



KUCK
IMMIGRATION
PARTNERS

Kuck Immigration Partners

Source of Funds

-Worksheet and Document Checklist-

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General Rules:

The USCIS requires that investors prove (1) that the invested capital is “lawful”, and (2) that the investor has a “level of income” that has allowed the investor to accumulate sufficient wealth that would enable the investor to invest the necessary funds in the EB-5 program.

An investor’s “self-serving” declarations are unlikely to satisfy USCIS requirements for proof of either lawful source of funds or sufficient funds to invest. Source of funds, i.e., how the money to be invested was earned/accumulated must be proven through documentary evidence.

An investor should submit all (or as many as possible) of the various types of documentary evidence (copies will suffice unless the USCIS asks for the original document) for both the investor and the investor’s spouse, unless a particular category of documents is not relevant to the investor. It is important to note that all evidence and documents submitted must be in or translated into the English language. Non-English documents do not constitute evidence.

Documentation:

In support of this application, please provide a **written statement of the Investor summarizing how the Investor will obtain the money for investing in the in the EB-5 project.**

Please also provide as many of the following documents as possible:

Identification and Biographic Documents

- Copy of Passport of Investor (all pages).
- Copy of I.D. card of Investor.
- Copy of Passports of Investor's spouse and unmarried children aged under 21 (all pages).
- Copy of I.D. card of spouse and all unmarried children aged under 21.
- Notarized copy of birth certificate of Investor, spouse and all unmarried children aged under 21.
- Notarized copy of marriage certificate of Investor and spouse.
- Notarized Copy of Former Name Certificates for Investor or immediate family members (if applicable)
- Notarized Copy of Divorce Certificate for Investor or Spouse (if applicable)
- Notarized Copy of Death Certificate for Investor's immediate family members (if applicable)
- Copy of any university degree of Investor.
- Personal Résumé (curriculum vitae or work history summary) of Investor.

Employment Documents

- Your resume
- Your educational documents
- Any employment confirmation or reference letters that you have (it is not necessary to obtain letters that you do not have)
- Employment contracts (if any)
- Professional licenses (if any)

Salary/Dividends from Employer/Company

- Investor's Personal Tax Returns for last 5 years.
- Employment Contract of the Investor.
- Salary Receipts for the last 2 years.
- Bank Statements of the Investor showing the deposit of the Investor's salary or dividends into his/her bank account for the last 2 years.
- Employer/Company Business License.
- Employer/Company Tax Registration Certificate.
- Employer/Company Tax Returns for last 5 years.
- Employer/Company VAT (Value added Tax) Certificates and Receipts.
- Employer/Company EIT (Enterprise Income Tax) Certificates and Receipts.
- Employer/Company Audit Report for the last 5 tax years.
- Employer/Company Financial Statements for the last 5 years.

- Employer/Company Bank Statements for the last 2 years.
- Employer/Company’s promotional material explaining its operations and success.

Investments

- Copies of all investment or securities accounts for the last three years (if significant gains on the investments or securities transactions occurred before the last three years, please include documentation of such transactions).
- Stock certificates
- Bank Statements – Please include one bank statement for each of the last three years for any bank accounts in which you maintained a substantial balance.

For all bank or brokerage account investments, please provide a listing including the following information:

Brokerage or bank name	Type of account or investment instrument	Name of the account	Number of the account	Balance in the account	Date account opened

Business Documents

- Business registration records for all businesses in the U.S. or outside the U.S.
- Business promotional materials, including website addresses
- Documentation proving your ownership, directorship, or officership in each company, including stock records, corporate minutes, or other official documents
- Documentation relating to sale of any business (documents should indicate the amount of proceeds you received from the sale)
- Accountant's evaluation or appraisal of business for all businesses in which you own a controlling or substantial interest

For each business, please indicate:

Name of business	Country incorporated	Nature of business	% of your ownership	Salary/income earned	Your share of profits or earnings	Amount of your investment

Real Estate

For all of your real estate assets, please provide the following information:

Complete Address of Property:
Listed Owners of Property:
Purchase Price: \$
Date of Purchase:
Appraisal Price: \$
Date of Appraisal:
Mortgage Balance Due (if any): \$
Rental Income (if any): \$
Date of Sale:
Amount of Sale Proceeds: \$
Description of the type of real property (condominium, commercial, warehouse, etc.)

- Joint Declaration of Assets (if the property is owned by Investor and spouse)
- Real Estate Ownership Certificate
- Contract for Original Purchase of the Real Estate Property
- Real Estate Invoice/Receipt evidencing full payment for the Property
- If a loan was taken out in order to help pay for the Property, then please include a copy of that Loan Agreement along with an Invoice/Receipt/Letter from the Bank stating that the Investor has fully paid off the loan
- Deed Tax Certificate
- Contract for Sale of Real Estate Property
- Real Estate Invoice/Receipt evidencing the sale of Property
- Receipts or Remittance Advices evidencing payment of the Real Estate Property to the Investor
- Bank Account Statement of the Investor evidencing that the proceeds from the sale of the Property were deposited into the Investor's Bank Account
- Real Estate Appraisal Report
- History of where the investor acquired the money to buy the real estate. The US Immigration Service requires that the investor explain how the real estate was originally acquired, whether by loan, gift, or from savings. A written statement would be helpful.
- If the investor was able to purchase the real estate from his acquired savings and loans, then the work certificates would need to reflect that at the time the real estate was purchased, the investor had sufficient funds and money to purchase that piece of property. A written statement attesting to this would also be helpful.
- Contract for Personal Mortgage Loan from Bank.
- Indebtedness Certificate.
- Investor's Bank Account Statement showing a deposit of funds from the Bank who made the loan. The Investor's Bank Account Statement should state:
 - Investor's Name
 - Name of the Bank
 - Account Number
 - Date of Transfer

Loan from a Company

If the money to be invested originates from a loan from a company, please make sure to pay the money into a personally owned bank account of the investor.

It is very important to show that the Company had sufficient funds in its bank account at the time it issued the loan and remitted the funds to the Investor. This can be demonstrated through the Company's financial statements and bank statements.

- Labor Employment Contract of the Investor (if applicable)
- Salary Receipts for the last 2 years
- Bank Statements of the Investor showing the deposit of the Investor's salary into his/her bank account for the last 2 years
- Company Business License
- Company Tax Registration Certificate
- Company Capital Verification Report
- Company VAT (Value added Tax) Certificates and Receipts
- Company EIT (Enterprise Income Tax) Certificates and Receipts
- Company Audit Report for the last 5 tax years
- Company Financial Statements for the last 5 years
- Company Bank Statements for the last 2 years
- Company's promotional material explaining its operations and success
- Investor's Application for Loan from the Company
- Company's Shareholder Resolution Approving the Loan
- Company Loan Agreement to the Investor
- Bank Statement of Company showing that loan money was successfully withdrawn from Company's bank account
- Bank Statement of Investor showing that loan money was successfully deposited into his/her personally owned bank account.

Other Sources of Income

- Inheritance – all documents relating to inheritances you have received, including estate settlement of deceased
- Divorce – all documents relating to income received from divorce, including alimony, property settlements, etc.
- Lawsuits – all documents relating to dollars recovered in a civil lawsuit, including official judgment or decree of the court
- Gifts – all documents relating to gifts, including:
 - Gift Declaration.
 - Relationship Certificate between the Donor and Investor.
 - Donor’s Work Income Certificate (if applicable).
 - Donor’s Personal Tax Returns.
 - Source of Donor’s Gift (ex. Sale of Real Estate, Mortgage of Real Estate, etc.).
 - Bank Account Statement of Donor showing that funds were withdrawn from the Donor’s Account.
 - Bank Account Statement of Investor showing that funds were deposited into the Investor’s Account.

Please provide details of each gift, including:

Date of Gift:	Name of Person Giving Gift
Amount of Gift: \$	
Information Regarding the Source of Income of the Person Giving the Gift	

Court Proceedings

- All documents relating to court proceedings in which you have been involved, whether civil or criminal, and whether as a plaintiff or defendant (include all official court records and legal judgments)

Path of Funds:

In addition to proof of the lawful source of the investor's funds, the USCIS insists on documentation that links the invested funds to the investor. It is critical to be able to provide every document necessary to trace the invested funds from their source overseas to the investment in the U.S. This is called tracing the "path of funds".

The following documents may be used to meet this requirement:

1. Wire transfers receipts
2. Deposit receipts
3. Bank statements showing withdrawal of the funds from one account and deposit of the funds in another account
4. Letter from the bank confirming the funds transfer