



EB-5 Immigrant Investor Program Summary

OVERVIEW

Under section 203(b)(5) of the Immigration and Nationality Act (INA), 10,000 immigrant visas per year are available to qualified individuals seeking to obtain permanent residence in the U.S. on the basis of their investment in a U.S. business. Permanent resident status under the EB-5 category is available to investors, either alone or coming with their spouse and unmarried children under the age of twenty-one (21).

If an investor's EB-5 petition is approved, the investor and dependents may apply for two-year conditional resident status. During the conditional period, the investor must continue to satisfy all EB-5 requirements in order to qualify for a removal of conditions. Permanent resident status is granted to the investor and dependents only if the petition to remove conditions is approved.

EB-5 REGIONAL CENTER INVESTMENT

Of the 10,000 EB-5 visas available annually, 3,000 are set aside for those who apply under a pilot program involving a CIS-designated "Regional Center."

A "Regional Center:"

- Is an entity, organization or agency that has been approved as such by the Service;
- Focuses on a specific geographic area within the U.S.; and
- Seeks to promote economic growth through increased export sales, improved regional productivity, creation of new jobs, and increased domestic capital investment.

Alien investors must:

- Demonstrate that a "qualified investment" is being made in a new commercial enterprise located within an approved Regional Center; and
- Show, using reasonable methodologies, that 10 or more jobs are actually created either directly or indirectly (regional center) by the new commercial enterprise through revenues generated from increased exports, improved regional productivity, job creation, or increased domestic capital investment resulting from the pilot program.

All documentation concerning the source of funds must be analyzed to confirm the funds' lawful source before the investor can wire them to the U.S.