

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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