



EB5 Program

Presented by

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Disclaimer

This material has been prepared exclusively for informational purposes to assist individuals who are newly exploring the EB-5 program. The information presented reflects general scenarios but is customized to the EB-5 initiative of Moo Dairy Farms.

Nothing contained herein should be interpreted as legal, financial, or investment advice. Given that EB-5 regulations and processing timelines may evolve, subjected to change and also vary based on individual circumstances, all prospective participants are advised to consult with qualified professionals and conduct independent due diligence prior to making any decisions.

THE GENERAL OVERVIEW OF EB5 INVESTOR VISA PROCESS

From First Dollar to Green Card

A plain-language, step-by-step information covering every stage of the EB-5 Immigrant Investor Program - financial, legal, and immigration.

\$800,000 Min. Investment (TEA)	10 Jobs Minimum Required	~6-18 mo[*] I-526E Timeline	10,000 Annual EB-5 Visas
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^{*} This is for Rural TEA projects assuming the dates are current for that nationalities

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1 | WHAT IS THE EB-5 PROGRAM?

Overview

The EB-5 Immigrant Investor Program is a United States immigration pathway created by Congress in 1990. It grants lawful permanent residency (a Green Card) to foreign nationals who make a qualifying capital investment in a U.S. commercial enterprise that creates at least 10 full-time jobs for qualifying U.S. workers. Administered by USCIS, it is one of the most reliable paths to permanent residency for high-net-worth individuals worldwide.

Key Facts at a Glance

Created by	U.S. Congress - Immigration Act of 1990
Administered by	USCIS (U.S. Citizenship and Immigration Services)
Annual visa cap	10,000 EB-5 visas per year (family members included in count)
Per-country limit	~7% of total (impacts wait times for China, India, and Vietnam)
Minimum investment	\$800,000 (TEA) / \$1,050,000 (non-TEA)
Jobs required	At least 10 full-time, direct or indirect jobs for U.S. workers
Latest reform	EB-5 Reform & Integrity Act (RIA) - March 2022
Beneficiaries	Investor + spouse + unmarried children under 21

* The EB-5 Reform & Integrity Act (RIA) of 2022 introduced significant changes: a new Rural TEA category with reserved visas and priority processing, enhanced investor protections, stricter oversight of Regional Centers, and concurrent filing capabilities.

2 | EB-5 GREEN CARD BENEFITS

Obtaining a U.S. Green Card through the EB-5 program unlocks a wide range of life-changing privileges for you and your family.

Student Benefits	Get additional benefits compared to foreign students.
Work Authorization	To get a job anywhere in the U.S.
Residence Flexibility	To live anywhere in the U.S.
Global Travel Privileges	So you can leave and enter the U.S. at will, without a visa.
Path to Citizenship	For you to become a U.S. citizen.
Social Security & Medicare Benefits	Eligible for retirement benefits like health care and Social security, subject to qualifications.
Permanent Status	Live American Dream.
Concurrent Filing	Eligible investors in the U.S. on non-immigrant visas (e.g., F-1, H-1B) can file the I-526E petition and I-485 application together.
Passive Investment	No active participation required in the Business operations.

3 | AM I ELIGIBLE?

The EB-5 program is open to virtually any foreign national regardless of age, education, language ability, or prior work experience. The primary requirements are financial.

Investor Requirements

Capital Requirement	You must invest the required minimum amount (\$800K or \$1.05M) in a qualifying U.S. business. The funds must be your own legally obtained capital.
Lawful Source of Funds	USCIS requires detailed documentation proving your capital came from lawful sources - salary, business income, real estate sales, inheritance, or loans secured by your own assets.
No Citizenship Requirement	You can be a citizen of any country.
Family Inclusion	Your spouse and unmarried children under 21 are included on your petition at no additional investment cost.
No Business Experience Required	Unlike some visas, EB-5 does not require you to manage or run the business - especially true under the Regional Center model.
At-Risk Capital	Your investment must be genuinely 'at risk' - it cannot be guaranteed a return. This is a fundamental legal requirement of EB-5.



Even if you currently hold a visa (H-1B, L-1, F-1, B-1/B-2, etc.) or are undocumented, you may still qualify for EB-5. Consult an immigration attorney about concurrent filing or adjustment of status once a visa number is available.

4 | INVESTMENT THRESHOLDS & TEA

The amount you must invest depends on project location. Targeted Employment Area (TEA) projects require a lower threshold and offer additional benefits under the 2022 RIA.

Investment Amounts by Category

Category	Investment	Jobs Required	Visa Set-Aside
Rural TEA (population < 20,000)	\$800,000	10 direct or indirect jobs	20% of annual visas (~2,000)
Urban TEA (high-unemployment area)	\$800,000	10 direct or indirect jobs	10% of annual visas (~1,000)
Infrastructure TEA (designated projects)	\$800,000	10 direct or indirect jobs	2% of annual visas
Non-TEA (all other locations)	\$1,050,000	10 direct or indirect jobs	No set-aside; general pool

What Is a TEA?

A Targeted Employment Area is a geographic zone qualifying for the reduced \$800,000 threshold. Under the RIA, USCIS - not individual states - determines TEA designation. There are three types:

Rural TEA	Any area outside a metropolitan statistical area (MSA) or the outer boundary of a city/town with a population of 20,000+. Rural TEAs receive the most favorable visa set-aside (20%) and priority processing.
High-Unemployment TEA	An urban area with an unemployment rate at least 150% of the national average. USCIS approves these designations based on census data.
Infrastructure TEA	Projects involving infrastructure improvements on a list maintained by the relevant government authority.

5 | CHOOSING THE RIGHT PROJECT

You can invest through two main pathways. Understanding their differences is critical.

Feature	Direct EB-5 Investment	Regional Center EB-5
How it works	You invest directly into a business you create or purchase	You invest through a USCIS-designated intermediary fund
Management	You must be involved in management or policy	Passive - no management required
Job counting	Only direct, on-payroll W-2 jobs count	Direct AND indirect/induced jobs count
Due diligence	You structure and research everything yourself	RC provides business plans, economic reports, legal docs
Complexity	High - requires legal and business expertise	Lower - professional teams handle the structure
Best for	Entrepreneurs starting or buying a U.S. business	Investors seeking a passive immigration path
Popularity	Less common	~95%+ of all EB-5 investments use this route

6 | THE STEP-BY-STEP PROCESS

The EB-5 journey has 10 core stages. Here is a plain-language overview.

1

Initial Consultation & Eligibility Review

Meet with a qualified EB-5 immigration attorney to review eligibility, source of funds, family situation, and current immigration status. This sets the foundation for everything.

2

Select a Project & Sign Subscription Agreement

Choose a qualifying EB-5 project through a USCIS-approved Regional Center. Review the Private Placement Memorandum (PPM), business plan, and economic report carefully with your attorney.

3

Transfer Funds

Wire your investment capital to a secure, independent escrow account.

4

Source of Funds Documentation

Compile a comprehensive source-of-funds package: 5 years of tax returns, bank statements, business records, salary documentation, and any sale/gift/inheritance records. Often the most time-consuming step.

5

File Form I-526E

Your attorney files the I-526E petition with USCIS documenting your investment, source of funds, and job-creation plan. Processing currently takes 24-48+ months standard; Rural TEA investors receive expedited treatment.

6

I-526E Approval by USCIS

Once USCIS approves your I-526E, immigration eligibility is established. Your case moves to the National Visa Center (NVC).

7

Consular Processing or Adjustment of Status

Outside the U.S.: apply for an immigrant visa at a U.S. Consulate (DS-260 form). Inside the U.S. on a valid visa: file Form I-485 (Adjustment of Status). The RIA allows concurrent filing in some cases.

8**Receive Conditional Green Card (2-Year)**

You and your qualifying family members receive conditional permanent residency. You may now live and work anywhere in the U.S. Maintain your investment and U.S. residency intent.

9**File Form I-829 to Remove Conditions**

Within the 90-day window before your 2-year card expires, file Form I-829 proving: (1) the investment was maintained, and (2) at least 10 qualifying jobs were created.

10**Receive Full Permanent Green Card**

Upon I-829 approval you receive a 10-year permanent Green Card with no conditions. After 5 years of permanent residency (3 if married to a U.S. citizen) you may apply for U.S. citizenship.

7 | THE LEGAL JOURNEY

Several key USCIS forms define the EB-5 process. Here is what each one means and when it is filed.

I-956 / I-956F	Filed by the Regional Center to obtain program designation (I-956) and project approval (I-956F). Only invest in projects that have filed or received I-956F approval.
I-526E	Filed by each individual investor. Establishes eligibility, documents the investment and source of funds, and demonstrates that the project will create the required jobs.
DS-260	Filed by investors living outside the U.S. applying for an immigrant visa at a U.S. consulate, after I-526E approval and NVC processing.
I-485	Filed by investors already in the U.S. on a valid visa to change status to conditional permanent resident. Can now be filed concurrently with I-526E in some cases under RIA.
I-131	Allows adjustment-of-status applicants to travel internationally without abandoning their pending applications. Essential during the waiting period.
I-765	Allows you to work in the U.S. during the adjustment-of-status process. Can be filed concurrently with I-485 under RIA provisions.
I-829	The final major petition. Filed 90 days before the 2-year conditional Green Card expires. Proves the investment was maintained and 10+ jobs were created.
N-400	Optional step for citizenship. Filed after 5 years of permanent residency (3 if married to a U.S. citizen). Not required - you may keep your Green Card indefinitely.

8 | THE FINANCIAL JOURNEY

How Your Money Flows

Stage	What Happens
1. Wire to Escrow	You wire \$800K to our escrow account held by independent licensed bank.
2. I-526E Filed	Your attorney files I-526E.
3. Funds Released to JCE	After filing, escrowed funds are released to the Job Creating Entity via a loan from the NCE.
4. Project Development	The JCE uses EB-5 + senior debt + equity to build, expand, or operate the project.
5. Investment Period	Capital stays invested. Investors typically receive a small annual return (2%).
6. Exit / Capital Return	As per the PPM, the JCE repays the loan to the NCE, which returns your principal.
7. After I-829 Approval	Your EB-5 investment obligation is complete. You hold a full 10-year Green Card.

Typical Cost Summary

Cost Item	Typical Range	Notes
EB-5 Investment Capital	\$800,000	Principal - should be returned at project exit
Immigration Attorney Fees	\$15,000 - \$30,000+	Covers I-526E, I-485/DS-260, I-829 filings
USCIS I-526E Filing Fee	\$11,160	Per the 2024 USCIS fee schedule
USCIS I-829 Filing Fee	\$9,525	Per petition (covers family members)
Administrative / RC Fees	\$80,000	One-time fees charged by the Regional Center
Document Preparation Costs	\$2,000 - \$10,000	Translation, notarization, CPA services
Total Non-Investment Costs (est.)	\$80,000 - \$130,000+	Does not include the investment capital

9 | IMMIGRATION TIMELINE

EB-5 is a long-term commitment. Here is a realistic timeline from start to finish. This vary case by case depending on the Nationality and also indivial circumstances

Phase	Duration	What Happens
Preparation & Project Selection	1-3 months	Attorney consultation, project due diligence, source-of-funds document gathering
I-526E Preparation & Filing	1-3 months	Attorney prepares and files petition with USCIS
USCIS I-526E Processing	24-48+ months (standard) 6-18 months (Rural TEA priority)	USCIS reviews petition; may issue a Request for Evidence (RFE)
NVC Processing	3-6 months	National Visa Center assigns a case number and prepares for visa processing
Consular Interview / I-485	3-12 months	Immigrant visa issued or status adjusted; conditional Green Card received
Conditional Residency	24 months	You live in the U.S. as a conditional permanent resident
I-829 Filing	1-3 months	Attorney prepares removal-of-conditions petition
USCIS I-829 Processing	18-36 months	USCIS reviews job creation evidence and approves full Green Card
Total - Rural TEA (best case) *	~5-7 years	From investment to 10-year Green Card
Total - Standard non-priority	~8-12+ years	Longer due to I-526E backlogs and per-country visa queues

RURAL TEA ADVANTAGE: Projects in rural areas qualify for USCIS priority processing and a dedicated visa set-aside (20% of annual EB-5 visas). For most nationalities this eliminates multi-year visa backlogs and can cut the overall timeline by 3-5+ years.

10 | GLOSSARY OF KEY TERMS

At-Risk Capital	Funds genuinely exposed to gain or loss. Required by EB-5 law - guaranteed returns are not permitted.
Conditional Green Card	A 2-year temporary permanent residency card issued after I-526E and visa approval. Must be upgraded via I-829.
EAD	Employment Authorization Document - a work permit issued during adjustment of status or as a benefit of conditional residency.
I-526E	Immigrant Petition by Regional Center Investor. The primary petition filed by each EB-5 investor with USCIS.
I-829	Petition by Investor to Remove Conditions. Proves job creation and investment maintenance; results in full Green Card.
I-956F	Application for Approval of Investment in a Commercial Enterprise. Filed by the project/Regional Center for USCIS approval.
JCE	Job Creating Entity - the business that deploys EB-5 capital and creates jobs (e.g., the construction or operating project).
NCE	New Commercial Enterprise - the EB-5 fund/investment vehicle that pools investor capital and lends it to the JCE.
NVC	National Visa Center - U.S. government office that processes immigrant visa applications after I-526E approval.
PPM	Private Placement Memorandum - legal offering document describing the investment in detail; must be reviewed by your attorney.
Regional Center (RC)	USCIS-designated entity that pools EB-5 investments into a fund. Allows indirect and induced job counting.
RFE	Request for Evidence - USCIS request for additional documentation to support a pending petition.
RIA	EB-5 Reform & Integrity Act of 2022 - updated the program with new TEA designations, visa set-asides, and investor protections.
Source of Funds (SOF)	Documentation proving investment capital was lawfully obtained. A critical part of the I-526E package.
TEA	Targeted Employment Area - a geographic designation (Rural, High-Unemployment, or Infrastructure) qualifying for the \$800,000 threshold.
Visa Retrogression	A slowdown in visa availability due to per-country caps. Can delay final Green Card issuance for years for certain nationalities.

11 | FREQUENTLY ASKED QUESTIONS

Q: Can I apply for EB-5 if I am already in the U.S. on an H-1B or other visa?

A: Yes. You can file I-526E regardless of your current visa status. If a visa number is immediately available (as with Rural TEA projects), you may also file I-485 concurrently without leaving the U.S.

Q: Do I need to speak English?

A: No. There is no English language requirement. The program is open to investors from all countries.

Q: Can I borrow money to fund my EB-5 investment?

A: Yes, but only if the loan is secured by your own personal assets - not the EB-5 project itself. You must document the loan terms and prove that collateral is yours.

Q: What happens if USCIS denies my I-526E?

A: Please review the PPM's for refund provisions.

Q: Do I have to live near the project?

A: No. Regional Center investors can live anywhere in the United States and are not required to manage the business or reside near it.

Q: What if the project gets delayed?

A: Investment terms typically include extension provisions (e.g., 1+1 year). Delays happen frequently in real estate development. Your immigration status is not automatically affected.

Q: Can my children study or work in the U.S. during the process?

A: Yes. Your spouse can apply for an EAD and children can attend U.S. schools once conditional residency is obtained. Prior to that, appropriate visas are needed.

Q: Is there any requirement to stay in the U.S.?

A: As a conditional permanent resident, you must maintain U.S. residency intent. Extended periods abroad could jeopardize your status. Consult your attorney on travel and residency maintenance.

Q: What is the difference between a Green Card and citizenship?

A: A Green Card gives you the right to live and work permanently in the U.S. but not to vote. Citizenship requires an additional 5-year residency period and an N-400 application, conferring full rights including voting and a U.S. passport.

Q: Can I apply for EB-5 from a sanctioned country?

A: USCIS does not bar investors by nationality, but OFAC restrictions may affect wire transfers for residents of heavily sanctioned countries. Consult specialized immigration counsel.

IMPORTANT DISCLAIMER

This guide is for general educational purposes only. It does not constitute legal, financial, immigration, or investment advice. EB-5 regulations are complex and subject to change. Consult a qualified EB-5 immigration attorney, a licensed financial advisor, and an independent CPA before making any investment decisions. Every investor's situation is unique. All EB-5 investments involve risk including possible loss of capital.



Next Steps....

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