

**TABLE OF CHANGES – INSTRUCTIONS**  
**Form I-526, Immigrant Petition by Alien **Investor****  
**OMB Number: 1615-0026**  
**07/10/2019**

**Reason for Revision: Non-substantive 83C changes.**

- . Black font = Current text
- . Red font = Changes

Expires 04/30/2021  
Edition Date 04/15/2019

Current Page Number and Section	Current Text	Proposed Text
<b>Page 1,</b>  <b>Title</b>	<b>[Page 1]</b>  <b>Immigrant Petition by Alien Entrepreneur</b>	<b>[Page 1]</b>  <b>Immigrant Petition by Alien <b>Investor</b></b>
<b>Page 1,</b>  <b>What Is the Purpose of Form I-526?</b>	<b>[Page 1]</b>  <b>What Is the Purpose of Form I-526?</b>  The form is used by an entrepreneur to petition U.S. Citizenship and Immigration Services (USCIS) for status as an immigrant to the United States under section 203(b)(5) of the Immigration and Nationality Act (INA), as amended.	<b>[Page 1]</b>  <b>What Is the Purpose of Form I-526?</b>  The form is used by an <b>investor</b> to petition U.S. Citizenship and Immigration Services (USCIS) for status as an immigrant to the United States under section 203(b)(5) of the Immigration and Nationality Act (INA), as amended.
<b>Page 2-9,</b>  <b>Specific Instructions</b>	<b>[Page 2]</b>  <b>Specific Instructions</b> ...  <b>[Page 5]</b>  <b>Item Number 12. Total of All Debt Financing.</b> Indicate the total of all debt financing for which the entrepreneur is personally and primarily liable and which is secured by assets owned by the entrepreneur provided to the NCE. Any indebtedness must be documented with evidence of the entrepreneur's	<b>[Page 2]</b>  <b>Specific Instructions</b> ...  <b>[Page 5]</b>  <b>Item Number 12. Total of All Debt Financing.</b> Indicate the total of all debt financing for which the <b>investor</b> is personally and primarily liable and which is secured by assets owned by the <b>investor</b> provided to the NCE. Any indebtedness must be documented with evidence of the <b>investor's</b> ownership of the assets

	<p>ownership of the assets used to secure the indebtedness, as well as the fair market value of the entrepreneur's ownership interest in such assets.</p> <p>...</p> <p><b>[Page 6]</b></p> <p><b>Item Number 8. Troubled Business.</b> Indicate whether you have invested or are actively in the process of investing in a troubled business and, if yes, provide an explanation of how the NCE qualifies as a troubled business. Troubled business means a business that has been in existence for at least two years, has incurred a net loss for accounting purposes (determined on the basis of generally accepted accounting principles) during the twelve- or twenty-four month period prior to the priority date on the alien entrepreneur's Form I-526, and the loss for such period is at least equal to twenty percent of the troubled business's net worth prior to such loss. For purposes of determining whether or not the troubled business has been in existence for two years, successors in interest to the troubled business will be deemed to have been in existence for the same period of time as the business they succeeded.</p> <p>...</p> <p><b>Item Numbers 15.a. - 17.c. Multiple Investors.</b> If you are not the sole investor in the NCE, please list the name of any other person or entity (for example, a corporation, limited liability company, partnership, etc.) that holds a percentage of ownership of the NCE. For each party indicate the percentage of ownership, and whether or not the party, if a person obtained classification or is seeking classification, as an alien entrepreneur under INA section 203(b)(5) on the basis of his or her investment in this NCE.</p> <p>...</p> <p><b>Item Numbers 2. - 5. Name and Location of JCE.</b> Provide the full legal name of the job creating entity. Also, provide the U.S.</p>	<p>used to secure the indebtedness, as well as the fair market value of the investor's ownership interest in such assets.</p> <p>...</p> <p><b>[Page 6]</b></p> <p><b>Item Number 8. Troubled Business.</b> Indicate whether you have invested or are actively in the process of investing in a troubled business and, if yes, provide an explanation of how the NCE qualifies as a troubled business. Troubled business means a business that has been in existence for at least two years, has incurred a net loss for accounting purposes (determined on the basis of generally accepted accounting principles) during the twelve- or twenty-four month period prior to the priority date on the alien investor's Form I-526, and the loss for such period is at least equal to twenty percent of the troubled business's net worth prior to such loss. For purposes of determining whether or not the troubled business has been in existence for two years, successors in interest to the troubled business will be deemed to have been in existence for the same period of time as the business they succeeded.</p> <p>...</p> <p><b>Item Numbers 15.a. - 17.c. Multiple Investors.</b> If you are not the sole investor in the NCE, please list the name of any other person or entity (for example, a corporation, limited liability company, partnership, etc.) that holds a percentage of ownership of the NCE. For each party indicate the percentage of ownership, and whether or not the party, if a person, obtained classification or is seeking classification, as an alien investor under INA section 203(b)(5) on the basis of his or her investment in this NCE.</p> <p>...</p> <p><b>Item Numbers 2. - 5. Name and Location of JCE.</b> Provide the full legal name of the</p>
--	---	--

	address and contact information of the JCE, and the type of entity the JCE is organized as (for example, corporation, limited liability company, partnership).	<b>JCE.</b> Also, provide the U.S. address and contact information of the JCE, and the type of entity the JCE is organized as (for example, corporation, limited liability company, partnership).
<p><b>Pages 9-10,</b></p> <p><b>What Evidence Must You Submit?</b></p>	<p><b>[Page 9]</b></p> <p><b>What Evidence Must You Submit?</b></p> <p>...</p> <p><b>2. Targeted Employment Area.</b> Evidence, if applicable, that your enterprise has created or will create employment in a targeted employment area. A targeted employment area is defined as an area which, at the time of investment, is a rural area or an area that has experienced an average unemployment rate of at least 150 percent of the national average rate. A rural area is an area not within a metropolitan statistical area and not within the outer boundary of any city or town having a population of 20,000 or more.</p> <p>[new]</p>	<p><b>[Page 9]</b></p> <p>[No Change]</p> <p>...</p> <p><b>2. Targeted Employment Area.</b> Evidence, if applicable, that your enterprise has created or will create employment in a targeted employment area. A targeted employment area is defined as an area <b>that</b>, at the time of investment, is a rural area or <b>is designated as</b> an area that has experienced an average unemployment rate of at least 150 percent of the national average rate. A rural area is an area not within a metropolitan statistical area and not within the outer boundary of any city or town having a population of 20,000 or more.</p> <p><b>If the targeted employment area is rural, you must provide evidence that the new commercial enterprise is principally doing business within a civil jurisdiction not located within any metropolitan statistical area as designated by the Office of Management and Budget, nor within any city or town having a population of 20,000 or more as based on the most recent decennial census of the United States.</b></p> <p><b>If the targeted employment area is an area of high unemployment, you must provide either:</b></p> <p><b>A. Evidence the metropolitan statistical area, the specific county within a metropolitan statistical area, the county in which a city or town with a population of 20,000 or more is located, or the city or town with a population of 20,000 or more outside of a metropolitan statistical area, in which the new commercial enterprise is principally doing business has experienced an average unemployment rate of 150 percent of the national average rate; or</b></p> <p>[Page 10]</p>

	<p>[Page 10]</p> <p><b>3. Investment.</b> Evidence that you have invested or are actively in the process of investing the required amount of capital.</p> <p>Such evidence may include, but need not be limited to, copies of bank statements showing amounts deposited into the U.S. business accounts for the enterprise, evidence of assets that have been purchased for use in the enterprise, evidence of property transferred from abroad for use in the enterprise, evidence of monies transferred or committed to be transferred to the NCE in exchange for shares of stock that cannot be redeemed at the holder’s request, or any loan or mortgage agreement, promissory note, security agreement, or other evidence of borrowing that is secured by assets owned by the petitioner (other than those of the NCE) and for which the petitioner is personally and primarily liable.</p> <p>...</p> <p><b>6. Position and Responsibilities in Enterprise.</b> Evidence that you are or will be engaged in the management of the enterprise, either through the exercise of day-to-day managerial control or through policy formulation. Such evidence must include a statement of your position title and a complete description of your duties, evidence that you are a corporate officer or hold a seat on the board of directors; or, if the NCE is a partnership, either limited or general, evidence that you are engaged in either direct management or policy-making activities. If the petitioner is a limited</p>	<p><b>B. A description of the boundaries and the unemployment statistics for the area for which designation is sought as set forth in 8 CFR 204.6(i), and the reliable method or methods by which the unemployment statistics were obtained.</b></p> <p><b>3. Investment.</b> Evidence that you have invested or are actively in the process of investing the required amount of capital.</p> <p>Such evidence may include, but need not be limited to, copies of bank statements showing amounts deposited into the U.S. business accounts for the enterprise, evidence of assets that have been purchased for use in the enterprise, evidence of property transferred from abroad for use in the enterprise (<b>including U.S. Customs and Border Protection commercial entry documents, bills of lading, and transit insurance policies containing ownership information and sufficient information to identify the property and to indicate the fair market value of such property</b>), evidence of monies transferred or committed to be transferred to the NCE in exchange for shares of stock that cannot be redeemed at the holder’s request, or any loan or mortgage agreement, promissory note, security agreement, or other evidence of borrowing that is secured by assets owned by the petitioner (other than those of the NCE) and for which the petitioner is personally and primarily liable.</p> <p>...</p> <p><b>6. Position and Responsibilities in Enterprise.</b> Evidence that you are or will be engaged in the management of the enterprise, either through the exercise of day-to-day managerial control or through policy formulation. Such evidence must include a statement of your position title and a complete description of your duties, evidence that you are a corporate officer or hold a seat on the board of directors, <b>or</b> evidence that you are engaged in policy-making activities. <b>You will be considered sufficiently engaged in policy-making activities if you are an equity holder in the</b></p>
--	--	---

	<p>partner of a limited partnership and the limited partnership agreement provides the petitioner with certain rights, powers, and duties normally granted to limited partners under the Uniform Limited Partnership Act, the petitioner will be considered sufficiently engaged in the management of the NCE.</p>	<p><b>new commercial enterprise and the organizational documents of the new commercial enterprise provide you with certain rights, powers, and duties normally granted to equity holders of the new commercial enterprise’s type of entity in the jurisdiction in which the new commercial enterprise is organized.</b></p>
<p><b>Page 13,</b> <b>USCIS Privacy Act Statement</b></p>	<p><b>[Page 13]</b> <b>USCIS Privacy Act Statement</b></p> <p><b>AUTHORITIES:</b> The information requested on this petition, and the associated evidence, is collected under Immigration and Nationality Act (INA) sections 103 and 203(b)(5) and 8 CFR parts 103 and 204.6.</p> <p><b>PURPOSE:</b> The primary purpose for providing the requested information on this petition, and the associated evidence, is to demonstrate that you have invested, or are actively in the process of investing, lawfully obtained capital in a new commercial enterprise in the United States that will create full-time jobs for not fewer than ten qualifying employees. DHS will use the information you provide to grant or deny the immigration benefit you are seeking.</p> <p><b>DISCLOSURE:</b> The information you provide is voluntary. However, failure to provide the requested information, including your Social Security number (if applicable), and any requested evidence, may delay a final decision or result in denial of your petition.</p> <p><b>ROUTINE USES:</b> DHS may shares the information you provide on this petition and any additional requested evidence with other Federal, state, local, and foreign government agencies and authorized organizations. DHS follows approved routine uses described in the associated published system of records notices [DHS/USCIS-001 - Alien File, Index, and National File Tracking System of Records and DHS/USCIS-007 - Benefits</p>	<p><b>[Page 13]</b> <b>DHS Privacy Notice</b></p> <p><b>AUTHORITIES:</b> The information requested on this petition, and the associated evidence, is collected under Immigration and Nationality Act (INA) sections 103 and 203(b)(5) <b>and Title 8 of the Code of Federal Regulations parts 103 and 204.6.</b></p> <p>[no change]</p> <p><b>ROUTINE USES:</b> DHS may <b>share</b> the information you provide on this petition and any additional requested evidence with other Federal, state, local, and foreign government agencies and authorized organizations. DHS follows approved routine uses described in the associated published system of records notices [DHS-USCIS-001 - Alien File, Index, and National File Tracking System of Records and DHS-USCIS-</p>

	<p>Information System] and the published privacy impact assessments [DHS/USCIS/PIA-003 Integrated Digitization Document Management Program and DHS/USCIS/PIA-016(a) Computer Linked Application Information Management System and Associated Systems], which you can find at <a href="http://www.dhs.gov/privacy">www.dhs.gov/privacy</a>. DHS may also share the information, as appropriate, for law enforcement purposes or in the interest of national security.</p>	<p>007 - Benefits Information System] and the published privacy impact assessments [DHS/USCIS/PIA-016(a) Computer Linked Application Information Management System and Associated Systems and DHS/USCIS/PIA-056 USCIS Electronic Immigration System], which can be found at <a href="http://www.dhs.gov/privacy">www.dhs.gov/privacy</a>. DHS may also share the information, as appropriate, for law enforcement purposes or in the interest of national security.</p>