

## The Chicagoland Regional Center

The Rockford Area is part of the certified Chicagoland Regional Center of the United States Citizenship and Immigration Services (USCIS) program for Immigration through Investment. **By investing in the Rockford Area, foreign nationals can receive EB-5 Visas that may lead to permanent residency in the United States.** The Chicagoland Regional Center is the only Regional Center in the State of Illinois.

Under section 203(b)(5) of the Immigration and Nationality Act (INA), 8 U.S.C. § 1153(b)(5), 10,000 immigrant visas per year are available to qualified individuals seeking permanent resident status on the basis of their engagement in a new commercial enterprise. Of the 10,000 investor visas (i.e., EB-5 visas) available annually, 5,000 are set aside for those who apply under a program involving a USCIS-designated "Regional Center."

The U.S. Immigrant Investor Program offers green cards to qualifying foreign investors and their families who invest a minimum of \$1 million (or \$500,000 in "targeted employment areas" (TEA) where unemployment is 150% of the national average) in businesses that create at least ten full-time permanent jobs for U.S. workers. Provided that the investment is maintained and achieves the job requirements of the program, permanent green cards will be issued after two years.

### Eligible Investors

The Form I-526 must be filed with supporting documentation which clearly demonstrates that the individual investor meets all requirements, such as:

- Establishing a new commercial enterprise by creating a new business, purchasing an existing business, expanding an existing business, or by retaining all existing jobs in a troubled business;
- Investing the requisite capital amount;
- Proving the investment comes from a lawful source of funds;
- Creating full-time jobs, directly or indirectly, for at least ten employees, or preserving existing direct jobs in a troubled business;
- Demonstrating that the investor is actively participating in the business; and
- Creating employment within a targeted employment area, where applicable.

### Eligible Projects

In general, the following commercial enterprises qualify as eligible projects:

- Creating an original business;
- Purchasing an existing business and simultaneously or subsequently restructuring or reorganizing the business such that a new commercial enterprise results; or
- Expanding an existing business by 140 percent of the pre-investment number of jobs or net worth, or retaining all existing jobs in a troubled business that has lost 20 percent of its net worth over the past 12 to 24 months.

Projects must also be in the following industries:

- Accommodations and food services;
- Agriculture, forestry, fishing, and hunting;
- Art, entertainment, and recreation;
- Educational services;
- Health care and social assistance; and
- Manufacturing.

Assuming a project meets the aforementioned criteria, it is then passed on to a third party review board that chooses to either approve or reject projects. In order to be approved, projects must:

- Be low-risk investments that demonstrate proof of project success;
- Have a significant amount of money already invested by project generator;
- Show they have sought money from other sources;
- Prove that job creation requirements will be met;
- Prove that the original investment by the immigrant investor will be returned to immigrant investor within 5 years of investment.

**The main priority for the project review board is success for both the project and the investor. Low-risk, low-return projects are chosen so as to guarantee success for all parties.**

#### **Investor Benefits**

- Qualified investors and their families (spouse and any unmarried children under age 21) are eligible for green cards after approval of their application.
- Although investment must occur within a regional center's territory, the investor and his/her family may live and work anywhere in the United States.
- There are no minimum requirements as to the investor's age, business training, and experience or language skills.
- Qualified investors have the ability to travel outside of the United States and return to the United States without a visa.
- Qualified investors receive education benefits of permanent residents, including admission to state universities at resident costs.
- Qualified investors are eligible to become a U.S. citizen once a permanent resident for more than five years.

#### **Process for Receiving EB-5 Visa**

1. Completion of confidential investor suitability questionnaire
2. Escrow bank conducts investor background check
3. investor deposits capital contribution (\$500,000) into escrow account and Regional Center administration fee (\$35,000) into the Regional Center account
4. Investor's law firm or Regional Center designated law firm prepares and submits the investor's visa petition to USCIS (this is form I-526)
5. Investor conducts an interview with U.S. Consulate in home country
6. USCIS approves I-526, notifies investor and the escrowed funds are released to the Regional Center Project
7. Prior to 24 months from the date of USCIS' approval of the I-526 Investor (et al) submit an I-829 petition to change the status of the visa from conditional to permanent
8. USCIS processes the I-829 and issues the permanent green card.
9. 5 years after the Investor's admission in the participating project, the Investor is eligible to receive redemption of 100% of their investment from the Regional Center project. You may apply for citizenship 5 years after entry into the U.S.

**For more information on how you can immigrate into the United States, please contact:**

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