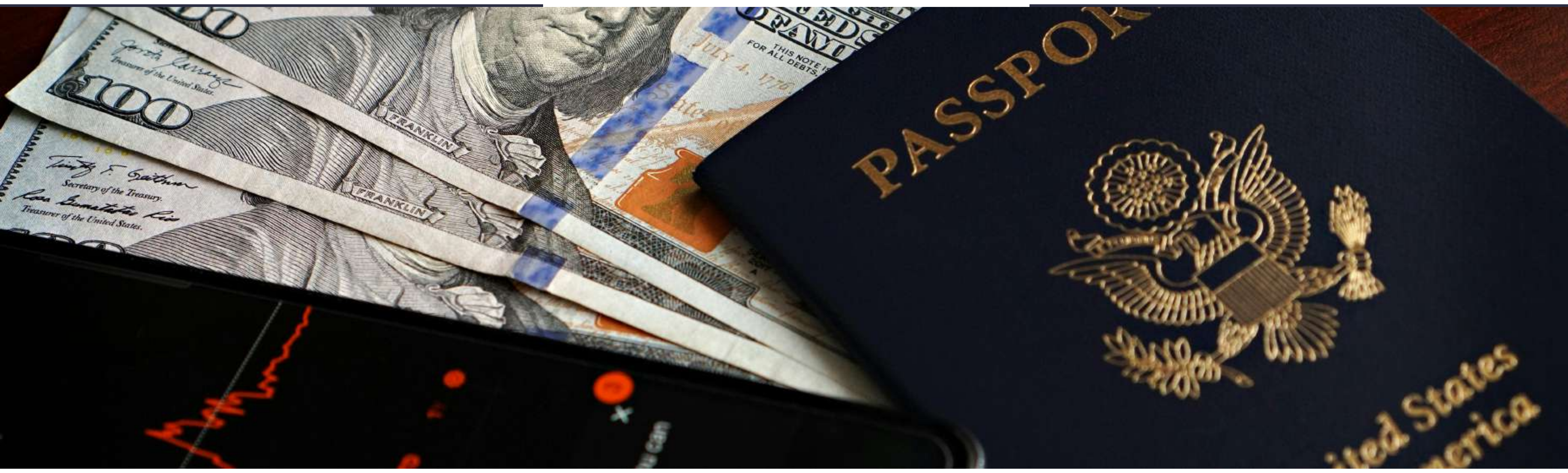


The September 2026 Deadline Every Indian Family With US Ambitions Should Know About

Vedant Vichare, CFP

The H-1B lottery now rejects 80% of applicants. Brilliant graduates with elite US job offers are being sent home, not because they failed, but because a random draw said no.

For families watching this happen, there is one structured alternative that replaces lottery luck with a capital-backed pathway to a US green card. It is called the EB-5 program. And two deadlines in the next 18 months are about to make it significantly more expensive and less certain.

What EB-5 actually is

Stripped of the legal language, EB-5 is a straightforward exchange: an international family invests $800,000 into a US commercial project, typically managed by an entity called a regional center, and that capital must create at least 10 American jobs. In return, the family receives a pathway to permanent US residency.

The capital is not a donation. It is returned to the investor after roughly five years. The financial yield is nominal, around 1% annually, because the program is designed for immigration benefits, not investment returns.

Current projects through LCR Capital Partners include The Tower at Convergence, a development in Oklahoma City backed by a $55.2M EB-5 fund.

Sherman Baldwin, CEO of LCR Capital Partners, says many Indian families arrive at EB-5 only after repeated H-1B failures. “We have many clients who've tried one, two, three years for the H-1B Lottery have not been successful there, and then they realized that EB-5 is a more certain path to a green card”.

The two deadlines that matter

September 30, 2026 : The grandfathering cliff Right now, current law allows applicants filing before September 30, 2026 to retain grandfathering protections even if future rules change.

After September 30, 2026, that protection expires. New applicants will have no such guarantee if policy shifts mid-process.

January 1, 2027 : The price increase The minimum investment is slated to rise from $800,000 to approximately $940,000. That is a $140,000 increase for waiting.

Together, these two deadlines mean that applying after late 2026 costs more and offers less protection. The decision window is narrowing.

The rural route most people overlook

Not all EB-5 investments move at the same speed. Since 2022, the US government has prioritized capital flowing into rural development projects. Rural EB-5 applications are now being approved in under six months. Standard urban projects, called Targeted Employment Area or TEA projects, typically take 18 to 24 months.

For families where speed matters, particularly those with a child on an expiring F-1 student visa, this distinction is often the deciding factor. The concurrent filing advantage for US-based applicants

If an applicant is already in the United States on a visa such as an F-1, they can use a mechanism called concurrent filing to adjust their status while the broader green card application is processed.

This frequently yields a work and travel authorization document within four to six months, granting immediate professional freedom without waiting years for the full process to complete.

This is why roughly 70% of Indian families using this program are not applying for themselves. They are sponsoring a son or daughter already studying or working in the US.

What this is not

This is not an investment in the financial sense most families are used to. The capital must remain “at risk” by law. There are no guaranteed returns. It is not comparable to an index fund or a fixed deposit. If a regional center project fails, capital recovery is not assured.

Families therefore spend significant time evaluating the credibility of the regional center, job creation assumptions, and capital repayment structure.

As Baldwin candidly frames the financial reality: “The return to the investor is not a typical financial return. The return is really in the immigration benefit, so people should not come into EB-5 looking for a strong financial return... it's really the opportunity cost of taking your money out of the market for that five years of time”.

The correct frame is this: you are allocating $800,000 of illiquid capital for five years in exchange for a lifetime of US mobility. The question every family must answer is whether that trade makes sense for their specific situation.

The Gold Card is not a like-for-like alternative

The Trump administration's proposed Gold Card has generated significant attention. It is structurally different in two important ways. First, it is not a returnable investment.

It is a non-refundable payment to the US Treasury. Second, it intends to use the EB-1 and EB-2 visa categories, which carry some of the longest backlogs in the US immigration system for Indian nationals. For most Indian families, the Gold Card offers a slower timeline at a non-recoverable cost.

Who this pathway is actually for

EB-5 is specific in its fit.

It is primarily used by affluent professionals, business families, and high-net-worth households who view $800,000 in illiquid, low-yield capital as an acceptable cost for intergenerational geographic flexibility, a permanent US option for their children that is not dependent on employer sponsorship, lottery outcomes, or shifting visa policy.

Note: This article is an excerpt from our 'How to Get a US Green Card Through Investment: EB-5 Complete Guide for Indians' podcast episode with LCR Capital Partners, which is available on YouTube. The episode was produced as a paid collaboration with LCR Capital Partners.

SEPT 2026 US DEADLINE WEALTHY INDIANS SHOULD KNOW

H-1B uncertainty is pushing affluent families toward capital-led residency pathways.

What is EB-5?

A capital-led pathway to US permanent residency.

- **$800,000** investment
- ↓
- Funds US job-creating project
- ↓
- Green Card eligibility for entire immediate family (spouse + children under 21)

Pros

- Direct residency pathway
- No employer dependency
- Work/travel authorization within months for some US-based applicants

Cons

- Capital remains at risk
- Returns are minimal
- Project execution risk remains critical

Cost & commitment

$800K Investment	**~5 years** Lock-in
~$120K+ Additional Fees (legal, admin fees)	**~1%** Expected Yield

Investor, spouse, and children under 21

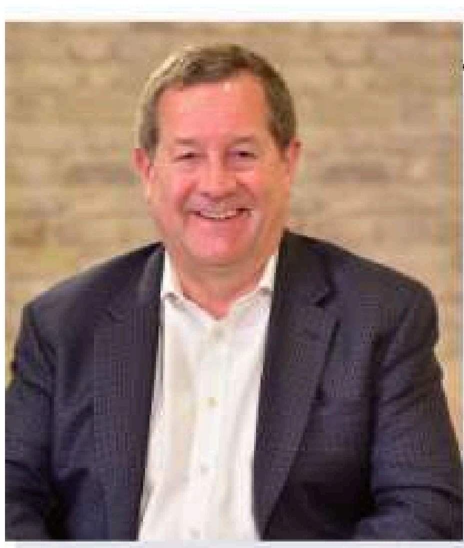
Why 2026 matters?

SEPT 26 **Grandfathering Deadline**
Applications filed before this date remain protected under current EB-5 rules.

After that, future applicants could face:

- Policy changes
- Higher investment thresholds
- Revised processing structures

Jan 1, 2027 $800,000 → Expected Investment Increase ~$940,000



Sherman Baldwin
CEO, LCR Capital Partners

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Rural EB-5: Underknown insight

A 2022 reform reserved 20% of EB-5 visas for rural US projects.

Why it matters:

- Priority processing
- Lower backlog pressure
- Significantly faster approvals in some cases

Some applicants are reportedly seeing movement in under 6 months.