



# Green Card Through Investment Guide

## EB-5 Immigrant Investor Program



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## 1.- The EB-5 Immigrant Investor Program (green card through investment)

The EB-5 Immigrant Investor Program of USCIS (United States Citizenship and Immigration Services) is a Program that allows foreign investors to obtain a green card.

The green card identifies its holder as a United States lawful permanent resident, with right to enter, exit, live and work in the United States for his entire life.

Currently there are three types of EB-5 Immigrant Investor Program:

- Invest USD 1 million to any place in the US to create a new business and personally manage it. The investor must directly create at least 10 full time jobs.
- Invest USD 500,000 in a rural area defined by the US government (area outside of city or suburban area with more than a 20,000 population). The investor must personally manage the company invested in and must directly create at least 10 full time jobs.
- Invest USD 500,000 in a targeted employment area defined by the US government (area where the unemployment rate is 150% of the national average employment rate. The Investor doesn't need to manage the company by himself, because the "Regional Center" (see paragraph n. 2) could manage it. At least 10 direct, indirect or induced full time jobs must be created.

### Compare the 3 types of EB-5 Immigrant Investor Program:

Type of EB-5	(USD)	Type of area	Create jobs	Manager	Risk
Traditional investment project	1,000,000	Any place in U.S.	Directly create 10 jobs	Investor	Big
Traditional investment project	500,000	Rural area	Directly create 10 jobs	Investor	Big
Regional center project	500,000	Targeted employment area	Directly, indirectly, or derivatively create 10 jobs	Regional Center	Smaller

## **2.- EB-5 Immigrant Investor Program "Regional Center"**

The EB-5 "Regional Center" is a private economic entity or company, which takes charge of recruiting EB-5 investors and managing their capital in investment projects. It can be considered a "management company."

Every "Regional Center" at least has one or more investment project, and the projects are strictly reviewed and approved by USCIS.

Every approved "Regional Center" is located in a targeted geographical area, aiming at promoting the local economy and increasing the employment opportunities. The management of the project by the "Regional Center" is supervised by USCIS and all of its records are submitted to USCIS.

A Regional Center generally has a professional team managing the project for the investor, including attorneys, managers, financial personnel, economists, etc. And according to each agreement signed, a "Regional Center" should provide updates on the project process and make audit reports seasonally to the investor.

## **3.- Advantages of EB-5 Immigrant Investor Program**

EB-5 Program offers the following advantages:

- A person applies as an investor, but the entire family can obtain a green card, including the investor's spouse and unmarried children under 21 years old;
- Application processing time is currently only 5-6 months;
- Compared to other visas, EB-5 Immigrant Investor Program requires less personal documents and has the highest approval rate (92%);
- There is no limitation to investor's education, language, age or business background;
- Investor can live anywhere in US and travel to 150 countries without visa;
- Investor doesn't to manage the investment project by himself (with "Regional Center", see *paragraph n. 5*), but enjoy the right to supervise the investment project

- After five years, investor and his family can obtain US citizenship;
- After five years, investor can to get back his investment.

#### **4.- EB-5 Immigrant Investor Program basic requirements**

The investor must meet the following requirements:

- be foreign adult over 21 years old
- be in good health
- not have criminal records
- invest at least USD 500.000 lawfully gained

Besides, the investment must create at least 10 full time jobs.

#### **5.- Types of EB-5 Investment Projects**

##### a) Real estate type projects

Real estate projects are mostly relatively large and need to raise funds for a long time.

Completion of the project requires a long time, and the investors need to wait a long time to obtain green card.

Project can be secured with high, relatively low-risk investment.

##### b) Movable type projects

This type includes transportation, food service industry, mostly manufacturing projects.

The investment risk is relatively large.

Operation of the project has flexibility in operation, the feasibility of creating employment is relatively high.

##### c) Combined projects

These projects include real estate + movable property.

They give more efficient access to obtaining green card.

Strong liquidity more effectively within the planned repayment of the amount of investment of time to investors.

Usually can reduce investment risk and increase the security of funds.

## **6.- Distinction of Good Investment Project**

A Good Investment Project has the following features:

- Investors can successfully get green card through investment.
- Investors are returned their USD 500,000 investment according to a timeframe specified by contract.
- Investors do not need to wait for a long time to implement the project.
- In general, a single real estate project needs more time for completion, and therefore will require investors to wait for a long time for the implementation of the project. However, the combined project is flexible, can be adjusted according to actual needs, including time of operation and completion.
- Creation of employment patterns of the project is clear and reasonable.
- Creation of jobs is explained to the investor clearly, is reasonable, and generally understandable.
- Has a well-defined anticipated cash flow for the operating income of the project.
- Investors can project and understand the entire project's business and revenue sources. For example, the project is close to the daily life of the public, and can be used by the public whether the economy is good or not.
- Completion of the project will eventually benefit the community. For example, the project has an aspect that contributes to a cleaner environmental, or significantly increases employment for some industry of the U.S.
- Good prospects for the project, supported by the U.S. government, and consistent with public policy.
- Clear contractual obligation to return investment capital in reasonable time, and good collateral for security if business revenue is insufficient to pay back.

## **7.- Current Good Investment Project**

If you want to get green card through investments in 6 months for you and for your family, currently you have the opportunity to invest \$ 500.000 in a new EB-5 Project of New York City Real Estate Regional Center (NYCRERC):

CLEAN AIR CAR SERVICE & PARKING PROJECT

### Structure of Clean Air Car Service & Parking Project

Clean Air Car Service & Parking Project has 3 components:

#### 1) Clean Air Car Service

The Project will use investment funds to buy 300 environmentally-friendly vehicles to be used for car service. Clean Air Car Service will provide environmentally-friendly livery services for residents and guests within the five boroughs of New York City, as well as affordable transportation for government officials and employees.

#### 2) Construction of Parking Lots

The Project will also construct 2000 parking spaces in the most congested areas of New York City. The Project will implement intelligent parking technology to maximize parking space utilization and increase the number of parking spaces on fixed-sized lots, as well as fully control the cost of parking operation and increase operational income.

#### 3) Automated Car Wash

The Project will also construct and operate automated car wash that will be used to routinely wash the car service vehicles and also provide its services to the general public.

Clean Air Car Service & Parking Project is a combined project (real estate + movable property), therefore it is a Good Investment Project: the diversification enhances the ability of the Project to create employment and generate cash flow.

### Investment diversification of Clean Air Car Service & Parking Project

Clean Air Car Service & Parking Project will use your \$ 500.000 investment as follow:

- 1/3 of your investment funds will be spent to buy five environmentally friendly livery vehicles that will immediately create 10 full-time driver jobs.
- 2/3 of your investment funds will be used to purchase land for the construction of the Parking Lots in the most congested areas of NYC.

### Economic Analysis of Clean Air Car Service & Parking Project

The Economic Analysis Report for the Clean Air Car Service & Parking Project was prepared by the renowned American Economist Dr. Michael K. Evans.

According to the conservative estimates, Clean Air Car Service will generate the net revenue of \$ 46 million within the first 5 years of operation. This number indicates a solid repayment potential of your investment.

### Advantages of invest in Clean Air Car Service & Parking Project

- You start immediately the green card through investment procedure for you and your family, because your investment will immediately create 10 full-time jobs.
- You will recover your \$ 500.000 investment in 5 years.
- In addition to repayment of investment, you will receive 0,5% annual interest annual from operational income of the Project, if available.



## **8.- Avoiding risk and function of the Attorney**

If you desire to obtain green card through EB-5 investment avoiding risk, it's very important that you have an Attorney who help you with the process.

Law Firm Mantovani – The Worldwide Immigration Network is specialized in U.S. EB-5 Immigrant Investor Program (green card through investment) and has the latest information about it.

If you contract us, we will assist you during all EB-5 investment immigration procedure, from the beginning until you obtain the green card through investment.

In particular, we provide you the following services:

- We help you to select the investment project and give you all necessary information. If you want to come to U.S.A. before you decide to invest, you are welcome: we would meet you and explain in details how the program works, in order to make you feel comfortable with your decision.
- We prepare and submit the immigration applications for you
- We consistently give you practical and efficient investment immigration legal services, until you get a green card
- We guide you during all the procedure
- We help you to choose the best home to live in U.S.A.
- We help you to choose the best school for your children

## **9.- Procedure to obtain EB-5 green card through investment**

The procedure to obtain the green card is composed of the following 10 steps:

1) You [contact us](#) to start the procedure;

- 2) We send you by e-mail the "Qualification Assessment Form", in order to check the basic requirements;
- 3) You fill in and send us by e-mail the "Qualification Assessment Form" completed. We verify if you meet the basic requirements of EB-5 Immigration Investor Program;
- 4) If you are qualified, you sign an Attorney Agreement and a Privacy Agreement and pay Attorney fee;
- 5) We provide you a Confidential Offering Memorandum describing the Investment Project;
- 6) You review the Offering Memorandum and sign the Investment Agreement, the Escrow Agreement and other project-specific documents;
- 7) Under our guidance, you deposit the investment funds (at least UDS 500.000 + management fees) into the U.S.A. via a third-party escrow account;
- 8) We prepare your Immigration application and submit it to the USCIS (U.S. Citizenship and Immigration Services). You pay the USCIS application fee. Until the Immigration application is approved, your investment funds are not transferred to EB-5 Program account;
- 9) When your Immigration application is approved, you apply for Visa at U.S. Consulate in your country. If you are already in U.S.A., you apply for adjustment of status to obtain a green card for you and your family;
- 10) Once the Visa is approved, you and your family come to U.S.A. and obtain the conditional green card. After two years, you and your family will obtain the unconditional green card (the two green cards offer the same rights and privileges).

## 10.- Fee and Refund

If the investor's immigration application is rejected by the USCIS or if the investor cannot pass the visa interview, or if adjustment of status application is rejected, our attorney fee and management fee will be fully refunded with the USD 500,000 investment funds.

If the investor conceals facts regarding crimes or other major facts which lead to the failure of obtaining a visa, the investor will bear the attorney fees and regional center management fees, but the USD 500,000 investment funds deposited into the escrow account will be refunded.

## 11.- FAQs

*1) I want to get a green card through investment, is EB-5 Immigrant Investor Program suitable for me?*

EB-5 Immigrant Investor Program is suitable for people from all walks of life: professionals, business people, persons wanting to facilitate their children's education and attend US colleges and Universities, persons just seeking a new or better life in the United States, and persons wanting to retire in the United States. The EB-5 permits employment in the US for the Investor and their family. Quite simply, the EB-5 gives you the opportunity and flexibility to do what you want in the USA. If you don't want to actively manage your business, you should consider a regional center EB-5 investment.

*2) How many green cards through investment are allotted?*

The EB-5 Immigrant Investor Program allots 10,000 green cards per year for investor aliens and their family members. A minimum of 3,000 green cards are set-aside for aliens who invest in designated regional centers, areas of high unemployment or other qualifying areas. The qualification for all these green cards is an investment that results in the creation of at least ten (10) full-time jobs for U.S. workers.

*3) What are some of the benefits of the EB-5 Immigrant Investor Program?*

Qualifying investors and their spouse and unmarried minor children under 21 will be granted U.S. lawful permanent residency; No minimum requirements as to age, to speak English, employment experience, or education; Investor and family may live/work anywhere in the United States; No requirement for immigrant investors to manage their investment on a day to day basis; After five years, the investor and their family may obtain US citizenship, subject to meeting all immigration requirements, as required under law.

*4) Where can I find EB-5 Immigrant Investor Program law and regulations to review?*

On the US Bureau of Citizenship and Immigration Services (USCIS) website at the following page: USCIS - Green Card Through Investment.

*5) Must the investor have previous business experience or education?*

The investor is not required to have any prior business experience. Likewise, the investor is not required to demonstrate any minimum level of education. The only requirement for the investor is that he/she has the required net worth and capital.

*6) Must the investor be in good health?*

Yes. The investor must have no communicable diseases and proper vaccinations.

*7) What is meant by the requirement that the investor's assets be "lawfully gained"?*

Under USCIS regulations, the investor must demonstrate that his assets were gained in a lawful manner. This requires the investor to prove his investment funds were obtained through lawful business, salary, investments, property sales, inheritance, gift, loan or other lawful means which could be proved by:

- Foreign business registration records;
- Corporate, partnership, and personal tax returns including income, franchise, property (whether real, personal, or intangible), or any other tax returns of any kind filed within five years, with any taxing jurisdiction in or outside the United States by or on behalf of the petitioner;

- Evidence identifying any other source(s) of capital;
- Copies of any judgments or evidence of all pending governmental civil or criminal actions, governmental administrative proceedings, and any private civil actions (pending or otherwise) involving monetary judgments against the petitioner from any court in or outside the United States within the past fifteen years.

*8) What is the difference between "conditional" and "unconditional" green cards?*

Under the regulations, an investor who is approved for the EB-5 Immigrant Investor Program receives a "conditional" green card, which must be reissued after two years, subject to removal of conditions. Otherwise, the two cards offer the same rights and privileges.

*9) What is the guarantee of the investment capital return?*

As any other investment, EB-5 investment implies a certain degree of risk associated with investing in new or growing business. Depending on the Project, it may take up to 5 years to investment capital to be returned to investor.

*10) Are there any other fees payable by the investor besides \$500,000 investment capital?*

Yes: the Regional Center project management fee, the USCIS immigration fee and the Attorney fee.

*11) How long does it take the green card through investment process?*

It usually takes 6 months.

*12) What are qualification points for investor?*

To qualify for EB-5 Immigrant Investor Program, potential investor should:

- Be not a "U.S. Person"
- Have a net worth (or joint net worth with the spouse) in excess of USD \$500,000;

- Have had individual income in excess of USD \$200,000 (excluding the spouse) in each of the two most recent years (or joint income in excess of USD \$300,000 in each of those years), and have a reasonable expectation of reaching the same income level in the current year;
- Have the capacity to evaluate the merits and risks of the prospective investment and to protect his interests in connection with the prospective investment by reason of his own and/or financial experience;
- Purchase securities for his own investment purposes only and not with a view towards resale or distribution.

*14) What makes the EB-5 Program different from the E-1 (Treaty Trader) or E-2 (Treaty Investor)?*

EB-5 Program gives you permanent resident status (green card). The E-1 or E-2 Programs allow for nonimmigrant status only.

## **12.- Contacts**

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