

EB-5 / ALREADY IN THE U.S.

EB-5 while you are in the U.S.

Concurrent filing, work permission and travel: understand which step gives you what.

THE OPPORTUNITY

Apply for work permission while EB-5 is pending.

Eligible applicants may file an adjustment application with, or while awaiting a decision on, their EB-5 petition. They may also request a separate work permit. Being in the U.S. alone is not enough.

A valid work permit can remove the need for H-1B sponsorship.

An adjustment-based EAD generally allows employment without employer sponsorship. It is a separate approval, with its own timing. Do not begin work on the strength of a filing receipt.

THREE DIFFERENT DOCUMENTS

01

I-526E

The regional center investor petition. It does not itself grant residence, work permission or travel permission.

02

I-485

The adjustment application. Eligibility and visa availability determine whether you can file.

03

I-765 / I-131

Separate requests for work permission and travel permission. Neither is automatic.

A major rule in EB-5 is that capital must be at risk. You can lose some or all of your investment. Immigration approval and investment repayment are not guaranteed.

YOUR NEXT STEP

Check the route before changing plans.

We stay your main point of contact and coordinate the eligibility review, documents and next steps with recommended attorneys.

- ☐ **Admission and status history**
  Prepare your I-94 and status records, including any employment or status issues and earlier applications.
- ☐ **Visa availability this month**
  Confirm the relevant category, country of chargeability, priority date and USCIS-permitted filing chart.
- ☐ **Current work or study permission**
  Keep track of expiry dates and existing conditions. A pending application is not an approved work permit.
- ☐ **Travel before approval**
  Discuss travel before booking. Leaving with a pending I-485 can abandon it unless an exception applies.
- ☐ **What if circumstances change?**
  Ask about delays, denials, status maintenance and what a change of job, study or travel plans would mean.

Separate decisions

Petition / residence / work / travel

Approval of one application does not automatically approve the others. We coordinate a plan for your circumstances; USCIS controls the decisions and processing times.

ADVISING EB-5 FAMILIES SINCE 2013

Check your concurrent-filing options.

Free consultation · Dubai & London

WhatsApp +971 58 553 6498
hello@residencyfirst.com

SCAN TO CHAT

Do not change status, stop maintaining an existing status or travel based on this summary. The effect of using an EAD or advance parole needs individual advice.

Regional center EB-5 guidance · Form I-526E. Individual advice required.
RFA DWC LLC · Dubai World Central Freezone · License 8474.