

The Source for Information on EB-5 Visa Investments.
“Inform your clients, protect your practice.”

MAY 2019



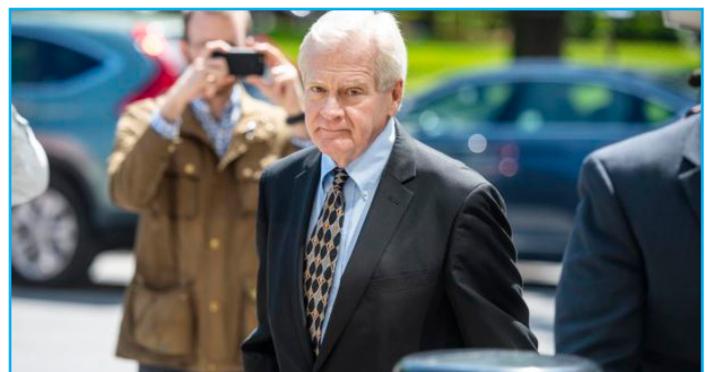
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Surge in Gulf Applicants Expected For US Investor Visa Scheme



The US EB-5 visa programme currently requires would-be immigrants to invest a minimum of \$500,000, a figure that is expected to go up

The EB-5 visa programme is designed to encourage foreign investment in projects across the US and create employment opportunities for Americans.

A "rush" of GCC residents are expected to apply for the US EB-5 immigrant investor visa scheme ahead of possible reforms that may see it become more expensive, according to experts. [\(Read more\)](#)

Similarities with EB-5 Visas and Opportunity Zone Programs



Clem G. Turner, member at Chiesa, Shahinian & Giantomasi

EB-5 projects could work with Opportunity Zone investments, and in a GlobeSt.com interview lawyer Clem G. Turner explains why he sees the nexus.

Clem G. Turner has been representing clients involved in EB-5 visas for a decade. His representations include raising \$400 million with an EB-5 investment in the \$1 billion SLS Hotel and Casino in Las Vegas. [\(Read more\)](#)

Related Story: [Coral Gables Hotelier Bets Big on Opportunity Zones with Projects and Funds](#)

'Sandwich King' Mauro bringing Pork & Mindy's to Restaurant Row in Elmwood Park

Food Network star Jeff Mauro is ready to see his restaurant join the institutions along Restaurant Row in Elmwood Park. The season 7 winner of "Food Network Star" and current host of "Sandwich King" and "The Kitchen" will open his creative barbecue joint, Pork & Mindy's, this summer at 7528 W. North Ave.

"I always wanted to be part of that Restaurant Row because that's where I do a lot of my own dining, still to this day," said Mauro. ([Read more](#))

Related Stories: [Pork & Mindy's to open BBQ joints inside 28 Mariano's this year](#)

Petition Processing Times Report Change, RC List Updates

The USCIS page to Check Case Processing Times, which updates at irregular intervals, has just published dramatic new time estimates for EB-5 forms.

I-526 Processing: Estimated time range of 29 to 45.5 months (the previous update gave a range of 22 to 28.5 months)

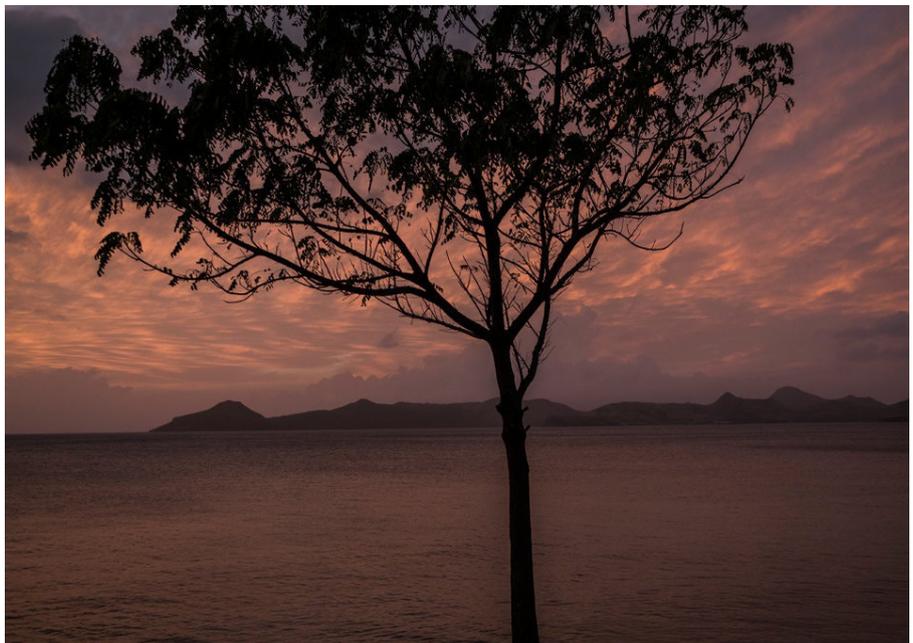
I-829 Processing: Estimated time range of 25.5 to 40.5 months (the previous update gave a range of 30 to 38.5 months) ([Read more](#))

How Hidden Billions Are Making the Rich Richer

St. Kitts Island, home of a market in passports, as seen from the tax haven Nevis.

The Inside Story of the Crooks and Kleptocrats Who Rule the World

During the federal trial of Donald Trump's former campaign manager Paul Manafort, prosecutors extensively detailed his lavish spending on clothing, listing multiple purchases that included an \$18,000 suede coat, pairs of trousers at \$2,800 each and total spending of nearly \$1 million at one Manhattan store over a multiyear period. ([Read more](#))



Federal grand jury indicts Jay Peak developers

Jay Peak developers Ariel Quiros, left, and Bill Stenger were indicted Wednesday. Photos by Glenn Russell for VTDigger

A federal grand jury has criminally charged former Jay Peak developers Bill Stenger and Ariel Quiros in a 14-count indictment.

Federal prosecutors allege Quiros, Stenger and two other business partners committed criminal fraud in the development of a proposed biomedical facility in Newport. ([Read more](#))



Related Stories:

- [Jay Peak receiver Goldberg suing Quiros law firm](#)
- [Bill Kelly — Ariel Quiros' behind-the-scenes man in the EB-5 fraud](#)
- [Quiros indictment sets stage for battle over state's role in EB-5 fraud](#)
- [Charges Coming in Kingdom Con](#)
- [Criminal charges expected this week in Jay Peak EB-5 fraud](#)
- [Receiver sues Jay Peak EB-5 developer's attorney and law firm over alleged misconduct](#)

Vt. Financial Regulation Commissioner: Charges in EB-5 Case Propel 'Healing Process'



Vermont Department of Financial Regulation Commissioner Michael Pieciak, pictured here in 2016, said criminal charges filed this week are a move toward closure in the EB-5 scandal in the Northeast Kingdom.

Criminal fraud charges filed this week against four defendants over their involvement in an EB-5 investment scheme in the Northeast Kingdom are a step toward closure, according to Vermont Commissioner of Financial Regulation Michael Pieciak.

Pieciak was part of the state investigation that led to the uncovering of the EB-5 scandal in 2016. ([Read more](#))

Is It the End of the EB-5 World as We Know It? How to Prepare for Potential Changes – June 11

Buchanan Ingersoll & Rooney PC

EB-5 program has long provided a path to US Lawful Permanent Residence to immigrant investors willing to invest lawfully obtained capital in a qualifying commercial enterprise in the US. The resulting impact is to create 10 qualified full-time jobs for US workers from each EB-5 investor. On June 11 at 11:30 a.m., join EB-5 experts from Buchanan and FAU Economics Professor and President of Barnhart Economic Services, Scott Barnhart, at the History Miami Museum for an interactive discussion on:

Alternatives to the EB-5 program

Structuring an EB-5 project ([Read more](#))

Related Stories:

- [EB-5 Industry Stakeholders Unveil Consensus Principles to Reform and Reauthorize the EB-5 Program](#)
- [President Trump Announces Plan for Immigration Reform](#)
- [EB-5 Reform, Immigration Reform](#)
- [Merit-Based Solutions to the Trump Immigration Reform Proposal](#)
- [Potential Regulations in EB-5, When Will They Go Into Effect?](#)

Thinking of Immigrating to America from SA? Now Is the Time

South Africans are surging towards the popular United States EB-5 Immigrant Investment Visa programme ahead of possible price increases that will likely place the EB-5 visa programme out of reach for many, other than for the uber-rich.

NES Financial, the leading EB-5 financial brokerage in the US, has estimated a 600% increase in EB-5 petition filings from South Africans this fiscal year from three years ago.



Increasing applications for the US Investor Visa ([Read more](#))

Regulations Update (Spring 2019)

The Spring 2019 OMB Unified Agenda has been published with updated timetables for three EB-5 regulations in progress.

RIN1615-AC07 EB-5 Immigrant Investor Program Modernization, with proposed changes to TEAs and the minimum investment amount:

Timetable for Final Rule is May 2019 (The Fall 2018 agenda had anticipated November 2018)

RIN 1615-AC11 Regional Center Program Regulation, with proposed changes to regional center designation requirements and process: ([Read more](#))

June 2019 Visa Bulletin Updates on EB-5 Retrogression

The U.S. Department of State just released the updated Visa Bulletin for June 2019. The monthly updated waiting list provides the latest information for foreign nationals who seek to become U.S. permanent residents by applying for immigrant visas at U.S. consulates and embassies abroad or filing adjustment of status applications. The Visa Bulletin for the coming month is normally updated on or about the tenth of each month with information on cut-off dates for the following month. ([Read more](#))

Updated Information after the Annual IIUSA Meeting Held in Washington, DC May 6 and May 7, 2019

IIUSA hosted a much targeted annual conference in Washington, D.C., to discuss the status of the EB-5 industry and focused on various specific matters of interest to the group.

SAUL EWING ARNSTEIN & LEHR^{LLP}

The major takeaway from the meeting was a speech by Charles Oppenheim, Chief Analyst for USCIS, who provided overall information related to retrogression in various countries, the visa backlog, the utilization of the program among the major countries and the rest of the world as well as the panellists' general comments related thereto ([Read more](#))

Kushner's plan would displace more American workers

White House senior advisor Jared Kushner's immigration plan is a direct threat to thousands of U.S. workers with white-collar jobs.

Kushner's vision, which he's worked on for months and developed under the false pretense that the nation has a dire labor shortage, would emphasize skilled labor but would further displace American

workers. U.S. workers, especially in the tech field, have been fighting an uphill battle to retain their jobs since the Immigration Act of 1990 which created the H-1B and other employment-based visas. ([Read more](#))

Related Story: [Kushner's Immigration Plan Would Displace More American Workers](#)

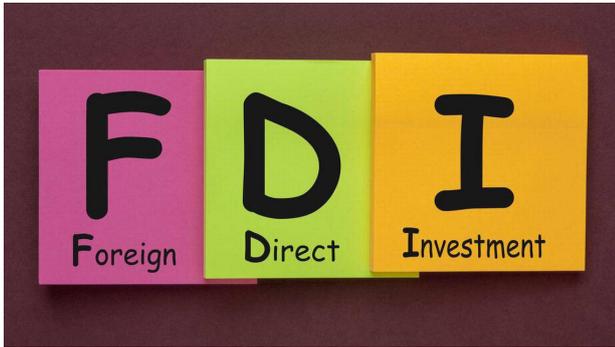
Latin Americans Emerge as Source in EB-5 Program

The number of EB-5 visas issued annually to Latin Americans looks likely to surpass 2,000 within the next three years -- double the total in 2018, according to Julian Montero, a lawyer at Saul Ewing Arnstein & Lehr.

US program that grants legal residency to foreigners in exchange for job-creating investments is drawing a wave of interest from Latin Americans fleeing turmoil in their home countries.

For Brazilians, the number of visas from the program, known as EB-5. ([Read more](#))

My view: Consider foreign direct investment as South Florida's 'renewable resource'



"What South Florida needs is a "balanced portfolio" of long-term, reliable FDI which focuses on local job creation and community-building," says José Latour of LatourLaw.

Investopedia defines a "renewable resource" as "a substance of economic value that can be replaced or replenished in the same or less amount of time than it takes to draw the supply down." While it is applied to a broad variety of subjects, the term "renewable resource" invariably implies continuity. ([Read more](#))

China's millionaires ponder: Leave or remain?

China has been shedding capital and talent through migration of its wealthy elite, promoting the government to take steps to stem the outflow.

Every year for the last decade or so media reports would appear focusing on the plans of China's millionaires to leave the country. It was unclear how candid such high-net-worth individuals were in responding to interviewers but, usually, an alarming story would appear – alarming, that is, to the country's leaders – to the effect that many rich people were planning to pull up stakes. ([Read more](#))



USCIS Names New Deputy Director

U.S. Citizenship and Immigration Services (USCIS) today announced it has selected Mark Koumans as the agency's next Deputy Director, and he will start his new duties on Monday, May 13.

Koumans, a career federal employee, has served since September 2015 in a number of executive positions at U.S. Customs and Border Protection (CBP).

Koumans will replace Tracy Renaud who has served as the USCIS Acting Deputy Director since March 2018. ([Read more](#))

Sixteen-Year Visa Wait Keeping Chinese Investors Away From U.S.



Dollar bills surround a yuan note. Some 32,000 Chinese nationals are in line for an EB-5 visa, with another estimated 17,000 waiting for their applications to be approved. The EB-5 visa program provides a U.S. green card to individuals investing at least \$500,000 in a commercial enterprise that creates at least 10 U.S. jobs. Chinese national applying today for a U.S. immigrant investor visa may not get one until 2035 at the earliest. ([Read more](#))

South Korean EB-5 Wait Times Normal

Another reason to consider South Korean associates for EB-5 funded projects. Wait times are normal at 2.4 years. CN has its roots in South Korea. Thank you Carolyn Lee for posting!

It's the longest wait estimate yet for Chinese nationals, exceeding 16 years. Indian nationals' wait time also lengthened to over 8 years for cases filing today. That's the bad news. The good news: beyond the top 6 usage countries, there is no backlog predicted for EB-5 investors from rest of world (ROW). Special thanks to Mr. Charles Oppenheim, Chief of the U.S. ([Read more](#))

Discover How You & Your Family can become US Citizens through Houston EB5 Real Estate Investment Program

Did you know that there is an easy way to obtain a US Green Card within 2 years simply by investing in the US economy?

Did you know that by simply financing a secure and profitable real estate development project, Nigerians can get a fast-tracked permanent residency in the US for themselves and their entire family?

Did you know that the US is willing to offer you all the perks of being an American citizen and a path to citizenship simply by investing money in the US economy? ([Read more](#))





FIND HUNDREDS OF EB-5 PROJECTS BY CENTER, LOCATION, CATEGORY.

DUE DILLIGENCE: search documents, project news, videos, investor updates; download risk analysis reports, background checks, I-924A filings; obtain independent feasibility studies, offering document reviews, economic impact analysis verification reports.

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Lightstone Expands EB-5 Visa Coverage into India



The Visa is a Path to US Citizenship

Lightstone has opened new offices in Mumbai and Bangalore

The new offices will assist with offering Investment opportunities for EB-5 Projects. The EB-5 Visa offers investors, their spouses and minor,

unmarried children a path to United States citizenship ([Read more](#))

Developer plans hotel on North Market St.

A mid-sized office building on North Market Street could become a 136-room hotel.

Driftwood Acquisitions and Development (DAD) – a privately held investment firm specializing in the acquisition, development, and investment syndication hotel assets – plans to redevelopment a 10-story office building in Wilmington, into a 136-room IHG-branded urban hotel.

The company also plans to develop a hotel in Fort Lauderdale, FL. ([Read more](#))

American International School of Utah directors vote to close school

Amid growing concerns about its financial viability, the likelihood of further state scrutiny of its operations and the possibility of additional liabilities, the board of directors of American International School of Utah voted unanimously Wednesday to close the K-12 public charter school.

Some board members broke into tears as they voted to close the school no later than Aug. 15.

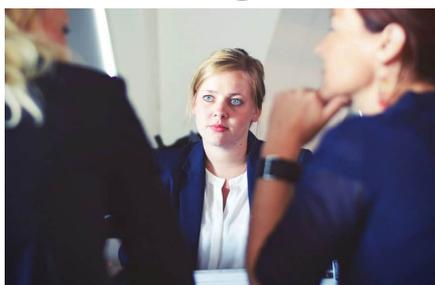
"I think I speak for all of the board members in stating how difficult it is to make this decision. ([Read more](#))

Related Story: [Board to deliberate over closing Utah charter school](#)

Post Offering Obligations for EB-5 Issuers: "You Closed, Now What?"

Congratulations! You have subscribed EB-5 investors, closed your offering, and provided the EB-5 funds to the project. Now what? As a general matter, EB-5 investors are either non-managing members of a limited liability company or limited partners of a limited partnership. In either situation, the EB-5 investor has limited managerial and voting rights, yet does have protections under either the Operating Agreement or Limited Partnership Agreement (the "NCE Agreement"), as may be applicable. The rights provided to EB-5 investors under the NCE Agreement must be adhered to as a binding contract between the new commercial enterprise (the "NCE") and the EB-5 investor. ([Read more](#))

7 Tips for Businesses Looking For EB-5 Funding



If you are a business owner looking forward to funding, you know how challenging it can become. The EB-5 Immigrant Investor Program is an alternative offering funding for investors. Back in the '90s, the US government passed an act to create the program which to date allows foreign investors to get direct visas as long as they are willing to invest at least \$500,000 and create over 10 jobs in the United States.

Most of the beneficiaries are Chinese and Canadian investors. Here are seven tips for businesses searching for EB-5 funding. ([Read more](#))

Forecasting Visa Availability: 5/6 Oppenheim projections and big picture

Today Charles Oppenheim, Chief of the Visa Controls Office at the U.S Department of State, gamely appeared again at IIUSA's EB-5 Advocacy Conference to discuss EB-5 visa availability.

So far Twitter just reports a few headlines from his talk. India is expected to reach its limit and get a cut-off date by July 2019, and to start FY2020 with a final action date in Summer or Fall of 2017. Rough estimates for visa wait times for I-526 filed today: 16.5 years for China, 8.4 years for India, 7.6 years for Vietnam, and 2.4 years for South Korea. ([Read more](#))

How the Interests of EB-5 Investors and CMBS Lenders Can Sometimes Be at Odds



Situations where a property changes hands or defaults may prove tricky for situations where an EB-5 project is financed by a CMBS lender.

A notable characteristic of the real estate capital markets over the last 20 years has been the ability to access non-traditional sources of capital for both debt and equity investment in U.S. commercial real estate. One such source is the EB-5 investment/visa program. Created by Congress in 1990, the EB-5 program creates a fast track for non-U.S. citizens toward a green card in return for capital investment in qualifying U.S. domestic businesses and projects.

[\(Read more\)](#)

Developer of The Allen, Texas' High-Rise Invites EB-5 Investors

The Allen, a mixed-use luxury development

The Allen, Houston, offers unique opportunity to invest and naturalise in the U.S.

3INVEST has announced a unique real estate investment opportunity as they extend their partnership with Houston EB5 to raise capital for The Allen, a mixed-use luxury development along the most scenic drive in the heart of Houston, Texas. [\(Read more\)](#)



Nationwide EB-5 Investment Falling, But Foreign Investor Program Still Financing Several New D.C. Projects



At least seven new D.C. developments are currently moving forward with funding through the EB-5 program, even as visa backlogs and political uncertainty have decreased the overall flow of money coming into the U.S. from foreign investors seeking residence in exchange for investing in construction projects.

Foulger-Pratt broke ground last week on Press House at Union District, a \$200M project that included \$34M from EB5 Capital. [\(Read more\)](#)

Changes coming to U.S. immigrant investor program

Investors seeking a visa through the EB-5 program will face new restrictions

Canadians who enter the U.S. as visitors are typically allowed to stay for up to 180 days (six months) per year. Those who have purchased vacation homes in warmer states like Florida or Arizona are often

curious about their options for spending more time down south.

To stay longer than what's allowed for a tourist, clients will have to obtain an appropriate visa or a green card. ([Read more](#))

NES Financial's Private Equity Fund Administration Selected by FrontFour Real Ventures for Nashville Real Estate Fund

Third-party specialty financial administrator will minimize FrontFour's operational risk and maximize efficiency

NES Financial announced today that it has been selected by FrontFour Real Ventures LLC as the third-party administrator for the firm's Nashville-based real estate private equity fund.

FrontFour's investment strategy is to develop condominium and mixed-use real estate projects with a particular focus on areas with high walkability scores, strong demographic trends and general affordability. ([Read more](#))

Developers seeking \$36M in EB5 finance for Brooklyn hotel

George Washington Immigrant Group announced it aims to provide \$36 million in EB-5 financing for VOS Hospitality and SDS.

The funds will be used to finance a portion of the costs of constructing BKLN Autograph, a full-service Marriott Autograph Collection hotel projected to open in Brooklyn, New York in 2022.

"We are excited to work with VOS Hospitality and SDS on this project in the Brooklyn market" said Evan Stoopler, the founder of George Washington Immigration Group. ([Read more](#))

SD Supreme Court to decide country musician, others' liability for unpaid debts to investors

In the latest development of a Chinese investing group's court battle for repayment, the South Dakota Supreme Court is set to decide whether individual loan guarantors — including country musician Kenneth "Big Kenny" Alphin — are personally liable for over \$32.5 million in unpaid loans.

SDIF Limited Partnership 2, a group of 65 Chinese investors, invested millions into the construction of the Deadwood Mountain Grand casino-hotel located in western South Dakota ([Read more](#))



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- ➔ Invest directly: get higher quality investments at lower costs (no agents or finders)



Jay Peak receiver cans Stenger days after fraud indictment

Bill Stenger arrives outside federal court in Burlington for his arraignment on charges pertaining to the EB-5 fraud case on May 22.

Bill Stenger has been fired from his job a consultant for the receiver overseeing Jay Peak and other properties at the center of the EB-5 investor fraud scandal.

The move Friday to can Stenger comes a little more than a week after Stenger was indicted by a federal grand jury on several counts ([Read more](#))



Tradepoint Atlantic Update

We just returned from a site visit and meetings at Tradepoint Atlantic. In addition to meeting with Tradepoint's Chief Financial Officer and their Senior Vice President for Corporate Affairs, we were taken on a guided tour of the project to inspect construction and operating progress, which we summarize here for our Birch Boston Fund investors.

1. Steel is erected for Floor & Décor's 1.5 million square foot distribution center, which will be the second largest industrial building in Maryland upon completion. ([Read more](#))

The New York Wheel is back! Maybe. And it would be smaller



Efforts are underway to try reviving the long-suffering New York Wheel.

The project's developers announced in October that they were abandoning plans to build the 630-foot Ferris wheel on Staten Island, but the city's Economic Development Corporation has held at least two recent meetings about reviving the development, according to NY1.

The project would be closer to 443 feet than 630 feet and would use the foundation that has already been built.

[\(Read more\)](#)

Related Story: [City still has no plans for the languishing New York Wheel site](#)

Settlement possible in Deadwood Mountain Grand EB-5 litigation

The Deadwood Mountain Grand opened in the summer of 2011 after receiving millions of dollars through the EB-5 program.

High-stakes litigation involving the Deadwood Mountain Grand casino-hotel, Chinese investors and the controversial EB-5 program has been stayed for 90 days while the opposing sides work to settle their dispute privately.

U.S. District Judge Charles Kornmann ordered the 90-day stay Tuesday, after the plaintiffs and defendants jointly moved for it.

[\(Read more\)](#)

Related Story: [SD Supreme Court Tackles EB-5, Deadwood Mountain Grand Lawsuit Questions](#)



Hotel starts construction in 70-acre mixed-use development near The Woodlands



Hyatt House Metropark Shenandoah/The Woodlands is slated to open November 2020. Sam Moon Group is the developer of Metropark Square and the hotel. Arlington, Texas-based Type-Six Architecture designed the project, and the general contractor is VCC, a construction firm with a Houston office.

Construction is underway on a hotel at Metropark Square, a long-awaited mixed-use district in Shenandoah, north of Houston. [\(Read more\)](#)

Chinese investors in shuttered Vegas casino demand refunds

Developers and former managers of Asian-themed Lucky Dragon casino-hotel that was built, open for a year, closed and recently sold in Las Vegas are now facing investor lawsuits.

Some plaintiffs are Chinese investors seeking refunds amid complaints they haven't gained conditional immigration admission to the United States through the federal EB-5 immigration program, the Las Vegas Review-Journal reported. ([Read more](#))

Related Stories:

- [Investors in Former Lucky Dragon Casino Sue Developers for Refund after Dreams of US Citizenship Go Up in Smoke](#)
- [Trio of lawsuits surround former Lucky Dragon Hotel and Casino developers](#)
- [Lucky Dragon's foreign investors demand refund](#)

London Firm Buys Palm Beach Hotel Project as Glenn Straub Keeps Up Appeals

Palm House Hotel at 160 Royal Palm Way in Palm Beach.

Straub's KK-PB Financial LLC appealed the sale in federal court even as London + Regional Properties was closing on the purchase.

An unfinished hotel-condominium in Palm Beach at the center of an alleged massive EB-5 visa fraud has been sold to a London hotel company. ([Read more](#))

Related Story: [Palm House Hotel finally sells for \\$40M](#)



Miami-Dade mayor's son wants to build a \$300M steel mill on county-owned land



Julio Gimenez wants to build a \$298 million steel mill project

Development group plans to raise \$50M from EB-5 investors

Miami-Dade County commissioners will vote Tuesday on the no-bid, \$16.8 million sale of county-owned land near Homestead to a group that includes county mayor Carlos Gimenez's son, Julio Gimenez. ([Read more](#))

Burke Mountain land deal nixed over Act 250 concerns



The man overseeing Burke Mountain ski area as it emerges from an investor fraud scandal says a buyer for a piece of land owned by the resort has backed out over concerns he may have to go through Act 250, the state's land use law, if the buyer wanted to develop the property.

As a result, Michael Goldberg, the court-appointed receiver now in charge of the Northeast Kingdom ski area, says a new buyer has been found. ([Read more](#))

Reservations expected to start early next week for proposed 35-story St. Pete condo tower

Times Now that ONE St. Petersburg, shown here, has been a success, the developer will start taking reservations on a proposed tower four blocks south.

The Kolter Group of South Florida developed the recently finished ONE St. Petersburg condo tower.

Buoyed by the success of its first condo tower in downtown St. Petersburg, the Kolter Group is expected to start taking reservations early next week for units in its newest project — Saltaire, a tower on First Street S next to the Hilton St. Petersburg Bayfront. ([Read more](#))

EB-5 INVESTMENTS

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