

Promotion

Bernstein Osberg-Braun & de Moraes Experts in Navigating the Foreign Investor Program

It's an investment program tailor-made for troubled times. The foreign investor program, known as EB-5 and established by Congress in 1990, provides a conditional green card that can lead to permanent residency for investors who create jobs in the United States.

While the investment-for-visa concept is fairly straightforward, evaluating and preparing EB-5 applications can be a complex and difficult process. Enter Bernstein Osberg-Braun & de Moraes, the South Florida immigration law firm whose skilled attorneys guide investors through the EB-5 process and help them obtain their permanent residency.

"Obviously, it is a great way to stimulate employment in South Florida," says managing partner Roger A. Bernstein. "Because credit has tightened significantly, this is also a great mechanism for U.S. entities to raise money."

The EB-5 program allocates 10,000 visas a year for applicants who invest \$1 million in a new commercial enterprise that creates at least 10 jobs. The direct EB-5 program also permits a reduced capital investment of \$500,000 for those who invest in rural areas or areas with high unemployment.

A Regional Center Option

There is also a regional center option, which allows investors to direct their money to government-approved projects designed to stimulate the economy and



Roger A. Bernstein

"The EB-5 program is a win-win situation. It is a great way to create jobs and stimulate the U.S. economy while giving foreign investors a path to permanent residency."

— Bernstein

create jobs. The features of this program permit a more passive investment, indirect job creation, the opportunity for investors to live anywhere in the country they choose, and expedited processing.

"In either case, the EB-5 program is a win-win situation. It directs foreign investors' fortunes to depressed areas of our country," says Bernstein. "Fully implemented, it's estimated the program can create \$1.5 billion to \$3 billion in foreign capital in the U.S. each year."

Bernstein says foreign nationals of high net worth can have a myriad of reasons to be attracted to the program, such as protecting assets from foreign nationalization, retirement or medical necessity. "One client had an aggressive form of cancer and needed long-term treatment in the U.S.," Bernstein says. "Thankfully, we were able to get her residency. She couldn't have been helped in any other visa category, but she had the resources to do a direct investment and create jobs."

Creating Freedom and Opportunity

Bernstein Osberg-Braun is the largest full-service immigration firm in South Florida. Its seven-attorney, multilingual team handles a broad spectrum of immigration law, including corporate non-immigrant visas, labor certifications, waivers for deportation, litigation, appeals, motions to reopen and consular processing.

Bernstein, a former asylum officer and trial lawyer with the Department of Justice, is enthusiastic about the success he's seen with the EB-5 program. "It was always excellent in theory," he says, "but in practice, it was often a nightmare. In recent years, it has become a more streamlined visa option thanks to several reforms, including better oversight and quicker processing times."

Whether through the EB-5 program or other immigration law solutions, Bernstein Osberg-Braun is uniquely committed to helping clients. "This year, we set a long-term goal in our office," says Bernstein, "to create freedom and opportunity for 10,000 families over the next 10 years. We measure our success by the number of people we help. I feel that is a unique culture most firms don't have."



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