

04:05 PM | 11 NOV

MARKET STATS

SENSEX

26,819 ▼ -698.86

NIFTY 50

8,296 ▼ -229.45

GOLD (MCX) (Rs/10g.)

29,605 ▲ 209.00

USD/INR

67.24 ▲ 0.61

CREATE
PORTFOLIODownload ET
MARKETS APPCHOOSE
LANGUAGE

ENG ▼

LIVE
TV

Tougher work visa norms may boost investment-linked immigration to US

By TNN | Updated: Nov 10, 2016, 05.12 PM IST

Post a Comment

MUMBAI: With [Donald Trump](#) in the Presidential seat, [work visa](#) programs (H visas) are expected to take a beating — with more stringent regulations. The spotlight, according to some [immigration](#) experts, will shift towards the EB-5-based US immigration visa, which is investment-linked.

At present, such visas issued to Indians remain in the three-digit figure, but with it probably being the easiest route to set foot on American soil, the number of applications could go up significantly.

Mark I Davies, global chairperson of Davies & Associates, a US immigrant investor visa firm, says, "Trump's win in the Presidential Elections will be beneficial for EB-5 visa applicants. While some of our clients have expressed concern with a Trump victory, we believed that their concerns will be short-lived, it will cause more Indians to apply for an EB-5-based US immigrant visa."



Such visas, issued to Indians remain in the three-digit figure, will see a rise if they remain the easiest route to set foot on American soil.

Trump has previously used the EB-5 visa program as a source of funding for some of his real estate projects. It was popular among Chinese investors. "Trump clearly appears to be open to high-net-worth investors coming to the US and receiving a green card in exchange for a qualifying investment through the EB-5 program," adds Davies.

There are two routes available, one is via direct investments, where the immigrant investor is required to set up his own enterprise in the US, with a minimum investment of \$500,000 in a targeted employment area (TEA) or rural area, or \$1 million in a non TEA. At least 10 US jobs (not including family members) have to be created within two years, else the investor loses his residential status. On the other hand, investment is also possible indirectly via regional centres, where the immigrant investor funds job creation — it is a more popular route.

Davies explains: "The EB-5 Regional Center program was extended until December 9, 2016. It has also been extended multiple times in the past and while no one knows how the US Congress will act in December, many view that it is likely to be extended further, till a more permanent EB-5 authorising legislation can be agreed. On the other hand, the Direct EB-5 Program does not expire and does not require extension, so absent a separate act being passed in the future, it will continue forever." The RBI currently permits overseas remittance of up to \$250,000 per individual per year.

While China once dominated, India is being regarded as the hot spot for attracting investments. Davies & Associates predicts the number of such visas to Indians to be around 130 during this year, and 175 next year. In the future years, the figure may spike, is a commonly held view.




"I don't think we will see much difference in EB-5 based system under Trump. If anything, we might see an increase in the threshold investment amounts required. The EB-5 program is also fraught with delays and inconsistencies," says Rajiv S Khanna, US-based immigration attorney at Immigration.com.

Khanna says for a business-based immigration plan, the first option has been to explore the L-1A and EB-1C route that require no minimum investment and wraps up the entire green card process within a year


"As to general immigration policy, if reasonable minds prevail, India should stand to gain, because over 40% of employment-based immigration is of the Indian origin. The influx is legal and, if considered to be good for the US economy, we are likely to fare better than under the previous regime. Especially under Trump, whose constituency is pro-business," sums up Khanna.


EB-5 route for students?


Parents who can afford it and whose children are studying in the US are opting for the EB-5 route. They can include their spouse and unmarried children below 21 years for the green card application. This enables the children to stay back in the US on expiry of their student visa and find jobs in a highly competitive environment.


Stay on top of business news with The Economic Times App. [Download it Now!](#)   


THE ECONOMIC TIMES



Live Market



News



Portfolio



Mobile



Live TV



Newsletter



Commodities


Speed


QnA


Blogs


Alerts


RSS

Other Times Group news sites

Times of India | इकोनॉमिक टाइम्स
दिल्ली-नोबल टाइम्स | Mumbai Mirror
Times Now | Indiatimes
नवभारत टाइम्स | महाराष्ट्र टाइम्स
दिल्ली-नोबल टाइम्स | Lifehacker
Gizmodo | Eisamay | IGN India
NavGujarat Samay

Living and entertainment

Timescity | iDiva | Zoom |
Luxpresso | Gaana | Happytrips |
Cricbuzz | Get Smartapp

Networking

itimes | MensXP.com

Hot on the Web

Sensex, Nifty Live Blog | Gold
Rate
US Presidential Elections Live
Updates | Festival Guide 2016
Google expected to unveil Pixel
smartphones | Live: India's
surgical strikes on PoK
RBI Rate Cut

Services

ads2book | Gadgetsnow | Free Business Listings
Simplymarry | Astrospeak | Timesjobs | Magicbricks | Zigwheels | Timesdeal |
dineout | Filmipop | Remit2India | Gaana | Greetzap | Techradar | Alivear |
Google Play

[About us](#) / [Advertise with us](#) / [Terms of Use & Grievance Redressal](#) / [Privacy Policy](#) / [Feedback](#) / [Sitemap](#) / [Code of Ethics](#) / [Disclaimer](#) Copyright © 2016 Bennett, Coleman & Co. Ltd. All rights reserved.