



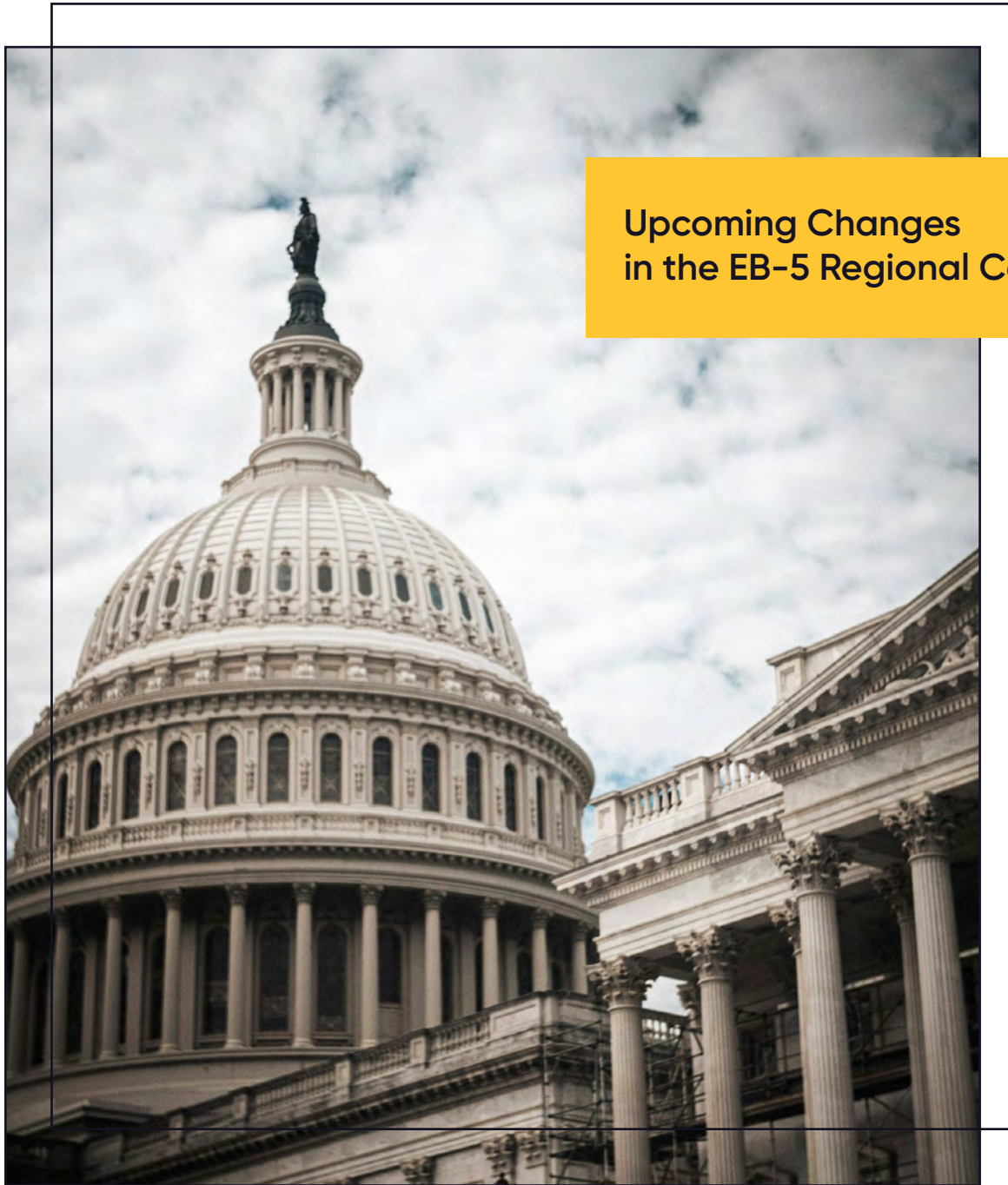
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EB-5 INVESTMENT FUND

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## Upcoming Changes in the EB-5 Regional Center Program

**EB-5 REGIONAL CENTER PROGRAM  
CHANGES IN 2026-2027:  
THE GRANDFATHERING DEADLINE AND MORE**

# WHAT IS AN EB-5 VISA?

Direct Path to a U.S. Green Card for the Investor and Qualifying Dependents



Requirement:  
Creation of at least 10 new American jobs per investor.



\$800,000 Investment Locked in the Project for 3-5 Years\*



Funds Should be Legally Sourced and Documented

\*The investment amount is subject to change based on USCIS regulations or future legislation affecting the EB-5 program.

## EB-5 Visa Advantages



Green Card for Investor, Spouse, and Unmarried Children Under 21



Live and Work Anywhere in the United States



Visa-Free Travel to 35+ Countries with Green Card, 180+ with U.S. Passport



Unrestricted Access to the World's Largest Consumer Market



Higher University Acceptance Rates



May Qualify for In-State Tuition



Broader Access to Grants/Aid Packages



Greater Work Opportunities Before and After Graduation



Freedom from Employment Sponsorship



Bypass the H-1B Visa Lottery No Visa Backlog



# WHAT DOES THE EB-5 GRANDFATHERING RULE MEAN?

In plain terms, grandfathering implies preserving legacy status. In EB-5 usage, it means allowing investors who properly file their petitions on or before September 30, 2026 to have their application processed under the rules in effect at the time of filing. Investors who file thereafter will be subject to updated laws, as reflected in the EB-5 Reform and Integrity Act of 2022 (RIA), as amended by Congress.

## WHAT THE GRANDFATHERING CLAUSE PROTECTS AGAINST

The grandfathering provision operates as a regulatory lock-in mechanism, protecting investors from adverse changes after filing. Investors who properly file their petition on or before September 30, 2026 are insulated from:

### PROGRAM LAPSE OR SUNSET

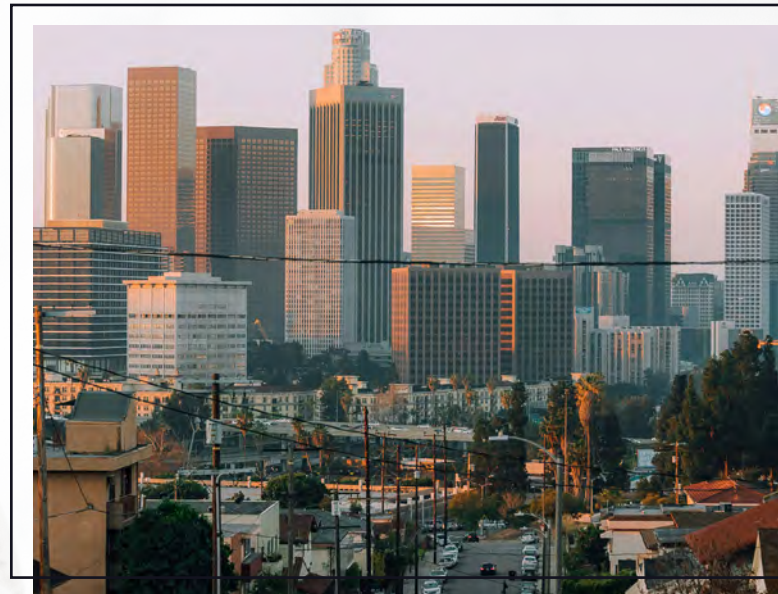


Investors with properly filed I-526E petitions will continue through the full immigration lifecycle based on their qualifying investment, even if the EB-5 Regional Center Program lapses or sunsets after September 30, 2027. In practical terms, if such investors meet the EB-5 and permanent residency eligibility requirements, their petitions will continue through the full adjudication lifecycle without disruption, including I-526E, adjustment of status or consular processing, and I-829 approvals.

### RE-CHARACTERIZATION OF TARGETED EMPLOYMENT AREAS (TEAs)



Any change in TEA definitions, whether an expansion or contraction, will not apply to grandfathered investors.



### CHANGES TO JOB CREATION REQUIREMENTS



Modifications to job creation rules, including shifts in economic modeling, indirect job methodologies, or minimum job thresholds, do not retroactively affect the timely filed petitions.

### INCREASES IN INVESTMENT AMOUNTS



A timely filed I-526E petition locks in the current TEA or Non-TEA investment amount.



# WHAT INVESTORS MUST DO TO SECURE GRANDFATHERING PROTECTION

To benefit from the grandfathering provision under the EB-5 Reform and Integrity Act of 2022 (RIA), investors must meet a clear execution threshold. This is not an automatic protection, it is earned through a timely and compliant filing.

SPECIFICALLY, INVESTORS MUST:



**File Form I-526E on or before September 30, 2026**



**Ensure the petition I-526E is "properly filed"**

This includes:

Complete and accurate petition submission

Correct government filing fees

Required supporting documentation

No material deficiencies that would lead to rejection at intake



**Make the qualifying investment**

Capital must be:

Fully committed to the project

Lawfully sourced and comprehensively documented

Invested in a Regional Center project that has submitted a Form I-956F, Application for Approval of an Investment in a Commercial Enterprise, on or before September 30, 2026, the grandfathering deadline

A rejected filing that is not properly refiled on or before September 30, 2026 does not qualify for grandfathering.



# WHY WAITING IS RISKY

Although the deadline is clear, the biggest risk is starting too late. Preparing an EB-5 petition is a complex process that requires time and coordination.

Source of funds preparation alone can take weeks or even months, especially when multiple sources are involved.



Law firms may reach capacity



EB-5 Regional Center projects may become fully subscribed



Processing bottlenecks may increase

On a technical level, EB-5 filings are extensive, often 2,000–3,000+ pages, and must be properly assembled and submitted without error. Filing at the last minute introduces an unnecessary risk.

**File Your I-526E by September 30, 2026 to Preserve Grandfathering Protection**



# STRICTER USCIS ADJUDICATION OF PARTIAL FUNDING PETITIONS

One of the most important trends today is that USCIS is no longer accepting incomplete or “skeleton” filings. Historically, investors could submit their I-526E petitions with partial funding, completing their investment over the course of several months, post-filing. Those who consider this route must proceed with caution.

All program rules, investment requirements, and grandfathering deadlines are subject to regulatory change and must be independently verified with qualified immigration and legal counsel prior to filing.

## Today, USCIS expects:



A fully documented source of funds for the entire investment, even if you use a partial funding strategy



Clear and traceable movement of capital



Minimal inconsistencies or commingling of funds

In many cases, USCIS is requesting documentation that goes beyond historical expectations, making it critical to prepare a complete and well-structured case from the start.



# EB-5 TIMELINE 2026-2027



Current Minimum  
Investment Amounts  
+  
Full Protection Under  
the Current Regional  
Center Program

- \$800,000 (TEA)/\$1,050,000 (Non-TEA)
- Full statutory protection (grandfathering)
- Lock-in of current investment amount
- Window of highest statutory certainty

**September 30, 2026**

**Grandfathering Deadline**

Current Minimum  
Investment Amounts  
+  
No Grandfathering  
Protection

- Investment amount remains \$800,000 (TEA)/\$1,050,000 (Non-TEA)
- Regional Center Program still active
- No guaranteed protection after September 30, 2026
- Transitional, lower certainty period

**January 1, 2027**

**Automatic Investment Increase**

Higher Minimum  
Investment Amount  
+  
No Grandfathering  
Protection

- Inflation-based adjustment (CPI-U)
- TEA: ~\$900K – \$937.5K projected
- Non-TEA: ~\$1.2M – \$1.25M projected
- Mandatory increase under current law

- Increased investment thresholds
- No statutory protection
- Regional Center Program still active
- Higher financial and regulatory adjudications risk

**September 30, 2027**

**Program Authorization Ends**

Potential Regional Center  
Program Lapse  
+  
No EB-5 Investment and  
Immigration Opportunity

- Current Regional Center Program authorization ends, unless extended
- Future rules depend on Congressional action
- Potential pause in EB-5 immigration pathway for new investors



# THE EB-5 VISA PROGRAM IS UNDERGOING A STRUCTURED TRANSITION:



Investor loses protections under the current Regional Center Program after September 30, 2026



Increase in minimum required investment amount starting January 1, 2027



Current Regional Center Program authorization ends after September 30, 2027, unless extended

## IF YOU ARE CONSIDERING THE EB-5 REGIONAL CENTER PROGRAM

1

Evaluate your individual timeline

2

Retain an immigration attorney

3

Prepare the source and path of funds structure

4

Conduct regional center due diligence and invest in an EB-5 project

5

Submit I-526E petition on or before September 30, 2026 to secure protection under the grandfathering provision\*



\*All program rules, investment requirements, and grandfathering deadlines are subject to regulatory change and must be independently verified with qualified immigration and legal counsel prior to filing.



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