

USCIS Important Memo on Names for Regional Centers

Date: August 14, 2015



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Intro:

Mr. Andrew Cuevas, Esq., is the President of Cuevas & Associates, P.A., and Vantage Property Title Company. Mr. Cuevas has been practicing law since 1993 in the area of Business Immigration Law and Commercial transactions, including commercial and residential real estate transactions and business acquisitions for foreign investors. If you have any questions regarding this article or any other questions, you can contact Mr. Cuevas at (305) 461-9500 or at acuevas@cuevaslaw.com. If you are interested in reading previous newsletters, please visit www.cuevaslaw.com, select the icon for **Newsletters**, and then choose the area of law you are interested in.

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On August 11, 2015, USCIS through the Public Engagement Division announced to all stakeholders of an EB-5 Regional Center and related commercial enterprises that they should not contain the words “United States,” “U.S.,” “US” and “Federal” in their names. If you use these words in the name of your regional center or enterprise, you may falsely imply a relationship between the entity using the name, and USCIS, DHS and the U.S. government. Using such names on websites, promotional and other marketing materials could also be considered deceptive acts or practices and false advertisements, which may violate federal laws governing unfair trade and false advertisements. *See* 15 U.S.C. §§ 45 and 52.

If a regional center or related commercial enterprise has a questionable name, the Immigrant Investor Program Office (IPO) may refer it to the Federal Trade Commission for further action.

Additionally, the use of the words “Federal” or “United States” in advertising by businesses engaged in the financial services sector may be a violation of 18 U.S.C. § 709, which prohibits false advertising or the misuse of names to indicate a federal agency. In this situation, IPO may

refer regional centers and related commercial enterprises with questionable naming practices to the Department of Justice for further action.

For additional information regarding the EB-5 Visa process, please feel free to contact our office.

This article is solely a partial explanation of all the issues related to the topic of this newsletter, and is not to be considered legal advice. Persons interested in obtaining more information should consult with their legal counsel to obtain explanations of all issues addressed herein.