

RESIDENCY BY INVESTMENT | COUNTRY GUIDE

United States Residency by Investment

EB-5 investor green cards. The set-aside categories are Current for India as at October 2026 — the only employment-based route with no queue.

PROGRAMMES

2

CAPITAL

Washington D.C.

CURRENCY

USD

LANGUAGE

English

United States at a glance

CAPITAL Washington D.C.	POPULATION 346,794,259
LANGUAGE English	CURRENCY USD
TIME ZONE Multiple Time Zones (UTC-4 to UTC-10)	CLIMATE Varied Climate Zones
PROGRAMMES WE ADVISE ON 2	LAST UPDATED 1 October 2026

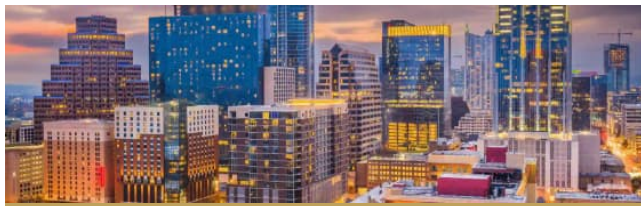
Overview

The EB-5 Immigrant Investor Program enables foreign investors to obtain U.S. residency by investing in a qualifying enterprise. Established in 1990, the program aims to stimulate economic growth and job creation. Investors may choose between Targeted Employment Area (TEA) investments of \$800,000 or Non-TEA investments of \$1,050,000. Regional Centers allow indirect job creation and simplified compliance, while direct investment involves active management of the business. Successful investors receive a conditional Green Card for two years, leading to permanent residency and eventual U.S. citizenship.

Key points

- Access to the U.S. residency and Green Card through investment.
- Reduced \$800,000 investment for a TEA (rural or high-unemployment area) or an infrastructure project.
- Non-TEA investment of \$1,050,000 in any U.S. location.
- Create or preserve 10 full-time jobs for U.S. workers.
- Family inclusion: spouse and unmarried children under 21.
- Conditional Green Card for 2 years, permanent Green Card after Form I-829 approval.

Programmes in United States



EB-5 Standard Investment — USD 1,050,000 for a US Green Card

The standard EB-5 route for projects outside a targeted employment area. USD 1,050,000 and 10 jobs — but check whether a set-aside project would serve you better, because those are current for India.

From USD 1,050,000 | 24 months (XIPHIAS average)



EB-5 Targeted Employment Area — USD 800,000 for a US Green Card

Invest USD 800,000 in a targeted employment area, rural or infrastructure project. As at October 2026 the EB-5 set-aside categories are the only employment-based route with no India queue at all.

From USD 800,000 | 24 months (XIPHIAS average)

What is actually open to an Indian national, October 2026

Ranked by the realistic wait for an Indian national:

Route	India position	Verdict
EB-5 set-asides — rural, high unemployment, infrastructure	Current — no queue	USD 800,000. The only employment-based route with no India wait, and concurrent I-485 filing is available
O-1A	No queue (nonimmigrant)	No cap, no lottery, no USD 100,000 payment. The cleanest fast route for a strong record
L-1A / L-1B	No queue (nonimmigrant)	Needs a year with the employer group abroad. L-1A feeds EB-1C
EB-1A / EB-1B / EB-1C	01 Feb 2023 — about 3 yr 8 mo	The fastest green card open to Indians without an investment. The evidentiary bar is high
EB-5 unreserved	01 Dec 2023 — about 2 yr 10 mo	USD 1,050,000. Usually worth choosing a set-aside project instead
H-1B	No queue, but heavily restricted	A USD 100,000 payment applies to petitions for people abroad. FY2027 cap closed; next window about March 2027
EB-2 NIW	01 Nov 2013 — about 12 yr 11 mo	Worth filing to hold a priority date; not a near-term route to a green card
EB-3	01 Jan 2014 — about 12 yr 9 mo	Holds a priority date; the India queue is long

One thing to be clear about: the E-2 visa

India is not a US treaty country. It appears nowhere in the State Department's treaty countries table, for either E-1 or E-2. An Indian passport holder **cannot obtain an E-2 treaty investor visa on Indian nationality** — at least half the US enterprise must be owned by nationals of a treaty country.

Some Indian families do reach E-2 by first acquiring a qualifying second citizenship, for example Grenada or Turkey. That is a legitimate two-step plan with its own cost and timeline, and we are happy to map it out. An E-2 application on Indian nationality alone is not possible.

{/ restored from the 2019–2026 site /}

USA Business Investor Visa

USA - EB-5 Investment Visa

Overview of the EB-5 Visa Program

To accomplish the above goals the foreign investors may obtain immigration benefits to make an investment.

In addition to the return the investors can achieve, foreign investors and their qualifying family members are offered the prospect, but the lawful permanent residence in the United States is not guaranteed.

There are Three Basic Requirements for an EB-5 Visa

1. 2. 3. Its mandate that the business must create full-time employment for at least 10 US workers.

What are Some of the Benefits of the EB-5 Visa Program?

1.
 1. There is restriction for age, spoken English, employment experience, or education
 2. Investor and family may live/work anywhere in the United States. Minor Children may obtain employment, subject to age, state and governmental laws and restrictions.
 3. Educational benefits include admission to Universities at US residents costs.
5.
 1. The national airBaltic airline offers nonstop flights to more than 80 destinations in Europe and Asia. The Riga International Airport is also utilised by major airlines such as Lufthansa, Finnair, Ryanair, Easyjet, Wizzair, etc. Since 2009, the airport has had a separate terminal for business passengers and their equipment (GAT – General Aviation Terminal). FBO RIGA GAT is the only terminal of its type in the Baltic States. It is in a building alongside a ramp and makes it possible to provide services that are needed in the world of business aviation. The services are at the same level as in London, Paris, Vienna, and Moscow, but for an incomparably lower price.

How Long Must I Remain in the United States Each Year?

Other wise the permanent residence status will be deemed to have abandoned.

What is the Difference Between "CONDITIONAL" and "UNCONDITIONAL" Green Cards?

Under the regulations, an investor who has been approved for the EB-5 immigrant visa receives a "conditional" green card, which will be reissued after two years, subject to removal of conditions. Otherwise, both the cards offer the same rights and privileges.

FAQ's

Must I Have Previous Business Experience or Education?

The investor is not required to have any prior business experience. Likewise, the investor is not required to demonstrate any minimum level of education. The only requirement for the investor is that he or she has the required net worth and capital.

Must I Speak English?

No, an investor should obtain the services of a translator (friend, attorney, family member) to read the materials and contact our office for more information.

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Must I Be in Good Health?

Yes. You must submit to and pass a health screening as part of the Consular review process before a conditional EB-5 Visa is granted.

What Is Meant by the Requirement That the Investor'S Assets Be "Lawfully Gained"?

Under USCIS regulations, the investor must demonstrate that his assets were gained in a lawful manner. This requires the investor to prove his investment funds were obtained through lawful business, salary, investments, property sales, inheritance, gift, loan, or other lawful means.

Can Money Gifted by a Parent or Other Relative Be Used for an EB-5 Investment?

Yes, provided that any applicable gift taxes are paid. It must be demonstrated that the gift is an actual arms length transaction and is not a mere ruse or that the gifted funds will be given back after permanent resident status is granted.

What Is the Difference Between "Conditional" and "Unconditional" Green Cards?

Under the regulations, an investor who files an I-526 petition with the USCIS is approved for the EB-5 immigrant visa receives a "conditional" Green Card. A "conditional" Green Card and a "unconditional" Green Card offers the same rights and privileges. A conditional Green Card is a temporary Green Card valid for two years. One year and nine months after it is issued, a three-month window opens up during which an individual must file another application (the I-829) with the USCIS to verify that all of the funds have been invested and the required employment has been created. When the conditional resident status has been lifted, full resident status is granted and a permanent Green Card is issued.

If My I-526 Petition Is Approved By Uscis, What Is The Purpose Of The Consulate Application And Interview, And How Soon Do I Get My "Green Card"?

Upon approval of I-526 Petition, you must wait for notification from the United States Consulate in your home country to prepare documents for the Visa interview. The purpose of this procedure is to ensure that the investor and his or her family undergo medical, police, security and immigration history checks before the conditional permanent resident visas are issued. If the investor and his or her family are in the United States, then you may apply for adjustment of status by filing form I-485, and supporting documents, the application may be filed at the appropriate office of the USCIS.

Can I Apply If I Have Been Rejected Or Terminated In The Past By Uscis For An L-1, E-2, B, Or Other Visa?

Rejection in the past does not disqualify the applicant, unless the reasons are related to immigration fraud or other major problems. It is most important that all criminal, medical, or United States immigration history problems be disclosed to the limited partnership and legal counsel in advance of application.

After Petition Approval, Can Members of the Family Interview in Different Countries?

Family members can interview in different countries. The country of origin or where the family has current ties is the standard interview site. Often one member of the family is located in another country, such as a student attending school in the United States. The student does not have to return to the country of origin and can adjust status in the United States at the district office of the USCIS.

Who Receives the Permanent Residency ("Green Card")?

It is possible for adopted children to be included in the family. Upon approval you will receive a form evidencing approval and a travel document. You should also receive a temporary Green Card in the mail.

What Issue Causes the Most Problems When Applying for an EB-5 Visa?

The most common problem area has been insufficient documentation of the source of funds. Many people try to disclose the least possible information only to have the file returned with a request for further information. It is better to provide too much information rather than too little information. In this era of terror alerts, and suspicions about money laundering, USCIS case examiners require a well-documented source of funds.

What Is the Difference Between Permanent Residency and Citizenship?

Once you obtain a Green Card, and become a legal permanent resident, you have most of the rights and obligations of United States citizens, except that you cannot vote and are not entitled to some public benefits. You are subject to the same tax filing requirements and entitled to the same tax rates and deductions as United States citizens. Your "Green Card" is your most important travel and identification document. When your Green Card arrives, please look at it carefully. You may need to extend it in ten years. If you need to replace it before then because it is lost, stolen or dilapidated, you may file a form with the USCIS. One of the most important rights legal permanent residents possess is the right to obtain United States citizenship after five years. There are two ways to become a United States citizen. One is by being born in the United States or being born to a United States citizen. The other way is by naturalization. The first step in becoming a United States citizen through naturalization is to become a Legal Permanent Resident (LPR). Being an LPR for five years is one of the basic requirements for qualifying for naturalization. A second requirement is being physically present in the United States for thirty months during the five years prior to the naturalization application. Once becoming a United States citizen, an individual is entitled to benefits including the right to vote and hold public office.

Can My Green Card Be Taken Away from Me?

Once you receive a Green Card, there are only two conditions required to keep it for life. First, you must not become removable or inadmissible. The most common way of doing this is to be convicted of a serious crime. The second requirement is that you not abandon the United States as your permanent residence. As long as you are not planning to make your home somewhere else, then legally you are still a resident of the United States. As a general rule, if you have a Green Card and leave the United States for more than one year, you may have a difficult time reentering the country. That is because the USCIS feels an absence of longer than one year indicates a possible abandonment of United States residence. To avoid a full-scale inspection, you should return within six months. It is a common misconception that to keep your Green Card all you need to do is enter the United States at least once a year. The fact is that if you ever leave with the intention of making some other country your permanent home, you give up your United States residency when you go. The USCIS will look to your behavior for signals that your real place of residence is not the United States. On the other hand, remaining outside the United States for more than one year does not mean you have automatically given up your Green Card. If your absence was intended from the start to be only temporary, you may still keep your permanent resident status. However, you may no longer use your Green Card as a United States

entry document. You must either apply at a United States consulate for a special immigrant visa as a returning resident or you must get what is known as a reentry permit.

I Have A Green Card And Plan On Traveling Out Of The United States For A Long Time. Can I Keep My Green Card?

Maybe. The primary rule surrounding Green Cards is that you lose it if you give up your United States residence. The more common criterion, though, is time based. There are three important time limits to know about:

If you are absent for less than six months, you will rarely have a problem. It is up to the USCIS to prove that you abandoned your residency. Absent that, you are considered to never really have left.

If you are absent for more than six months but less than a year, the burden of proof reverses. It becomes your job to prove that you are still a permanent resident. This is based on the concept that after six months, you have to be readmitted and have to prove that you are still admissible. As a side note, after an absence of more than six months, the various criteria for admissibility apply again, too. For instance, if you in the meantime had become inadmissible, say through an HIV infection, you might have a problem.

If you are absent for more than a year, your Green Card will be considered almost automatically abandoned. Once that happens, there is usually no recourse. However, if by chance the immigration officer did not ask you how long you have been out of the United States when you return, then you may be in luck and able to keep your Green Card after all. You should in this case not leave the United States for a very long time, and make it your bona fide residence again.

I Need to Travel Out of the United States for More Than a Year. Is There Nothing I Can Do?

You can apply for a reentry permit (on form I-131) before you leave the United States. You can depart before the reentry permit is approved. With such a reentry permit, you can return to the United States even after one year until the reentry permit's expiration date. Reentry permits are issued for two years. You cannot renew a reentry permit, but you can return to the United States for a short time and apply for a new one. The second such reentry permit will be granted for two years also, but subsequent ones may only be approved for one year at a time.

How Long Is a Green Card Valid For?

There are several answers to this question. If you received your Green Card through marriage, and have not been married for two years when you got your Green Card, you should have a conditional Green Card that is good for two years. You must apply for removal of the condition within ninety days before the two years are up. Once that is approved, you have a regular unconditional Green Card. If you apply either too early or too late, you have a problem and should consult with an attorney for advice. If you do not have the condition removed, the Green Card will become invalid at the end of two years, and your permanent resident status will be terminated. Unconditional Green Cards are good for ten years. This does not mean that after ten years, you stop being a legal permanent resident - only the card itself becomes invalid. You must apply for a new one using form I-90. Without a current Green Card, you cannot use the Green Card to travel out of the United States, and you also cannot use the Green Card as evidence that you are permitted to work.

How Long Must I Remain in the United States Each Year?

The investor must then establish residency in the United States. Evidence of intent to reside includes opening bank accounts, obtaining a driver's license or social security number, paying state and federal income taxes, renting or buying a home. The United States resident may work overseas if required based upon the nature of the business or profession. For those permanent residents living outside the United States, we suggest the investor and family re-enter the United States no less than once every six months. The longer the investor and family are present in the United States, the less likely the government is to claim that the investor "abandoned" the United States as a permanent residence - thereby endangering his Green Card status. In some cases, investors may seek the issuance of a "reentry permit" which allows the Investor permission to remain outside the United States for as long as two years without having to reenter the country to maintain permanent resident status.

Who May Receive the Permanent Residency ("Green Card")?

It is also possible for adopted children to be included in the family.

How Long Does It Take for Me and My Family to Receive the "Green Card"?

The average processing time for clients of the EB-5 Program can take up to a year or possibly longer. Under Exemplar status the initial application and petition are usually approved in four to six months, with the balance of the time being required for completing other United States Citizenship and Immigration Service (USCIS) and Department of State forms and for scheduling the interview.

How Long Does Uscis Take to Process My Visa Petition?

Processing times vary from as little as a few weeks to as much as nine months. We cannot predict or promise a particular processing time. You should plan for the entire process to take approximately one year to one and a half years. Under Exemplar status this will be shorter.

What Are the Obligations of the Investor to Participate in the Investment?

The investor must be "active" in the management of the investment by engaging in the management of the new commercial enterprise, either through day-to-day managerial control or through policy formation. However, the law does specifically allow that an investor will qualify as a "limited partner" as defined in the Revised Uniform Limited Partnership Act. The project meets all the regulation requirements by enrolling the investor in the investment as a limited partner. This role allows the investor to continue to engage in his own business without needing to participate in the investment operations. Additionally, this allows the investor to live where he pleases, and gives him the option to enter and exit the United States without any obligation to manage the investment. Most importantly, the limited partner, like the corporate shareholder, is only liable to the enterprise to the extent of the agreed-upon investment.

XIPHIAS-GCRR uses this business structure to protect the investor.

EB5 Investment Visa

Is settling and moving to the USA one of your long-hoped-for dreams? The EB-5 Investor visa program is one of the most popular ways for high-net-worth individuals to obtain their Green Card.

The EB-5 investor Visa program has been one of the most efficient and quickest methods to accomplish your ambition of settling in the USA. All you need is some disposable funds and patience. Then you are good to go!

In this short read, we will give you all the information to help you and your family get that Green Card.

Business Investment Visa USA

Obtaining permanent residency in the USA isn't a piece of cake. But there are a plethora of Government-approved ways to acquire yours! The Business Investment Visa USA is one of those.

The United States Citizenship and Immigration Services (USCIS) currently runs it. Individuals with a high net worth can invest in a business independently or through Regional Center companies operating in the Targeted Employment Areas.

Statistically, investments through Regional Centers are preferred by the majority of the Investors participating in the Business Investment Immigration Visa Program. These investments have been an economic boon to rural areas, urban areas with high unemployment rates, etc.

the 3 basic requirements to qualify for the EB-5 program

EB 5 Investment Visa Program Requirements, Eligibility and Cost

For any individual with enough funds to spare, the biggest requirement is the investment part itself. There are no basic eligibility restrictions under this Visa. Investors must invest in:

- For the investment to be approved, NO RETURNS or REPAYMENTS can be guaranteed, and the investor must proceed at their own risk.

EB5 investor visa application process

Now that you are aware of the funds, we can highlight the process. The EB5 investor visa application process requires these few steps as set by the USCIS.

- File Form I-526, Immigrant Petition by Standalone Investor, or Form I-526E, Immigrant Petition by Regional Center Investor.
- If the immigrant visa is immediately available to you, you may file the Form I-485 application to Register Permanent Residence or Adjust Status, together with your Form I-526 or Form I-526E, while they are pending, or after they are approved.
- For the investment to be approved, NO RETURNS or REPAYMENTS can be guaranteed, and the investor must proceed at their own risk.
- File DS-260, Application for Immigrant Visa and Alien Registration, with the U.S. Department of State to obtain an EB-5 visa abroad to seek admission to the United States.
- Or if you did not already file Form I-485 before Form I-526 or Form I-526E approval) to adjust your status to a conditional permanent resident within the United States.
- Once the Form I-485 application is approved or upon admission into the United States with an EB-5 immigrant visa, you will be granted conditional permanent residence to the EB-5 investor and derivative family members for two years.
- If USCIS approves this petition, the conditions from your lawful permanent resident status, along with the dependents included, will be removed.

Get in touch with the top EB5 Investor and Business Investment Visa Consultants in the USA from Dubai, UAE.

We, here at XIPHIAS Immigration, will provide you with top-notch guidance and facilities to ensure your application & approval process is as smooth as a cakewalk! We will do everything in our power to maximize your chances of gaining that Green Card. Not only that but we customize our plans for each client to fit the goals you entrusted us with.

XIPHIAS will be there for you at every step of your immigration journey, from the beginning of your petition process to your final settling in the USA. Our various awards, such as the "Fastest Growing Indian Company Excellence Award" and "Consultant of the Year", can vouch for that.

XIPHIAS Immigration offers another product defined and regulated by USA to encourage foreign direct investments in to the country who can provide for local employment there.

How the application works

- 1 **Select a TEA or Non-TEA investment project.**
- 2 **Prepare source-of-funds documentation and legal compliance paperwork.**
- 3 **Make the investment in the chosen project.**

- 4 **File Form I-526 for a standalone investment or Form I-526E for a regional centre investment.**
- 5 **Apply for conditional Green Card (Form I-485 or DS-260).**
- 6 **Maintain investment and fulfill 10-job creation requirement.**
- 7 **File Form I-829 to remove conditions and obtain permanent Green Card.**
- 8 **Apply for U.S. citizenship after holding permanent residency for 5 years.**

General requirements

- Investment of \$800,000 (TEA) or \$1,050,000 (Non-TEA) in qualifying U.S. enterprise.
- Creation of at least 10 full-time jobs for U.S. workers.
- Proof of lawful source of funds.
- Clean criminal record and background check clearance.
- Maintain investment for required holding period.

Questions clients ask

What is the minimum investment required for the EB-5 program?

Investors must contribute \$800,000 in a TEA or \$1,050,000 in a Non-TEA area.

Can my family be included in the application?

Yes. Your spouse and unmarried children under 21 years are eligible.

What is the difference between TEA and Non-TEA investments?

The reduced \$800,000 level applies to a targeted employment area (rural or high unemployment) or an infrastructure project; Non-TEA investments require \$1,050,000 in any U.S. location.

How long does the EB-5 process take?

It depends on the category. In the October 2026 Visa Bulletin the set-aside categories (rural, high unemployment, infrastructure) are Current for India, while the unreserved category sits at 1 December 2023, about 2 years 10 months behind. XIPHIAS's own observed average is about 24 months; USCIS processing times vary, and XIPHIAS confirms the current published time when your petition is filed.

When can I apply for permanent residency and citizenship?

You hold conditional permanent residence for 2 years and then file Form I-829 to remove the conditions. You can apply for US citizenship after 5 years as a permanent resident.

Official sources: US Department of State — Visa Bulletin for October 2026; US Department of State — treaty countries; Electronic Code of Federal Regulations — 8 CFR 204.5; Electronic Code of Federal Regulations — 8 CFR 106.2 (USCIS fee schedule); Federal Register — Proclamation 11069 extending the H-1B entry restriction.



NEXT STEP

Discuss your United States options with our Dubai team

Tell us about your profile, family and timeline. We will compare the United States routes that fit you, set out the full cost in writing and manage the application with you from start to finish.

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CREDENTIALS

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- Named Best Immigration Consultant by The Times of India in 2022.
- Canada files handled by a CICC-licensed Regulated Canadian Immigration Consultant, licence R516194.
- Australia files handled by a registered migration agent, MARA 1680615.

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