

EB-5 Enters a New Era

Dear EB-5 stakeholders,

U.S. Citizenship and Immigration Services (USCIS) has sent its final EB-5 regulations to the Federal Register for publication. Effective on November 21, 2019, a set of new EB-5 rules will take over and permanently change the operation of the EB-5 business. This will be the most significant policy change in the history of EB-5.

American Lending Center (ALC), one of the most successful EB-5 operations in the past decade, believes, for the most part, that many of the changes presented in the new regulations will positively impact the industry and therefore plans to fully embrace the changes. While there are still serious unresolved issues in the program, we agree that the new regulations are indeed a solid step in the right direction.

The new minimum investment requirements for TEA and non-TEA will now increase to \$900,000 and \$1,800,000, respectively. ALC believes these increases are reasonable and appreciates the possibility for final adjustment on the minimum requirement for TEA based on “a review of the comments” by USCIS. These increases and options for additional considerations will keep the program viable while still accounting for inflation and changes in international financial landscape.

ALC also supports the technical changes in the TEA designation process. We hope that this will enable the program to bring more EB-5 capital to qualified US small business owners and entrepreneurs across the country. American small businesses are the engine of this country’s economy and powerful job creators.

The biggest benefit to EB-5 investors - particularly those whose projects or regional centers run into troubles and must deal with a “material change” outside their control as investors - will be the retention of priority dates if those investors already received I-526 approvals. This has the potential to easily save years for investors coming from

countries like China, in the case he/she must refile an immigration petition. This was previously not a clear possibility; clarified and transparent regulations only do more to make the EB-5 program viable for years to come.

Ten years ago, ALC began modestly with a dream of bringing EB-5 capital to qualified US small business owners and entrepreneurs across the country. Over the years that followed, ALC has successfully realized this dream through its 70+ incredible EB-5 projects that have collectively created about 10,000 full time jobs nationwide. The industry is now entering a new era, and so is ALC. We love this opportunity and look forward to faster growth for our EB-5 operation. Cheers!

Sincerely

A handwritten signature in blue ink, appearing to read 'John Shen', is positioned below the word 'Sincerely'.

John Shen

CEO of American Lending Center