I-526 Processing Flowchart

Client:
Complete Intake Form provided by Attorney.

Attorney:
Receive and review Client Intake Form and request any additional information needed and address any issues.

Client:
Respond to Attorney with any intake concerns and set up a phone conference with Attorney if needed.

Attorney:
Prepare and send Professional Services Agreement for the Client to review and sign.

Client:
Return signed Professional Services Agreement to Attorney and pay the initial fee to the Attorney/Client trust account.

Attorney:
Confirm receipt of payment, prepare and send Client-specific Document Request Memo for I-526 petition.

Client:
Provide Document Request Memo items with certified English translations for all foreign language documents.

Attorney:
Review documents to make sure they are complete and free of issues. Request any additional documents or information.

Client:
Follow up with any requests from Attorney. Pay fee only after receiving "Approval to Fund" from Attorney.

Attorney:
Confirm receipt of payment, prepare and send Client-specific Document Request Memo for I-526 petition.

Attorney:
Prepare I-526 petition, including legal memoranda in support of petition. Prepare and send Form I-526 (with personal statement, if needed) for Client to sign.

Client:
Review, sign and return original Forms I-526 and G-28 by mail or courier to Attorney. (Client's signed personal statement may be emailed to Attorney)

Attorney:
Assemble and file I-526 petition. Send notification on filing date and email Receipt Notice from UCCIS when received (typically within 5-10 business days).

Wait for USCIS to Adjudicate I-526 Petition

Attorney:
If USCIS requests additional information, work with Regional Center/U.S. Business and Client to timely respond accordingly.

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I-526 Processing Flowchart

Client:
If USCIS adjudication issues arise, cooperate with Attorney to provide required documents.

Attorney:
Receive USCIS decision and notify Client.

Upon I-526 Approval

Attorney:
Email Notice of Approval and review documents and fees required for Immigrant Visa Processing.

Client:
Provide Attorney with civil documents, information and fees required for Immigrant Visa Processing.

Wait for NVC to Issue Fee Bill[1]

Attorney:
Pay the National Visa Center bill from Client funds and prepare to file visa applications of Client and dependents.

Client:
Provide Attorney any requested documents or information.

Attorney:
Submit form DS-260, Immigrant Visa Applications and all required documents and information to NVC.

Wait for NVC to Schedule Interview[2]

Attorney:
Contact client if NVC requests any additional information.

Attorney:
Provide Client the details of scheduling of immigrant visa interview from NVC. Send Client Consular Processing Informational Memoranda and required documents.

Client:
Review Consular Processing Memoranda to prepare for interview. Follow all Attorney instructions. Client appears with family for visa interview at U.S. Consulate or Embassy.

After Visa Interview

Client:
Receive Immigrant Visa and sealed immigrant visa package, pay USCIS immigrant visa fee. Immigrate to the United States with EB-5 visa before expiration (6 months).

Client: Receive Permanent Resident Card (Green Card) after entry to the United States.

Attorney: Send welcome letter to client and advise on any issues pertaining to new status.

1. Approximately 30-60 days after approval of I-526, assuming no quota "backlog" and depending on the National Visa Center (NVC) workload, NVC will forward a request for Visa PRocessing Fees to Attorney.

Please note: China-born EB-5 immigrants are subject to quota restrictions and will need to wait for quota to be reached before being scheduled for Immigrant Visa Interview.

2. NVC will review Client's visa application for completeness and forward it to the U.S. Embassy or Consulate abroad for visa issuance. The NVC should schedule Client interview approximately 6 months after receipt of application, depending on seasonal work load of post, staffing, speed of security clearance process, and quota issues.