



## OUR MISSION

1. To help Foreign Investors qualify for a permanent residency visa (green card) pursuant to the EB-5 Investor Program and
2. To create and preserve jobs and economic development in Upstate New York.

## HOW DO WE DO THIS?

The Upstate New York Regional Center, LLC (“UNYRC”) is designated as a “Regional Center” by the United States Citizenship and Immigration Services.

As a Regional Center, our role is to help Foreign Investors make investments in Upstate New York. When they make those investments through Upstate New York Regional Center, LLC, the Foreign Investors can qualify for permanent residency pursuant to the EB-5 Investor Program. In addition to the investor qualifying for a visa, his or her spouse and their children under 21 also qualify for a permanent residency visa (green card) to the United States.

We are dedicated to creating jobs and economic development in Upstate New York. UNYRC will direct the investment of the foreign investor funds into commercial enterprises in Upstate New York which are specifically designed to create jobs and economic development.

## HELPING FOREIGN INVESTORS GAIN A US EB-5 VISA

Upstate New York Regional Center can help you, the Foreign Investor, gain permanent US residence for yourself, your spouse and your children under 21 years of age.

### **What is an EB-5 Visa?**

An EB-5 Visa is a type of US Visa which is only available to foreigners who invest \$500,000 or \$1 million into a business in the United States.

### **What is the role of UNYRC?**

The US government designated UNYRC as a Regional Center. As such, UNYRC is creating commercial enterprises for Foreign Investors. A Foreign Investor applying for an EB-5 visa makes his or her investment into one of those commercial enterprises.

### **How do I get an EB-5 Visa for me, my spouse and my children?**

UNYRC can help you, your spouse and your children under 21 get an EB-5 visa. The specific rights and obligations of an investment will be stated in a Private Placement Memorandum, but the process will generally include:

<b>Contact UNYRC</b>	Contact UNYRC to begin the process.
<b>Eligibility Review</b>	<p>UNYRC conducts a background investigation and will request information from you to determine if you are eligible for the EB-5 program. Eligibility requirements include:</p> <ol style="list-style-type: none"><li>1. Your funds for the investment must come from a legitimate source</li><li>2. You must be an Accredited Investor</li><li>3. You must pass a background check to indicate you are a person who should be granted a US visa.</li></ol>
<b>Transfer funds</b>	<p>You will transfer your funds for investment into an escrow. You will transfer: \$535,000 USD, which is \$500,000 for your investment and \$35,000 for UNYRC expenses associated with your investment (note: you will have additional legal fees to your attorney associated with processing your visa application with the US Government).</p>
<b>Apply for EB-5 Visa</b>	<p>You, as the investor seeking a visa, will apply for an EB-5 visa. In your application you will indicate that your investment in the US will be made into the UNYRC commercial enterprise.</p>
<b>Visa Accepted &amp; Investment Made</b>	<p>When your EB-5 visa petition is approved by the USCIS, your funds will be (1) transferred from escrow and (2) invested into the UNYRC commercial enterprise. You will receive an ownership interest in that UNYRC commercial enterprise.</p>
<b>Conditional Green Card Granted</b>	<p>Upon completion of immigration processing, the US Government will grant you, your spouse and your children under 21 a Conditional green card eligible for two years. That Conditional green card allows you to live in the US with all the rights and obligations of a US Permanent Resident.</p>
<b>Permanent Green Card Granted</b>	<p>After approximately two years, you will file a petition for the conditions to be removed. At that time, the USCIS will examine your investment. If your investment was made and was "at risk" during the two-year period and created the required number of jobs, then the conditional nature of your green card will be removed. You, your spouse and your children under 21 will then be granted a regular green card. You and your family will be permanent green card holders and can, if you so choose, later apply to become U.S. citizens</p>
<b>Return of Investment</b>	<p>UNYRC intends to structure all investments so that the immigrant investors will be able to exit the investment after</p>

approximately 5 years. In addition, UPNYRC intends to structure the foreigner's investments so that the investments all pay a return on that investment. However, it is against US law for a Regional Center to guarantee the return of your investment, to promise a specific rate of return on your investment or a time within which your investment will be returned. The full terms and conditions of an investment will be specified in a Private Placement Memorandum which will be provided to you before any investment is made.

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The information above is very general in nature. Any investment will be made pursuant to US Securities and Immigration laws and should be reviewed by your legal and other counsel.

### BACKGROUND ON THE EB-5 REGIONAL CENTER PROGRAM

Congress created the fifth employment-based preference (EB-5) immigrant visa category in 1990. This was designed to encourage qualified Foreign Investors to invest in a business that will benefit the US economy and create or save at least 10 full-time jobs. The Foreign Investor must invest \$1 million, although only \$500,000 is required if the investment is made in a rural or high unemployment area.

In 1993 the US Congress created the EB-5 Regional Center Pilot Program. Under that program, Congress empowered the United States Citizenship and Immigration Services to designate "Regional Centers." The Regional Center is a company or other entity which is charged with aiding Foreign Investors by targeting their investment into a specific geographic region of the United States in specific investment categories.

With an investment through the Upstate New York Regional Center, the Foreign Investor may base the proof of job creation on expert economic analysis of job creation in the regional economy. This is a significant advantage for the investor's immigration petition.

An added benefit is that the Foreign Investor does not personally have to run all the aspects of a specific business in the United States and can reside anywhere in the US.

Upstate New York Regional Center, LLC ("UNYRC") has been designated as a Regional Center by the United States Citizenship and Immigration Services. Investments made pursuant to the UNYRC are made in the Western Counties of New York State. Those investments can be made in a wide spectrum of commercial activities. UNYRC provides the expert economic analysis of job creation.

### FREQUENTLY ASKED QUESTIONS

Prospective Foreign Investors have asked many questions. The following is a list of some of the most common questions and answers. Please contact us with further questions.

- What type of people generally participate in this program?
- Where can I live in the US once my green card is issued?
- Do I need to own and run the business in the US?
- Do I need to speak English?
- How long does it take to be granted the initial visa?
- What is the difference between a "conditional" and a "permanent" green card?
- What background information do I need to provide?
- How do I prove the legitimate nature of the source of funds I will invest?
- What is a legitimate source of funds for my investment?
- What are the tax implications of receiving a green card?
- How long must I remain in the US each year?

- What is the difference between being a permanent resident and a US Citizen?
- What are the application procedures?
- How long does the process take?
- What makes the EB-5 Visa program different from the L-1 (manager transfer) or E-2 (Treaty/Investor)?

**What type of people generally participate in this program?**

Typical Foreign Investors come from all walks of life. Generally Foreign Investors are well educated foreign professionals and retired people. They include doctors, lawyers, accountants and other business people. Also, college students may be investors.

The reasons for participating in the program vary. Foreign investors want to share in the American dream. Many Foreign Investors are looking for the stability offered by the US. Especially in these troubled times, the US is a beacon of strength in an uncertain world. Many investors want to retire in the US. Others will utilize the excellent health care system in the US. Some want the flexibility to live in their second home or retirement home in the US. Children (under 21) of Foreign Investors also share in the benefits and will receive their own green card. As such, your children are eligible to be educated in some of the finest schools in the world in the US and can legally work in the US. Some investors are looking for stable investment in the United States. There are many reasons why individuals want US residency, and there are many reasons why the EB-5 investor program is right for you.

**Where can I live in the US once my green card is issued?**

You can live anywhere in the US once your green card is issued.

**Do I need to own and run the business in the US?**

You do not need to be the sole owner and operator of a US business. Rather, your investment through the UNYRC will provide you with an ownership equity in a US business. That business structure will also provide you with the requirements for participating in that business, but your participation will not hinder your ability to enjoy the other aspects of residency in the US. It is possible you could own and operate a business in the US that is separate from your investment with UNYRC.

**Do I need to speak English?**

You do not need to speak English, but we strongly recommend that your participation in the EB-5 visa program be reviewed by professional advisors who do speak English. You do not require any level of education or training.

**How long does it take to be granted the initial visa?**

The process of granting the initial visa varies. A broad range is 8 to 18 months. The time required generally depends on the amount and clarity of the information you provide to UNYRC and in your petition to the USCIS.

**What is the difference between a “conditional” and a “permanent” green card?**

Following government approval of your case, you will obtain a conditional green card. Your rights under the conditional green card and the permanent one are the same. The only difference is that the conditional green card lasts two years. The investor will apply to have his or her conditional green card converted to a permanent one after two years. At that time, the investor must show that his or her funds have been invested, and continue to be “at risk”, and that the required jobs are being created.

**What background information do I need to provide?**

It is important that undesirable people not be granted a visa pursuant to the EB-5 program. UNYRC and the US government will check your background to insure that you are not a terrorist, a criminal or a similar person who should not be granted a visa. The two basic pieces of information you will be required are a detailed biographical background on yourself and your family and information proving the legitimate sources of the funds you will invest.

**How do I prove the legitimate nature of the source of funds I will invest?**

In addition to your personal background information, you must provide information showing that the funds you will invest come from a legitimate source. This financial background information varies widely in individual cases, but generally includes: bank statements tracing funds from you to the UNYRC, five years of tax returns, documentation concerning the actual source (gift, inheritance, bank loan, etc.), proof of ownership in any businesses, and business licenses.

The USCIS will thoroughly investigate the source of funds. This is especially true with the rise in terrorism and money laundering of ill gotten funds. Therefore we encourage all investors to completely and truthfully provide all the required information and to provide more information and not less.

**What is a legitimate source of funds for my investment?**

Your funds to make the investment can come from any legitimate source. The following are a few examples of where your investment can come from:

- Your personal savings
- The sale of a business
- The sale of stock or other assets
- The sale of a house or other personal items
- An inheritance
- A gift
- A loan from a bank, a relative or an employer
- Or any other legitimate source of funds.

You must provide proof that the funds were legitimately acquired. The exact source of funds varies on a case by case basis, and the proof required also varies. Please contact UNYRC for further information.

**What are the tax implications of receiving a green card?**

Investors should consult their tax or legal advisors prior to making an investment. In general, the United States requires income tax reporting, by all US residents, based on worldwide income. Most US states also levy an income tax. There are numerous tax treaties regarding avoidance of double taxation, but your advisor can provide you with the information you will require in your specific situation.

**How long must I remain in the US each year?**

Within 180 days of being issued the immigrant visa, the investor must enter the United States to commence residence status. Evidence of intent to reside includes bank accounts, a driver's license, social security number, paying state and federal income taxes, renting or buying a home. The United States resident may work overseas if required based upon the nature of the business or profession. For those permanent residents living outside the US, we suggest the investor and family not remain outside the US for a period longer than six months. The longer the investor and family are present in the US, the less likely the government is to claim that the investor "abandoned" the United States as a permanent residence – thereby endangering his green card status. In some cases, investors may seek the issuance of a "reentry permit" which allows the Investor permission to remain outside the US for as long as two years without having to reenter the country to maintain permanent resident status. Please consult your immigration attorney for answers to your specific situation.

**What is the difference between being a permanent resident and a US Citizen?**

The primary differences between being a permanent resident and a citizen of the United States is that citizens can vote in elections and can hold public office. There are other differences, but we suggest you contact your legal advisor with any specific questions. Generally, one must be a permanent resident for 5 years to be eligible to apply for U.S. citizenship.

**What are the application procedures?**

To begin, [contact UNYRC](#). The following is the USCIS process:

1. I-526 Immigrant investor petition. File form I-526 Petition for Alien Entrepreneur with the California Service Center. This petition requests the CIS to certify the applicant and the investment as eligible for EB-5 visa status.
2. I-485 or Embassy interview. Upon approval of the I-526 petition, (a) if you are in the United States on a non-immigrant visa, you may apply for Adjustment of Status to Permanent Residence by sending form I-485 and supporting documents to the CIS regional processing center; or (b) if you are outside the US you must apply for an immigrant visa at the Embassy in your home country.
3. Conditional Green Card. Upon approval of adjustment of status or the immigrant visa, you will be a conditional resident. Note that if you obtained an immigrant visa, the residence commence4s when you enter the US.
4. I-829 Permanent Residency – Permanent Green Card. After one year and nine months, your attorney will be able to file for Removal of Conditions using Form I-829.

Please consult your legal advisor for complete information.

**How long does the process take?**

Processing times vary and, at present, you should assume a year to 18 months from the time your visa petition is filed with

the USCIS before you receive your conditional green card. As a guide:

Processing of your I-526 petition at the California Processing Center	8 months
Processing at the National Visa Center, Washington DC	3 months
Awaiting consulate interview	3 months
<i>Total processing time to receive entry permit to collect green card</i>	<b><i>14 months</i></b>
Application for I-829 (removal of conditions) after entering the US	21 months
Removal of conditions processing	8 months
<i>Total time after emigrating</i>	<b><i>29 months</i></b>
<i>Total processing time from initial application to removal of conditions:</i>	<b><i>43 months</i></b>

Five years after entering the USA with your green card you, and your immediate family may apply for US citizenship, assuming other requirements are satisfied.

**What makes the EB-5 Visa program different from the L-1 (manager transfer) or E-2 (Treaty/Investor)?**

Participation in the EB-5 Immigrant Investor programs gives you permanent resident status (green card). Permanent residency requires no renewal or re-application. Here are differences with other visas:

- The E-2 Treaty Investor programs allow for nonimmigrant status only. When the qualifying business/ investment ends, so does the non-immigrant status that has been granted to the alien. The Alien will have to leave the United States unless another visa category is granted.
- Likewise, the L-1 is a non-immigrant classification. Other U.S. non-immigrant visas, such as E-2 and H may never result in permanent residency, have time limits, and require additional filings with USCIS or Department of State. Furthermore, U.S. immigration laws may change and prevent future approval when a renewal of visa is required.
- Unlike E-2, the L-1 alien can apply for immigrant classification as a Multinational Executive or Manager. If such a case is approved, which is becoming more difficult due to the high number of fraudulent cases and a subsequent tightening of the review process, the alien may apply for Permanent Resident status.

About UNYRC

INVESTMENTS BY UPSTATE NEW YORK REGIONAL CENTER, LLC

The UNYRC is actively in the process of investing in suitable commercial endeavors in Upstate New York. Over the next 5 years, UNYRC intends to invest \$200 million in Upstate New York. We plan for that to be invested with \$400 million of additional capital, resulting in \$600 million of new investment in Upstate New York. Our plan is for that investment to result in over 12,000 new jobs and nearly a billion dollars of economic impact in Upstate New York. As a result, we are actively soliciting appropriate commercial enterprises in which to invest.

Here is a summary of background information we consider before making an investment:

<b>Jobs created</b>	The most critical characteristic of any investment is that the investment must create or retain jobs in Upstate New York. The exact number of jobs required to be created or retained depends on the amount of the investment. The
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number of jobs created or retained will be determined utilizing an economic model prepared by UNYRC.

<b>Investment location</b>	Both (1) the investment must be made in, and (2) the jobs must be created or retained in, the 23 western most counties of New York state.
<b>Types of investments</b>	UNYRC has wide latitude in the types of commercial enterprises (businesses) which may be invested into. In addition, UNYRC can invest in private endeavors, public/private endeavors and public endeavors.
<b>Risk level</b>	The UNYRC will seek low risk investments. That does not mean that the investment cannot be utilized by a higher risk commercial endeavor. Rather, it simply means that in analyzing any transaction, UNYRC will insure that investments have significant likelihood of return on investment. Each investment will be judged on its own merits.
<b>Required return on Investment</b>	Since UNYRC requires a low risk investment, it anticipates a lower return on that investment. The UNYRC investments do not require the high level of return which is required, for example, by a venture capital investment. One of the objectives of UNYRC is to help create significant jobs and economic development in Upstate New York by offering a new, relatively inexpensive source of capital for commercial enterprises. Each investment is judged on its own merits and the cost of capital will be a function of many factors.
<b>Types of Investments</b>	UNYRC is granted wide latitude in the types of investments it can make. It can make a direct investment into an operating company or into the assets utilized by an operating company. It can make an investment of equity, debt, a combination there of, and can be very flexible in the capital structure of the investment.
<b>Time horizon</b>	UNYRC investments are designed to be invested for approximately 5 years. It is not required that an investment be held for exactly 5 years, and is merely a guideline. The specifics of an individual investment can vary from that time horizon.
<b>Amount of investment</b>	The minimum investment made by UNYRC is \$5 million of UNYRC equity. The maximum amount of investment is \$100 million. These amounts can be increased or decreased depending on the scope of the project.
<b>Other sources of investment</b>	Ideally the UNYRC investment will be made with other funds. These might include conventional debt financing,

equity financing, or the like.

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For additional information on the investments made by UNYRC and whether an individual investment is appropriate, please contact UNYRC.

#### ABOUT UPSTATE NEW YORK REGIONAL CENTER, LLC

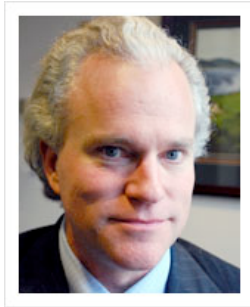
We view the USCIS EB-5 Regional Center Program as a unique and powerful way to help qualified foreign investors gain US permanent residency, while at the same time providing needed investment capital to Upstate New York. We are each professionals with many years of experience. Below is a summary of our backgrounds – more information is available upon request:



**Thomas R. Beecher, Jr.**  
**Chairman**

Mr. Beecher's career as an attorney stretches back nearly 50 years. In addition, he has served on the Boards of many public and private organizations, including a publicly traded company on the New York Stock Exchange. Mr. Beecher's other primary activity is providing family office services to high net worth families and individuals.

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**William P. Gresser, Jr.**  
**President**

An experienced business executive and attorney with over 20 years of experience, Mr. Gresser has been an officer and principle in both high and low tech endeavors and brings his management and investment expertise to bear.

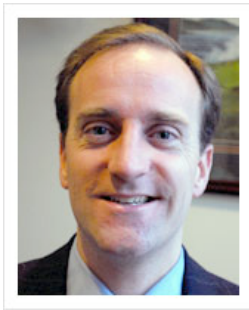
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**Luke T. Jacobs**  
**Vice President, Investments**

Mr. Jacobs, an attorney and former prosecutor in Upstate New York, has many years of experience assisting high net worth individuals and families in the management of their family offices. His investment expertise will complement the other skills of the managers.

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**Mathew K. Enstice**  
**Vice President – Development**

Mr. Enstice career is closely aligned to the Western New York economy. While he has been President and CEO of the Buffalo Niagara Medical Campus, the BNMC has produced more than \$300 million in annual economic impact, with more than 8,000 employees.

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**Jian Wang**  
**Vice President**

Mr. Wang is a recent immigrant from China and new US citizen. He is a PhD scientist and researcher, educated in the US and in China, and is the president of a successful US software company.

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**LEGAL DISCLAIMER**

Upstate New York Regional Center, LLC (“UNYRC”) is a business consulting firm providing certain services and introductions to prospective US immigrants as a Regional Center under the USCIS EB-5 Regional Center Pilot Program and to individuals and companies in Upstate New York which may be the recipient of foreign investments. UNYRC does not function as an attorney or legal counsel, does not attempt to interpret immigration laws and does not provide or offer legal, tax, accounting, financial planning, immigration or other advice or services. Thomas R. Beecher, Jr., William P. Gresser, Jr. and Luke T. Jacobs are Managing Members of UNYRC and are active attorneys, but they do not and will not act as your legal counsel for any matter. The Managing Members of UNYRC are active in other business ventures but provide no services from those other ventures to immigrant investors or potential immigrant investors. Specifically, Mr. Beecher and Mr. Jacobs are also principals of Barrantys, LLC but are not and will not provide any services to a Foreign Investor or a potential Foreign Investor participating in or applying to participate in the EB-5 visa program with UNYRC on behalf of Barrantys.

UNYRC, its associates and affiliates strongly recommend that interested parties consult with their qualified attorney, accountant, or financial advisor before making any decision or taking any action which might affect their personal finances, existing business, personal circumstances, immigration to the US, or any related matter.

UNYRC hereby disclaims any responsibility for any actions taken or not taken as a result of any information displayed on this site.

Investors and potential investors must insure that participation in the EB-5 visa program complies with the laws of their local jurisdiction.

For United Kingdom Residents: Any communications that are, or may be, directed at UK individuals are prepared in compliance with the UK financial promotion restriction pursuant to Section 21 Financial Services and Markets Act 2000, (FSMA) and rely upon one or more of a number of specific exemptions set out in the Financial Promotion Order. London England, March 2006

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