needs to create or save ten full-time jobs for U.S. workers. The minimum amount of investment is \$1,000,000(1 millions in USD) but that minimum amount is reduced to

\$500,000.00 if the investment is made in a high unemployment area or qualifying rural region.

According to the regulation under the EB-5 Immigrant Visa Program, investors meeting one of the following 3 conditions qualify to obtain an EB-5 Immigrant Visa:

1. Investment of \$1,000,000 in any region of the USA in a business employment at least 10 employees.
2. Investment of \$500,000 in a business location within a region of the United States designated by the U.S. Government as an area of low employment and employing at least 10 employees.
3. Investment of \$500,000 in a business located within a "Regional Center" as specially designed by the U.S. Government.

Among the 3 categories of EB-5 investment, the third category regarding the Regional Center is the fastest, most convenient and least risky.

Question and Answer:

Q: What is the EB-5 "Regional Center" Program.

A: In 1993, the U.S. Government established a special "Regional Center Immigration Program" to attract and concentrate foreign investment in specially planned and approved areas in order to stimulate economic development in those areas. Under this program, the minimum amount required for investors who invest within the U.S.-Government approved "Regional Centers" is reduced from \$1,000,000 to \$500,000. In addition, the original requirement that the investment "must directly create 10 jobs" has been loosened so that the investment may "directly or indirectly create 10 jobs."

Q: Is there an annual limit on the number of EB-5 immigrant visa issues?

A: Yes, there is. At present, the U.S. Government may grant a maximum of 10,000 EB-5 investor immigrant visas per year. Of this figure, a minimum 3000 individual slots are especially reserved for persons investing in "Regional Center" projects. While the Program is gaining popularity, there has not been a single year since the beginning of the Program where all 10,000 visas have been issued.

Q: Are any countries excluded from eligibility?

A: There are no residents from any country that is excluded from filing for an EB-5 immigrant visa. However, USCIS has to follow all of the laws and regulations in adjudicating the applications. Therefore, sanctions on foreign countries and other regulations do make it more difficult for foreign nationals from certain countries to apply.

Q: What are the requirements to apply for EB-5 immigrant visas?

A: Requirements placed on investors participating in the Program are quite lenient. There are no special requirements placed upon investors, such as having a business background, age, level of education or language abilities. In most cases, applicants who demonstrate they are qualified investors and their investment funds were obtained legally will receive an EB-5 immigrant visa.

Q: What can disqualify an investor from participating?

A: There are very few disqualifying or exclusionary events under the program. A criminal record involving war crimes or crimes of moral turpitude are disqualifying in most cases. There are also a few major medical problems that can also potentially exclude an applicant.

Q: Besides the \$500,000 investment itself, what are the costs to file an EB-5 application?

A: In addition to \$500,000 used as investment funds, EB-5 applicants generally pay an Administrative Fee to cover fees related to the project's Regional Center designation. The amount of this fee can vary between Regional Centers and projects. There will also be additional legal fees that are not included in the investment amount.

Q: How is the EB-5 Visa different from other Visas such as the E-1/2 or L-1 Visa?

A: The EB-5 immigrant visa is a way for applicants to acquire lawful permanent residence with the potential for U.S. citizenship. In contrast, other visas such as the E-1/2 and L-1 allow for non-immigrant status only. Therefore, an individual does not receive a green card. When the qualifying trade or investment ends under other visa programs, the individual must return to their home country. Under the EB-5 immigrant visa, the applicant receives a path towards permanent residency and citizenship if they choose.

Q: Can an individual apply if the individual is currently out-of-status (i.e., lived in the U.S., but does not have a current visa)?

A: Out-of-status nationals are no longer permitted to apply for permanent residency from within the United States. They must first return to their country of origin and apply through the United States Embassy there. Examples of "out-of-status" individuals are students and tourists who no longer have valid visas because they remained in the United States after their visas expired. In some cases, the "out-of-status" investor may need to apply for a waiver of inadmissibility. Once the petition is approved and individual's adjustment of status application is filed, the applicant becomes legal and even qualifies for work authorization or advanced parole (permission to travel outside of the country during the conditional green card period).

Q: How long does it take EB-5 immigrant visa applicants to obtain their "green cards"?

A: Within the last year, the processing times for EB-5 immigrant visa applications have risen. USCIS would like to set a targeted processing time of 5 months. However, this is not a guaranteed time. The growing popularity of the program has increased the processing time for the applications, with no definite time period available.

Q: Can a conditional "green card" be changed into a conventional "green card" without any conditions?

A: Yes. According to U.S. regulations, each investor immigrant is granted a conditional "green card" valid for two years. Three months before the conditional "green card" expires, an additional application is filed with the U.S. Government seeking to remove all conditions on the "green card." As long as the investor's investment is still in existence at this time, and the investor can prove that this investment created ten jobs, the U.S. Government will approve the application and the investor will become a permanent resident.

Q: What items or documents are needed to apply for an EB-5 immigrant visa?

A: There is a long list of documentation that is needed in order for an application to be submitted. All applicants need to prepare basic biographical information and identification documents such as birth certificates, marriage certificates, and copies of passports. In

addition, financial documentation will be needed in order to show the origin of the investment funds along with the path of the transfer of funds to the escrow account. An exhaustive list has been provided in this package. The immigrant investor and accompanying family members will also eventually need to undergo a physical examination. The services of an immigration attorney are invaluable in the application process. And you must hire immigration attorney to assist you in the process.

Q: Do investors and their immediate family members have to reside in the area where investments are made?

A: No, EB-5 investors and their immediate family members may live anywhere in the United States and conduct their lives as they wish.

Q: How long do investors and immediate family members have to wait before they can become naturalized United States citizens and obtain U.S. passports?

A: Five years, starting from the date of initial entry with the EB-5 investor immigrant visa. Time spent with a conditional "green card" is credited towards the five-year lawful permanent residency requirement for U.S. citizenship, as long as the holders of conditional "green cards" meet U.S. citizenship residency requirements. In other words, after holding a conditional "green card" for two years and thereafter a conventional "green card" for another three years, or a total of five years, the investor and his or her immediate family are qualified to apply to become naturalized U.S. citizens. As soon as the naturalization process is completed, the investor and his or her immediate family.

Why Invest in Chicago?

It is home to the second largest central business district and 21 Fortune 500 companies have headquarters in Chicagoland area. Chicago is centrally located in United States and is simple to access to many means. With 2 airports, 10 national highways, and major train access from all area of the country, Chicago is easily accessible from any point. It has over 80 colleges and universities, large theatre district of Broadway plays, ballets, and musical, the Magnificent Mile of shopping next to Lake Michigan, over 100 languages spoken, and over 20% of the population is foreign born.

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for more info on regional centers for your EB5 Visa.

Exclusive Visas Timeline / Flowchart for the EB-5 Investor

