



TRANSFORMING EB-5 INVESTING AND PROJECT FINANCING



Nysa EB-5 specializes in EB-5-structured project financing, operating with an investor-centric, compliance-oriented service delivery model. Since 2014, we have been a recognized leader in the immigrant investor space, providing thought leadership to streamline processes and establishing standards that are now being adopted throughout the industry as best practices. During the pandemic, Congress did not provide a resolution authorizing the continuation of the program; however, Nysa EB-5 continued to review and make strategic changes to our processes in anticipation that the program would eventually be renewed. In March 2022, the passage of the EB-5 Reform and Integrity Act of 2022 reauthorized the EB-5 Regional Center Program for five years and provided several other updates and amendments to the program that the industry had been waiting for for many years. Nysa EB-5 embraces the changes and amendments and goes well beyond the baseline requirements to ensure a successful path to citizenship for our investors.

ABOUT EB-5

The Immigrant Investor Program, created in 1990 and known as “EB-5,” is an important source of capital for development projects throughout the United States. The visa program, designed to allow foreign investors to gain permanent residence (a green card) in the United States, attracts billions of investment dollars and creates tens of thousands of jobs. With no cost to American taxpayers, EB-5 investors who qualify for permanent residence contribute tremendous resources to the United States and become valued citizens.

STRINGENT PROJECT APPROVAL PROCESS

Nysa EB-5 operates a proprietary global network of prospective investors, immigration agents and financial advisors who work exclusively with our team to deliver quality investment projects. We work directly with project sponsors to financially engineer alternative, flexible structures that enhance a project’s success.

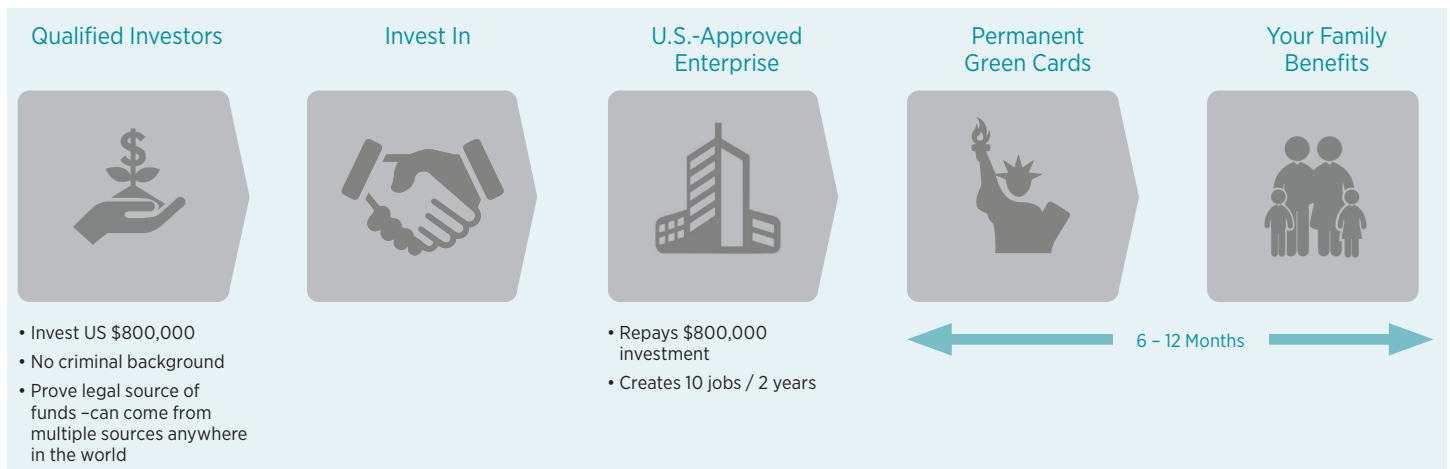
Nysa EB-5 is regional center “agnostic” to enable us the flexibility to select qualified regional centers with which to associate our client projects, giving us a considerable advantage. For a project to be approved:

- The development group must have a proven track record in its field.
- The project sponsor must be fully invested in the project’s success and no more than 35% of total project cost may come from EB-5 funds.
- Job creation must be at least 20% above the necessary 10 jobs per investor.
- Investors must be first in the payout structure and only subordinate to construction debt. Project sponsors only profit after repayment of investors.

THE NYSA EB-5 GOLD STANDARD PROCESS

Nysa EB-5 partners with best-in-practice industry suppliers and partners to provide the best overall E-B5 experience to both our project clients and investors. From project due diligence and securities compliance to investor onboarding, we work with leading industry professionals who are committed to providing a “gold star” experience. The Nysa EB-5 Gold Standard Process exceeds all integrity measures adopted by Congress and included in the reauthorization legislation.

EB-5 Steps	Partner	Description
Project Due Diligence	EB5 Diligence	In-depth review of project and sponsor, including success potential and rigorous background check.
Economic Impact Analysis – Target Employment Area (TEA) analysis	Impact Datasource	Stress test project location to determine if rural, confined within a target employment area or qualifies as a direct investment.
Feasibility Study, Business Plan and Economic Analysis	Unisource, Inc.	Evaluation and analysis of the potential of an EB-5 project. A comprehensive business plan demonstrating the requisite number of jobs will be created as a result of the investment within the required timeframe.
Securities and Private Placement Memorandum (PPM) Documents	Saul, Ewing, Arnstein and Lehr, LLP	Preparation of SEC and Finra-compliant EB-5 offering documents including PPM, subscription agreement and operating agreement that meet USCIS standards.
Securities Documents Due Diligence	Finalis	Review securities offering for SEC/FINRA compliance. Perform due diligence on the offering documents to confirm compliance with the Investment Advisors Act and Investment Company Act and all state securities laws.
Immigration Documents	Klasko Immigration Law Partners, LLP Akerman LLP Saul, Ewing Arnstein & Lehr, LLP	Preparation of project approval applications and templates for investor applications.
EB-5 Administration	JTC Americas	Fund, immigration and investment administration. Raise and deploy EB-5 capital using industry best practice escrow and drawdown services. Back office accounting administration including tracking the flow of funds and collecting, storing and reporting immigration documentation.
Annual Audit of Source and Path of Funds	Marcum Accountants & Advisors	Provide annual reports showing how the investor obtained the funds used for the investment and show a clearly documented “path of funds” from the original source to the commercial enterprise’s bank account.
Marketing Material Review	eb5Marketplace/Finalis	Review of all marketing materials ensuring all stated facts are true and accurate and refer to the PPM for considerations of risk of the offering.
Ongoing Annual Securities Compliance	eb5Marketplace/Finalis	Confirm EB-5 offerings remain in compliance with RIA requirements and securities laws and that fiduciaries remain in good standing.



Contact us if you would like to learn more about Nysa EB-5 and how we can help you with immigration investing through the EB-5 program. Our team of experienced professionals is ready to work with you.

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