XIPHIAS Immigration

PROGRAMME BROCHURE



RESIDENCY BY INVESTMENT | UNITED STATES

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.

INVESTMENT FROM
USD 800,000

TIMELINE
24 months (XIPHIAS average)

FAMILY
Spouse, children up to age 21

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At a glance

COUNTRY **United States**	ROUTE **Residency by Investment**
MINIMUM INVESTMENT **USD 800,000**	TIMELINE **24 months (XIPHIAS average)**
FAMILY MEMBERS **Spouse, children up to age 21**	LAST UPDATED **1 October 2026**

Overview

The **USA EB-5 TEA Investment route** provides a path to U.S. residency and Green Card through a lower investment of **$800,000** in a Targeted Employment Area. This route allows location-specific projects, often via Regional Centers, and promotes job creation in rural or high-unemployment regions.

Investment Overview

- **Minimum Investment:** $800,000
- **Type:** Investment in a TEA project (Regional Center or Direct)
- **Requirement:** Create at least **10 full-time jobs**
- **Risk:** Investment must remain "at risk" with no guaranteed returns

Comparison Between Investment Options

Feature	TEA Investment ($800,000)	Non-TEA Investment ($1,050,000)
Minimum Investment	**$800,000**	**$1,050,000**
Eligible Locations	Rural, high-unemployment or infrastructure project	Any U.S. location
Risk Level	Moderate, location-limited	Higher capital exposure
Job Creation Requirement	10 full-time jobs	10 full-time jobs
Involvement	Regional Center or Direct	Regional Center or Direct

Why EB-5 is different for Indian applicants right now

Every other employment-based green card puts an Indian national in a queue. EB-5 set-asides do not.

From the **October 2026 Visa Bulletin**:

Category	India final action date	Wait
EB-5 rural (20% set-aside)	**Current**	**None**
EB-5 high unemployment (10% set-aside)	**Current**	**None**
EB-5 infrastructure (2% set-aside)	**Current**	**None**
EB-5 unreserved	01 Dec 2023	2 years 10 months
EB-2 (for comparison)	01 Nov 2013	**12 years 11 months**
EB-3 (for comparison)	01 Jan 2014	**12 years 9 months**

Because a visa is immediately available in the set-aside categories, Indian applicants already lawfully in the United States can **file Form I-485 concurrently** with the I-526E, under INA section 245(n) as amended by the Reform and Integrity Act. That is the single strongest feature of this route and it exists only while the set-aside stays current.

The two investment levels

Route	Minimum investment	Jobs
Targeted Employment Area, rural, or infrastructure project	**USD 800,000**	10 full-time
Standard (non-TEA)	**USD 1,050,000**	10 full-time

The codified regulation at 8 CFR 204.6 still shows USD 1,800,000 and USD 900,000. Those are the **vacated 2019 figures**; the regulation was not updated after the 2022 Act, and the operative amounts are the statutory ones above.

Filing fees drop at the end of November 2026

A final rule published **30 September 2026** takes effect about **29 November 2026**:

Form	Now	From about 29 Nov 2026
I-526E initial	USD 11,160	**USD 7,850**
I-526	USD 11,160	**USD 7,615**
I-829	USD 9,525	**USD 5,000**

An EB-5 Integrity Fund fee of **USD 1,000 per I-526E** applies on top. Premium processing is **not available** for any EB-5 form.

If your filing is not urgent, waiting until after 29 November 2026 saves roughly USD 3,300 on the I-526E. We will tell you when that trade-off is worth it and when it is not.

What to watch

- The 2022 Act provides for **periodic inflation adjustment** of the USD 800,000 and USD 1,050,000 thresholds. An increase would be material, so XIPHIAS confirms the threshold in force before you invest.
- A DHS **proposed rule of 2 July 2026** would add promoter registration, a revocable living trust requirement, remove repaid bridge financing as job-creation evidence, and create a penalties and debarment regime. It is **not yet in force**.
- Set-aside categories are current **today**. They are a quota, and quotas fill.

Key benefits

- Residency in the U.S. through TEA investment
- Pathway to permanent Green Card and citizenship
- Self-petition route – no employer sponsorship required
- Children under 21 study as US permanent residents, eligible for in-state tuition under each state's residency rules
- Freedom to live, work, and operate a business anywhere in the U.S.

Requirements

- Investment of $800,000 in a qualifying TEA, rural or infrastructure project
- Creation of at least 10 full-time jobs for U.S. workers
- Proof of legal source of funds
- Keep the investment at risk for the sustainment period required by the EB-5 Reform and Integrity Act of 2022

When this route may not fit

- Applicants with criminal background or fraud records
- Undocumented or unlawful sources of funds
- Failure to meet minimum investment or job creation requirements

Funds to show

Requirement	Amount	Notes
Lawful Source of Funds	USD 800,000	Provide audited documents, business income, inheritance, or property sale records

How the process works

1. **Consultation & Project Selection**
   Assess your profile and select a qualifying TEA, rural or infrastructure project with an immigration attorney

2. **Prepare Source-of-Funds Documentation**
   Gather audited documents, business records, inheritance, or property sale records
3. **Invest USD 800,000**
   Place the capital, at risk, in the new commercial enterprise of the chosen project (regional centre or direct)
4. **File Form I-526E or I-526 with USCIS**
   I-526E for a regional centre investment, I-526 for a standalone investment. While the set-asides are current for India, applicants lawfully in the US can file Form I-485 at the same time
5. **Conditional Green Card**
   Apply via Form I-485 or DS-260; receive a 2-year conditional Green Card
6. **Maintain investment & create 10 jobs**
   Keep the investment at risk and meet the 10 full-time job requirement
7. **File Form I-829 to remove conditions**
   File before the 2-year conditional Green Card expires, with evidence of the investment and job creation
8. **Apply for Citizenship**
   Eligible for U.S. citizenship after 5 years with permanent residency

Document checklist

Identity Documents

- Passport copies
- Birth certificates
- Marriage certificate if applicable

Financial Documents

- Bank statements
- Business ownership documents
- Property sale deeds
- Inheritance papers

Compliance Documents

- Police clearance certificate
- Medical examination reports

Questions clients ask

What is the minimum TEA investment for EB-5?

The required investment is $800,000 in a targeted employment area (rural or high unemployment) or an infrastructure project.

How many jobs must be created?

At least 10 full-time jobs for qualified U.S. workers.

Can family members be included?

Yes, your spouse and unmarried children under 21 are included in the application.

Is the investment refundable?

No, the investment is at risk and subject to project performance.

How long is the conditional Green Card valid?

2 years, after which conditions can be removed upon proof of job creation.

Can I apply for citizenship after EB-5?

Yes, after holding a Green Card for 5 years.

Important notes

- The set-aside categories are current for India today. They are a capped quota — rural 20%, high unemployment 10%, infrastructure 2% of roughly 9,940 annual EB-5 visas — and a quota that is current can stop being current.
- The unreserved EB-5 category is a different proposition: India sits at 1 December 2023, a wait of about 2 years 10 months. Make sure you know which category your project qualifies for before you invest.
- Capital must be genuinely at risk. There is no guaranteed return and no guaranteed repayment, whatever a project's marketing says.
- USCIS processing times for Form I-526E vary and change frequently; XIPHIAS confirms the current published time when your petition is filed.
- Premium processing is not available for any EB-5 form.

Compliance

- Minimum investment USD 800,000 for a targeted employment area, rural project or infrastructure project, creating 10 full-time jobs for qualifying employees.
- Set-asides under the EB-5 Reform and Integrity Act of 2022: rural 20%, high unemployment 10%, infrastructure 2%.
- Concurrent filing of Form I-485 with the I-526E is available where a visa is immediately available — which, for India in all three set-aside categories, is the case as at the October 2026 Visa Bulletin.
- Priority date retention and good-faith investor protections apply under INA section 203(b)(5)(M) if a regional centre is terminated or an entity is debarred.
- Filing fees fall from about 29 November 2026: I-526E initial from USD 11,160 to USD 7,850, I-829 from USD 9,525 to USD 5,000. An EB-5 Integrity Fund fee of USD 1,000 per I-526E applies separately.
- The investment thresholds are statutory. The figures still printed in 8 CFR 204.6 (USD 1,800,000 and USD 900,000) are the vacated 2019 amounts and do not apply.

Official sources: US Department of State — Visa Bulletin for October 2026; Federal Register — EB-5 Reform and Integrity Act of 2022 implementation (2 July 2026, proposed); Federal Register — EB-5 fee rule (published 30 September 2026, effective about 29 November 2026); Electronic Code of Federal Regulations — 8 CFR 106.2 (USCIS fee schedule).



XIPHIAS Immigration

NEXT STEP

Plan your United States application with our Dubai team

Tell us about your profile, family and timeline. We will confirm whether **EB-5 Targeted Employment Area — USD 800,000 for a US Green Card** fits, set out the full cost in writing and manage the application with you from start to finish.

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CREDENTIALS

- Advising clients on global mobility since 2009; XIPHIAS Immigration DMCC in Dubai since 2017.
- 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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