Clock is ticking for foreign investors to file EB-5 Petitions

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If you've been following the news, you know that change is in the works for current immigration laws and nobody knows what will happen with the EB-5 Visa program.

Investors are rushing to complete their EB-5 visa petitions with a $500,000 investment as the current deadline looms, but may be extended when the president and Congress agree to fund the federal government, again temporarily.

There is great expectation that Congress will move forward and make changes to the green card process and the EB-5 program by implementing more substantial investment requirements in excess of $1,000,000.

Legislatively, the president and Congress have tried to agree for a long time on changes to the EB-5 law, reaching no solution, so they merely "kicked the can" down the road, deciding to extend the program with no changes temporarily. Administratively, the agency, U.S. Citizenship, and Immigration Services (USCIS) has proposed changes that will be implemented sooner or later, but no one knows when. All proposed changes, whether legislatively or administratively, include raising the minimum investment amount to well over $1 million making it much more difficult for foreign investors to apply for EB-5 visas. Nobody knows when these changes will take effect which is why investors are scrambling to file their EB-5 petitions ahead of changes.

EB5 Coast To Coast is ready to help

One person stepping up to help investors through the process, is Steve Smith, President of nationally—based EB-5 Coast To Coast and Managing Director Sante Chary. Since 2011, Smith has operated EB5 Coast To Coast (CTC), a family of regional centers approved by USCIS to operate in 35 states. CTC regional centers have sponsored more than 180 EB-5 investors in over a dozen projects since 2013. According to Smith, "Most investors have already received approval of their I-526 petitions and early investors are starting to receive I-829 approvals." He is quick to point out that, none of his investors have been denied approval for any petition. Smith knows this is a stressful time as investors do their homework and suggests asking the following questions of any EB-5 project that is being considered by a potential investor:

1. What is the track record of the project sponsors and EB-5 Regional Center?
2. What are the other funding sources of the project and are they committed yet? EB-5 capital should not be deployed until the project has secured 100% funding.
3. Is the project already under construction? (Investors should be leery of a project not already under construction since there is a chance that not all of the funding will come through.) If yes, what assurances are there that construction will be completed? Is there insurance in place to cover this unlikely possibility?
4. What is the product type of the project? Most EB-5 projects are real estate developments. Hotels and offices are more susceptible to the fluctuations of an economic downturn whereas housing, specifically affordable and workforce housing, is more stable. Does the investor want to invest in office space that may take a year to lease up or an apartment complex that will fill quickly?
5. How much is the Subscription / Administration Fee? Typically, administrative fees can add $50,000 on top of the initial $500,000 EB-5 investment.
6. Does the project have exemplar approval from USCIS? Meaning, USCIS has already approved the project and its offering documents to include; the Private Placement Memorandum (PPM), Limited Partnership Agreement, Subscription Agreement, Business Plan, and Economic Analysis Report (which estimates the number of EB5-qualified jobs).
7. How many jobs does this project create for each investor? The minimum is ten but, more is better.
8. Is an I-526 insurance policy offered which will refund the full amount of the $500,000 investment in the unlikely event that USCIS does not approve the I-526 petition?

Smith is keenly aware of the challenges immigrants face. His own mother immigrated from Taiwan decades ago, and he knows firsthand the impact immigrants can make in their adopted country. “Immigrants are great achievers and that’s why I’m doing my best to offer these investment opportunities for foreign investors,” said Smith.
EB5 Coast To Coast’s mission is to help investors achieve their investment and immigration goals as smoothly and efficiently as possible.

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