

USA GREEN CARD

EB-5 Investor Visa Programme Summary

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The United States of America has a population over 325 million people that reside in the world's third largest country by total area. The US represents the world's largest economy by nominal GDP fuelled by its status as the leading importer and second largest exporter of goods. The country is comprised of 50 states that offer a wide range of business environments that are ideally suited for all requirements.

As a nation, the US hosts some of the world's most advanced medical and educational facilities coupled with its diverse climate and geography make it an ideal destination giving the holder and immediate family the right to residency in all states, which gives access to the public education system at all age levels and the US is also home to thousands of highly regarded private schools, and provide a route to some of the world's highest-ranking universities and colleges.



Requirements/Investment Options

The EB5- Visa was created by the Immigration Act of 1990, which provides a proven method for foreign investors and their families (spouse and dependants under the age of 21) to obtain a Green Card (permanent residence). An applicant must be willing to make a significant investment in the country, as the fundamental purpose of the EB-5 Visa is to stimulate the US economy through job creation and capital investment. In return, foreign immigrant investors are granted all of the benefits of permanent US residency.

There are two investment options that an applicant can choose from to successfully obtain an EB-5 Visa:

1. Direct Active Investment

Requires a minimum investment of USD \$800,000 if investing in TEA's (Targeted Employment Areas) with unemployment of at least 150% of the national average, or rural areas. The investment being in a new commercial enterprise/ job creating entity.

Alternatively, the required investment can be in an existing commercial enterprise/ job creating entity.

The investment must create 10 full time jobs or under certain circumstances can preserve 10 full time jobs, excluding the investor and their immediate family members.

There may be a possibility that the new or existing commercial enterprise managed by the investor can create the required number of jobs, directly, indirectly or induced. The investor will actively manage and supervise other employees, the day today operations, and will be involved in policy formation of the new commercial enterprise/ job creating entity.

2. Regional Center Passive Investment

The required investment can be in a new commercial enterprise/ job creating entity, which entered into a licensing relationship with a company designated by the USCIS as a Regional Center (i.e. the Regional Center designation covers a geographical area of business activity and employment creation).

In the majority of these Regional Center investments, the projects, the job creating entity, are directed and managed by separate developers and operators than the investor. The investor will usually have a security interest in the new commercial enterprise, and have a passive management role in making policy decisions or joint management decisions with the other investors in the commercial enterprise.

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Under the Regional Center designation, the new or existing commercial enterprise / job creating entity, can create the required number of jobs, directly, indirectly or induced.

Process Overview

It is important for an investor to focus on Regional Centers who have had a successful track record history with associated EB-5 projects, i.e., they have been financially viable, an effective and credible developer and operator managing the project, EB-5 immigration compliant, a clear and compliant exit strategy on returning capital to the investor. Aimstone Capital will help guide the EB-5 investor through the selection process.

The first step is for the EB-5 investor to enter into and sign an Agreement of Representation with a qualified US EB-5 immigration attorney, who has the expertise and experience in offering you immigration due diligence and legal advice, in regard to reviewing the EB-5 project documentation for immigration compliance, before the investor makes an independent business decision to invest in an EB-5 Regional Center project.

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Attorney legal fees range from USD\$10,000 to USD\$25,000 plus costs (government processing fees, copies and mail), for the first step which is the preparation and filing of the EB-5 investor petition. The second step occurs after the EB-5 petition is approved, and involves the filing of applications with the US consulate for the conditional permanent residency applications for the investor, spouse and minor children. The third step, is the petition filed by the investor at the time the conditional permanent residency is about to reach the two year period, and filed with USCIS, for the investor and family members to obtain unconditional permanent residency.

It is important to note that at the time the investor transfers the required investment to the EB-5 Regional Center project, there is also the requirement that the investor concurrently sends the administration fee of USD\$70,000.



Taxation

All US citizens and residents, including resident aliens and citizens who reside outside of the US, pay federal tax on their worldwide income. Also taxed as residents are individuals who meet a 'substantial presence test', which requires physical presence in the US for 183 days or more during a calendar year. Income tax rates are progressive up to 39.6%.

The maximum rate of capital gains tax is 20%.

For US citizens and residents, a unified estate and gift tax is imposed, on the net value of the transferred assets, in excess of USD\$5,450,000. The top rate for estate and gift tax is 40%. There is no net worth tax in the US.

Summary of Key Advantages

- A fast route to achieving US permanent residence Investment from USD\$800,000
- The world's largest economy is the perfect base for business minded people and investors
- The ability to live, work, study or retire anywhere in the US, not determined by where the investment is made
- Children have access to the US education system
- Source of funds can be a gift such as that from a parent
- Children up to the age of 21 may be included in the application
- US Citizenship is possible to apply for after five years



Citizenship

It is possible to acquire US citizenship after five years of legal residence from the date of issue of the Conditional Green Card.

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