



GUAM

Located south of Tokyo and east of Manila (13 28 N, 144 47 E), Guam is the United States jurisdiction closest to Asia and remains the preeminent destination for investors eager to enter the American market through the western Pacific. Its proximity to established economic powerhouses and emerging commercial centers makes it an ideal location for businesses seeking to leverage their foothold in Asia while taking advantage of incentives provided to foreign-owned enterprises by the government of the United States.

While Guam is fully joined and protected in the U.S. federal and common law systems, its unique status grants certain exceptions and privileges not found in the mainland. Guam maintains independent control over customs and taxation, while enjoying duty free trade with the rest of the United States mainland.

EB-5 PROGRAM

The Employment Based 5th Preference Program (EB-5 investor visa program) allows foreign investors to acquire U.S. legal permanent residency for themselves and their immediate families based upon a qualified investment of at least \$500,000.

The EB-5 program is available to nationals of all countries and does not depend upon the continuation of the business. EB-5 investment yields a full permanent residency for the investor and immediate family, convertible to citizenship.

GUAM EB-5 Fact Sheet

The information contained herein does not substitute for specific legal advice from a qualified immigration and business attorney.

EB-5 REQUIREMENTS

Qualifying businesses can include: the creation of an original business; the purchase of an existing business with simultaneous restructuring; or expansion of an existing business. Whereas EB-5 investments must normally be no less than \$1,000,000, Guam's unique geographic makeup allows most investments on the island to qualify under the lower \$500,000 investment threshold.

Generally, the investment must create ten new jobs for U.S. residents, however certain circumstances allow the job creation requirement to be met indirectly or through the preservation of existing jobs in a troubled business.

The capital investment is not limited to cash form, and can be structured to meet the needs of the individual investors and businesses. The investor must be able to demonstrate a lawful source of the funds underlying the capital investment. The capital must be irrevocably committed to follow the fortunes of the EB-5 enterprise, but may be made contingent upon the success and approval of the investors' permanent residency applications and may even be eventually withdrawn in whole. Escrow companies and contractual safeguards can be employed to meet individual investor requirements.

Explore the opportunities available in Guam.

Contact Richard W. Hamlin, Esq. for a video or telephonic consultation.

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