

UNITED STATES DISTRICT COURT

for the
Central District of California

Under Seal

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)
225 West Valley Boulevard, Suite H118
San Gabriel, California 91776

Case No. 8:17-MJ-00088

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

See Attachment A-1

located in the Central District of California, there is now concealed (identify the person or describe the property to be seized):

See Attachment B

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- checked evidence of a crime;
checked contraband, fruits of crime, or other items illegally possessed;
checked property designed for use, intended for use, or used in committing a crime;
unchecked a person to be arrested or a person who is unlawfully restrained.



The search is related to a violation of:

Code Section
Title 18 U.S.C. §§ 371, 1341, 1343, 1546, and 1956; and
Title 8 U.S.C. § 1324(a)(1)(A)(iv).

Offense Description
See attached Affidavit

The application is based on these facts:

See attached Affidavit

- checked Continued on the attached sheet.
unchecked Delayed notice of ___ days (give exact ending date if more than 30 days: ___) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

181

Applicant's signature

Gary Chen, Special Agent (FBI)

Printed name and title

Sworn to before me and signed in my presence.

Date: 4/4/17

KAREN E. SCOTT

Judge's signature

City and state: Santa Ana, California

Karen E. Scott, U.S. Magistrate Judge

Printed name and title

TABLE OF CONTENTS

<u>DESCRIPTION</u>	<u>PAGE</u>
I.AGENT BACKGROUND.....	1
II.SUMMARY OF INVESTIGATION.....	2
III.PURPOSE OF AFFIDAVIT.....	3
IV.STATEMENT OF PROBABLE CAUSE.....	4
A. Summary of Investigation	4
B. Overview of federal immigrant investor "EB-5" visa program	6
C. Bank accounts analysis.....	16
D. TAT and VICTORIA obtain approval for an EB-5 Regional Center	20
E. FRAUD AGAINST INVESTORS: TAT and VICTORIA misappropriated millions of dollars of EB-5 investors' funds for personal expenditures, including purchasing million-dollar homes	26
1. EB-5 investor T.Y.	26
2. EB-5 investor F.W.	32
3. EB-5 investors X.W., Y.T., and N.C.	34
4. Additional properties purchased in the names of VICTORIA and FANG with EB-5 investors' funds	38
5. Conclusion	42
F. VISA FRAUD (no construction): TAT and VICTORIA did not develop projects nor create American jobs, contrary to the representations in the EB-5 petitions and attachments	42
1. EB-5 investor H.X	43
2. EB-5 investor B.Y.	44
3. Misappropriation of funds from EB-5 investors H.X. and B.Y.	45
4. Project site investigation results	46
5. Some of the EB-5 petitions submitted to USCIS fraudulently claimed that 10 full-time American jobs lasting 2 years had been created, which was false.	48

TABLE OF CONTENTS (CONTINUED)

<u>DESCRIPTION</u>	<u>PAGE</u>
G. VISA FRAUD (refunds): TAT and VICTORIA refunded EB-5 petitioners' investments while their EB-5 petitions were pending, in direct violation of the EB-5 visa program	52
1. EB-5 investor G.Z. (\$300,000 refund)	52
2. EB-5 investor J.L. (\$300,000 refund)	53
3. Other refunds to EB-5 investors	54
4. Conclusion	54
H. VISA FRAUD (fabricated investments): in several instances, CIIF appears to have provided funds to EB-5 clients in the first instance, who then wired the same funds back to CIIF-related entities as purported EB-5 investments	55
I. Foreign Chinese nationals received green cards under the EB-5 program, even though they were fugitives from justice and their EB-5 petitions contained false information	65
1. Chinese fugitive J.X.	66
2. Chinese fugitive F.L.	66
3. Chinese fugitive K.L.	68
J. Training and experience regarding records related to fraud, investment fraud, and immigration fraud schemes ...	69
K. Digital devices are used in this scheme.....	70
L. There is probable cause to believe that evidence of the fraudulent scheme will be found at SUBJECT PREMISES #1 (CIIF's business office)	77
1. Undercover meeting at SUBJECT PREMISES #1	78
2. Former CIIF employees confirmed that scheme documents are maintained at SUBJECT PREMISES #1.....	81
M. There is probable cause to believe that evidence of this scheme will be found at SUBJECT PREMISES #2 (Carriage House Drive residence)	86
N. There is probable cause to believe that evidence of the fraudulent scheme will be found at SUBJECT PREMISES #3 (VICTORIA's residence)	95

TABLE OF CONTENTS (CONTINUED)

<u>DESCRIPTION</u>	<u>PAGE</u>
O. There is probable cause to believe that evidence of this scheme will be found inside SUBJECT VEHICLE #1 (VICTORIA's Porsche SUV)	103
P. Training and experience in investigations involving documents written in foreign languages	104
Q. Procedures regarding potential attorney-client material	104
R. Training and Experience on Digital Devices	106
V. CONCLUSION	112

A F F I D A V I T

I, Gary Chen, being duly sworn, declare and state:

I. AGENT BACKGROUND

1. I am a Special Agent ("SA") with the Federal Bureau of Investigation ("FBI"), Orange County Resident Agency, Los Angeles Field Office, California. I have been employed with the FBI since April 2006, before which I was employed as an SA with the Naval Criminal Investigative Service ("NCIS") for approximately two years. I am currently assigned to the Violent Crime and Criminal Enterprise squad, where my duties include investigations into organized crime related to various fraudulent schemes, trafficking and distribution of controlled substances, illegal sports betting, and violent crimes. I attended law enforcement training academies for FBI and NCIS, which together with other FBI and NCIS training, provided me with training on various aspects of organized criminal enterprise investigations, drug investigations, and white collar crime investigations including investment fraud, mail fraud, bank fraud, access device fraud, mail theft, identity theft, and money laundering. I have participated in financial fraud, money laundering, and international money laundering investigations that resulted in seizures, searches, and arrests. Last, I also have experience conducting surveillance, analyzing financial records, interviewing witnesses, drafting affidavits for wire interceptions, obtaining and executing search and arrest warrants, and employing other investigative techniques.

II. SUMMARY OF INVESTIGATION

2. Starting in or about 2008 and continuing to the present, Victoria Chan [陳瑩瑩] ("VICTORIA"), a California attorney, and her father Tat Chan [陳達] ("TAT"), a foreign national, have defrauded the United States by exploiting the U.S. immigration "EB-5" visa program, which provides lawful U.S. permanent residence (a "green card") to foreigners, in exchange for requiring investment of at least \$500,000 in a U.S. business that must also create 10 new American jobs. In their fraudulent EB-5 scheme, using California Investment Immigration Fund, LLC ("CIIF"), VICTORIA and TAT convinced more than 100 foreign Chinese nationals to invest a total of more than \$50,000,000 with CIIF and related companies. However, rather than legitimately investing the funds into American businesses, CIIF either refunded the funds to the EB-5 investors while their EB-5 petitions were pending, in direct violation of the EB-5 program, or stole millions of dollars to use for personal expenditures, including buying million-dollar homes. As a result of the fraudulent scheme, many foreign nationals were able to improperly obtain U.S. green cards through the EB-5 visa program, even though those foreigners did not in fact truly invest in U.S. businesses, nor were new American jobs created. Last, several of VICTORIA's clients were fugitives on the People's Republic of China 100 most wanted list, charged with crimes such as bribery, but nevertheless were able to obtain U.S. green cards under the EB-5 visa program, and even though their EB-5 petitions also contained false information.

III. PURPOSE OF AFFIDAVIT

3. This affidavit is made in support of applications for warrants to search for evidence of violations of Title 18, United States Code, Sections 371, 1341, 1343, 1546, and 1956, and Title 8, United States Code, Section 1324(a)(1)(A)(iv), which criminalize, respectively, conspiracy to defraud the United States, mail fraud, wire fraud, visa fraud, money laundering, and encouraging or inducing an alien to come to, enter, or reside in the United States, knowing or in reckless disregard that such coming to, entry, or residence is or will be in violation of law.

4. The locations and vehicle to be searched are:

a. SUBJECT PREMISES #1: 225 West Valley Boulevard, Suite H118, San Gabriel, California 91776, which is the business office of CIIF, described as one office unit located on the main floor inside the San Gabriel Hilton Hotel building, as more fully described in Attachment A-1;

b. SUBJECT PREMISES #2: 728 Carriage House Drive, Arcadia, California 91006, which is a detached single-family, two-story residence used in the scheme, as more fully described in Attachment A-2;

c. SUBJECT PREMISES #3: 3 Larry Beard Drive, South El Monte, California 91733, which is a three-story attached condo/townhouse where VICTORIA resides, as more fully described in Attachment A-3; and

d. SUBJECT VEHICLE #1: a 2015 Porsche SUV with California license plate 7JCX228, registered to VICTORIA, as

more fully described in Attachment A-4.

5. The facts set forth in this affidavit are based upon my personal observations and investigation, my training and experience, and information obtained from various law enforcement personnel and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested search warrants and does not purport to set forth all of my knowledge of or investigation into this matter. Unless specifically indicated otherwise, all conversations and statements described in this affidavit are related in substance and in part only.

IV. STATEMENT OF PROBABLE CAUSE

A. Summary of Investigation

6. Overview: VICTORIA and her co-schemers raised more than \$50,000,000 by orchestrating a scheme that exploited the U.S. immigration EB-5 visa program. Rather than legitimately investing funds into American businesses or creating American jobs as required by the EB-5 program, VICTORIA instead either refunded the funds to the EB-5 investors while their EB-5 petitions were pending or spent the funds on personal expenses.

7. Visa fraud: VICTORIA and her co-schemers refunded some EB-5 investors' funds soon after receiving the \$500,000 or \$1,000,000 investments and submitting the EB-5 petitions to the U.S. government, but did not withdraw those foreigners' pending EB-5 petitions, even though those foreigners were no longer eligible for the EB-5 visa program because of the refunds. VICTORIA also submitted fraudulent information to the U.S.

government, sometimes even using the same purported 10 "new" American jobs for different foreigners' petitions, even though the EB-5 program requires that each petitioner's investment independently created 10 full-time American jobs lasting two years. Further, even though more than 100 EB-5 petitions were submitted, each for at least \$500,000, no real construction actually took place at any of the proposed project locations, and very few, if any, actual full-time American jobs were created. Last, CIIF fronted \$500,000 to some "investors," who then wire-transferred those same funds back to CIIF as purported EB-5 investments, in an attempt to trick U.S. immigration into believing that the foreigners had actually made investments, when they had not. VICTORIA's fraud allowed those foreigners to improperly obtain U.S. green cards.

8. **Fraud against investors:** VICTORIA and TAT also induced foreigners to invest with CIIF by presenting them with an opportunity to obtain a U.S. green card under the EB-5 visa program but promising a full refund of the invested funds, which directly violated the EB-5 program. Instead of doing so, however, VICTORIA and TAT misappropriated some investors' funds to use for VICTORIA and TAT's personal expenditures, including buying multi-million dollar homes for themselves or for TAT's female companion, Fang Zeng [曾芳] ("FANG"), a Chinese national.

9. **U.S. green cards issued to Chinese fugitives:** Some of the foreigners for whom VICTORIA submitted EB-5 petitions were fugitives from China's 100 most wanted list published by the Chinese Communist Central Judicial Prosecution Committee,

available at www.ccdi.gov.cn, charged with crimes such as official bribery and abuse of power. Nonetheless, as part of the fraudulent scheme, VICTORIA submitted EB-5 petitions for those fugitives, and at least three such fugitives were ultimately issued U.S. green cards under the EB-5 visa program.

B. Overview of federal immigrant investor "EB-5" visa program

10. From discussions with Homeland Security Investigation ("HSI") SA D. Tchan, as well as reviewing applicable federal statutes and regulations, the U.S. Citizenship and Immigration Services ("USCIS") website, www.uscis.gov/eb-5, the USCIS Policy Manual, and other publically-available sources on the subject, I learned the following regarding the federal immigration EB-5 visa program:

a. The federal Immigration and Nationality Act (INA) makes visas available to qualified foreign nationals who will contribute to the economic growth of the United States by investing in U.S. businesses and creating jobs for U.S. workers. Congress created this employment-based fifth preference immigrant visa category (EB-5) to benefit the U.S. economy by providing an incentive for foreign capital investment that creates or preserves U.S. jobs.

b. In 1990, Congress created the Immigrant Investor Program, commonly known as "EB-5," in order to stimulate the U.S. economy through job creation and capital investment from immigrant investors by creating a new commercial enterprise or investing in a troubled business. Title 8, United States Code, Section 1153, "Allocation of immigration visas," provides the

preference allocation for employment-based immigrants. Section 1153(b)(5), "Employment Creation," defines the EB-5 visa program. Part G ("Investors") of Volume 6 ("Immigrants") of the USCIS Policy Manual describes the specific rules applicable to the EB-5 visa program.

c. The INA authorizes approximately 10,000 EB-5 immigrant visas annually. The INA established a threshold investment amount of \$1,000,000 U.S. dollars per investor.

d. To encourage investment in new enterprises located in areas that would most benefit from employment creation, the INA also sets aside at least 3,000 of the approximately 10,000 EB-5 visas annually for qualified immigrants who invest in new commercial enterprises (NCEs) that will create employment in targeted employment areas (TEAs), which include rural areas and areas with high unemployment.

e. \$1,000,000 or \$500,000 investment requirement:
There are two distinct EB-5 pathways for an immigrant investor to gain lawful permanent residence for themselves and their immediate family: the Basic Program and the Regional Center Program. Both of those programs require that the immigrant make a capital investment of either \$1,000,000, or \$500,000 (if the investment is in a TEA) in an NCE located within the United States.

1. *General:* The minimum qualified investment in the United States is \$1,000,000.

2. *TEA (high unemployment or rural area):* The minimum qualified investment either within a high-unemployment

area or rural area in the United States is \$500,000.

a. A TEA is an area that, at the time of investment, is a rural area or an area that has experienced high unemployment of at least 150 percent of the national average.

b. A "rural area" is any area outside a metropolitan statistical area (as designated by the Office of Management and Budget) or outside the boundary of any city or town having a population of 20,000 or more, according to the decennial census.

3. The immigrant investor is required to invest his or her own capital, and that capital must be lawfully obtained. The immigrant investor/petitioner must document the path of the funds to establish that the investment was made, or is actively in the process of being made, with the immigrant investor's own funds.

4. To invest means to contribute capital. A loan from the immigrant investor to the new commercial enterprise does not qualify as a contribution of capital.

5. A contribution of capital in exchange for a note, bond, convertible debt, obligation, or any other debt arrangement between the immigrant investor will cause the NCE not to qualify as a capital investment.

6. To qualify as an investment, the immigrant investor must actually place his or her capital "at risk." "At risk" means that there must be a risk of loss and a chance for gain. Additionally, if the investor is guaranteed the right to eventual ownership or use of a particular asset in consideration

of the investor's contribution of capital into the NCE, the expected present value of the guaranteed ownership or use of such asset will count against the total amount of the investor's capital contribution in determining how much money was placed "at risk." For example, if the immigrant investor is given a right of ownership or use of real estate, the present value of that real estate will not be counted as investment capital put "at risk."

7. An immigrant investor must provide evidence of the actual undertaking of business activity. Merely establishing and capitalizing an NCE and signing a commercial lease are insufficient to show that an immigrant investor has placed his or her capital "at risk." Without some evidence of business activity, no assurance exists that the funds will be used to carry out the business of the commercial enterprise.

8. The full amount of the investment must be made "available" to the business(es) most closely responsible for creating the employment upon which the petition is based. In the regional center context, in order for the immigrant investor to establish that capital was placed at risk for the purpose of generating a return, he or she must present evidence that the capital was invested into the NCE and that the full amount was subsequently made available to the job creating entity (JCE).

f. 10-job requirement: The NCE must create or preserve 10 full-time jobs for qualifying U.S. workers within two years (or under certain circumstances, within a reasonable

time after the two-year period) of the immigrant investor's admission to the United States as a Conditional Permanent Resident (CPR). (Qualifying for "preserving" jobs requires that the NCE be a troubled business.)

1. "Full-time employment" is defined as employment of a qualifying employee by the NCE in a position that requires a minimum of 35 working hours per week.

a. A "qualifying employee" must be a U.S. citizen, a lawfully-admitted permanent resident, or other immigrant lawfully authorized for employment in the United States including but not limited to a conditional resident, a temporary resident, an asylee, a refugee, or a foreign national remaining in the United States under suspension of deportation.

b. "Qualifying employee" does not include the immigrant investor, the immigrant investor's spouse, sons, daughters, or any nonimmigrant.

2. In the case of the Immigrant Investor Program, "full-time employment" also includes employment of a qualifying employee in a position that has been created "indirectly" from investments associated with the Program.

3. "Troubled business" is defined as business that has:

- a. Been in existence for at least 2 years;
- b. Has incurred a net loss for accounting purposes (determined on the basis of generally accepted accounting principles) during the 12-month or 24-month period prior to the priority date on the Immigrant Petition by Alien

Entrepreneur (Form I-526); and

c. Had a loss for the same period at least equal to 20 percent of the troubled business's net worth prior to the loss.

g. A "Regional Center" is defined as any economic unit, public or private, which is involved with the promotion of economic growth, improved regional productivity, job creation, and increased domestic capital investment. The organizers of a regional center seeking the regional center designation from USCIS must submit a proposal showing:

1. How the regional center plans to focus on a geographical region within the United States, and must explain how the regional center will achieve economic growth within this regional area;

2. That the regional center's business plan can be relied upon as a viable business model stating market conditions, project costs, and activity timelines;

3. How in verifiable detail (using economic models in most instances) jobs will be created directly or indirectly through capital investments made in accordance with the regional center's business plan; and

4. The amount and source of capital committed to the project and the promotional efforts made and planned for the business project.

h. When making an investment in an NCE affiliated with a USCIS-approved regional center under the Regional Center Program, an immigrant investor may satisfy the job creation

requirements of the program through the creation of either "direct" or "indirect" jobs.

1. Notably, an immigrant investing in a NCE under the Basic Program may only satisfy the job creation requirements through the creation of "direct" jobs.

2. "Direct" jobs are actual identifiable jobs for qualified employees created by the commercial enterprise into which the EB-5 investor has directly invested his or her capital.

3. "Indirect" jobs are those jobs shown to have been created collaterally or outside, or as a result of capital invested in a commercial enterprise affiliated with a regional center by an EB-5 investor. For example, if the project were construction of a hotel, an indirect job could include jobs created by the companies that supplied the materials to construct the hotel, or jobs created by any services in the hotel.

i. Acquiring lawful permanent residence (commonly referred to as a "Green Card" or "LPR") through the EB-5 program is a three-step, self-petitioning process. The target case processing time is approximately 9-12 months for Forms I-526 and I-829.

1. USCIS Form I-526: First, an EB-5 petitioner must submit and obtain approval of his or her Form I-526, "Immigrant Petition by Alien Entrepreneur."¹

¹USCIS classifies each new Form I-526 filing as a new case. For example, if an investor files a Form I-526 but that petition

2. USCIS Form I-485: Second, the EB-5 petitioner must file either an "Petition to Register Permanent Residence or Adjust Status," Form I-485, to adjust status to lawful permanent resident in the United States, or file an Application for Immigration Visa and Alien Registration (Form DS-260) to apply for an immigrant visa at a U.S. consulate or embassy, if the petitioner is outside the United States when applying. The EB-5 petitioner and his or her derivative family members are granted conditional permanent residence for a two-year period upon the approval of the Form I-485 petition or upon entry into the United States with an EB-5 immigrant visa. Currently, there is no limit on the number of derivative family members who also are issued green cards when the EB-5 applicant obtains his or her green card.

3. USCIS Form I-829: Third, a "Petition by Entrepreneur to Remove Conditions on Permanent Resident Status," Form I-829, must be filed 90 days prior to the two-year anniversary of the granting of the EB-5 petitioner's conditional U.S. green card. If USCIS approves this petition, then the EB-5 applicant will be issued a new 10-year permanent green card without any further conditions attached to it, and will be allowed to permanently live and work in the United States. The target processing time for these filings is approximately nine

were denied by USCIS, and then the investor submits a new I-526, but later decides to withdraw their Form I-526 submission, USCIS would count those as two different petitions. And, if the investor then submits a third Form I-526 for a different business enterprise, it would be considered a third petition, so each would be assigned a different file number.

to twelve months. If USCIS denies the petition, then the conditional status will be terminated and the alien would be subject to removal proceedings.

11. USCIS also published a three-page document in written Chinese about the EB-5 program, entitled "EB-5 Customer Service," dated 06/27/2016, that provides guidance on the EB-5 program in Chinese.

12. Additionally, various federal Inspector Generals have issued reports regarding issues with the EB-5 visa program:

a. In December 2013, DHS-OIG issued a report (report number OIG-14-19) that concluded: "USCIS cannot administer and manage the EB-5 regional center program effectively. The legislation establishing the regional center program did not give USCIS the necessary authority to prevent fraud and national security threats that could harm the U.S...."

b. In March 2015, DHS-OIG issued another report that addressed problems with the EB-5 program, entitled "Investigation into Employee Complaints about Management of U.S. Citizenship and Immigration Services' EB-5 Program."

13. Over the past several years, various U.S. lawmakers have raised concerns about the EB-5 program. For example, in March 2016, The New York Times published an article entitled *Program That Lets Foreigners Write a Check, and Get a Visa, Draws Scrutiny*, which noted that the "EB-5 has been the subject of increasing scrutiny since investigators uncovered numerous cases of fraud, discovered individuals with possible ties to Chinese and Iranian intelligence using fake documents and

learned that international fugitives who have laundered money had infiltrated the program."

14. On September 8, 2016, U.S. Senators Charles E. Grassley and Patrick Leahy, Chairman and Ranking Member of the U.S. Senate Committee on the Judiciary, sent a letter about the EB-5 visa program to the Majority Leader and Minority Leader of the U.S. Senate, which wrote: "The rampant abuse of the EB-5 Regional Center program has been well documented in recent years. ... Cases of fraud and securities violations, money laundering, exploitation of investors, abused program incentives, and failed projects have become all too common."

15. On Monday, March 27, 2017, the South China Morning Post, an international Chinese-language newspaper, ran an article entitled *Rich Chinese rush to get US investor visas before costs may soar*, noting that, "As members of Congress in Washington debate raising the minimum required to obtain a US immigrant investor visa from US\$500,000 to US\$1.35 million, concern about the rise has set off a scramble among wealthy would-be participants in China."

16. The EB-5 visa program has existed for decades. However, between 2005 and 2015, the number of EB-5 visas that were issued increased from approximately 350 during fiscal year 2005 to approximately 9,500 during fiscal year 2015. 2016 was the first year during which the 10,000 visa limit was reached before the end of the year.

17. The country with the most visas issued annually under the EB-5 program is China. According to the Department of State

reports, in 2004, approximately 16 EB-5 visas were issued in China, while in 2015, approximately 8,156 EB-5 visas were issued in China. In 2016, approximately 7,516 EB-5 visas were issued in China.

C. Bank accounts analysis

18. A certified FBI Forensic Accountant (FoA) conducted an analysis of CIIF and CIIF-related financial accounts. The FoA has been employed by the FBI conducting financial analysis for approximately 20 years. During the FoA's tenure with the FBI, the FoA has participated/assisted in over 100 investigations. Prior to the FoA's employment with the FBI, for approximately five years, the FoA was employed by the Resolution Trust Corporation/Federal Deposit Insurance Corporation to conduct financial analysis.

19. Throughout 2016 and 2017, I conferred with the certified FBI FoA about the analysis of CIIF's financial accounts.

20. According to the FBI FoA's analysis of the bank accounts, which HSI SA Tchan and I have reviewed:

a. From in or about January 2009 to in or about August 2016, approximately 72 bank accounts used by CIIF were identified, including accounts at East West Bank (EWB), CTBC Bank, Bank of America, JPMorgan Chase Bank, Wells Fargo Bank, HSBC Bank, and Far East National Bank. TAT and FANG are the signatories on most of the CIIF-related bank accounts.

b. From in or about January 2009 to in or about August 2016, more than approximately \$50,000,000 was wire-

transferred or deposited into CIIF and CIIF-related bank accounts. Much of those funds originated from accounts in China and Hong Kong.

c. Since 2009, CIIF has refunded a total of more than approximately \$10,000,000 to EB-5 investors.

d. VICTORIA, TAT, and FANG used millions of dollars of the EB-5 investors' funds for personal expenditures, including purchasing homes in their names.

21. In addition, through the investigation, HSI SA Tchan and I, as well as the assigned FBI FoA, identified the following properties purchased with funds from CIIF's bank accounts that had originated from EB-5 investors:

a. Properties purchased and/or held in the name of CIIF or related entities:

1. On or about November 3, 2011, 120 South Hacienda Boulevard, City of Industry, California (a commercial/retail property, formerly a bank building), was purchased for approximately \$2,000,000, in the name of CIIF Investment Group LP;

2. On or about July 17, 2012, vacant land located near Jefferson Street and Highway 111, Indio, California, was purchased for approximately \$2,250,000, in the name of CIIF Hotel Group;

3. On or about March 26, 2014, vacant land adjacent to the KFC, 4371 Ontario Mills Parkway, Ontario, California, was purchased for approximately \$675,455, in the name of The Harris Group II LP;

4. On or about February 18, 2015, vacant land at the Northwest corner of Haven Avenue and Civic Center Drive, Rancho Cucamonga, California, was purchased for approximately \$5,200,000, in the name of The Harris Group III LP;

5. On or about April 29, 2016, vacant land at 6527 Etiwanda Avenue, Rancho Cucamonga, California, was purchased for approximately \$4,650,000, in the name of The Harris Group XVIII LP. and Harris Group X LP.

b. Properties purchased or held in VICTORIA, TAT, or FANG's names, by misappropriating EB-5 investors' funds:

1. VICTORIA, TAT, and FANG purchased multiple properties in their personal names, by improperly using millions of dollars of EB-5 investors' funds.

2. On or about September 1, 2011, 21849 Tenderfoot Way, Diamond Bar, California (4 bedroom, 3 bathroom residence), was purchased for approximately \$993,888, in the name of VICTORIA;

3. On or about October 3, 2011, 728 Carriage House Drive, Arcadia, California (4 bedroom, 5 bathroom residence), was purchased for approximately \$3,200,000, in the name of FANG (SUBJECT PREMISES #2);

4. On or about July 31, 2012, 124 (Now 188) Oak Knoll Lane, Bradbury, California (3 bedroom, 3 bathroom residence), was purchased for approximately \$4,831,000, in the name of TAT;

5. On or about November 20, 2013, 13575 Brittle Brush Court, Rancho Cucamonga, California (5 bedroom, 4 bathroom

residence), was purchased for approximately \$964,000, in the name of FANG;

6. On or about March 31, 2014, 13592 Brittle Brush Court, Rancho Cucamonga, California (5 bedroom, 4.5 bathroom residence), was purchased for approximately \$920,000, in the name of VICTORIA;

7. On or about September 26, 2014, 561 Via Pueblo, Riverside, California (3 bedroom, 3.5 bathroom residence), was purchased for approximately \$469,950, in the name of FANG;

8. On or about February 17, 2015, vacant land located at 5042 Morgan Place, Rancho Cucamonga, California, was purchased for approximately \$470,000, in the name of FANG;

9. On or about February 20, 2015, vacant land located at 10943 Stallion Way, Rancho Cucamonga, California, was purchased for approximately \$500,000, in the name of FANG;

10. On or about July 29, 2015, 5535 Compass Place, Rancho Cucamonga, California (4 bedroom, 4 bathroom residence), was purchased for approximately \$1,206,892, in the name of TAT;

11. On or about July 30, 2015, 5528 Compass Place, Rancho Cucamonga, California (4 bedroom, 3 bathroom residence), was purchased for approximately \$1,112,393, in the name of TAT;

12. On or about August 11, 2015, 5555 Compass Place, Rancho Cucamonga, California (4 bedroom, 3 bathroom residence), was purchased for approximately \$1,086,500, in the

name of FANG;

D. TAT and VICTORIA obtain approval for an EB-5 Regional Center.

22. I reviewed USCIS documents related to CIIF and learned the following:

a. On or about January 4, 2008, VICTORIA sent a letter dated January 2, 2008, to USCIS that attached a proposal seeking approval to designate CIIF as a Regional Center to develop a TEA in Los Angeles County, California.

1. That letter, which VICTORIA signed, wrote: "Mr. Tat Chan, who has been in the immigration consulting business since 1976, will be acting as the principal of this regional center. He is currently the Director of The Great Nation Group in Guangzhou, China, which provides immigration advisory services," and gave purported contact information for TAT in Guangzhou, Guangdong, China 510060. The letter further provided that "For ease of communication, I will be acting as the U.S. liaison for my father, Mr. Tat Chan," and provided VICTORIA's contact information in Santa Ana, California.

2. The proposal attached to the letter for the CIIF regional center specified that TAT was the "General Partner" of the Regional Center, claiming that TAT had:

a. "30 years as a professional in the immigration consulting business."

b. "Experience in assisting clients immigrating to US, Canada, Australia, and New Zealand."

c. "Previously based in China, Hong Kong,

and Taiwan. Now solely based in China."

3. As described above, a TEA is defined as a rural area or an area that has experienced high unemployment of at least 150 percent of the national average. Being designated as a TEA lowers the minimum qualified investment to qualify for the EB-5 visa program by half: from \$1,000,000 to \$500,000.

b. On or about September 30, 2008, USCIS sent a letter to TAT, which notified that USCIS had approved CIIF as a Regional Center.

c. On or about October 14, 2009, VICTORIA signed Form G-28, "Notice of Entry of Appearance as Attorney or Accredited Representative," on behalf of CIIF.

d. TAT, listing his title as CIIF's "Managing Principal," signed a letter addressed to USCIS, dated March 14, 2016, that notified USCIS that VICTORIA was being added as a "principal" to the CIIF regional center, effective March 14, 2016.

23. For the CIIF regional center, TAT and VICTORIA reported to USCIS that the regional center was being created to primarily focus on the financing and development of commercial or mixed-use real estate in the areas of hotel and hospitality, retail, mixed-use residential, commercial and industrial/warehouse to include restaurant and entertainment and senior living facilities. TAT and VICTORIA created approximately 9 related business enterprises, most of which were used as holding companies to pool EB-5 investor funds. As discussed below, the documents attached to the investors' Form

I-526 petitions list that the various business enterprises are each associated to the CIIF regional center. TAT, VICTORIA, and/or FANG are listed as either owners, partners, board members, members, or registered agents, or are otherwise affiliated with these businesses. From reviewing relevant USCIS files, as well as speaking with HSI SA Tchan, who also has reviewed the documents associated with the CIIF regional center, I learned that those 9 business enterprises, with the following addresses, include:

a. California Investment Immigration Fund LP, P.O. Box 1880, San Gabriel, CA 91778:

1. I obtained a copy of the 05/27/11 application for that P.O. Box account, which shows that VICTORIA was the applicant for that mailbox, which was obtained in the name of CIIF LLC, listing address 12688 Chapman Ave., Unit 3313, Garden Grove, California.

2. On the application for the P.O. box, which VICTORIA signed, VICTORIA included TAT and FANG as additional individuals who would receive mail at the P.O. Box, as well as multiple other entities:

- a. US Federal Immigration Fund LLC;
- b. Harris Franchise Group LLC;
- c. Harris Investment Immigration Fund LLC;
- d. US Federal Investment Immigration Fund LLC;
- e. California Investment Immigration Fund LP;

- f. CIIF Investment Group LP;
- g. Imperial County Senior Living LP;
- h. CIIF Hotel Group LP;
- i. American Immigration Center Inc.;
- j. Guangzhou Dajiuzhou Visa & Educational Consulting Service;
- k. The Great Nation Group;
- l. CIIF Realty Co.;
- m. California Realty Co.; and
- n. Harris Financial Group LP.

3. According to the Limited Liability Company Articles of Organization for this entity dated 3/24/2008, CIIF, LLC, is listed as its only limited liability company, with TAT listed as the initial agent for service of process.

b. CIIF Hotel Group LP, 12688 Chapman Ave #3313, Garden Grove, CA 92840:

1. According to the Certificate of Limited Partnership for CIIF Hotel Group LP, dated 12/13/2010, CIIF, LLC, is listed as its only general partner, with TAT signing as manager of CIIF, LLC, and VICTORIA listed as the initial agent for service of process for CIIF Hotel Group LP.

2. The cover letter for EB-5 investor T.Y.'s Form I-526 petition, dated February 17, 2012, which was submitted to USCIS and signed by VICTORIA, lists CIIF, LLC, as the affiliated regional center for CIIF Hotel Group LP.

c. CIIF Investment Group LP, 12688 Chapman Ave #3313, Garden Grove, CA 92840;

d. Harris Group XVIII LP, P.O. Box 1880, San Gabriel, CA 91778, and 225 West Valley Blvd., H118, San Gabriel, CA 91776:

1. According to the Certificate of Limited Partnership for Harris Group XVIII LP, dated 04/17/2014, CIIF, LLC, is listed as its only general partner, with TAT signing as manager of CIIF, LLC, and VICTORIA listed as the initial agent for service of process for Harris Group XVIII LP.

2. The cover letter for EB-5 investor X.W.'s Form I-526 petition, dated June 15, 2015, which was submitted to USCIS and signed by VICTORIA, lists CIIF, LLC, as the affiliated regional center for Harris Group XVIII LP.

e. Harris Group X LP, P.O. Box 1880, San Gabriel, CA 91778;

f. The Harris Group LP, 225 West Valley Blvd., H118, San Gabriel, CA 91776:

1. According to the Certificate of Limited Partnership for The Harris Group LP, dated 07/03/2012, CIIF, LLC, is listed as its only general partner, with TAT signing as manager of CIIF, LLC, and VICTORIA listed as the initial agent for service of process for The Harris Group LP.

2. The cover letter for EB-5 investor F.W.'s Form I-526 petition, dated November 01, 2012, which was submitted to USCIS by VICTORIA, lists CIIF, LLC, as the affiliated regional center for The Harris Group LP.

g. The Harris Group II LP, P.O. Box 1880, San Gabriel, CA 91778, and 225 West Valley Blvd., H118, San Gabriel,

CA 91776:

1. According to the Certificate of Limited Partnership for The Harris Group II LP, dated 09/25/2013, CIIF, LLC, is listed as its only general partner, with TAT signing as manager of CIIF, LLC, and VICTORIA listed as the initial agent for service of process for The Harris Group II LP.

2. The cover letter for EB-5 investor J.L.'s Form I-526 petition, dated April 23, 2014, which was submitted to USCIS by VICTORIA, lists CIIF, LLC, as the affiliated regional center for The Harris Group II LP.

h. The Harris Group III LP, P.O. Box 1880, San Gabriel, CA 91778, and 225 West Valley Blvd., H118, San Gabriel, CA 91776:

1. According to the Certificate of Limited Partnership for The Harris Group III LP, dated 01/09/2014, CIIF, LLC, is listed as its only general partner, with TAT signing as manager of CIIF, LLC, and VICTORIA listed as the initial agent for service of process for The Harris Group III LP.

2. The cover letter for EB-5 investor Y.H.'s Form I-526 petition, dated August 1, 2014, which was submitted to USCIS by VICTORIA, lists CIIF, LLC, as the affiliated regional center for The Harris Group III LP.

i. The Harris Group VIII LP, P.O. Box 1880, San Gabriel, CA 91778.

E. FRAUD AGAINST INVESTORS: TAT and VICTORIA misappropriated millions of dollars of EB-5 investors' funds for personal expenditures, including purchasing million-dollar homes.

24. As mentioned above, throughout 2016 and 2017, I spoke with the certified FBI FoA who had analyzed CIIF's financial accounts. From those discussions and review of the underlying documents and summaries, I learned that VICTORIA and TAT misappropriated investor funds to purchase residential properties for themselves, under the names of VICTORIA, TAT, and/or FANG, as well as to make other personal expenditures.

25. From my review of the EB-5 petitions, discussions with the assigned FBI FoA and my co-case agent HSI SA Tchan, as well as my independent investigation, I learned the following concerning the investors detailed below:

1. EB-5 investor T.Y.

26. Summary: Approximately six months after EB-5 investor T.Y. wire-transferred more than \$500,000 to CIIF as an EB-5 investment, TAT wire-transferred those funds, together with funds of other investors, into TAT's personal bank account, which TAT then used to purchase a \$4.8 million residence in his name.

27. The FBI FoA's analysis shows that EB-5 investor T.Y.'s investment was comingled with other investors' funds in CIIF HG's EWB account XXXX0602. Subsequently, investors' funds were further comingled with TAT's personal EWB account XXXX2718 prior to the purchase of the \$4.8 million property.

28. On or about January 17, 2012, EB-5 investor T.Y.

wired-transferred approximately \$540,000 into CIIF Hotel Group LP's ("CIIF HG") East West Bank ("EWB") account XXXX0602.

a. The funds originated from Citibank N.A. with reference number ending in 18201.

b. TAT and FANG were the authorized signers for CIIF HG's EWB account XXXX0602.

29. On or about February 21, 2012, USCIS received T.Y.'s Form I-526 petition, which had T.Y.'s and VICTORIA's signatures, both dated January 13, 2012.

a. On that Form I-526, T.Y. listed T.Y.'s address as in care of CIIF, P.O. Box 1880, San Gabriel, California 91778.

b. On that Form I-526, T.Y. listed T.Y.'s foreign address as: "Rm 2708 Peace World Plaza, 362 Huanshidong Road, Guangzhou City, Guangdong Province, China 510060." That foreign address is actually the Chinese business address listed on the back of VICTORIA's business card for CIIF-related entity The Harris Group USA.

c. On that Form I-526, EB-5 investor T.Y. listed the date of T.Y.'s initial investment of \$500,000 as 01/17/2012.

d. I reviewed T.Y.'s Form I-526 and supporting documentation, which indicated that T.Y.'s investment was designated for a mixed-use hotel and restaurant project located near Jefferson Street and Highway 111, Indio, California.

30. On or about July 26, 2012, a cashier's check for \$1,003,000 from CIIF HG's EWB account XXXX0602 (the account into which EB-5 investor T.Y. had wired \$540,000), dated July 26, 2012, was deposited into TAT's personal EWB account XXXX2718.

a. On the same date that that \$1,003,000 deposit was made from CIIF HG's EWB account XXXX0602 into TAT'S personal EWB account XXXX2718, another deposit of \$1,080,000, from another CIIF-related business account, The Harris Group LP EWB account xxxxxx3028 (comprised of two investors' funds), was also made into that same personal account held in TAT's name.

1. The Harris Group LP's EWB account xxxxxx3028 was opened on or about July 5, 2012.

2. The \$1,080,000 that was transferred into TAT's personal account was comprised of funds from two deposits received from EB-5 investors F.W. (discussed below) and Z.S., both on July 9, 2012: \$540,200 from F.W. and \$540,260 from Z.S.

31. Prior to those two deposits into TAT's personal EWB account XXXX2718, it had a balance of only approximately \$235,450. After those two deposits and several other miscellaneous small deposits, TAT's personal EWB account XXXX2718 had a balance of approximately \$2,333,950.

32. The next day, on or about July 27, 2012, TAT's personal EWB account XXXX2718 wire-transferred approximately \$2,330,459 into Huntington Escrow Incorporated's City National Bank ("CNB") account XXXX0555, which was subsequently used on or about July 31, 2012, as partial payment to purchase a residential property located at 124 Oak Knoll Lane, Bradbury, California, under TAT's name.

a. According to public records and database searches, on or about July 31, 2012, TAT purchased the Oak Knoll Lane property in his name for \$4,831,000. According to public

records, that property has a 3 bedroom, 3 bath, approximately 2,700-square-foot residence, on a 10.7 acre lot.

b. On or about October 26, 2015, the city of Bradbury approved TAT's request to change the address from 124 to 188.

33. On or about December 27, 2012, USCIS approved EB-5 investor T.Y.'s Form I-526 petition and thereafter granted a temporary green card to T.Y.

34. On or about November 16, 2015, USCIS received from T.Y. a Form I-829, "Petition by Entrepreneur to Remove Conditions," with T.Y.'s signature dated November 9, 2015, and VICTORIA's signatures as interpreter and preparer, both dated November 11, 2015. T.Y.'s signature was submitted under penalty of perjury, and VICTORIA's signature declared that the petition was "based on all information of which" she had knowledge.

a. EB-5 investor T.Y.'s Form I-829 filing was mailed to USCIS in Laguna Niguel, California, with a cover page signed by VICTORIA, which wrote: "please find enclosed the following exhibits as evidence in support of [T.Y.]'s I-829 Petition by Entrepreneur to Remove Conditions."

b. EB-5 investor T.Y.'s Form I-829 petition, which I reviewed, represented that T.Y. had fulfilled the requirements set forth in the EB-5 visa program, and that as a result of T.Y.'s investment, a total of 10 full-time employment positions were preserved or created for a period of two years.

c. However, those purported jobs were based on an economic analysis prediction, predicated upon the project

actually being constructed. But, as discussed directly below, no construction actually occurred. Thus, without actual construction, no indirect jobs were created or preserved, which would be insufficient to qualify for a green card under the EB-5 visa program.

35. Proposed site remains undeveloped: On December 20, 2016, I visited the proposed mixed-use hotel and restaurant project located near Jefferson Street and Highway 111, in Indio, California.

a. At that location, I observed a large undeveloped plot of land with two signs that were visible along the roadway. One of the signs was partially torn and contained a mixed of Chinese and English words.

b. The English portion of the sign stated: "CIIF"; "CIIF HOTEL GROUP"; "Victoria Center"; "EB-5"; "Restaurant, Hote"; the sign also provided a telephone number of "626-282-1889." The second sign stated: "FOR LEASE"; "RESTAURANT PADS & SPACES"; "California Realty Co."; "909-896-7865".

c. The following photograph, which I took in December 2016, clearly shows that the project location remains devoid of any visible construction:



d. Additionally, on the same date, I interviewed officials from the City of Indio's Planning Department, Building and Safety Department, and Engineer Department, and was informed that no construction permits for the site had been approved, which is a prerequisite to any construction activities at the site.

e. According to my review of documents provided by that city, the Planning Department's entitlement process was completed in January 2015, and the first plan check for the property was in December 2015.

f. To date, nothing has been built, nor construction commenced, at the location.

36. According to a USCIS official who I requested to check on the status of various CIIF EB-5 investors' petitions, EB-5 investor T.Y.'s Form I-829 petition remained pending as of March 21, 2017.

2. EB-5 investor F.W.

37. Summary: Similar to EB-5 investor T.Y. discussed directly above, about two weeks after EB-5 investor F.W. transferred more than \$500,000 to CIIF as an EB-5 investment, TAT wire-transferred those funds, together with funds of other investors, into TAT's personal bank account, which TAT then used to purchase the \$4.8 million-dollar residence in his name, discussed above.

38. On or about July 9, 2012, investor F.W. wired-transferred approximately \$540,200 into The Harris Group LP's ("HG") EWB account XXXX3028.

a. The funds originated from HSBC Bank USA N.A. with reference number ending in 54699.

b. TAT and FANG were authorized signers for HG's EWB account XXXX3028.

39. On or about November 13, 2012, USCIS received F.W.'s Form I-526 petition, which had F.W.'s and VICTORIA's signatures. I reviewed this Form I-526 petition from F.W., which indicated that F.W.'s investment was designated for a project located at 520 North Turner Avenue, Ontario, California, with Harris Group LP. However, USCIS denied this first I-526 petition from F.W. on or about July 8, 2015.

40. On or about September 15, 2015, USCIS received F.W.'s second Form I-526 petition, which had F.W.'s and VICTORIA's signatures, both dated July 21, 2015. That petition had a cover letter dated September 2, 2015, which was signed by VICTORIA.

a. On that Form I-526, F.W. listed F.W.'s address as

in care of Harris Law Group USA, P.O. Box 1880, San Gabriel, California 91778.

b. On that Form I-526, F.W. listed F.W.'s foreign address as: "Rm 2708 Peace World Plaza, 362 Huanshidong Rd., Guangzhou, Guangdong, China 510060." That foreign address is actually the Chinese business address listed on the back of VICTORIA's business card for CIIF-related entity The Harris Group USA.

c. On that Form I-526, EB-5 investor F.W. listed the date of T.Y.'s initial investment of \$500,000 as 07/09/2012.

d. I reviewed F.W.'s Form I-526 and supporting documentation, which indicated that F.W.'s investment was changed from the previous project to a hotel/conference center project located near the northwest corner of Haven Avenue and Civic Center Drive, in Rancho Cucamonga, California.

41. As discussed in the section addressing EB-5 investor T.Y directly above, the FBI FoA's analysis also concluded that F.W.'s investment was comingled with other investors' funds in HG's EWB account XXXX3028, which subsequently were further comingled with TAT's personal EWB account XXXX2718 prior to the purchase of the 124 (now 188) Oak Knoll Lane property in TAT's name.

42. Proposed project site remains undeveloped: On December 12, 2016, I conducted an investigation at the proposed hotel and conference center project located at the northwest corner of Haven Avenue and Civic Center Drive, in Rancho Cucamonga, California. At that location, I observed a large undeveloped

parcel of land and a large sign with a mixed of Chinese and English words. The English portion of the sign stated "The Harris Group." The sign also provided a telephone number of "(626) 282-1889."

43. On January 30, 2017, I spoke with an employee from the City of Rancho Cucamonga's Planning Department, who informed me that the property was at the earliest stages of development, *i.e.*, the pre-planning stage.

44. According to a USCIS official who I requested to check on the status of various CIIF EB-5 investors' petitions, EB-5 investor F.W.'s Form I-829 petition remained pending as of March 21, 2017.

3. EB-5 investors X.W., Y.T., and N.C.

EB-5 investor X.W.

45. On or about November 26, 2014, EB-5 investor X.W. wired-transferred approximately \$550,200 into The Harris Group XVIII LP's ("HG XVIII") CTBC Bank ("CTBC") account XXXX8592.

a. The funds originated from HSBC Bank USA N.A. with reference number ending in 63988.

b. TAT and FANG were authorized signers for HG XVIII's CTBC account XXXX8592.

46. On or about June 16, 2015, VICTORIA mailed EB-5 investor X.W.'s I-526 petition to USCIS, with a cover letter from her dated June 15, 2015, which VICTORIA signed. Both VICTORIA and X.W. signed X.W.'s Form I-526 petition, dated May 12, 2015. (In December 2015, VICTORIA mailed another letter to USCIS regarding EB-5 investor X.W.'s Form I-526 petition, which

enclosed supplemental/updated information.)

47. On or about June 19, 2015, USCIS confirmed receipt of EB-5 investor X.W.'s Form I-526.

48. When I reviewed X.W.'s Form I-526 petition, it indicated that X.W.'s investment of \$500,000 was designated for a proposed residential project located at 6527 Etiwanda Avenue, Rancho Cucamonga, California.

EB-5 investor Y.T.

49. On or about March 12, 2015, EB-5 investor Y.T. wired-transferred approximately \$550,200 into HG XVIII's CTBC Bank account XXXX8592.

a. The funds originated from China CITIC Bank International Limi with reference number ending in 04012.

b. TAT and FANG were authorized signers for HG XVIII's CTBC account XXXX8592.

50. On or about August 18, 2015, VICTORIA mailed EB-5 investor Y.T.'s I-526 petition to USCIS, with a cover letter from her dated August 14, 2015, with VICTORIA's signature. Both VICTORIA and Y.T. signed Y.T.'s Form I-526 petition, dated July 21, 2015.

51. On August 25, 2015, USCIS confirmed receipt of EB-5 investor Y.T.'s Form I-526.

52. When I reviewed EB-5 investor Y.T.'s Form I-526, it indicated EB-5 investor Y.T.'s \$500,000 investment was designated for the proposed residential project at the same location as EB-5 investor X.W., i.e., the 6527 Etiwanda Avenue location in Rancho Cucamonga, California.

EB-5 investor N.C.

53. On or about March 6, 2015, EB-5 investor N.C. wired-transferred approximately \$550,200 into HG XVIII's CTBC Bank account XXXX8592.

a. The funds originated from Bank of China Hong Kong Ltd. with reference number ending in 03545.

b. TAT and FANG were authorized signers for HG XVIII's CTBC account XXXX8592.

54. On or about July 16, 2015, VICTORIA mailed EB-5 investor N.C.'s I-526 petition to USCIS, with a cover letter from her dated July 18, 2015, with VICTORIA's signature. Both VICTORIA and N.C. signed N.C.'s Form I-526 petition, dated June 12, 2015. (In December 2015, VICTORIA mailed another cover letter to USCIS on behalf of EB-5 investor N.C., which enclosed some supplemental/updated information.)

55. On or about July 28, 2015, USCIS confirmed receipt of EB-5 investor N.C.'s Form I-526.

56. When I reviewed N.C.'s Form I-526, it indicated N.C.'s investment was also designated for the proposed residential project at the 6527 Etiwanda Avenue location.

57. On or about March 25, 2015, from HG XVIII's CTBC account XXXX8592, two separate internet transfers, totaling approximately \$1,650,000, were made as deposits into HG XVIII's CTBC account XXXX9851.

a. Prior to the \$1,650,000 deposit, HG XVIII CTBC account XXXX9851 had a balance of approximately \$3,000.

b. After that deposit, HG XVIII's CTBC account

XXXX9851 had a balance of approximately \$1,653,000.

c. TAT and FANG were authorized signers for HG XVIII's CTBC account XXXX9851.

58. On or about March 25, 2015, check #1000 for \$1,100,000 payable to TAT from HG XVIII CTBC account XXXX9851 (dated March 24, 2015) posted into TAT's personal EWB account XXXX0392.

59. On or about March 25, 2015, from HG XVIII's CTBC account XXXX9851, check #999 to FANG for \$550,000 (dated March 24, 2015) was deposited into FANG's personal EWB account XXXX6982.

a. On or about May 20, and August 10, 2015, FANG's personal EWB account XXXX6982 made separate wire transactions in the amounts of \$25,000 and approximately \$373,746 into First American Title Company (FATC) account XXXX2000.

b. Those funds were subsequently used to purchase residential property 5555 Compass Place, Rancho Cucamonga, California, under FANG's name.

60. On or about May 20, 2015, TAT's personal EWB account XXXX0392 made two separate wire transactions of \$25,000 each into FATC account XXXX2000, which was subsequently used on or about July 29 and July 30, 2015, as partial payment for the purchase of residential properties 5535 Compass Place and 5528 Compass Place, Rancho Cucamonga, California, which were purchased in TAT's name.

61. On or about July 29, 2015, TAT's personal EWB account XXXX0392 wired another \$850,000 into FATC account XXXX2000, which was also used as partial payment in the purchase of the

5535 Compass Place and 5528 Compass Place properties.

62. I reviewed the FBI FoA's analysis, which concluded that EB-5 investors Y.T., X.W. and N.C.'s respective investments were comingled with other investors' funds in HG XVIII's CTBC account XXXX8592. Subsequently, all three investors' funds were further comingled with other investors' funds in HG XVIII's CTBC account XXXX9851 and eventually into TAT's personal EWB account XXXX0392 and FANG's personal EWB account XXXX6982, which were then used in the purchases of 5528, 5535, and 5555 Compass Place, Rancho Cucamonga, California, in either TAT or FANG's names.

63. On December 12, 2016, I conducted an investigation at the proposed residential project identified in EB-5 investor Y.T., X.W. and N.C.'s petitions, which was located at 6527 Etiwanda Avenue, Rancho Cucamonga, California. At that location, I observed a large undeveloped parcel of land surrounded by chain link fences. Additionally, on the same date, I interviewed officials from the City of Rancho Cucamonga's Building and Safety Services and Planning Department and was informed the property was acquired by HG XVIII on April 29, 2016, and that no construction permits for the site had been granted, which is a prerequisite to any construction activities at the site.

4. Additional properties purchased in the names of VICTORIA and FANG with EB-5 investors' funds

64. In or about September 2011, VICTORIA used approximately \$434,000 originating from CIIF LLC's EWB bank

account to purchase a residential property in Diamond Bar, California, for a sales price of approximately \$994,000, which was purchased in VICTORIA's name.

a. That property, 21849 Tenderfoot Way, Diamond Bar, California, is a 4 bedroom, 3 bath residence.

b. Because VICTORIA was not a signatory to CIIF LLC's EWB bank account, TAT wrote a letter to EWB dated August 18, 2011, which directed EWB to transfer \$475,000 from CIIF LLC's EWB bank account to VICTORIA's personal bank account at EWB.

65. On or about October 3, 2011, FANG used approximately \$1,280,529 originating from CIIF Hotel Group LP's EWB bank account to purchase a residential property in Arcadia, California, for a sales price of approximately \$3,200,000, which was purchased in FANG's name.

a. This property is SUBJECT PREMISES #2.

b. Both TAT and FANG are signatories on the bank account, but TAT signed check #106, dated on September 29, 2011, issued to cash for \$1,280,529.29.

c. On the same date, a EWB cashier's check was purchased for \$1,280,529.29, made out to Design Escrow Inc., Escrow # 160061-KG, with the remitter noting "Fang Zeng."

66. On or about November 14, 2013, FANG used approximately \$480,306 originating from The Harris Group LP's EWB bank account to purchase a residential property in Rancho Cucamonga, California, for a sales price of approximately \$963,932, which was purchased in FANG's name.

a. That property, 13575 Brittle Bush Court, Rancho Cucamonga, was a 5 bedroom, 4 bath residence.

b. Both TAT and FANG are signatories on the bank account, but TAT signed check #201, dated on October 31, 2013, issued to cash for \$480,306.02.

c. On the same date as that check, a EWB cashier's check was purchased for \$480,306.02, made out to Orange Coast Title Company, with the remitter noting "13575 Brittle Brush Court, Rancho Cucamonga, CA 91739." Even after that check posted, the account balance was more than \$1.1 million.

67. In or about March 2014, VICTORIA used approximately \$146,000 originating from a bank account holding CIIF-related investor funds to purchase a residential property in Rancho Cucamonga, California, in VICTORIA's name for a sales price of approximately \$920,000. That address is 13592 Brittle Bush Court, Rancho Cucamonga, California, which is a 5 bedroom, 4.5 bath residence.

68. On or about September 16, 2014, FANG used approximately \$455,863 originating from The Harris Group III LP's EWB bank account to purchase a residential property in Riverside, California, for a sales price of approximately \$469,950, which was purchased in FANG's name.

a. That property, 561 Via Pueblo, Riverside, California, is a 3 bedroom, 3.5 bath residence.

b. Both TAT and FANG are signatories on the bank account, but TAT signed check #225, dated on September 16, 2014, issued to cash for \$455,863.19.

c. On the same date as that check, a EWB cashier's check was purchased for \$455,863.19, made out to Belle Vista Escrow Inc., with a remitter noting "Fang Zeng Escrow #22427." Even after that check posted, the account balance was more than \$4 million.

69. On or about February 17, 2015, FANG used approximately \$446,381 originating from The Harris Group III LP's EWB bank account to purchase a parcel of vacant land in Rancho Cucamonga, California, for a sales price of approximately \$470,000, which was purchased in FANG's name.

a. The vacant land has address 5042 Morgan Place, Rancho Cucamonga, California.

b. Both TAT and FANG are signatories on the bank account, but TAT signed check #253, dated on February 13, 2015, issued to cash for \$446,381.69.

c. On February 13, 2015, a EWB cashier's check was purchased for \$446,381.69, made out to Clear View Escrow, with the remitter noting "CV6026VG - Fang Zeng."

70. On or about February 19, 2015, FANG used approximately \$475,053 originating from The Harris Group III LP's EWB bank account to purchase a parcel of vacant land in Rancho Cucamonga, California, for a sales price of approximately \$500,000, which was purchased in FANG's name.

a. The vacant land has address 10943 Stallion Way, Rancho Cucamonga, California.

b. Both TAT and FANG are signatories on the bank account, but TAT signed check #252, dated February 13, 2015,

issued to cash for \$475,053.42.

c. On that same date, an EWB cashier's check was purchased for \$475,053.42, made out to First American Title, with the remitter noting "Fang Zeng - 11744 4798025."

5. Conclusion

71. Under the EB-5 visa program, all of the investors' funds must be "available" to use in the NCE. By embezzling the EB-5 investors' funds, VICTORIA violated the EB-5 program's rules because the investors' funds were no longer "available" to be used in the project, due to the funds already having been spent elsewhere. Moreover, no actual construction occurred at the above project locations, which further invalidated those projects from qualifying for the EB-5 visa program.

F. VISA FRAUD (no construction): TAT and VICTORIA did not develop projects nor create American jobs, contrary to the representations in the EB-5 petitions and attachments.

72. Summary: Based upon my review of the EB-5 petitions submitted and signed by VICTORIA, discussions with the FBI FoA and HSI SA Tchan, and my independent investigation, I learned that VICTORIA and TAT have not developed the projects that were initially proposed to USCIS in the investors' Form I-526 petitions. Based on the lack of development/construction at the projects, as well as lack of documentation of employment created or preserved, the investors failed to meet the EB-5 program's requirement that a total of 10 full-time employment positions were created or preserved for a period of two years.

Nonetheless, VICTORIA misrepresented to USCIS that the investors

had met the EB-5 requirements, in order to trick USCIS into believing that the EB-5 investors qualified for the removal of conditions from the U.S. green cards, as noted in the subsequent Form I-829 ("Petition to Register Permanent Residence or Adjust Status") petitions that VICTORIA filed on behalf of those same EB-5 investors.

1. EB-5 investor H.X.

73. On or about July 29, 2010, EB-5 investor H.X. wired approximately \$500,149 into CIIF Investment Group LP's ("CIIF IG") EWB account XXXX8506.

a. TAT and FANG were authorized signers for CIIF IG's EWB account XXXX8506.

b. The funds originated from HSBC Bank USA N.A. with reference number ending in 62667.

74. On or about August 11, 2010, USCIS received EB-5 investor H.X.'s Form I-526 petition, with a cover letter from VICTORIA. Both EB-5 investor H.X. and VICTORIA signed the Form I-526 petition.

75. I reviewed H.X.'s Form I-526 filed with USCIS, which indicated that H.X.'s investment was designated for the "San Gabriel Valley Chinese Cultural Center" ("SGVCCC") project located in the vicinity of 15001 and 15045 Proctor Avenue, in the City of Industry, California.

76. On or about March 10, 2011, USCIS approved H.X.'s Form I-526 petition and thereafter granted H.X. a temporary green card.

77. On or about November 8, 2013, USCIS received a Form I-

829 submitted by VICTORIA on behalf of investor H.X. On the Form I-829 and supplemental documents, VICTORIA noted the SGVCCC project previously proposed in H.X.'s Form I-526 was not feasible, but that H.X.'s investment was re-designated to support projects located at 120 South Hacienda Boulevard, 17545 and 17875 Colima Road, City of Industry, California.

78. On H.X.'s Form I-829, VICTORIA indicated that based on H.X.'s investment, H.X. had fulfilled the requirements set forth in the EB-5 program, and as a result, a total of 10 full-time employment positions had been preserved or created for a period of two years.

2. EB-5 investor B.Y.

79. On or about November 2, 2010, EB-5 investor B.Y. wired-transferred approximately \$500,000 into CIIF IG's EWB account XXXX8506.

a. TAT and FANG were authorized signers for CIIF IG's EWB account XXXX8506.

b. The funds originated from HSBC Bank USA N.A. with reference number ending in 39081.

80. On or about November 22, 2010, USCIS received EB-5 investor B.Y.'s Form I-526 petition, with a cover letter from VICTORIA with VICTORIA's signature. EB-5 investor B.Y. signed the Form I-526 petition on November 6, 2010, and VICTORIA signed it on November 16, 2010.

81. When I reviewed B.Y.'s Form I-526, it indicated that B.Y.'s investment was also designated for the SGVCCC project located in the vicinity of 15001 and 15045 Proctor Avenue, in

the City of Industry, California.

82. On or about August 11, 2011, USCIS approved B.Y.'s Form I-526 petition and thereafter granted B.Y. a temporary green card.

83. On or about January 30, 2014, USCIS received a Form I-829 submitted by VICTORIA on behalf of B.Y.

a. In B.Y.'s Form I-829 and supplemental documents, VICTORIA noted that the SGVCCC project previously proposed in the Form I-526 was not feasible, but that B.Y.'s investment was re-designated to support projects located at 120 South Hacienda Boulevard, 17545 Colima Road, and 17875 Colima Road, City of Industry, California.

b. Based on B.Y.'s investment, VICTORIA indicated that B.Y. had fulfilled the requirements set forth in the EB-5 program and as a result, a total of 10 full-time employment positions had been created or preserved for a period of two years.

3. Misappropriation of funds from EB-5 investors H.X. and B.Y.

84. I reviewed the FBI FoA's analysis, which revealed that EB-5 petitioner H.X. and B.Y.'s investments were comingled with CIIF-related EWB business accounts (XXXX8506, XXXX8076, XXXX1006 and XXXX0602) and TAT's personal EWB account XXXX2718.

85. According to that analysis, on or about July 27, 2012, approximately \$2,330,459 was ultimately wire-transferred from TAT's personal EWB account XXXX2718 into Huntington Escrow Incorporated's CNB account XXXX0555. Those funds were then used

as partial payment to purchase the \$4.8 million residential property under TAT's name, which was discussed above.

4. Project site investigation results

86. According to an HSI report that I reviewed and which I discussed with HSI SA Tchan, on January 25, 2013, HSI SA Tchan conducted an investigation at the purported project site, which was located at 120 South Hacienda Boulevard, City of Industry, California.

87. On December 12, 2016, I also investigated at the same location.

88. During the respective investigations, HSI SA Tchan and I separately observed a vacant building surrounded by chain-linked fences with no active construction work. On both dates, a large sign with a mixed of Chinese and English words were visible along the road. The English portion of the sign stated: "CIIF"; "CIIF INVESTMENT GROUP"; "Retail Shops for Lease"; "Partnership Welcome"; "Harris Café." The sign also provided a telephone number of "(626) 282-1889."

89. Photographs of the purported project location, taken by HSI SA Tchan and me approximately 4 years apart - in January 2013 and December 2016 - show that no construction work appears to have occurred.

90. On December 12, 2016, I interviewed an official from the City of Industry's Planning Department and was informed that a Conditional Use Permit (similar to a Business License) had been issued to CIIF for the location on October 11, 2012. However, the project/location still was required to obtain a

construction permit, which would have to be issued by Los Angeles County Building and Safety.

91. On December 12, 2016, I interviewed an official from Building and Safety, County of Los Angeles, and was informed that no application had been received, nor any permit issued, for the property.

92. As described below in the section addressing the refund/funding regarding EB-5 investor F.L., there was no visible construction at the 17545 and 17875 Colima Road, City of Industry, California, purported project location. Further, CIIF IG's vacating 17545 Colima Road and 17875 Colima Road, City of Industry, California, occurred prior to the dates that VICTORIA submitted the Forms I-829 on behalf of EB-5 investors H.X. and B.Y. (H.X.'s Form I-829 petition was signed and dated on November 2, 2013, and B.Y.'s Form I-829 petition was signed and dated on January 13, 2014.)

93. Based on my training and experience, conversations I have had with HSI SA Tchan, and my review of the evidence and interviews conducted in this investigation, I believe that VICTORIA's representations of job creation in the EB-5 (Forms I-829) petitions are inaccurate and/or inflated because there were no construction permits approved for the three project sites (120 South Hacienda Boulevard, 17545 Colima Road, and 17875 Colima Road) that warranted the reporting to USCIS that 10 full-time employment positions had been created or preserved for a period of two years for both EB-5 investors H.X. and B.Y.'s Form I-829 filings.

94. Thus, because no actual construction was performed at the purported project locations in the City of Industry, California, but VICTORIA nevertheless filed Forms I-829 on behalf of the EB-5 investors to remove the conditions from their green cards - representing that the construction had been done thus creating the jobs, when in fact construction had not occurred - VICTORIA provided false information to USCIS.

5. Some of the EB-5 petitions submitted to USCIS fraudulently claimed that 10 full-time American jobs lasting 2 years had been created, which was false.

95. Summary: As discussed herein, VICTORIA submitted Forms I-829 for two EB-5 investors that attached documentation purporting to show that 10 full-time American jobs lasting two years were created from the EB-5 projects. In fact, such jobs were not created by the purported projects, and were not full-time and/or did not last more than a few months. Last, some of the same jobs were used for both petitioners, including VICTORIA herself as a purported new job from the EB-5 projects.

96. I reviewed the Form I-829 petitions that were submitted for EB-5 investors F.L. and K.L., which VICTORIA had signed. Attached to each of those petitions were purported payroll or wage and tax register documents that appeared to support that 10 employees were created from each of EB-5 investors F.L. and K.L.'s projects.

97. However, by comparing the names of the purported employees, I discovered that many of the same employees were used, for the same time period, in both F.L. and K.L.'s

petitions.

98. EB-5 investor F.L.'s petition attached a 9-page "Wage and Tax Register" document, listing a print date of "08/30/2012 12:30," that contained wage and tax information for the following 20 individuals, purportedly for Quarter 3 of 2012: C.A.; VICTORIA; J.C.; J.D.C.; T.M.D.; M.D.; D.D.; G.F.; S.D.J.; X.L.; C.Mc.; A.A.P.; M.P.; X.R.; J.C.S.; Y.T.; T.H.T.; H.Y.; Q.Z.; and S.G.Z.

99. EB-5 investor K.L.'s petition attached a 2-page "Payroll Details" document, listing a print date of "08/30/2012 12:33" that contained wage and tax information for the following 7 employees, purportedly for the pay period of 07/01-07/30/12: C.A.; VICTORIA; J.C.; D.D.; X.L.; A.A.P.; and M.P.

100. On April 16, 2014, HSI SA Tchan and another HSI SA interviewed the parents of CIIF employee J.C., who was listed as an employee with both EB-5 investor F.L. and K.L.'s Form I-829 petitions.

a. J.C. was outside the U.S. at the time of the interview, so the agents obtained the information from J.C.'s parents.

b. J.C.'s mother stated that J.C. departed the U.S. in April 2013 on a mission with his church to Peru, and was not scheduled to return to the U.S. until April 2015.

c. J.C.'s mother stated that J.C. had a "summer job" with a Chinese company in 2012, which was full-time for only 6 to 7 weeks. She stated that the scope of J.C.'s job was to look for a location to build a strip mall.

d. J.C.'s father stated that he remembered J.C. complaining to him that J.C. was bored at work because he did not do anything at work, and was just sitting there all day looking at Facebook. J.C.'s father also stated that there was a group of kids who likewise simply sat around at the business location without doing anything.

e. J.C.'s father stated that J.C. was paid \$10/hour.

f. J.C.'s father stated that J.C. left the job when he started college in Idaho.

101. On April 22, 2014, HSI SA Tchan and another HSI SA interviewed T.H.T., who was listed as one of the listed employees on the "Wage and Tax Register" submitted with EB-5 investor F.L.'s Form I-829 petition.

a. T.H.T. stated that s/he worked at CIIF for only two months.

b. T.H.T. stated that s/he was paid \$11/hour, working 8 hours/day, Monday-Friday.

102. On May 1, 2014, HSI SA Tchan and another HSI SA interviewed Y.T., who was listed as one of the listed employees on the "Wage and Tax Register" submitted with EB-5 investor F.L.'s Form I-829 petition.

a. Y.T. stated that s/he worked for CIIF for 6 months in 2012.

b. Y.T. stated that s/he was paid \$12/hour, but that s/he only worked part-time at CIIF.

c. Y.T. stated that s/he worked only Mondays, Tuesdays, and Thursdays, from 9 a.m. to 5 p.m.

103. On May 29, 2014, HSI SA Tchan and another HSI SA interviewed H.Y., who was listed as one of the employees listed on the "Wage and Tax Register" submitted with EB-5 investor F.L.'s Form I-829 petition.

a. H.Y. stated that s/he worked for CIIF from January 2012 to April/May 2012.

b. H.Y. stated that s/he was paid \$9/hour, and that s/he worked Monday through Friday, from 9 a.m. to 5 p.m.

104. Thus, the purported new American full-time jobs that VICTORIA represented to USCIS that had allegedly been created by EB-5 investor F.L. and K.L.'s projects either did not last longer than several months and/or were only part-time jobs. Moreover, those jobs do not appear to have even been related to the JCE, as required by the EB-5 rules, *i.e.*, most of the purported new jobs were simply office-type jobs at CIIF. Last, VICTORIA listed herself as one of the new jobs for both petitioners.

105. Based on the above, VICTORIA appears to have attempted to mislead USCIS into believing that the purported projects for EB-5 investors F.L. and K.L. created the required 10 new American full-time jobs, when in fact, they did not. Accordingly, EB-5 investors F.L. and K.L. did not qualify for a permanent green card under the EB-5 program, even though VICTORIA submitted Forms I-829 for exactly that purpose.

G. VISA FRAUD (refunds): TAT and VICTORIA refunded EB-5 petitioners' investments while their EB-5 petitions were pending, in direct violation of the EB-5 visa program.

106. TAT and VICTORIA provided either full or partial refunds of EB-5 clients' \$500,000/\$1,000,000 investments to approximately 30 of CIIF's EB-5 clients, even though their EB-5 petitions remained active/pending status with USCIS. By doing so, VICTORIA misrepresented to USCIS that those investors had met the minimum investment requirements, when in fact the investors no longer qualified for the EB-5 program because they had received refunds. Based on my review of the EB-5 petitions, discussions with the FBI FoA and HSI SA Tchan, and my investigation, I learned the following:

1. EB-5 investor G.Z. (\$300,000 refund)

107. On or about June 23, 2015, EB-5 investor G.Z. wired-transferred approximately \$550,000 into HG XVIII's CTBC Bank USA account XXXX8592.

a. TAT and FANG are authorized signers for HG XVIII's CTBC Bank USA account XXXX8592.

b. The funds originated from Bank of Communications-Hong Kong with reference number ending in 04928.

108. On or about September 25, 2015, VICTORIA mailed EB-5 investor G.Z.'s I-526 petition to USCIS, with a cover letter from her dated September 25, 2015, which VICTORIA had signed.

a. According to that Form I-526 petition, the date of G.Z.'s investment was June 23, 2015.

b. Both VICTORIA and G.Z. signed G.Z.'s Form I-526

petition, dated September 12, 2015.

109. On or about September 30, 2015, USCIS confirmed receipt of G.Z.'s Form I-526. When I reviewed G.Z.'s Form I-526, it specified that G.Z.'s investment was designated for a proposed residential project located at 6527 Etiwanda Ave, Rancho Cucamonga, California.

110. On or about December 18, 2015, HG XVIII's CTBC Bank USA bank account XXXX8280, with TAT and FANG as authorized signers, wired \$300,000 to G.Z.'s bank account at Bank of Communications Co., LT, Hong Kong, account XXXX7884.

111. According to a USCIS official who I requested to check on the status of various CIIF EB-5 investors' petitions, EB-5 investor G.Z.'s Form I-526 petition remained active and under consideration as of March 21, 2017.

2. EB-5 investor J.L. (\$300,000 refund)

112. On or about December 23, 2013, EB-5 investor J.L. wired-transferred approximately \$550,185 into The Harris Group II LP's ("HG II") EWB account XXXX4588.

a. The funds originated from Bank of China, Singapore, with reference number ending in 23400.

b. TAT and FANG are authorized signers for HG II's EWB account XXXX4588.

113. On or about January 3, 2014, HG II's EWB bank account XXXX4588 wired \$300,000 to EB-5 investor J.L.'s bank account at Hong Kong and Shanghai Banking, Hong Kong, account XXXX3833.

a. Additionally, "REFUND IN FULL" was noted under the "OBI" (Originator to Beneficiary Information) section of the

wire documents.

114. Approximately four months' later, on or about April 25, 2014, VICTORIA mailed EB-5 investor J.L.'s Form I-526 petition to USCIS, with a cover letter from her dated April 23, 2014.

a. According to that Form I-526 petition, J.L.'s date of investment was December 23, 2013.

b. Both VICTORIA and J.L. signed J.L.'s Form I-526 petition, dated March 31, 2014.

115. On or about April 30, 2014, USCIS confirmed receipt of EB-5 investor J.L.'s Form I-526.

116. When I reviewed J.L.'s Form I-526, it indicated that J.L.'s investment was designated for a proposed hotel and restaurant project located at the northwest corner of Ontario Mills Parkway and Inland Empire Boulevard, Ontario, California.

117. According to a USCIS official who I requested to check on the status of various CIIF EB-5 investors' petitions, EB-5 investor J.L.'s Form I-526 petition remained active and under consideration as of March 21, 2017.

3. Other refunds to EB-5 investors

118. Based upon the FBI FOA's review of the bank accounts, as well as my own review of same, the investigation has identified a total of approximately 30 of CIIF's EB-5 clients who received full or partial refunds, which totaled to more than approximately \$10,000,000 refunded to CIIF's EB-5 clients.

4. Conclusion

119. Based upon the EB-5 visa program rules, the refunds

provided to investors G.Z. and J.L. disqualified both investors based on the minimum investment requirements of \$500,000 for the EB-5 program. After the refunds, VICTORIA serving as the preparer and advisor to both G.Z. and J.L. should have withdrawn the respective petitions from consideration, but VICTORIA continued to misrepresent to USCIS that the investors met the minimum eligibility for the EB-5 program. Likewise, the refunds to other investors also violated the EB-5 program's rules for the same reasons.

H. VISA FRAUD (fabricated investments): in several instances, CIIF appears to have provided funds to EB-5 clients in the first instance, who then wired the same funds back to CIIF-related entities as purported EB-5 investments.

120. Summary: In addition to refunding some EB-5 investors' funds while their EB-5 petitions were pending, it appears that CIIF also fronted the purported EB-5 investments to other EB-5 clients. As a result, the investments did not originate with the "investors" nor were they actually the investors' funds, so those investors did not qualify for the EB-5 visa program. Nonetheless, VICTORIA filed EB-5 petitions on behalf of those clients, misrepresenting to USCIS that the "investments" came from those clients, when they did not.

121. \$500,000 fronted to EB-5 client F.L.: CIIF appears to have provided EB-5 client F.L. with the purported \$500,000 EB-5 investment, in violation of the EB-5 visa program:

a. On or about August 28, 2009, CIIF IG's LP EWB bank account XXXX8506, with TAT and FANG as authorized signers,

wired \$500,050 to F.L.'s HSBC, Hong Kong, bank account XXXX2833.

b. Several days later, on or about September 1, 2009, investor F.L. wired approximately \$500,200 into CIIF IG LP's EWB account XXXX8506.

1. The funds originated from HSBC Bank USA N.A. with reference number ending in 43712.

2. TAT and FANG were authorized signers for CIIF IG LP's EWB account XXXX8506.

c. On or about September 28, 2009, USCIS received F.L.'s Form I-526 petition, which had F.L.'s and VICTORIA's signatures, both dated September 25, 2009.

1. On that Form I-526, F.L. listed the date of F.L.'s initial investment of \$500,000 as 09/1/2009.

2. On that Form I-526, F.L. listed F.L.'s address as in care of Victoria Chan ESQ, 12688 Chapman Avenue, #3313, Garden Grove, California 92840.

3. On that Form I-526, F.L. listed F.L.'s foreign address as: "Rm 2708 Peace World Plaza, 362 Huanshidong Road, Guangzhou, Guangdong, China 510060." As discussed elsewhere in this Affidavit, that foreign address is actually the Chinese business address listed on the back of VICTORIA's business card for one of CIIF's related entities, The Harris Group USA.

4. I reviewed F.L.'s Form I-526 and supporting documentation, which indicated that F.L.'s investment was designated for the "San Gabriel Valley Chinese Cultural Center" ("SGVCCC") project located in the vicinity of 15001 and 15045

Proctor Avenue, in the City of Industry, California.

d. On or about January 7, 2010, USCIS approved F.L.'s Form I-526 petition.

e. On or about September 19, 2012, USCIS received EB-5 investor F.L.'s Form I-829, "Petition by Entrepreneur to Remove Conditions," which had F.L.'s signature, and VICTORIA's signature as preparer, both dated September 1, 2012. F.L.'s signature was submitted under penalty of perjury, and VICTORIA's signature declared that the petition was "based on all information of which" she had knowledge.

1. EB-5 investor F.L.'s Form I-829 petition was mailed to USCIS in Laguna Niguel, California, with a cover page signed by VICTORIA, which wrote: "please find enclosed evidence in support of [F.L.]'s I-829, Petition by Entrepreneur to Remove Conditions."

2. EB-5 investor F.L.'s Form I-829 petition, which I reviewed, represented that F.L. had fulfilled the requirements set forth in the EB-5 program and as a result of F.L.'s investment, a total of 10 full-time employment positions were preserved or created.

3. However, when on February 21, 2017, HSI SA Tchan reviewed F.L.'s Form I-829 filing, there was documentation provided by VICTORIA to indicate there were more than 10 employment positions that were preserved or created as a result of F.L.'s investment. As discussed elsewhere in this Affidavit, those listed employees actually were either not full-time employees and/or involved temporary jobs that did not last two

years, so would not qualify under the EB-5 program.

f. In the Form I-829 and supplemental documents, VICTORIA indicated support for projects located at 120 South Hacienda Boulevard, 17545 Colima Road, and 17875 Colima Road, City of Industry, California and not the original SGVCCC project previously proposed in the Form I-526.

g. Proposed sites listed in Form I-829 remain undeveloped:

1. According to an HSI report that I reviewed and my discussions with HSI SA Tchan, on January 25, 2013, HSI SA Tchan conducted an investigation at 120 South Hacienda Boulevard, City of Industry, California.

2. On December 12, 2016, I also conducted an investigation at that same location.

3. During the respective investigations approximately 4 years' apart, HSI SA Tchan and I separately observed a vacant building surrounded by chain-linked fences with no active construction work. On both dates, a large sign with a mixed of Chinese and English words were visible along the road. The English portion of the sign stated: "CIIF"; "CIIF INVESTMENT GROUP"; "Retail Shops for Lease"; "Partnership Welcome"; "Harris Café." The sign also provided a telephone number of "(626) 282-1889".

4. Photographs of the purported project location, taken by HSI SA Tchan and me approximately 4 years apart - in January 2013 and December 2016 - show that no construction work appears to have occurred.

5. On December 12, 2016, I interviewed an official from the City of Industry's Planning Department, who informed me that a Conditional Use Permit (similar to a Business License) had been issued to CIIF for the location on October 11, 2012. However, the project/location would still need to obtain a construction permit, which would have to be issued by Los Angeles County Building and Safety.

6. On December 12, 2016, I interviewed an official from Building and Safety, County of Los Angeles, and was informed that no application had been received, nor any permit issued, for the property.

7. According to an HSI report that I reviewed and my discussions with HSI SA Tchan, on January 25, 2013, HSI SA Tchan conducted an investigation at 17545 Colima Road, City of Industry, California.

a. At the exterior of the location, HSI SA Tchan observed a large banner that was written in both Chinese and English words. The English portion of the banner stated: "The New Oriental Place"; "Retail Shops for Lease"; "Partnership Welcome"; "California Investment Immigration Fund LLC".

b. Through the glass entry door, HSI SA Tchan observed the interior space of the unit to be unoccupied and vacant.

c. Additionally, the unit did not appear to be clean and regularly maintained.

8. On November 10, 2015, I also conducted an investigation at that same location. At the exterior of the

location, I observed an affixed sign that read "LOST WORLDS LASER TAG" with a banner "COMING SOON" hung below. I observed through the glass entry door/wall that the business is under active construction.

9. According to an HSI report that I reviewed and my discussions with HSI SA Tchan, on July 9, 2013, HSI SA Tchan conducted an investigation at 17875 Colima Road, City of Industry, California. At the location, HSI SA Tchan observed a partially torn notice posted on the glass door that stated "Three Day Notice to Pay or". The notice was issued to CIIF IG and requested rent and other fees for April and May 2013. The notice was issued by the management company, Kam Sang Company, Incorporated ("KSC").

10. On November 10, 2015, I also conducted an investigation at that same location. At the exterior of the location, I observed an affixed sign with a mixed of Korean and English words. The English portion of the sign read "BIF HOME OFFICE FURNITURE". I spoke to an employee at the furniture business, who indicated the business has been in operation at the 17875 Colima Road location for approximately one year. The BIF furniture business is not related to CIIF.

11. According to an HSI report that I reviewed and my discussions with HSI SA Tchan, on July 12, 2013, HSI SA Tchan interviewed a representative from the property management company KSC and learned that CIIF IG had missed a couple of lease payments starting in April 2013 for both the 17545 and 17875 Colima Road properties. VICTORIA and TAT attempted to

renegotiate with the KSC representative to extend the leases, but when asked to produce county government permits for construction, VICTORIA and TAT failed to produce the requested permits. As a result of the missed lease payments, on or about May 3, 2013, KSC served CIIF IG with a Three-Day Notice to Pay or Surrender Possession, and an Notice of Belief or Abandonment on both locations.

12. In or about July 2013, the property management company that managed both 17545 and 17875 Colima Road, City of Industry, California, reclaimed the properties from CIIF IG.

13. Additionally, according to an HSI report that I reviewed and my discussions with HSI SA Tchan, on October 3, 2013, HSI SA Tchan interviewed an official from the Los Angeles County Building and Safety Department and was informed that no permits for either location had ever been issued to CIIF IG or related entities.

14. Thus, it appears as if no actual construction was ever performed by CIIF-related entities at the three purported project locations on Hacienda and Colima Road in the City of Industry, California.

h. According to a USCIS official who I requested to check on the status of various CIIF EB-5 investors' petitions, EB-5 investor F.L.'s Form I-829 petition remained active and under consideration as of March 21, 2017.

122. \$500,000 fronted to EB-5 client K.L.: CIIF appears to have provided EB-5 client K.L. with the purported \$500,000 EB-5

investment, in violation of the EB-5 visa program:

a. On or about June 4, 2009, CIIF's EWB bank account XXX8183, with TAT and FANG as authorized signers, wired \$500,000 to K.L.'s Bank of China, Hong Kong, bank account XXXX6331.

b. On or about June 19, 2009, investor K.L. wired approximately \$503,000 into CIIF IG LP's EWB account XXXX8506.

1. The funds originated from DBTCO America NYC with a reference number ending in 03181.

2. TAT and FANG were authorized signers for CIIF IG's EWB account XXXX8506.

c. On or about July 14, 2009, USCIS received K.L.'s Form I-526 petition, which had K.L.'s and VICTORIA's signatures, both dated June 11, 2009.

1. On that Form I-526, K.L. listed the date of K.L.'s initial investment of \$500,000 as 06/19/2009.

2. On that Form I-526, K.L. listed K.L.'s address as in care of Victoria Chan Attorney at Law, 12688 Chapman Avenue, #3313, Garden Grove, California 92840.

3. On that Form I-526, K.L. listed K.L.'s foreign address as: "Rm 2708 Peace World Plaza, 362 Huanshidong Road, Guangzhou, Guangdong, China 510060." As discussed elsewhere in this Affidavit, that foreign address is actually the Chinese business address listed on the back of VICTORIA's business card for The Harris Group USA.

4. I reviewed K.L.'s Form I-526 and supporting documentation, which indicated that K.L.'s investment was designated for the "San Gabriel Valley Chinese Cultural Center"

("SGVCCC") project located in the vicinity of 15001 and 15045 Proctor Avenue, in the City of Industry, California.

d. On or about October 20, 2009, USCIS approved K.L.'s I-526 petition.

e. On or about September 7, 2012, USCIS received from K.L. a Form I-829, "Petition by Entrepreneur to Remove Conditions," with K.L.'s signature, as well as VICTORIA's signature as preparer, both dated August 31, 2012. K.L.'s signature was submitted under penalty of perjury, and VICTORIA's signature declared that the petition was "based on all information of which" she had knowledge.

1. EB-5 investor K.L.'s Form I-829 filing was mailed to USCIS in Laguna Niguel, California, with a cover page signed by VICTORIA, which wrote: "please find enclosed evidence in support of [K.L.]'s I-829, Petition by Entrepreneur to Remove Conditions."

2. EB-5 investor K.L.'s Form I-829 filing, which I reviewed, represented that K.L. had fulfilled the requirements set forth in the EB-5 program and as a result of K.L.'s investment, a total of 10 full-time employment positions were preserved or created.

3. However, when on February 21, 2017, HSI SA Tchan reviewed K.L.'s Form I-829 filing, there was documentation provided by VICTORIA to indicate there were actually *fewer* than 10 full-time employment positions that were preserved or created as a result of F.L.'s investment. Under the EB-5 program's regulations, such an analysis is insufficient to justify

removing the conditions.

f. In the Form I-829 and supplemental documents, VICTORIA indicated support for projects located at 120 South Hacienda Boulevard, 17545 Colima Road, and 17875 Colima Road, City of Industry, California, and not the original SGVCCC project previously proposed in the Form I-526.

g. As discussed directly above for investor F.L., those proposed sites remain undeveloped.

h. According to a USCIS official who I requested to check on the status of various CIIF EB-5 investors' petitions, EB-5 investor K.L.'s Form I-829 petition remained active and under consideration as of March 21, 2017.

123. CIIF/FANG appear to have also fronted \$500,000 investments to EB-5 petitioners G.P. and S.C.:

a. EB-5 petitioner G.P.:

1. On or about September 10, 2015, using a CTBC bank account in her name, FANG wire-transferred approximately \$550,200 to an EWB bank account in G.P.'s name.

a. The wire-transfer paperwork lists FANG as the originator, with address of SUBJECT PREMISES #2.

2. On or about September 18, 2015, from the same EWB bank account in G.P.'s name that had received the approximately \$550,200 from FANG, G.P. wire-transferred approximately \$550,200 to a bank account in the name of Harris Group XVIII LP at China Trust Bank USA.

3. On or about September 30, 2015, USCIS received G.P.'s Form I-526 petition.

b. EB-5 petitioner S.C.:

1. On or about August 4 and 11, 2015, using a CTBC bank account in her name, FANG wire-transferred a total of approximately \$550,250 to an EWB bank account in S.C.'s name.

a. The wire-transfer paperwork lists FANG as the originator, with address of SUBJECT PREMISES #2.

2. On or about September 1, 2015, from the same EWB bank account in S.C.'s name that had received the approximately \$550,250 from FANG, S.C. wire-transferred approximately \$550,000 to a bank account in the name of Harris Group XVIII LP at China Trust Bank USA.

3. On or about September 30, 2015, USCIS received a Form I-526 petition for S.C.

124. Because CIIF/FANG provided the funds upfront for the purported investments from the EB-5 petitioners, those funds did not originate or belong to those EB-5 petitioners, so those foreigners did not qualify for the EB-5 visa program.

I. Foreign Chinese nationals received green cards under the EB-5 program, even though they were fugitives from justice and their EB-5 petitions contained false information.

125. Summary: Some CIIF clients for whom VICTORIA submitted EB-5 petitions were fugitives on China's 100 most wanted list published by the Chinese Communist Central Judicial Prosecution Committee, available at www.ccdi.gov.cn. Nonetheless, as part of the fraudulent scheme, VICTORIA submitted EB-5 petitions for those fugitives from Chinese justice, and at least three of them were ultimately issued U.S. green cards under the EB-5 visa

program. In addition to being fugitives from Chinese justice, their EB-5 petitions also contained false statements.

1. Chinese fugitive J.X.

126. J.X. is listed as number 13 on China's 100 most wanted list published by the Central Commission for Discipline Inspection of the Chinese Communist Party of China, available at www.ccdi.gov.cn.

127. According to that publication, Chinese fugitive J.X. was formerly the Director of Development and Reform Commission, in Wuhan, in the Hubei Province, PRC, and is accused of "embezzlement, accepting bribes, abuse of power" of that official position.

128. Under Chinese law, the maximum punishment for that crime is death.

129. Chinese fugitive J.X. was married to Chinese fugitive F.L., who as discussed below, was VICTORIA's client and applied for a visa under the EB-5 program.

130. On October 7, 2010, USCIS issued Chinese fugitive J.X. a temporary green card under the EB-5 program, as the spouse of Chinese fugitive F.L. discussed directly below.

2. Chinese fugitive F.L.

131. Chinese fugitive F.L. is listed as number 66 on China's 100 most wanted list discussed above.

132. According to that publication, Chinese fugitive F.L. was formerly the Deputy Director of China Life Insurance Company, Hubei Branch, and is accused of "accepting bribes."

133. Under Chinese law, the maximum punishment for that

crime is death.

134. In September 2009, VICTORIA submitted a Form I-526, "Immigrant Petition by Alien Entrepreneur," to USCIS for Chinese fugitive F.L., which F.L. and VICTORIA signed on September 25, 2009. VICTORIA also attached an approximately 20-page cover letter dated September 26, 2009, which VICTORIA had signed.

a. According to F.L.'s Form I-526 petition, F.L. had invested \$500,000 with CIIF IG LP on 09/01/2009.

b. According to VICTORIA's 09/26/09 letter, F.L. was the Manager of Hubei Nanshun Oil Storage Co. Ltd.

135. As specified above in this Affidavit, Chinese fugitive F.L. is the wife of Chinese fugitive J.X.

136. As discussed above in this Affidavit, Chinese fugitive F.L.'s EB-5 petitions and attached documents contained false information because F.L. used the same purported new American employees as used by Chinese fugitive K.L. in K.L.'s EB-5 petition, including fraudulently listing VICTORIA herself as a purported new employee of the project.

137. As discussed above in this Affidavit, there was no construction at the purported projects identified in Chinese fugitive F.L.'s EB-5 petitions, which further made Chinese fugitive F.L. ineligible for the EB-5 visa program.

138. As discussed above in this Affidavit, CIIF actually fronted the purported \$500,000 EB-5 investment to F.L.

139. On or about January 7, 2010, USCIS approved F.L.'s Form I-526 petition.

140. On October 7, 2010, USCIS issued Chinese fugitive F.L.

a temporary green card under the EB-5 visa program.

141. As discussed above, Chinese fugitive F.L.'s Form I-829 remained active as of March 2017.

3. Chinese fugitive K.L.

142. EB-5 petitioner K.L. is a fugitive from China.

143. On or about July 14, 2009, USCIS received Chinese fugitive K.L.'s Form I-526 petition.

144. As discussed above in this Affidavit, Chinese fugitive K.L.'s EB-5 petitions and attached documents contained false information because K.L. used the same purported "new" American employees that were used by Chinese fugitive F.L. in F.L.'s EB-5 petition, discussed directly above.

145. As discussed above in this Affidavit, there was no construction at the purported projects identified in Chinese fugitive K.L.'s EB-5 petitions, which further made Chinese fugitive K.L. ineligible for the EB-5 visa program.

146. As discussed above in this Affidavit, CIIF actually fronted the purported \$500,000 EB-5 investment to Chinese fugitive K.L., which further rendered K.L. ineligible for the EB-5 visa program. Specifically, even though K.L. was fronted the \$500,000 "investment" in June 2009, K.L. and VICTORIA nevertheless submitted K.L.'s Form I-829 to obtain a permanent green card more than 3 years' later in September 2012, which also violated the EB-5 visa program.

147. As discussed above in this Affidavit, in or about September 29, 2010, K.L. received a temporary green card under the EB-5 program.

148. As discussed above, Chinese fugitive K.L.'s Form I-829 remained active as of March 2017.

J. Training and experience regarding records related to fraud, investment fraud, and immigration fraud schemes.

149. I have conducted and participated in, and discussed with other federal agents who have conducted, investigations into fraud schemes, including investment fraud schemes. Moreover, I discussed with other federal agents who have conducted investigations of immigration fraud schemes, including HSI SA Tchan.

150. Based on my training and experience, including discussions with other experienced FBI and HSI special agents who conduct financial investigations, I know that a person engaged in fraud scheme, including an investment fraud scheme, will almost always maintain some or all of the following types of records: customer case files, including lists or spreadsheets containing personal identifying information of clients/customers, such as social security numbers, employee identification numbers, and alien numbers, and information relating to applications, including contracts, fees, payment, notes, correspondence, and status reports; bank records, including routing and account numbers, bank statements, cancelled checks, deposit slips, wire transfer receipts, and bank correspondences; email addresses, and phone records; cash receipts; summary sheets or schedules showing dates that applications/petitions were filed, approved, and/or denied; communication records between the schemers such as notes

detailing instructions and comments; profile lists; copies of post office applications, foreign passports and visas, and computer and computer storage devices containing any or all of the above information.

151. I also know, based on my training and experience, including discussions with experienced HSI special agents who have conducted and/or participated in investigations into immigration fraud schemes, that a person engaged in an immigration fraud scheme will almost always maintain some or all of the following types of records: copies of applications or petitions filed with U.S. immigration; documents showing foreign identity, nationality, and alienage, such as birth certificates, national identity cards, and passports; records and other paperwork reflecting travel by land, sea and air documenting international travel to the United States.

152. I also know, based on my training and experience, with respect to small business owners, that the above referenced records may be located at the business location or storage unit, as well as often taken to the residence of the leaders or managers of the fraud schemes. Based on my training and experience, I know that the schemers often bring certain documents purposely to their residence, so that they can have ready access to those documents, as well as to work on scheme documents while they are away from the office.

K. Digital devices are used in this scheme.

153. As discussed in this section of the Affidavit, digital devices appear to be used in this scheme, including to prepare

the EB-5 petitions sent to USCIS, to send/receive email messages between VICTORIA and USCIS about the EB-5 petitions, to send/receive email messages among CIIF schemers and employees, to scan documents at CIIF, and to create other documents (e.g., customer receipts) at CIIF.

154. On or about January 9, 2017, I obtained from USCIS and reviewed copies of email messages between VICTORIA and USCIS, which include the following:

a. **Email account "Victoria Chan" <vc3233@gmail.com>:**

i. 10/01/2014 email message to "USCIS Immigrant Investor Program" (USCIS.ImmigrantInvestorProgram@dhs.gov) subj. "Request for updated I-829 receipt":

ii. 10/21/2014 email message to "USCIS Immigrant Investor Program" (USCIS.ImmigrantInvestorProgram@dhs.gov) subj. "Request for Extension/Replacement of I-829 Receipt (Pending Case)" with attachment "I-829 receipt WAC 1309200150.pdf," wherein VICTORIA discusses the EB-5 case of petitioner X.L. and X.L.'s children J.L. and S.L.

iii. 10/21/2014 email message to "USCIS Immigrant Investor Program" (USCIS.ImmigrantInvestorProgram@dhs.gov) subj. "WAC12-343-00057 Request for Replacement of I-829 Receipt (Pending Case)" with attachment "WAC12-343-00057 - [B.H.] - I-829 Receipts.pdf," wherein VICTORIA discusses the EB-5 case of petitioner B.H. and B.H.'s dependents X.Z., H.Z., and X.H.

iv. Additional email messages from VICTORIA to USCIS, dated 11/05/14, 11/09/14, 11/09/14, 11/12/14, 11/19/14, 07/14/15, 08/21/15, 08/25/15, 11/12/15, 11/12/15, and 11/12/15.

v. Additional email messages to VICTORIA from USCIS, dated 11/10/14, 11/13/14, 11/14/14, and 07/29/15.

b. Email account "Victoria Chan" <victoria@harrislawgroupusa.com>:

1. According to a WHOIS search conducted on February 9, 2017, harrislawgroup.com was created on November 21, 2014, and is registered to "VICTORIA CHAN" with listed email address VC3233@GMAIL.COM.

2. VICTORIA's business card for CIIF, The Harris Group, and The Great Nation Group, lists her title as "Attorney at Law" and her U.S. address as SUBJECT PREMISES #1. It lists email address victoria@harrislawgroupusa.com

3. 11/23/2014 email to USCIS Immigrant Investor Program <USCIS.ImmigrantInvestorProgram@uscis.dhs.gov> subj. "Re: Response: WAC12-343-00057 I-829 Replacement Notice with Blank Notice Date" with attachment "[B.H.] I-829 Replacement Notice.pdf," VICTORIA discusses the case of EB-5 petitioner B.H.

a. This email message contains a chain of email messages, including emails from VICTORIA using the Gmail address listed above.

b. Because the email chain contains an email from USCIS to VICTORIA's Gmail email address, to which VICTORIA then responds using this different email address, I believe that VICTORIA uses both of these email addresses interchangeably when operating the fraudulent scheme.

4. 02/19/2017 email to USCIS Immigrant Investor Program (USCIS.ImmigrantInvestorProgram@dhs.gov) subj. "Changing

Regional Center Question," wherein VICTORIA asks questions regarding regional centers.

5. 03/09/2017 email to "CSC-EB5-RCID3-5" subj. "Form I-924 ID1527353164 RCW1527353164 American Chinese Business Association Inc," wherein VICTORIA asks about the status of a regional center application for American Chinese Business Association Inc., dated 09/30/2015.

6. 03/09/2017 email to "CSC-EB5-RCID0-2" subj. "Form I-924 ID1527353170 RCW1527353170 California Realty Co," wherein VICTORIA asks about the status of a regional center application for California Realty Co., dated 09/30/2015.

7. Additional email messages from VICTORIA to USCIS, dated 12/03/14, 12/03/14, 03/14/16, 04/13/16, 08/18/16, 08/31/16, and 10/26/16.

8. An additional email message to VICTORIA from USCIS, dated 12/04/14.

c. **Email account "Victoria Chan" <victoria@cal888.com>:**

1. According to a WHOIS search conducted on February 9, 2017, the domain cal888.com was created on January 5, 2013, and is registered to "VICTORIA CHAN" with listed email address VC3233@GMAIL.COM.

2. 11/27/15 email message to USCIS Immigrant Investor Program <USCIS.ImmigrantInvestorProgram@dhs.gov> subj. "[L.X.] I-485 WAC-13-904-23867," wherein VICTORIA discusses the case of EB-5 petitioner L.X.;

3. 12/04/15 email message to USCIS Immigrant

Investor Program <USCIS.ImmigrantInvestorProgram@uscis.dhs.gov>
subj. "Re: RESPONSE: RESPONSE: RC Amendment Question" with
attachment "Harris Real Estate Fund LLC Geographical Boundary
Change Request.pdf," wherein VICTORIA discusses Harris Real
Estate Fund LLC.

155. On or about January 20, 2016, I obtained from the City
of Rancho Cucamonga, California, and reviewed copies of email
messages/chains between VICTORIA (using email address
vc3233@gmail.com) and the City, which include the following:

- a. 02/05/2015 (10:21 p.m.): from VICTORIA to city
employee;
- b. 03/17/2014 (2:55 p.m.): from city employee to
VICTORIA;
- c. 03/17/2014 (1:00 p.m.): from VICTORIA to city
employee;
- d. 03/17/2014 (12:41 p.m.): from city employee to
VICTORIA;
- e. 03/17/2014 (11:41 a.m.): from VICTORIA to city
employee;
- f. 02/13/2014 (4:08 p.m.): from city employee to
VICTORIA;
- g. 02/13/2014 (2:07 p.m.): from VICTORIA to city
employee;
- h. 02/13/2014 (1:55 p.m.): from city employee to
VICTORIA;
- i. 02/13/2014 (1:38 p.m.): from VICTORIA to city
employee;

- j. 02/13/2014 (1:29 p.m.): from city employee to VICTORIA; and
- k. 02/11/2014 (3:39 p.m.): from VICTORIA to city employee.

156. On or about December 20, 2016, I obtained from the City of Indio, California, and reviewed copies of email messages between VICTORIA and the City, which included an email chain between city employees and VICTORIA, using email account victoria@call888.com, on the following dates/times:

- a. 11/21/2016 (1:29 p.m.): from city employee to VICTORIA;
- b. 11/21/2016 (1:14 p.m.): from VICTORIA to city employee;
- c. 11/21/2016 (10:36 a.m.): from city employee to VICTORIA;
- d. 11/19/2016 (1:46 p.m.)/Saturday: from VICTORIA to city employee;
- e. 11/18/2016 (12:40 p.m.): from city employee to VICTORIA;
- f. 11/18/2016 (12:27 p.m.): from VICTORIA to city employee;
- g. 11/18/2016 (10:35 a.m.): from city employee to VICTORIA;
- h. 11/16/2016 (11:01 p.m.): from VICTORIA to city employee;
- i. 11/16/2016 (9:46 a.m.): from city employee to VICTORIA;

- j. 11/15/2016 (2:57 p.m.): from VICTORIA to city employee; and
- k. 11/15/2016 (8:51 a.m.): from city employee to VICTORIA.

157. As discussed below, a former CIIF employee interviewed by HSI SA Tchan said that s/he routinely would compile the number of contacts for the day at CIIF, including email messages and telephone contacts, and then would send an email message to VICTORIA and TAT with that information. That same former CIIF employee stated that as part of his/her duties at CIIF, s/he assisted with the scanning of documents and petitions related to the EB-5 clients.

a. As detailed below, another former CIIF employee who was interviewed by HSI SA Tchan said that towards the end of that employee's employment at CIIF, at the direction of VICTORIA, that employee sent a large volume of email messages with attachments to the EB-5 investors.

158. From my review of the files for the EB-5 investors' petitions, the majority of the forms, petitions, and other letters submitted to USCIS as part of the scheme appear to be completed by computer, as opposed to be filled out by hand.

159. As described below, during an FBI undercover operation in June 2016, a CIIF employee appeared to have created a computer-generated receipt while present at SUBJECT PREMISES #1 (CIIF's business office).

160. As described in this Affidavit, this scheme is a complicated fraud that would necessitate the use of computers,

smart phones, and other digital devices to keep track of the more than 100 separate EB-5 petitions, which each include multiple USCIS forms (Forms I-526 and I-829), more than 72 bank accounts (including involving international wire transfers), mailing addresses, EB-5 clients' PII, EB-5 business information, email addresses, and other information that would assist the perpetrators to commit their fraud.

161. Thus, I believe that VICTORIA and her co-schemers use digital devices as part of the fraudulent scheme.

L. There is probable cause to believe that evidence of the fraudulent scheme will be found at SUBJECT PREMISES #1 (CIIF's business office).

162. SUBJECT PREMISES #1 is CIIF's business office, described as one office unit located on the main floor inside the San Gabriel Hilton Hotel building in San Gabriel, California, which is more fully described in Attachment A-1. SUBJECT PREMISES #1's window that faces Valley Boulevard has at the top of the window "EB-5" in Greco Roman characters, under which there is Chinese writing that states: "Investment Immigration" and other Chinese characters. Under that writing is a red banner that contains writing of "CIIF" and additional Chinese characters.

163. On December 5, 2016, I conducted an Internet search of "California Investment Immigration Fund" and was directed to the website of www.ciifusa.com.

a. When I then visited that web address in December 2016, I observed that the CIIF's website remains active.

b. Further examination of the website confirmed that CIIF's office location is listed as 225 West Valley Boulevard, Suite #H118, San Gabriel, California 91776, which is SUBJECT PREMISES #1.

c. On March 17, 2017, I visited the website again, and confirmed that it was still active.

164. The address that appears for VICTORIA on her CalBar profile is P.O. Box 1880, San Gabriel, California. VICTORIA signed the application to open that P.O. Box account in 2011. In May 2012, VICTORIA submitted a USPS form for that P.O. Box, which updated her physical address to SUBJECT PREMISES #1.

165. On February 17, 2017, HSI SA Tchan went to SUBJECT PREMISES #1 and confirmed that it was still open for business.

166. On February 15, 16, 17, 22, and March 2, 2017, FBI surveillance personnel conducted surveillance at SUBJECT PREMISES #1 and confirmed that CIIF appears to remain operational at SUBJECT PREMISES #1.

1. Undercover meeting at SUBJECT PREMISES #1

167. On June 29, 2016, an FBI Confidential Human Source (CHS), who was equipped with digital video and audio recording devices, posed as an investor interested in the EB-5 visa program and conducted an undercover meeting with VICTORIA at SUBJECT PREMISES #1. During that scheduled meeting/consultation, the CHS was charged a fee of \$200, which the CHS paid in cash to an employee at SUBJECT PREMISES #1. I reviewed the video footage of their meeting, which included the following:

a. The CHS entered SUBJECT PREMISES #1 at approximately 3:50 p.m. for the meeting scheduled to begin at 4:00 p.m.

b. Although the CHS had scheduled an appointment with VICTORIA in advance, VICTORIA arrived at SUBJECT PREMISES #1 approximately 25 minutes late, so the CHS met first with a CIIF employee there.

c. After the CHS walked into SUBJECT PREMISES #1, the CIIF employee led the CHS to a conference room there.

d. The CHS then paid the \$200 fee in cash to the CIIF employee.

e. After paying the \$200 cash to the CIIF employee, the CHS asked the employee for a receipt, which the employee did not already have with her. The employee agreed to provide a receipt, left the conference room where the CHS and the employee had been meeting, came back approximately 6 minutes later, and provided the CHS with a computer-generated receipt with a header that contained a mix of Chinese and English words.

1. The English portion of the receipt stated: "CIIF"; "California Investment Immigration Fund LLC"; "Receipt." The receipt also contained the following address and contact phone numbers for CIIF: "225 W. Valley Blvd, Suite #H118, San Gabriel, CA 91776; Phone: (626) 282-1889; Fax: (626) 282-1887."

2. Because the employee did not initially have a receipt, and had to leave the conference room for several minutes to obtain one, I believe that the receipt was created at CIIF's office location (SUBJECT PREMISES #1) only after the CHS

had asked for it.

3. Thus, I believe that the CIIF employee used some sort of digital device at SUBJECT PREMISES #1 to create the receipt during the several minutes during which the employee left the conference room.

f. At approximately 4:27 p.m., VICTORIA arrived to the conference room at SUBJECT PREMISES #1 where the CHS was waiting.

g. The CHS explained to VICTORIA that the CHS was inquiring about the EB-5 program on behalf of a client. VICTORIA then provided the CHS with some basic requirements for the EB-5 program, which included the options of a direct investment (Basic Program) or investment into a regional center (Regional Center Program).

h. VICTORIA further indicated that it takes approximately five years from the date of the EB-5 petition to receive a permanent green card.

i. During their meeting, VICTORIA confided to the CHS that the principal investment of \$500,000 would be refunded to the CHS after five years. VICTORIA then indicated that the refund cannot lawfully be guaranteed. However, during the same conversation, VICTORIA reiterated that the investor would receive their refund, regardless of whether the project were profitable.

j. VICTORIA also discussed/referenced a residential project in Rancho Cucamonga, California, that was affiliated or operated by CIIF.

k. The CHS was also provided a blue, hard-copy brochure of CIIF, entitled California Investment Immigration Fund Honorable Photo Album. Among the Chinese characters on the cover of the brochure are the following phrases in English: "Welcome to America" and "From China to America, the whole by you, accompany with me."

1. The video footage showed an office that appeared to be an operating business.

168. VICTORIA's promise to refund the full principal investment to EB-5 applicants/investors after five years directly violates the requirements of the EB-5 program, because such a guarantee renders the investment not "at risk," which is one of the two main requirements of the EB-5 visa program, *i.e.*, investment and job creation. Further, VICTORIA's promise of a full refund contradicts the verbiage on CIIF's website which indicates the investment "is an at-risk investment."

2. Former CIIF employees confirmed that scheme documents are maintained at SUBJECT PREMISES #1.

169. Former CIIF employee Y.T.: According to a report written by HSI SA Tchan, which I reviewed, on May 1, 2014, HSI SA Tchan interviewed former CIIF employee Y.T., who provided the following information:

a. Y.T. was employed at CIIF for approximately six months during 2012.

b. Y.T. stated that the CIIF office (SUBJECT PREMISES #1) is co-located at the Hilton Hotel in San Gabriel, California.

c. Y.T. stated that many visitors to CIIF asked for information about the EB-5 program.

d. Y.T. stated that as part of Y.T.'s duties at CIIF, Y.T. maintained investor information and assisted with the scanning of documents and applications related to EB-5 investors. Y.T. stated that the documents that Y.T. scanned included Social Security cards, driver's licenses, and passports.

e. Y.T. also stated that s/he gathered potential investors' contact information and while at CIIF routinely emailed it to TAT and VICTORIA.

f. Y.T. described TAT as the president of CIIF, and VICTORIA as being in charge of the business operation in the United States.

g. Y.T. stated that CIIF has an office in China.

h. Y.T. stated that VICTORIA would relate that CIIF's clients had been successful in obtaining green cards under the EB-5 program. In addition, Y.T. stated that Y.T. had observed that the children of CIIF's EB-5 clients were enrolled in schools in the United States.

i. Y.T. stated that Y.T. had seen CIIF clients with green cards, because VICTORIA had asked Y.T. to scan the clients' green cards, approval notices, and photographs of the clients.

j. Y.T. stated that Y.T. also assisted VICTORIA to scan documents and applications for the clients at CIIF.

k. Y.T. stated that VICTORIA and VICTORIA's brothers

Victor and Vic instructed Y.T. to cut and file all newspaper articles regarding immigration issues, especially related to EB-5.

l. Y.T. stated that another of Y.T.'s responsibilities at CIIF was to tally the total number of contacts for the day, including email messages and calls. Then, Y.T. would send an email message to both VICTORIA and TAT, informing them of the total number of contacts.

m. Y.T. stated that TAT and FANG stayed in China most of the time, but that when FANG came to the United States, FANG would help out with CIIF business.

n. Y.T. stated that VICTORIA told her that Y.T. could get a \$20,000 referral fee for referring a client to CIIF, if the case were successful.

170. Former CIIF employee T.T.: According to a report written by HSI SA Tchan, which I reviewed, on April 22, 2014, HSI SA Tchan interviewed former CIIF employee T.T., who provided the following information.

a. T.T. explained that s/he had been employed at CIIF for approximately two months during 2012.

b. T.T. explained that the CIIF office was located at the same site as the San Gabriel Hilton, in San Gabriel, California.

c. T.T. stated that while employed at CIIF, T.T. worked at the front desk as a receptionist, which included T.T.'s answering the telephones. T.T. stated that if a caller asked for TAT, T.T. referred the caller to the overseas office

in China.

d. T.T. stated that VICTORIA was in charge of the business, including taking appointments and all the paperwork for the investors.

e. T.T. also stated that towards the end of T.T.'s employment at CIIF, at the direction of VICTORIA, T.T. sent a large volume of email messages with attachments to the investors.

171. As of August 2016, CIIF and CIIF-related bank accounts continued to be active.

172. HSI SA Tchan and I reviewed the filing history of CIIF-related entities, and confirmed that VICTORIA continues to file new EB-5 petitions (Forms I-526) for her clients, including for alien Y.L. using entity Harris Group XVIII LP, which was received by USCIS on or about December 14, 2016.

173. As described above in this Affidavit, VICTORIA sent and received email messages to/from USCIS about EB-5 petitioners. And several of those email messages from VICTORIA had PDF attachments. Those attachments included USCIS receipts of EB-5 petitions. And, as discussed above, a former CIIF employee stated that s/he had scanned documents at CIIF. Thus, I believe it is likely that the original documents (as well as their scanned copies) are maintained at SUBJECT PREMISES #1.

174. From my discussions with HSI SA Tchan, as well as my review of the immigration files for the EB-5 petitioners in this investigation, I know that immigration petitions involve many forms and other documents, including email messages between the

petitioners and USCIS. Because obtaining immigration status involves many such documents, I believe that VICTORIA and the petitioners must also maintain copies of all documents sent to USCIS, as well as documents received from USCIS, which may be needed during the immigration process.

175. HSI SA Tchan told me that he reviewed immigration databases, which showed that TAT and FANG have listed what appears to be SUBJECT PREMISES #1 as their intended residence on required immigration forms that they filled out when entering the United States.

a. For example, in or about September 2016, TAT listed on the required form I-94 Arrival Record (required when entering the United States) that the "Address While in the United States" was "HILTIN HOTEL 228 WEST VALLEY BLVD" in "SAN GALRIEL CA." (For FANG's most recent visit to the United States in January/February 2017, the information provided for her "Address While in the United States" was "16THFLOOR" in "LOSANGELES CA.")

1. SUBJECT PREMISES #1's address is actually 225 - not 228 - West Valley Blvd., but because TAT also listed the Hilton (albeit misspelled), it appears that TAT was referring to SUBJECT PREMISES #1.

b. For example, in or about January 2015, TAT listed on the required form I-94 Arrival Record (required when entering the United States) that the "Address While in the United States" was "255 W VALLEY BLVD" in "SAN GABRIEL CA." Likewise, in or about July 2015, TAT listed on the required I-94 Arrival Record

that the "Address While in the United States" was "HITON HOTEL LOBBY" in "VALLEY BLVD SUITE CA."

176. Thus, based on the above facts, and my training and experience, I believe that evidence of the scheme will be found at SUBJECT PREMISES #1.

M. There is probable cause to believe that evidence of this scheme will be found at SUBJECT PREMISES #2 (Carriage House Drive residence).

177. SUBJECT PREMISES #2 is a detached single-family, two-story residence located at 728 Carriage House Drive, Arcadia, California 91006, which is more fully described in Attachment A-2.

178. Based on my training and experience, I know that individuals engaged in white collar fraud, including individuals who commit immigration fraud, often store evidence of the crimes at locations in addition to the main business location, in order to avoid it being discovered at the main locations at which the fraud operates, which often includes locations where mail from addresses used in the schemes is sent.

179. As discussed previously in this Affidavit, SUBJECT PREMISES #2 was purchased in FANG's name with funds misappropriated from EB-5 investors' funds.

180. SUBJECT PREMISES #2's mailing address was used in the scheme as the mailing and/or residence/physical address for multiple petitioners on the Forms I-526 and I-829 petitions or Form G-28 (Notice of Entry of Appearance as Attorney or Accredited Representative) submitted to USCIS as part of the

scheme.

a. Page 2 of Form I-829, boxes 8-10, contains the information for "Your U.S. Mailing Address" and "Your Physical Address."

b. Page 2 of Form G-28, boxes 12a to 12h, contains the information for the "Mailing Address of Applicant, Petitioner, Requestor, or Respondent."

c. Page 1 of Form I-526, part 1 ("Information About You"), has the personal information of the applicant, including name and address.

d. Based on my review of the Forms I-526, I-829, and G-28 submitted to USCIS as part of the scheme, SUBJECT PREMISES #2 is listed as an address on at least 20 of the petitions submitted to USCIS by VICTORIA. (On six of the Forms I-829, the address for SUBJECT PREMISES #2 was handwritten above the typed address.)

181. Additionally, I reviewed files of the investors for whom VICTORIA submitted EB-5 petitions, where the address for SUBJECT PREMISES #2 was listed, and I confirmed that those files contained copies of letters from USCIS to EB-5 petitioners that were addressed to SUBJECT PREMISES #2's address.

a. According to HSI SA Tchan, USCIS sends mail to petitioners during the EB-5 process, which includes sending letters addressed to the mailing addresses provided for the petitioners, as well as the residence/physical addresses listed on the various forms submitted by the petitioners. For example, USCIS will send a notification letter that it has received a

petition. (As described above, VICTORIA actually attached PDF versions of some of those receipt letters to the email messages she sent to USCIS.) In addition, when denying a petition, USCIS will send a letter. Likewise, when scheduling an appointment, USCIS will send a letter.

b. EB-5 petitioner D.G.: I reviewed alien D.G.'s USCIS file and discovered the following facts:

1. On or about September 3, 2013, USCIS received EB-5 petitioner D.G.'s Form I-526 petition that VICTORIA had submitted for D.G., which listed SUBJECT PREMISES #2 as an address.

2. EB-5 petitioner D.G.'s file contained a copy of a notification from USCIS dated January 22, 2015, which was addressed to D.G. using the address for SUBJECT PREMISES #2.

3. EB-5 petitioner D.G.'s file also contained a copy of a different notification dated July 8, 2015, which was also addressed to D.G. using the address for SUBJECT PREMISES #2.

c. EB-5 petitioner K.L.: I reviewed alien K.L.'s USCIS file, and discovered the following facts:

1. On or about July 14, 2009, USCIS received EB-5 petitioner K.L.'s Form I-526 petition, which had K.L.'s and VICTORIA's signatures.

2. On or about September 7, 2012, USCIS received EB-5 petitioner K.L.'s Form I-829 petition. The address overwritten on the Form I-829 petition is SUBJECT PREMISES #2.

3. EB-5 petitioner K.L.'s file contained a copy of a notification from USCIS dated August 27, 2013, which was addressed to K.L. using the address for SUBJECT PREMISES #2.

d. Thus, because SUBJECT PREMISES #2 is used as the mailing address for multiple EB-5 petitions in this scheme, and letters from USCIS to the petitioners were also addressed to that location, I believe that copies of scheme-related correspondence and other scheme-related documents will be located at SUBJECT PREMISES #2.

182. VICTORIA's brothers Victor Chan ("Victor") and Vic Chan ("Vic"), who both appear to reside at SUBJECT PREMISES #2, are also involved in the scheme:

a. According to HSI SA Tchan, who confirmed their immigration status, Victor and Vic are U.S. citizens.

b. I reviewed the California DMV driver's license information for Victor and Vic. Each lists SUBJECT PREMISES #2 as their respective address.

c. According to California DMV records I obtained as part of the investigation, a 2015 Cadillac SUV is registered to Victor using the SUBJECT PREMISES #2 address.

i. On January 30, 2017, HSI SA Tchan and I conducted a drive-by of SUBJECT PREMISES #2, and we observed that vehicle parked in front of SUBJECT PREMISES #2.

d. As described above, HSI SA Tchan interviewed former CIIF employee Y.T. on May 1, 2014. Y.T. provided the following facts about Victor and Vic's involvement with CIIF's EB-5 clients:

1. Y.T. stated that Vic recruited Y.T. to be a receptionist at CIIF.

2. Y.T. also stated that to obtain the job at CIIF, Vic and TAT interviewed Y.T.

3. Y.T. stated that both VICTORIA and Victor were attorneys.

4. Y.T. also stated that Y.T. observed VICTORIA and Victor at SUBJECT PREMISES #1 talking to clients about the EB-5 program.

5. Y.T. stated that in addition to VICTORIA, Vic relayed the "success stories" of CIIF clients who had been successful in the EB-5 program.

6. Y.T. stated that VICTORIA, Victor, and Vic told Y.T. to cut and file all newspaper articles regarding immigration issues, especially related to EB-5.

7. Y.T. also positively identified VICTORIA and Victor from photographic lineups. Y.T. was not shown a lineup for Vic. On the lineup form for Victor, Y.T. wrote "Victor is an attorney, he helps Victoria to contact the clients. He also take me to help the customer see houses. He usually stays in the meeting room to do the EB-5 cases."

e. As described above, HSI SA Tchan interviewed former CIIF employee T.T. on April 22, 2014. T.T. stated that Victor recruited T.T. to work at CIIF, and that T.T. worked there as a front desk receptionist.

183. On December 23, 2015, HSI SA Tchan and I interviewed two members of the City of Ontario Planning Department. One of

them told us that in March 2015, s/he had met with Victor regarding a Harris Group II property in Ontario.

184. On January 20, 2016, HSI SA Tchan and I interviewed the Assistant City Manager of the City of Rancho Cucamonga, California, who told us that sometime in 2012, the Assistant City Manager had met with VICTORIA and VICTORIA's brother, along with an unknown person, about the possible development of a hotel in the City. The Assistant City Manager said that VICTORIA did most of the talking during that meeting. The Assistant City Manager also said that in 2014, VICTORIA informed the Assistant City Manager that the developments for properties being purchased or considered to be purchased in the City were related to the EB-5 investor visa program.

185. As detailed above, TAT was involved in multiple parts of this fraudulent scheme:

a. As discussed above, when obtaining USCIS approval of the CIIF regional center, the proposal submitted to USCIS provided that TAT was the "General Partner" of the Regional Center.

b. In addition, when TAT signed a letter to USCIS, dated March 14, 2016, that added VICTORIA as a principal of CIIF regional center, TAT listed himself as the "Managing Principal" of CIIF Regional Center.

c. As discussed above, on May 1, 2014, HSI SA Tchan interviewed former CIIF employee Y.T., who said that:

1. TAT was the president of CIIF;
2. To obtain the job at CIIF, TAT and Vic

interviewed Y.T.;

3. Y.T. would send email messages to TAT and VICTORIA to inform them of the total number of contacts for each day, including email and telephone contacts.

d. TAT is the signatory on the majority of CIIF and CIIF-related bank accounts. Also, as described above, TAT also authorized transfers or other withdraws of EB-5 investors' funds that were misappropriated to purchase properties in VICTORA or FANG's names.

e. TAT was the listed owner on at least three of the properties purchased with misappropriated EB-5 investors' funds, including the Bradbury residence purchased for approximately \$4.8 million in or about July 2012.

186. According to U.S. immigration records, TAT and FANG most recently visited the United States from on or about January 29, 2017, to on or about February 12, 2017.

187. On January 31, 2017, HSI SA Tchan conducted surveillance of SUBJECT PREMISES #2, during which the following occurred:

a. At approximately 11:13 a.m., HSI SA Tchan observed TAT exit SUBJECT PREMISES #2's front door and walk across the street, after which he talked to a gardener, and then returned and entered SUBJECT PREMISES #2.

b. At approximately 11:45 a.m., HSI SA Tchan observed TAT exit SUBJECT PREMISES #2 and go to the mailbox in front of the residence and retrieve mail.

c. At approximately 12:13 p.m., HSI SA Tchan

observed TAT walking from SUBJECT PREMISES #2, carrying a black-colored briefcase-sized soft bag in his hands. TAT then walked across the street. As TAT walked across the street, HSI SA Tchan observed an individual back out a vehicle from SUBJECT PREMISES #2's driveway. That individual appeared to match the description of Victor.

d. Then, HSI SA Tchan observed TAT enter that vehicle, after which a woman with a child also entered the vehicle.

e. Then, that vehicle with the driver (believed to be Victor), TAT, and the woman with child drove away from SUBJECT PREMISES #2.

188. As discussed above, VICTORIA provided a hard-cover CIIF brochure to the FBI CHS during the FBI CHS's meeting with VICTORIA in June 2016.

a. The CIIF brochure is hard-covered and contains approximately 100 color pages.

b. On page 23 of that brochure, there is a photograph at the top of the page with 7 individuals, which includes Victor at the far left and FANG third from the right, next to TAT who is second from the right.

c. On page 25 of that brochure, there is a photograph at the top of the page with 7 individuals, which includes VICTORIA on the far left, with TAT in the center, and Victor on the far right, standing next to what appears to be a firefighter.

d. On page 26 of that brochure, there is one

photograph with Vic on the far left, next to VICTORIA and TAT, and three other individuals. In the caption of that photograph, it references the terms United States federal senator, mayor of the city, police chief, and fire chief.

e. On page 27 of that brochure, there are two photographs at the top of the page.

1. The photograph on the left has two individuals, with Vic standing on the right. The caption of that photograph describes Vic as a high level financial analyst, and identifies the other individual as a California state senator.

2. The photograph on the right also has two individuals, with Victor standing on the right. The caption of that photograph describes Victor as a professional attorney hired by CIIF, and identifies the other individual as a California state senator.

f. On page 28 of that brochure, there is one photograph in the middle of the page, with FANG standing on the left. The caption of the photograph describes FANG as CIIF's President and the other individual as a local mayor.

g. On page 29 of that brochure, there is one photograph at the bottom, with another photograph across pages 29 and 30. The photograph at the bottom on page 29 has four individuals, with FANG standing on the left, and TAT and Victor standing together on the right. The caption of the page identifies FANG as the President and TAT as General Manager.

h. On page 32 of that brochure, there is one

photograph with FANG standing on the left, next to an unknown male. The caption references a United States federal senator introducing CIIF's brochure, entitled "entering the United States."

189. As discussed above, in 2015, FANG fronted the \$500,000 investments for two different CIIF EB-5 petitioners, *i.e.*, FANG wire-transferred the funds to the petitioners, who then used their account to wire-transfer the funds back to CIIF-related entity Harris Group XVIII LP as purported EB-5 investments. The wire-transfer paperwork for those transfers in August and September 2015 lists FANG as the originator, specifying her address as SUBJECT PREMISES #2.

190. On or about March 29, 2017, I confirmed from records received from Southern California Edison that from approximately October 2011 to present, FANG has been the registered account holder for the electricity account at SUBJECT PREMISES #2.

191. Thus, based on the above facts, and my training and experience, I believe that evidence of the scheme will be found at SUBJECT PREMISES #2.

N. There is probable cause to believe that evidence of the fraudulent scheme will be found at SUBJECT PREMISES #3 (VICTORIA's residence).

192. SUBJECT PREMISES #3 is a three-story attached condo/townhouse where VICTORIA appears to reside, located at 3 Larry Beard Drive, South El Monte, California 91733, as further described in Attachment A-3.

193. Based on my training and experience, I know that individuals engaged in white collar fraud, as well as individuals who commit immigration fraud, often store evidence of the crimes at their personal residence, to avoid it being discovered at the main locations at which the fraud operates, and also to have easy access to it at all times, including after normal business hours.

194. On or about March 29, 2017, I confirmed from records received from the Southern California Gas Company that VICTORIA is the current registered accountholder for the natural gas account for SUBJECT PREMISES #3, and that VICTORIA opened that account at SUBJECT PREMISES #3 in or about November 2014.

195. On or about March 23, 2017, I confirmed from records received from Southern California Edison that from approximately November 2014 to approximately July 2016, VICTORIA was the registered accountholder for the electricity account for SUBJECT PREMISES #3, but that in approximately July 2016, the account was shifted to the name of V.A. (who has also been observed outside SUBJECT PREMISES #1 and SUBJECT PREMISES #3).

196. On March 15, 2017, a U.S. Postal Inspector told me that he confirmed that VICTORIA currently receives mail addressed to her at SUBJECT PREMISES #3.

197. As part of the investigation, I obtained California DMV records for any vehicles registered to VICTORIA. According to those records, a 2016 Toyota pickup truck is currently registered to VICTORIA with SUBJECT PREMISES #3 listed as the vehicle's registered address.

198. On or about March 15, 2017, I went to the entrance of the gated condominium complex in which SUBJECT PREMISES #3 is located. At the entrance, I observed a callbox/intercom system, which contained a digital directory that presumably allows visitors to call residents. I observed that a "CHAN, V." was associated with number 7798.

199. On March 2, 2017, FBI surveillance personnel conducted surveillance of SUBJECT PREMISES #1, where they ultimately followed VICTORIA driving SUBJECT VEHICLE #1 from SUBJECT PREMISES #1 to SUBJECT PREMISES #3 with items from SUBJECT PREMISES #1:

a. At approximately 1:23 p.m., FBI surveillance personnel observed VICTORIA arrive to and enter SUBJECT PREMISES #1. At that time, VICTORIA was rolling a black foldable plastic crate.

b. At approximately 1:45 p.m., VICTORIA was observed exiting SUBJECT PREMISES #1 and walking to the mail receptacles located on the exterior of the hotel, retrieving the mail, and returning to inside SUBJECT PREMISES #1.

c. At approximately 6:15 p.m., VICTORIA was observed outside SUBJECT PREMISES #1 talking on a cell phone. Minutes later, VICTORIA was observed walking through the hotel lobby and exiting towards the retail shops located at the hotel in which SUBJECT PREMISES #1 is located.

d. At approximately 6:41 p.m., VICTORIA was observed returning to and entering SUBJECT PREMISES #1 while carrying multiple flattened Home Depot boxes.

e. At approximately 7:31 p.m., VICTORIA was observed departing SUBJECT PREMISES #1 with a receptionist and walking to and entering a nearby restaurant, where they remained inside for approximately one hour.

f. About one hour later, VICTORIA and the receptionist were observed returning to the hotel.

g. At approximately 8:55 p.m., VICTORIA was observed outside SUBJECT PREMISES #1 talking on a cell phone.

h. About five minutes later, VICTORIA was observed exiting SUBJECT PREMISES #1 with the rolling black foldable plastic crate that she had been observed rolling earlier in the day, entering a hotel elevator, and then loading the rolling black foldable plastic crate into her Porsche SUV (SUBJECT VEHICLE #1), which had been parked at the hotel.

i. VICTORIA then drove SUBJECT VEHICLE #1 from the hotel garage to the hotel's roundabout located in front of the hotel.

j. VICTORIA was then observed removing the black rolling crate from SUBJECT VEHICLE #1, rolling it from SUBJECT VEHICLE #1 to SUBJECT PREMISES #1, and taking it inside SUBJECT PREMISES #1.

k. VICTORIA was then observed making multiple trips between SUBJECT PREMISES #1 and SUBJECT VEHICLE #1, each time rolling the crate from SUBJECT PREMISES #1 to SUBJECT VEHICLE #1, unloading the crate and placing the items into the trunk of SUBJECT VEHICLE #1, and then rolling the crate back into SUBJECT PREMISES #1.

l. At approximately 9:12 p.m., VICTORIA was observed exiting SUBJECT PREMISES #1 carrying a flattened box.

m. At approximately 9:13 p.m., VICTORIA departed the hotel, driving SUBJECT VEHICLE #1. VICTORIA was observed driving SUBJECT VEHICLE #1 from SUBJECT PREMISES #1 to the gated condo complex in which SUBJECT PREMISES #3 is located.

n. At approximately 9:31 p.m., SUBJECT VEHICLE #1 was observed parked in front of/parallel to SUBJECT PREMISES #3's garage, which was closed at the time.

200. On or about March 13, 2017, at approximately 8:30 a.m., HSI SA Tchan and I went to the gated condominium complex in which SUBJECT PREMISES #3 is located. HSI SA Tchan told me that at approximately 12:05 p.m., he observed that the garage for SUBJECT PREMISES #3 was open, and that he observed inside the garage a BMW vehicle and a Porsche SUV. In addition, parked in front of the garage was a Toyota truck.

a. HSI SA Tchan told me that the Porsche SUV that was parked inside SUBJECT PREMISES #3's garage matches the description of the Porsche that is registered to VICTORIA (SUBJECT VEHICLE #1), albeit its registration address is CIIF's P.O. Box (number 1880).

b. According to records I had obtained from the California DMV, which I reviewed, VICTORIA is also the registered owner of a 2016 BMW sedan, which also uses CIIF's P.O. Box (number 1880) as the official registration address.

201. Based on the following, I believe that in addition to conducting scheme activities at CIIF's formal business office

(SUBJECT PREMISES #1), VICTORIA also conducts CIIF business at locations other than SUBJECT PREMISES #1:

a. As discussed above, FBI surveillance personnel conducted surveillance at SUBJECT PREMISES #1 on the following dates:

1. Wednesday, February 15, 2017 (approximately 12:35 p.m. to approximately 6:50 p.m.);

2. Thursday, February 16, 2017 (approximately 5:00 p.m. to approximately 6:20 p.m.);

3. Friday, February 17, 2017 (approximately 12:40 p.m. to approximately 1:30 p.m.);

4. Wednesday, February 22, 2017 (approximately 12:40 p.m. to approximately 6:34 p.m.); and

5. Thursday, March 2, 2017 (approximately 12:40 p.m. to 9:13 p.m.).

b. However, the only day that the FBI surveillance personnel observed VICTORIA at SUBJECT PREMISES #1 was on March 2, 2017. All other days except for 02/17/17, the FBI surveillance personnel continued surveillance at SUBJECT PREMISES #1 until the receptionist had closed and locked the doors at SUBJECT PREMISES #1.

c. On March 16, 2017, FBI surveillance personnel conducted surveillance at SUBJECT PREMISES #3, to determine whether VICTORIA would go to SUBJECT PREMISES #1 again, particularly because during most of the prior days of surveillance at SUBJECT PREMISES #1, VICTORIA had not been observed at SUBJECT PREMISES #1:

1. FBI surveillance personnel initiated surveillance at SUBJECT PREMISES #3 at approximately 6:35 a.m.

2. At that time, VICTORIA's 2016 pickup truck was observed parked inside the gated community in the general parking area.

3. VICTORIA did not depart SUBJECT PREMISES #3 until approximately 7:30 p.m.

4. At approximately 7:30 p.m., VICTORIA and an unknown male departed SUBJECT PREMISES #3 in the BMW registered to her and went to a shopping center in Brea, California, and the following businesses there were visited:

a. VICTORIA went to Hand and Stone Massage, located in a shopping mall on Imperial Highway in Brea, California;

b. The unknown male visited PetsMart, located in a shopping mall on Imperial Highway in Brea, California; and

c. The unknown male visited Home Depot, located in a shopping mall on Imperial Highway in Brea, California.

d. The FBI surveillance personnel discontinued surveillance at approximately 9:00 p.m., because VICTORIA was still inside the Hand and Stone Massage location in the shopping center in Brea, California.

202. As described elsewhere in this Affidavit, former CIIF employee Y.T. told HSI SA Tchan that:

a. TAT was the president of CIIF;

- b. CIIF has an office in China; and
- c. VICTORIA was in charge of CIIF's business operation in the United States.

203. As described elsewhere in this Affidavit, many of the email messages that VICTORIA sent to USCIS as part of the scheme were sent outside CIIF's normal business hours, including some sent during weekends, which indicates to me that VICTORIA appears to conduct scheme activities at locations other than CIIF's business office (SUBJECT PREMISES #1):

- a. On October 1, 2014, at approximately 2:13 a.m. Pacific time, VICTORIA sent an email to USCIS regarding an updated Form I-829 receipt.
- b. On November 9, 2014 (a Sunday), at approximately 3:09 a.m., VICTORIA sent an email to USCIS regarding a replacement Form I-829 notice for B.H.
- c. On November 9, 2014 (a Sunday), at approximately 3:30 a.m., VICTORIA sent an email to USCIS regarding obtaining a replacement Form I-829 receipt for X.Y.
- d. On November 12, 2014, at approximately 12:35 a.m. Pacific time, VICTORIA sent an email to USCIS requesting a replacement Form I-829 receipt for J.H.
- e. On November 23, 2014 (a Sunday), at approximately 1:20 p.m. Pacific time, VICTORIA responded to an email message from USCIS.
- f. On April 12, 2016, at approximately 11:35 p.m. Pacific time, VICTORIA sent an email to USCIS regarding Harris Real Estate Fund LLC.

g. On August 18, 2016, at approximately 1:10 a.m. Pacific time, VICTORIA sent an email to USCIS regarding a student visa.

h. On August 31, 2016, at approximately 1:11 a.m. Pacific time, VICTORIA sent an email to USCIS regarding the Form I-526 for Y.L.

i. On February 19, 2017 (a Sunday), at approximately 3:53 p.m., VICTORIA sent an email to USCIS regarding EB-5 regional center questions.

204. Thus, based on the above facts, and my training and experience, I believe that evidence of the scheme will be found at SUBJECT PREMISES #3.

O. There is probable cause to believe that evidence of this scheme will be found inside SUBJECT VEHICLE #1 (VICTORIA's Porsche SUV).

205. SUBJECT VEHICLE #1 is a 2015 Porsche SUV with California license plate 7JCX228, registered to VICTORIA, which VICTORIA uses in the scheme, as further described in Attachment A-4.

206. As described above, on March 2, 2017, VICTORIA was observed removing multiple bucket-load of items from SUBJECT PREMISES #1 and placing them into SUBJECT VEHICLE #1, and then driving SUBJECT VEHICLE #1 from SUBJECT PREMISES #1 to SUBJECT PREMISES #3.

207. Thus, based on the above facts, and my training and experience, I believe that evidence of the scheme will be found inside SUBJECT VEHICLE #1.

P. Training and experience in investigations involving documents written in foreign languages.

208. I have conducted and participated in, and discussed with other agents who have conducted, investigations involving individuals who spoke a language other than English, including Spanish, Armenian, and Chinese.

209. Based on such experience, I know that often, documents are written in the foreign language, and that when searches are conducted of locations involved in such investigations, it is difficult for the searching agents (who generally read only English) to determine whether a particular document is covered by the items to be seized from the search warrant.

210. Thus, additional time is usually needed after seizing all of the documents written in the foreign language so that a qualified individual who can read the foreign language can determine whether the foreign language documents are covered by the terms of the search warrant.

Q. Procedures regarding potential attorney-client material

211. VICTORIA is a licensed California attorney, who according to the www.calbar.ca.gov website (visited March 16, 2017), graduated from Trinity Law School in Santa Ana, California, and was admitted to the State Bar of California in 2008. Her California State Bar number is 255765, and her status is currently listed as "Active."

a. The address for VICTORIA on her CalBar profile is P.O. Box 1880, San Gabriel, California. VICTORIA signed the application to open that P.O. box account in 2011. In May 2012,

VICTORIA submitted a USPS form for the P.O. box, which updated her physical address to SUBJECT PREMISES #1.

212. VICTORIA's business card for CIIF, The Harris Group, and The Great Nation Group, lists her title as "Attorney at Law" and her U.S. address as SUBJECT PREMISES #1. It lists email address victoria@harrislawgroupusa.com.

a. The back of the business card contains Chinese writing.

b. It also lists her title as "lawyer."

c. It lists an address in China: Room 2708 Good World Plaza, 362 Huanshidong Road, Guangzhou City, Guangdong Province (For reference, this is the same address listed on many of the Form I-526 petitions as the purported foreign address of the petitioners, with the exception of "Good World Plaza," instead of "Peace World Plaza").

d. It also lists office, cell, and fax numbers, which appear to be Chinese numbers.

213. Moreover, as noted above, for many of the EB-5 investors for whom VICTORIA signed and submitted their EB-5 petitions to USCIS:

a. VICTORIA would submit Forms G-28 ("Notice of Entry of Appearance as Attorney or Accredited Representative").

b. VICTORIA would sign the cover letters submitted to USCIS on behalf of the EB-5 clients, sometimes listing her title as "Attorney at Law;"

c. VICTORIA would sometimes submit a cover page with the initial form (Form I-526) for the EB-5 petitioners, which

were signed by VICTORIA using the title attorney at law; and

d. VICTORIA sent email messages to USCIS with "Attorney at Law" or "Harris Law Group USA" under her name.

214. As specified above, a former CIIF employee told HSI SA Tchan that both VICTORIA and Victor were attorneys. On February 23, 2017, I visited the California State Bar website, and confirmed that Victor is also an attorney, admitted in 2011, with California State Bar number 276061.

215. Thus, the search protocol in Attachment B specifically delineates the procedures to be followed at the time of the searches of SUBJECT PREMISES #1, SUBJECT PREMISES #2, SUBJECT PREMISES #3, and SUBJECT VEHICLE #1 in order to avoid unnecessary disclosures of any privileged attorney-client communications or work product.

R. Training and Experience on Digital Devices

216. As used herein, the term "digital device" includes any electronic system or device capable of storing or processing data in digital form, including central processing units; desktop, laptop, notebook, and tablet computers; personal digital assistants; wireless communication devices, such as telephone paging devices, beepers, mobile telephones, and smart phones; digital cameras; gaming consoles (including Sony PlayStations and Microsoft Xboxes); peripheral input/output devices, such as keyboards, printers, scanners, plotters, monitors, and drives intended for removable media; related communications devices, such as modems, routers, cables, and connections; storage media, such as hard disk drives, floppy

disks, memory cards, optical disks, and magnetic tapes used to store digital data (excluding analog tapes such as VHS); and security devices. Based on my knowledge, training, and experience, as well as information related to me by agents and others involved in the forensic examination of digital devices, I know that data in digital form can be stored on a variety of digital devices and that during the search of a premises it is not always possible to search digital devices for digital data for a number of reasons, including the following:

a. Searching digital devices can be a highly technical process that requires specific expertise and specialized equipment. There are so many types of digital devices and software programs in use today that it is impossible to bring to the search site all of the necessary technical manuals and specialized equipment necessary to conduct a thorough search. In addition, it may be necessary to consult with specially trained personnel who have specific expertise in the types of digital devices, operating systems, or software applications that are being searched.

b. Digital data is particularly vulnerable to inadvertent or intentional modification or destruction. Searching digital devices can require the use of precise, scientific procedures that are designed to maintain the integrity of digital data and to recover "hidden," erased, compressed, encrypted, or password-protected data. As a result, a controlled environment, such as a law enforcement laboratory or similar facility, is essential to conducting a complete and

accurate analysis of data stored on digital devices.

c. The volume of data stored on many digital devices will typically be so large that it will be highly impractical to search for data during the physical search of the premises. A single megabyte of storage space is the equivalent of 500 double-spaced pages of text. A single gigabyte of storage space, or 1,000 megabytes, is the equivalent of 500,000 double-spaced pages of text. Storage devices capable of storing 500 or more gigabytes are now commonplace. Consequently, just one device might contain the equivalent of 250 million pages of data, which, if printed out, would completely fill three 35' x 35' x 10' rooms to the ceiling. Further, a 500 gigabyte drive could contain as many as approximately 450 full run movies or 450,000 songs.

d. Electronic files or remnants of such files can be recovered months or even years after they have been downloaded onto a hard drive, deleted, or viewed via the Internet. Electronic files saved to a hard drive can be stored for years with little or no cost. Even when such files have been deleted, they can be recovered months or years later using readily-available forensics tools. Normally, when a person deletes a file on a computer, the data contained in the file does not actually disappear; rather, that data remains on the hard drive until it is overwritten by new data. Therefore, deleted files, or remnants of deleted files, may reside in free space or slack space, i.e., space on a hard drive that is not allocated to an active file or that is unused after a file has been allocated to

a set block of storage space, for long periods of time before they are overwritten. In addition, a computer's operating system may also keep a record of deleted data in a swap or recovery file. Similarly, files that have been viewed on the Internet are often automatically downloaded into a temporary directory or cache. The browser typically maintains a fixed amount of hard drive space devoted to these files, and the files are only overwritten as they are replaced with more recently downloaded or viewed content. Thus, the ability to retrieve residue of an electronic file from a hard drive depends less on when the file was downloaded or viewed than on a particular user's operating system, storage capacity, and computer habits. Recovery of residue of electronic files from a hard drive requires specialized tools and a controlled laboratory environment. Recovery also can require substantial time.

e. Although some of the records called for by this warrant might be found in the form of user-generated documents (such as word processing, picture, and movie files), digital devices can contain other forms of electronic evidence as well. In particular, records of how a digital device has been used, what it has been used for, who has used it, and who has been responsible for creating or maintaining records, documents, programs, applications and materials contained on the digital devices are, as described further in the attachments, called for by this warrant. Those records will not always be found in digital data that is neatly segregable from the hard drive image as a whole. Digital data on the hard drive not currently

associated with any file can provide evidence of a file that was once on the hard drive but has since been deleted or edited, or of a deleted portion of a file (such as a paragraph that has been deleted from a word processing file). Virtual memory paging systems can leave digital data on the hard drive that show what tasks and processes on the computer were recently used. Web browsers, e-mail programs, and chat programs often store configuration data on the hard drive that can reveal information such as online nicknames and passwords. Operating systems can record additional data, such as the attachment of peripherals, the attachment of USB flash storage devices, and the times the computer was in use. Computer file systems can record data about the dates files were created and the sequence in which they were created. This data can be evidence of a crime, indicate the identity of the user of the digital device, or point toward the existence of evidence in other locations. Recovery of this data requires specialized tools and a controlled laboratory environment, and also can require substantial time.

f. Further, evidence of how a digital device has been used, what it has been used for, and who has used it, may be the absence of particular data on a digital device. For example, to rebut a claim that the owner of a digital device was not responsible for a particular use because the device was being controlled remotely by malicious software, it may be necessary to show that malicious software that allows someone else to control the digital device remotely is not present on

the digital device. Evidence of the absence of particular data on a digital device is not segregable from the digital device. Analysis of the digital device as a whole to demonstrate the absence of particular data requires specialized tools and a controlled laboratory environment, and can require substantial time.

g. Digital device users can attempt to conceal data within digital devices through a number of methods, including the use of innocuous or misleading filenames and extensions. For example, files with the extension ".jpg" often are image files; however, a user can easily change the extension to ".txt" to conceal the image and make it appear that the file contains text. Digital device users can also attempt to conceal data by using encryption, which means that a password or device, such as a "dongle" or "keycard," is necessary to decrypt the data into readable form. In addition, digital device users can conceal data within another seemingly unrelated and innocuous file in a process called "steganography." For example, by using steganography a digital device user can conceal text in an image file that cannot be viewed when the image file is opened. Digital devices may also contain "booby traps" that destroy or alter data if certain procedures are not scrupulously followed. A substantial amount of time is necessary to extract and sort through data that is concealed, encrypted, or subject to booby traps, to determine whether it is evidence, contraband or instrumentalities of a crime.

217. Other than what has been described herein, to my

knowledge, the United States has not attempted to obtain this data by other means.

V. CONCLUSION

218. For all the reasons described above, there is probable cause to believe that beginning in or around 2008, VICTORIA and TAT have committed the offenses of conspiracy to defraud the United States, mail fraud, wire fraud, visa fraud, money laundering, and encouraging or inducing an alien to come to, enter, or reside in the United States, knowing or in reckless disregard that such coming to, entry, or residence is or will be in violation of law, in violation of Title 18, United States Code, Sections 371, 1341, 1343, 1546, and 1956, and Title 8, United States Code, Section 1324(a)(1)(A)(iv), respectively.

219. For all the reasons described above, there is probable cause to believe that evidence of violations of Title 18, United States Code, Sections 371, 1341, 1343, 1546, and 1956, and Title 8, United States Code, Section 1324(a)(1)(A)(iv), which criminalize, respectively, conspiracy to defraud the United States, mail fraud, wire fraud, visa fraud, money laundering, and encouraging or inducing an alien to come to, enter, or reside in the United States, knowing or in reckless disregard that such coming to, entry, or residence is or will be in violation of law, as described above and in Attachment B of this Affidavit, will be found in a search of SUBJECT PREMISES #1, SUBJECT PREMISES #2, SUBJECT PREMISES #3, and SUBJECT VEHICLE

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#1, as further described above and in Attachments A-1, A-2, A-3,
and A-4 to this Affidavit.

131

Gary Chen, Special Agent
FEDERAL BUREAU OF INVESTIGATION

Subscribed to and sworn before me
this 4 day of April 2017

KAREN E. SCOTT

HONORABLE KAREN E. SCOTT
UNITED STATES MAGISTRATE JUDGE

ATTACHMENT A-1

PREMISES TO BE SEARCHED

The SUBJECT PREMISES #1 is Suite H118, 225 West Valley Boulevard, San Gabriel, California 91776, which is one office unit located on the main floor inside the San Gabriel Hilton Hotel building. The San Gabriel Hilton Hotel building is located between Abbot Avenue and Manley Drive on West Valley Boulevard, in San Gabriel, California. On top of the hotel building, the word "Hilton" is visible and affixed to the building. The number "225" in a dark color is affixed to the archway just to the right of the double glass doors that is facing West Valley Boulevard. The word "Hilton" is also visible and affixed to a stained glass above the double glass doors. SUBJECT PREMISES #1's window facing West Valley Boulevard has a mix of Chinese and English words. The English portion shows "EB-5" in a dark color along with four Chinese characters directly below it. Additionally, under the Chinese characters, there is a red sign with yellow borders, with the word "CIIF" in yellowish color. SUBJECT PREMISES #1 has one entry way, which is a glass door and is accessible through the main floor/lobby of the hotel. To the immediate left of SUBJECT PREMISES #1's entryway, a glass window pane with the suite number "H118" is marked. Through the glass entry door, the word "CIIF" can be seen affixed on a wall inside SUBJECT PREMISES #1.

ATTACHMENT A-2

PREMISES TO BE SEARCHED

The SUBJECT PREMISES #2 is a detached single-family, two-story residence located at 728 Carriage House Drive, Arcadia, California 91006. SUBJECT PREMISES #2's exterior has white colored paint and brick architecture style, with a dark colored title roof. The driveway for SUBJECT PREMISES #2 is located west of the main entrance door facing Carriage House Drive. At the entrance of SUBJECT PREMISES #2's driveway, the number "728" is imprinted in an oval shape that is in faded/chipped dark color paint and attached/affixed to a mailbox post in front of SUBJECT PREMISES #2. SUBJECT PREMISES #2 is located within a gated community whose main entrance is located on Anita Lane and North Baldwin Avenue, in Arcadia, California.

ATTACHMENT A-3

PREMISES TO BE SEARCHED

The SUBJECT PREMISES #3 is an attached condo/townhouse located at 3 Larry Beard Drive, South El Monte, California 91733. SUBJECT PREMISES #3's exterior contains a mix of light and dark brown colored paint. The entrance of SUBJECT PREMISES #3 is facing Durfee Avenue, with the number "3" affixed to the right of the entrance door. SUBJECT PREMISES #3 is located within the "Goldwyn" gated community whose main entrance is located at the intersections of Durfee Avenue and Goldwyn Drive in South El Monte, California.

ATTACHMENT A-4

PREMISES TO BE SEARCHED

The SUBJECT VEHICLE #1 is a dark colored four-door 2015 Porsche SUV with Vehicle Identification Number WP1AF2A5XFLB94387 and California license plate number 7JCX228.

ATTACHMENT B

I. ITEMS TO BE SEIZED

1. The items to be seized are evidence, contraband, fruits, or instrumentalities of violations of Title 18, United States Code, Sections 371, 1341, 1343, 1546, and 1956, and Title 8, United States Code, Section 1324(a)(1)(A)(iv), which criminalize, respectively, conspiracy to defraud the United States, mail fraud, wire fraud, visa fraud, money laundering, and encouraging or inducing an alien to come to, enter, or reside in the United States, knowing or in reckless disregard that such coming to, entry, or residence is or will be in violation of law, namely:

a. For the time period 2008 to present, records, deeds, lease agreements, registration, utility bills (such as electric, gas, trash services, water, cable, satellite television, telephone services, cellular phone services, and internet services), and any other documentation showing ownership or control of: SUBJECT PREMISES #1, SUBJECT PREMISES #2, or SUBJECT PREMISES #3, provided not more than 25 such items from each search premises;

b. For the time period 2008 to present, for both domestic and foreign financial institutions: account opening documents, applications, signature cards, bank records, financial account records, time deposit records, bank statements, brokerage statements, certificates of deposit, wire transfer records, currency records, mutual fund records, cancelled checks, check books, withdrawal slips, deposit slips,

[Instrumentality Protocol]

cashier checks, negotiable items, travel checks, bearer instruments, commercial money transmitter records, money orders, money order receipts, cashier's checks, loan documents, credit card records, credit cards, debit cards, bank cards, bank correspondence, and non-U.S. Citizen documents generally used to open bank accounts or to facilitate business transactions, such as Forms W-8, Forms W-8Ben, and Forms WW-8Ben-E;

c. For the time period 2008 to present, post office box rental records and commercial mail box rental records, including records of payments, applications, receipts, and communications;

d. For the time period 2008 to present, records and other paperwork reflecting travel by land, sea and air documenting international travel to the United States;

e. All EB-5 visa program investor/client files and/or notebooks;

f. Any documents relating to any prospective or current EB-5 visa program client or program;

g. All documents related to U.S. Citizenship and Immigration Services (USCIS);

h. All communications with, or related to, EB-5 customers or clients or potential EB-5 customers or clients;

i. Customer/client case files, records, and documents regarding any immigration matters, including information identifying clients, contracts, documents regarding fees charged, records of payment, notes, correspondence, status

reports, travel records, passports, social security card, hospital record, and California birth certificates;

j. All pitch sheets, sales manual, PowerPoints, sales instructions, audio/video tapes/DVDs/CDs, brochures, employee training materials, advertisements, and other materials promoting the EB-5 visa program;

k. Records and documents identifying immigration customers/clients of California Investment Immigration Fund, LLC ("CIIF") or CIIF-related entities (including California Investment Immigration Fund LP, CIIF Hotel Group LP, CIIF Investment Group LP, Harris Group XVIII LP, Harris Group X LP, The Harris Group LP, The Harris Group II LP, The Harris Group III LP, The Harris Group VIII LP, American Chinese Business Association Inc., and California Realty Company), such as customer/client lists, appointment books, calendars, telephone logs, contracts, correspondence, and checks and other forms of payment;

l. Records identifying all employees, agents, accomplices, or other associates of Victoria Chan, CIIF or CIIF-related entities (including California Investment Immigration Fund LP, CIIF Hotel Group LP, CIIF Investment Group LP, Harris Group XVIII LP, Harris Group X LP, The Harris Group LP, The Harris Group II LP, The Harris Group III LP, The Harris Group VIII LP, American Chinese Business Association Inc., and California Realty Company), Tat Chan, Victor Chan, Vic Chan, and Fang Zeng, including employee personnel records, payment

records, employment contracts, records of personal corporations, business cards, payment records;

m. Records pertaining to business activities or financial transactions conducted by Victoria Chan and CIIF or CIIF-related entities (including California Investment Immigration Fund LP, CIIF Hotel Group LP, CIIF Investment Group LP, Harris Group XVIII LP, Harris Group X LP, The Harris Group LP, The Harris Group II LP, The Harris Group III LP, The Harris Group VIII LP, American Chinese Business Association Inc., and California Realty Company), Tat Chan, Victor Chan, Vic Chan, and Fang Zeng, or any persons associated therewith, including bank or financial institution correspondence, account applications, account statements, travel expenses, deposit receipts, records of wire transfers, checks, drafts, safety deposit box records, money orders, check ledgers, certificates of deposit, checkbooks, financial statements, cash receipts, and tax records;

n. For the time period 2008 to present, records related to any real property transactions, including offers to purchase, escrow documents, closing statements, loan documents, and property tax statements, and communications regarding any real property transactions;

o. Accounts receivable ledgers, commission ledgers, accounts payable ledgers, names and telephone numbers of co-conspirators, notes, other ledgers, journals, telephone bills, bank records, loan documents, day planner records, travel records, money ledgers, customer lists, currency supplier lists,

correspondence, notations, logs, receipts, financial records, and other documents noting the source, destination, quantity, value, and/or purpose of currency obtained, transferred, deposited, wired, distributed, structured or concealed.

Telephone and address books and listings, letters, cables, telegrams, telephone bills, personal notes and other items reflecting names, addresses, telephone numbers, and communications;

p. For the time period 2008 to present, tax returns for CIIF and CIIF-related entities (including California Investment Immigration Fund LP, CIIF Hotel Group LP, CIIF Investment Group LP, Harris Group XVIII LP, Harris Group X LP, The Harris Group LP, The Harris Group II LP, The Harris Group III LP, The Harris Group VIII LP, American Chinese Business Association Inc., and California Realty Company), Victoria Chan, Tat Chan, Victor Chan, Vic Chan, and Fang Zeng, including originals or copies of draft and completed federal and state income tax returns for the tax years 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, and 2016, including all schedules, attachments, and forms; worksheets and/or supporting documentation used in the preparation of tax returns; and other documents used in the creation and/or preparation of the above mentioned tax returns, and tax-related documents;

q. Receipts and other documents relating to the purchase of assets with currency in amounts over \$5,000;

r. Records, receipts, invoices, shipping instructions, and shipping receipts, reflecting the use of

either the U.S. mails or commercial delivery services (such as FedEx, and UPS) to send documents to USCIS;

s. Documents regarding safe deposit box keys and records of safe deposit box rentals, locations, and access;

t. All documents that appear to be written in the Chinese language that cannot be reviewed on-site. Because it is possible that some of the searching agents will not have the ability to read records written in Chinese, these documents will be reviewed by an interpreter, special agent, or other qualified individual who can read of each respective language as soon as practicable, and if these documents are outside of the scope of the items to be seized, they will be returned within 60 days.

u. Any digital device used to facilitate the above-listed violations and forensic copies thereof.

v. With respect to any digital device used to facilitate the above-listed violations or containing evidence falling within the scope of the foregoing categories of items to be seized:

i. evidence of who used, owned, or controlled the device at the time the things described in this warrant were created, edited, or deleted, such as logs, registry entries, configuration files, saved usernames and passwords, documents, browsing history, user profiles, e-mail, e-mail contacts, chat and instant messaging logs, photographs, and correspondence;

ii. evidence of the presence or absence of software that would allow others to control the device, such as viruses, Trojan horses, and other forms of malicious software,

[Instrumentality Protocol]

as well as evidence of the presence or absence of security software designed to detect malicious software;

iii. evidence of the attachment of other devices;

iv. evidence of counter-forensic programs (and associated data) that are designed to eliminate data from the device;

v. evidence of the times the device was used;

vi. passwords, encryption keys, and other access devices that may be necessary to access the device;

vii. applications, utility programs, compilers, interpreters, or other software, as well as documentation and manuals, that may be necessary to access the device or to conduct a forensic examination of it;

viii. records of or information about Internet Protocol addresses used by the device;

ix. records of or information about the device's Internet activity, including firewall logs, caches, browser history and cookies, "bookmarked" or "favorite" web pages, search terms that the user entered into any Internet search engine, and records of user-typed web addresses.

2. As used herein, the terms "records," "documents," "programs," "applications," and "materials" include records, documents, programs, applications, and materials created, modified, or stored in any form, including in digital form on any digital device and any forensic copies thereof.

3. As used herein, the term "digital device" includes any electronic system or device capable of storing or processing

data in digital form, including central processing units; desktop, laptop, notebook, and tablet computers; personal digital assistants; wireless communication devices, such as telephone paging devices, beepers, mobile telephones, and smart phones; digital cameras; gaming consoles (including Sony PlayStations and Microsoft Xboxes); peripheral input/output devices, such as keyboards, printers, scanners, plotters, monitors, and drives intended for removable media; related communications devices, such as modems, routers, cables, and connections; storage media, such as hard disk drives, floppy disks, memory cards, optical disks, and magnetic tapes used to store digital data (excluding analog tapes such as VHS); and security devices.

II. SEARCH PROCEDURE FOR HANDLING POTENTIALLY PRIVILEGED INFORMATION

4. The following procedures will be followed at the time of the search in order to avoid unnecessary disclosures of any privileged attorney-client communications or work product:

Non-Digital Evidence

5. Law enforcement personnel conducting the investigation ("the Investigation Team") may be present at the search, but may not search or review any item prior to it being given to them by the "Privilege Review Team" (previously designated individual(s) not participating in the investigation of the case).

6. The Privilege Review Team will review documents to see whether or not the document appears to contain or refer to communications between Victoria Chan [陳瑩瑩], a California

attorney (California State Bar number 255765), or Victor Chan, a California attorney (California State Bar number 276061), and any person or containing the work product of attorney Victoria Chan or Victor Chan ("potentially privileged information"). Those documents not containing or referring to such communications or work product may be turned over to the Investigation Team for review.

7. In consultation with a Privilege Review Team Assistant United States Attorney ("PRTAUSA"), if appropriate, the Privilege Review Team member will then review any document identified as appearing to contain potentially privileged information to confirm that it contains potentially privileged information. If it does not, it may be returned to an Investigation Team member. If a member of the Privilege Review Team confirms that a document contains potentially privileged information, then the member will review only as much of the document as is necessary to determine whether or not the document is within the scope of the warrant. Those documents which contain potentially privileged information but are not within the scope of the warrant will be set aside and will not be subject to further review or seizure absent subsequent authorization. Those documents which contain potentially privileged information and are within the scope of the warrant will be seized and sealed together in an enclosure, the outer portion of which will be marked as containing potentially privileged information. The Privilege Review Team member will also make sure that the locations where the documents containing

potentially privileged information were seized have been documented.

8. The seized documents containing potentially privileged information will be delivered to the United States Attorney's Office for further review by a PRTAUSA. If that review reveals that a document does not contain potentially privileged information, or that an exception to the privilege applies, the document may be returned to the Investigation Team. If appropriate based on review of particular documents, the PRTAUSA may apply to the court for a finding with respect to the particular documents that no privilege, or an exception to the privilege, applies.

Digital Evidence

9. The Privilege Review Team will search for digital devices capable of being used to facilitate the subject offenses or capable of containing data falling within the scope of the items to be seized. The Privilege Review Team will then review the identified digital devices as set forth herein. The Investigation Team will review only digital device data which has been released by the Privilege Review Team.

10. The Privilege Review Team will, in their discretion, either search the digital device(s) on-site or seize and transport the device(s) to an appropriate law enforcement laboratory or similar facility to be searched at that location.

11. The Privilege Review Team and the Investigation Team shall complete both stages of the search discussed herein as soon as is practicable but not to exceed 180 days from the date

of execution of the warrant. The government will not search the digital device(s) beyond this 180-day period without first obtaining an extension of time order from the Court.

12. The Investigation Team will provide the Privilege Review Team with a list of "privilege key words" to search for on the digital devices, to include specific words like attorney Victoria Chan or Victor Chan or their email addresses, and generic words such as "privileged" and "work product." The Privilege Review Team will conduct an initial review of the data on the digital devices using the privilege key words, and by using search protocols specifically chosen to identify documents or data containing potentially privileged information. Documents or data that are identified by this initial review as not potentially privileged may be given to the Investigation Team.

13. Documents or data that the initial review identifies as potentially privileged will be reviewed by a Privilege Review Team member to confirm that they contain potentially privileged information. Documents or data that are determined by this review not to be potentially privileged may be given to the Investigation Team. Documents or data that are determined by this review to be potentially privileged will be given to the United States Attorney's Office for further review by a PRTAUSA. Documents or data identified by the PRTAUSA after review as not potentially privileged may be given to the Investigation Team. If, after review, the PRTAUSA determines it to be appropriate, the PRTAUSA may apply to the court for a finding with respect to

particular documents or data that no privilege, or an exception to the privilege, applies. Documents or data that are the subject of such a finding may be given to the Investigation Team. Documents or data identified by the PRTAUSA after review as privileged will be maintained under seal by the investigating agency without further review absent subsequent authorization.

14. The Investigation Team will search only the documents and data that the Privilege Review Team provides to the Investigation Team at any step listed above in order to locate documents and data that are within the scope of the search warrant. The Investigation Team does not have to wait until the entire privilege review is concluded to begin its review for documents and data within the scope of the search warrant. The Privilege Review Team may also conduct the search for documents and data within the scope of the search warrant if that is more efficient.

15. In performing the reviews, both the Privilege Review Team and the Investigation Team may:

- a. search for and attempt to recover deleted, "hidden," or encrypted data;
- b. use tools to exclude normal operating system files and standard third-party software that do not need to be searched; and
- c. use forensic examination and searching tools, such as "EnCase" and "FTK" (Forensic Tool Kit), which tools may use hashing and other sophisticated techniques.

16. If either the Privilege Review Team or the Investigation Team, while searching a digital device, encounters immediately apparent contraband or other evidence of a crime outside the scope of the items to be seized, they shall immediately discontinue the search of that device pending further order of the Court and shall make and retain notes detailing how the contraband or other evidence of a crime was encountered, including how it was immediately apparent contraband or evidence of a crime.

17. If the search determines that a digital device does not contain any data falling within the list of items to be seized, the government will, as soon as is practicable, return the device and delete or destroy all forensic copies thereof.

18. If the search determines that a digital device does contain data falling within the list of items to be seized, the government may make and retain copies of such data, and may access such data at any time.

19. If the search determines that a digital device is (1) itself an item to be seized and/or (2) contains data falling within the list of items to be seized, the government may retain forensic copies of the digital device but may not access data falling outside the scope of the items to be seized (after the time for searching the device has expired) absent further court order.

20. The government may retain a digital device itself until further order of the Court or one year after the conclusion of the criminal investigation or case (whichever is

latest), only if: the device is determined to be an instrumentality of an offense under investigation or the government, within 14 days following the time period authorized by the Court for completing the search, obtains an order from the Court authorizing retention of the device (or while an application for such an order is pending). Otherwise, the government must return the device.

21. After the completion of the search of the digital devices, the government shall not access digital data falling outside the scope of the items to be seized absent further order of the Court.

22. In order to search for data capable of being read or interpreted by a digital device, the Investigation Team is authorized to seize the following items:

a. Any digital device capable of being used to commit, further or store evidence of the offense(s) listed above;

b. Any equipment used to facilitate the transmission, creation, display, encoding, or storage of digital data;

c. Any magnetic, electronic, or optical storage device capable of storing digital data;

d. Any documentation, operating logs, or reference manuals regarding the operation of the digital device or software used in the digital device;

e. Any applications, utility programs, compilers, interpreters, or other software used to facilitate direct or indirect communication with the digital device;

f. Any physical keys, encryption devices, dongles, or similar physical items that are necessary to gain access to the digital device or data stored on the digital device; and

g. Any passwords, password files, test keys, encryption codes, or other information necessary to access the digital device or data stored on the digital device.

23. The special procedures relating to digital devices found in this warrant govern only the search of digital devices pursuant to the authority conferred by this warrant and do not apply to any search of digital devices pursuant to any other court order.