



Here is a sample provision to include in a PPM or Partnership Agreement of the NCE:

If for any reason, the Loan is repaid prior to the date that all Limited Partners are eligible to receive a return of their Capital Contributions in accordance with the then applicable policies of the USCIS, the General Partner will reinvest the proceeds of the Loan repayment, or that portion of the proceeds that is required to remain “at risk” under USCIS policies for those Limited Partners who are not then eligible to receive a return of their Capital Contributions in accordance with the then applicable policies of the USCIS. After consultation with the Partnership’s immigration counsel, the General Partner will use commercially reasonable efforts to reinvest the proceeds in an investment that qualifies as “at risk” under USCIS policies and that permits the Limited Partners to receive the return of their Capital Contributions as soon as reasonably possible following the date that each Limited Partner is eligible to receive a return of his or her Capital Contribution in accordance with the then applicable policies of the USCIS. The General Partner is authorized to reinvest in any of the investment options then offered by Capital United, LLC as part of its EB-5 Investment Redeployment Program, provided that the Partnership’s immigration counsel advises the Partnership that the investment option selected by the General Partner will satisfy the requirements for reinvestment of the Limited Partner's Capital Contributions by the Partnership under then applicable USCIS policies.