

Key:
General Session
Breakout Session



9th Annual IIUSA EB-5 Industry Forum – Panel Line-Up

Embassy Suites Pioneer Square | Seattle, WA

Tuesday, October 29

8:15-9:15am – King Street I & III

Visa Update with Charlie Oppenheim & Roundtable Discussion

The ever-changing visa update is of critical importance to all aspects and professionals of the EB-5 industry. Hear from the U.S. State Department's Charles Oppenheim, Chief of the Visa Control & Reporting Division, who will provide attendees with the most pertinent visa updates, including information on retrogression, final action dates and predictions for the coming months. IIUSA member panelists will join Mr. Oppenheim to dig deeper and analyze the information in a roundtable discussion from their industry expert perspectives.

9:15-10:15am – King Street I & III

EB-5 Legislative & Regulatory Update: What Now?

The Administration has finalized the EB-5 regulations which will go into effect on November 21, 2018. Attendees in this session will learn exactly what changes are set to occur, how IIUSA and the industry is responding and what you can do to prepare. Panelists will also discuss any legislative action that may be applicable and how this effects the pending implementation of the regulations.

10:45-11:30am - King Street I & III

Keynote Address - TBA

1:00-2:00pm - King Street I & III

Local Perspective: Seattle Area Economic Development Roundtable

Hear from local economic development professionals about not only how EB-5 has helped shaped downtown Seattle and the surrounding metro area, but also the considerations they encourage businesses to take when planning development projects. Get empirical insight for interacting with local organizations like Chambers of Commerce, EDOs and other community organization to create the best development project not just for your bottom line, but for fostering a community of culture, accessibility and sustainability.

2:00-3:00pm - King Street I & III

Opportunity Zones & EB-5: An Emerging Opportunity?

EB-5 has been around since 1990; Opportunity Zones only since 2017. OZs are designated census tracts in which federal tax liabilities on real estate gains are deferred or eliminated under certain conditions, such as a holding period of seven to ten years. Even though one is an immigration program and the other a federal tax benefit program, they share many similarities. This panel will explore how the two programs can be combined to improve the viability and profitability of the underlying EB-5 development project.

- *How do OZs enhance returns on EB-5 real estate development projects?*
- *How are the two programs similar and how are they different?*
- *How much value is added to a project just because it is located in an OZ?*
- *How do I determine if my project is located in an OZ?*

2:00-3:00pm - King Street II & IV

Investor Relations: Communication, Transparency & Record Keeping

Taking care of your investors after “the sale”. Exceptional investor communication is essential, for everything from meeting fiduciary responsibilities and SEC regulations, to earning investor trust and referrals. Good communication can also make the difference if things don’t go as planned. Panel discussion of tools, techniques, and regulations for achieving exceptional investor relations.

3:30-4:30pm - King Street I & III

Overseas Intermediary & Agent Roundtable: Perspectives from Leading Investor Markets

Every EB-5 project relies, to some extent, on overseas intermediaries and/or agents to seek out investors. On this panel, attendees will hear from representatives from some of EB-5’s most active and mature markets, giving insight into how the market is behaving in these challenging times for the industry and what investors are seeking in their potential investment project.

3:30-4:30pm - King Street II & IV

USCIS Policy & Actions: Living in a World of Adjudication Backlogs, RFEs & NOIDs

Adjudication backlogs for EB-5 petitions are the longest they have ever been and the frequency of RFEs is rising as well. This panel will analyze current

adjudication times for I-526, I-829 and I-924 petitions, explore the reasons behind the backlog and increase in RFEs, and identify issues that project sponsors and investors need to be aware of as they submit new projects and await adjudication to avoid RFEs and further processing delays. This panel will also explore the impact of new OMB regulations on the current backlog and USCIS's policy for grandfathering existing petitions that have not yet been adjudicated.

- *Updates on current adjudication backlogs*
- *Strategies to avoid RFEs*
- *Best practices in addressing material changes while petitions are awaiting adjudication*
- *Updates on new OMB regulations and their impact on current processing times*

4:30-5:30pm - King Street I & III

Indian Investor Roundtable: What They Look for in a Project & Why They Continue to Seek EB-5

As EB-5 markets continue to mature, India has seen a unique situation develop with investors coming in despite a growing backlog. The panelists, 3 of whom are current Indian EB-5 investors, will provide insight on the Indian mindset and give their perspective on why the investment made sense for them and why they chose the EB-5 project they did. The panel will also discuss expectations of investors from Investment Issuers before and after making their investment.

4:30-5:30pm - King Street II & IV

EB-5 in the Courts: Suing USCIS, Regional Centers & Other Litigation Cases

As the EB-5 industry continues to mature and there are more investors and more projects, the more litigation cases we continue to see around the Program. This panel will explore not only the cases involving alleged fraud and securities violations, but also look into where industry stakeholders are standing up for the rights of investors and the well-being of the industry by taking action in the courts and in some cases, have precedent-setting decisions. Learn about recent EB-5 litigation cases and what they mean for the future of the industry.

Wednesday, October 30

8:00-9:00am – King Street I & III

The New Normal for TEAs: What Are the Changes & How to Adapt

With new EB-5 regulations set to go into effect November 21, 2019, the industry is looking at new qualification guidelines for Targeted Employment Areas (TEA). In order for investors to invest at the lower threshold (\$900,000), Regional Centers will need to take into account the new criteria for TEAs for future offerings. Learn on this panel what exactly the changes to TEA criteria are and how you or your client can adapt to keep you on the path to success.

9:00-10:00am – King Street II & IV

Options for Investors in “Busted” Deals & Terminated Regional Centers

When a project falters or USCIS terminates a regional center (or when both things happen), investors can lose their investment, their immigration path, or both. But sometimes creativity and persistence can help to salvage at least some of each investor’s EB-5 dream. Also learn how the new EB-5 regulations would affect an investor’s priority date in these circumstances.

9:00-10:00am – King Street II & IV

Capital Stack: Creative Financing & Leveraging Funds for the Most Successful Outcome

Rarely is EB-5 the only funding source for a project. Regional Centers and developers often use EB-5 to help leverage other funds for a complex and creative capital stack to make project goals a reality. Learn how EB-5 interacts with other traditional and non-traditional funding sources and what considerations you should take when creating your capital stack from real-world success stories.

10:30-11:30am – King Street I & III

EB-5 from the Front Lines: How to Survive in a Challenging Market & Make Projects More Competitive Globally

The days of operating and prospering in a single EB-5 market are over. Today’s EB-5 offerings must be tailored to a global market, and to fit different cultures with very different needs and concerns. What makes one project more attractive than another? What is working, and what is not. Also learn about adapting to the new EB-5 regulations, particularly increased investment amounts.

10:30-11:30am – King Street II & IV

Overcoming Overseas Investigations, Alleged Discrepancies Between I-526 and DS-160 & Other Pushback from USCIS on Source of Funds

I-526 caseloads are going down, but USCIS scrutiny continues to climb. Investors face increasing USCIS pushback on sanctions, imposition of higher and higher levels of proof, the use of prior visa applications to cross-examine I-526 evidence, and more frequent overseas investigation of investor source of funds. Learn about suggested steps to be taken to prepare for and overcome these investor-related issues.

11:30am-12:30pm – King Street I & III

Redeployment: Structuring Deals, Informing Investors & Checking the Boxes Amongst Uncertain Guidance

Redeployment of investor funds must deliver both immigration and financial Security. In an environment where clear policy guidance from USCIS is lacking, panelists will discuss suggested best practices for redeployment, including offering document structuring and disclosures, informing investors and attaining consent, and what USCIS will look for when they begin reviewing I-829 petitions.

11:30am-12:30pm – King Street II & IV

Emerging Investor Markets: Keeping Your Project Dreams Alive

The landscape of emerging EB-5 markets like the UAE, Africa, Brazil and others are different than the well-established ones we all know. Learn what investors in those markets value most in the projects they consider and the EB-5 professionals they interact with as well as tips for interacting with consultants and agents in these emerging markets.