

United States of America

EB-5 Investor Program

Fragomen's Worldwide Private Client Practice helps high net worth individuals, their families and their advisors navigate the legal complexities of immigration requirements related to investment and entrepreneurial opportunities in the United States of America.



BASIC QUALIFYING REQUIREMENTS

- Applicants must be an accredited investor.
- Applicants must be able to demonstrate that the funds derive from lawful sources and must be able to document such sources.
- The investment must create at least ten U.S. jobs, either directly or indirectly (most commonly through a 'Regional Center').



TIMELINE

- **Stage 1:** I-526 petition (currently two to three years)
- **Stage 2:** Adjustment of Status or consular processing/ visa processing (currently eight to ten months)
- **Stage 3:** I-829 Removal of Conditions on Residence (currently two years)
- Approximately three years to obtain permanent residence
- Citizenship obtained five years from the initial green card issuance



INVESTMENT REQUIREMENTS

Applicants must invest USD 900,000 (if the investment is made in a rural area or an area with high unemployment, i.e., Regional Center Program); otherwise USD 1,800,000



RESIDENCE REQUIREMENTS

- Must reside in the U.S. for approximately 180 days per year once a permanent resident
- If a Permanent Resident intends to reside overseas, or spend longer periods of time (i.e., more than six months) overseas, they should consult with a Fragomen professional to file a Re-Entry Permit (i.e., a document to protect permanent resident status while living abroad).



LANGUAGE REQUIREMENTS

- No language requirement



FAMILY MEMBERS

- Spouses (i.e., married partners) and children under 21 years may be attached to the application.
- Family members may work, study and travel as permanent residents once they hold green cards.
- We recommend discussing with a Fragomen advisor if the children are older than 17 years to discuss options and potential challenges.



RED FLAGS

- Green card holders and U.S. citizens become liable to taxation of worldwide income.
- Applicants sometimes encounter difficulties documenting the source of funds, particularly from sources overseas.
- Our on-the-ground local Fragomen teams can provide support to help source documents from overseas. In addition, we can provide local guidance on financial remittance issues for remitting investment funds to the United States.



MULTIPLE CITIZENSHIP

Multiple citizenship is permitted under U.S. immigration and nationality law.



FRAGOMEN SERVICES

Fragomen can offer full-service support, including:

- Strategic advice on jurisdiction and visa programme
- Managing the application and relocation process
- Preparation of all immigration applications and representation to the authorities, including tactical advice on optimising your submission
- Document procurement
- General counsel throughout the entire process

FRAGOMEN

Private Client Practice

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