Doug Richards: The EB-5 Visa is part of a program that was set up back in the '90s to encourage folks to come to the United States and seek a new life here. You would invest a certain amount of money into a business, and you'd have to employ a certain number of employees. The idea is that if you do this, if you're not a US citizen and you're coming from another country and you make this economic investment into our country, into the community, we will give you a Green Card. You'll become a legal permanent resident. What developed from there are these regional centers. Let's just say that you are living in another country.

You want to bring your family into the United States, and you're going to open a hotel. You take $350,000 and you invest it into the hotel and you hire 10 employees. Now you're on your way to getting a residency for you and your family. Now not everybody wants to be burdened with being a business owner. What developed then are these what they call regional centers where you can come in and make an investment of a lot less than the initial requirements of up to half a million dollars, essentially become a passive investor, and the regional center then uses that money to develop other projects while staying within the spirit of what was supposed to be the economic development and creating jobs for Americans.

Now while that has worked out very well for many people, it also has become an opportunity to defraud others. People are being lured into "EB-5 investments" when it really isn't an EB-5 investment at all. There's sort of problems with this type of thing. Two different ways. One, we've met people who are on the end of the EB-5 Visa where they've been accused of creating a program that's not a proper EB-5 program or taking somebody's money and not creating what they're claiming to create. What they're selling could be looked at as a security, so you could end up with allegations of a security fraud.

From the aspect of the investor, from the foreigner, now there are whistleblower lawsuits being brought to go after and try to reclaim some of the investments that have been made that as it turns out weren't properly made unbeknownst to the foreign national. An EB-5 Visa fraud prosecution would be done by the U.S. Attorneys Office. Having been a federal prosecutor, I certainly understand the playbook of the U.S. Attorneys Office. I understand what the investigators, what the agents would be looking for, and we'd be able to jump right in and help you with this problem.